Parliamentary Debates
(HANSARD)

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LEGISLATIVE ASSEMBLY

Thursday, 14 October 2021

THE SPEAKER (Mrs M.H. Roberts) took the chair at 9.00 am, acknowledged country and read prayers.

PAPERS TABLED

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

DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS 2020–21 ANNUAL REPORT

Correction — Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [9.02 am]: Members, on 13 October 2021 I received a letter from the Minister for Environment requesting that an erratum be added to the *Department of Biodiversity, Conservation and Attractions 2020–21 annual report*, which was tabled on 16 September 2021. The erratum adds the Auditor General's signature to page 74 of the report, which was omitted from the original tabled report. Under the provisions of standing order 156, I authorise the correction to be attached as an erratum to the tabled report.

[See paper 710.]

VISITORS — DE'LANEY FAMILY

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [9.03 am]: I would also like to acknowledge the De'Laney family who are in my gallery today. I understand the Minister for Health will make further reference to them, so welcome.

INTERNATIONAL PREGNANCY AND INFANT LOSS REMEMBRANCE DAY

Statement by Minister for Health

MR R.H. COOK (Kwinana — Minister for Health) [9.04 am]: Tomorrow is International Pregnancy and Infant Loss Remembrance Day to remember pregnancy and infant loss and recognise the impact this loss can have on families and our wider community. I acknowledge John, Kate and Mary-Jane in the gallery today and the work they have done to elevate awareness of pregnancy and infant loss. I also wish to recognise the incredible support and pastoral care services provided by health professionals who work in the field of perinatal and infant loss. The dedicated perinatal loss specialist team at King Edward Memorial Hospital for Women consists of a multidisciplinary team of obstetricians, midwives, paediatricians, social workers, pathologists and psychologists. The team provides care for women undergoing pregnancy loss. It also assists parents to develop palliative care plans for those wishing to continue to proceed with a pregnancy with babies who are not expected to survive. As well as providing care leading up to, during and after the birth, the service provides a perinatal loss clinic follow-up service where both physical and mental health are assessed. Other new services within the Women and Newborn Health Service that provide pregnancy and infant loss support systems include Miscarriage Stillbirth and Neonatal Death Support WA and the Red Nose grief and loss "hospital to home" initiative, which both provide ongoing support to bereaved families following stillbirth and newborn death and will be in place soon.

In June this year, the PathWest perinatal pathology department received $250 000 from the commonwealth to develop educational interventions to promote an increase in the rate of stillbirth autopsies in WA and to help guide families through the autopsy process. The department's dedicated pathology team undertakes one of the highest rates of stillbirth autopsies in the country. While respecting that not all families desire an autopsy, for some, it helps to provide answers. The Safer Baby Bundle includes information about sleeping position, smoking and fetal movements and fetal growth, with individual risk assessment for all women with the aim to birth as close to term as possible. This is now included in the existing *Pregnancy, Birth and your Baby* book.

The memorial garden is a special and significant site dedicated to the memory of a great many babies who have died, and we will treat it with the respect and dignity it deserves. The subdivision of Harvey House and the memorial garden at KEMH is still progressing with the WA Medical Museum Board working through the legal process of becoming an incorporated body. Once confirmed, details of its governance and the licence will be communicated. While I appreciate that it will be a difficult day for those attending the ceremony at the rose garden tomorrow, they are not alone and our thoughts are with them.

KALGOORLIE REGIONAL COMMUNICATIONS FORUM

Statement by Minister for State Development, Jobs and Trade

MR R.H. COOK (Kwinana — Minister for State Development, Jobs and Trade) [9.07 am]: Last week I made the trip back to the bustling regional hub that is Kalgoorlie for the first time in both my capacity as Minister for

State Development, Jobs and Trade and as Minister for Health, and let me tell you the place was buzzing! It was a true hive of activity. There is unprecedented demand for people, services and innovative ideas, and although this presents its own challenges, the people of Kalgoorlie are wide-eyed to the future ahead.

Along with my parliamentary colleagues Ali Kent, MLA, and Hon Kyle McGinn, I attended a number of engagements that gave me a clearer view of the road ahead for Kalgoorlie, including a visit to Lynas Rare Earths' lot 500 site to see the progress it is making on its world-leading rare earths processing facility; a tour of the WA School of Mines to see how it is adapting its curriculum to WA's new industries in battery technology, green steel and mineral processing; and a roundtable with the Bega Garnbirringu Health Service and WA Country Health Service officials to hear about the challenges faced by Indigenous people in regional and remote areas, particularly in relation to the vaccination rollout, and how we can encourage further uptake.

However, primarily I had the chance to attend and co-open the Kalgoorlie Regional Communications Forum, one in a series of events that ensures regional businesses are fully prepared to compete for available government contracts worth an estimated $30 billion a year. It also updated businesses on important policies, including the Western Australian industry participation strategy to ensure local WA businesses are best positioned for a greater share of government spending. WAIPS is a key strategy of our government to create more opportunities for local businesses and has supported more than 43 000 jobs since it was implemented in October 2018. More than 50 local business owners or representatives attended the forum, which was well received and reinforces our commitment to regional Western Australia. I thank the Department of Jobs, Tourism, Science and Innovation, the Department of Finance and the Department of Training and Workforce Development, and say a big thank you particularly to the Goldfields–Esperance Development Commission, the Kalgoorlie–Boulder Chamber of Commerce and Industry and the Chamber of Minerals and Energy for their insight and expertise. I also place on the record my thanks to the member for Kalgoorlie for hosting us. I look forward to returning soon to see more great progress in Kalgoorlie.

THERAPEUTIC COURT PILOT

Statement by Minister for Child Protection

MS S.F. McGURK (Fremantle — Minister for Child Protection) [9.09 am]: I rise to update the house on the therapeutic court pilot led by the Department of Justice in collaboration with the Department of Communities. The therapeutic court pilot commenced in July 2020 and operates from the Perth Children's Court. The pilot assists families by way of judicial monitoring in a mediation-style environment that is less intimidating and deals with matters in a less adversarial way. It aims to improve family relationships and enhance a family's capacity to remain child focused.

Since the commencement of the pilot court, families have been engaging well with the pilot. Contact with their children has improved and increased, and referrals have been made to treatment services for family members to commence rehabilitation. Comments from participants have continued to be positive, with parents stating they felt listened to, and that they looked forward to engaging in the process. During the 2020–21 financial year, 287 pilot meetings were convened with 41 families and a total of 63 children accepted into the pilot. There have been five reunifications through the pilot court since it commenced. Recently I had the opportunity to visit the pilot court with the Attorney General to observe a hearing that involved members of a young family who were able to transition to overnight stays with their child as a result of this process.

An evaluation of the pilot is being conducted by the University of Western Australia. I look forward to seeing the evaluation findings of the pilot and to hearing more positive stories from families engaging in this therapeutic process. I commend the Departments of Justice and Communities for working collaboratively on this initiative, as well as the Children's Court of Western Australia, to achieve better outcomes for children and their families.

DEFENCE INDUSTRY — INNOVAERO AND CAMCO ENGINEERING

Statement by Minister for Defence Industry

MR P. PAPALIA (Warnbro — Minister for Defence Industry) [9.11 am]: Last week, I had the pleasure of visiting two exemplary Western Australian companies that are part of the state's impressive defence industry, being Innovaero and Camco Engineering.

Innovaero is an Australian–owned and operated company based in Kardinya, which is focused on aeronautical technology development and commercialisation. It is a great Australian veteran employer that is committed to preserving a 100 per cent Australian supply chain. Innovaero builds unmanned aerial systems and delivers Civil Aviation Safety Authority-certified products for the aviation sector, with a key focus on the integration of aerial imaging and survey systems. These capabilities could meet the requirements of not only the Australian Defence Force but also police and emergency services. Innovaero demonstrates the innovative and diverse capabilities the state's defence industry is able to provide to the Australian Defence Force. The company is currently seeking CASA certification of the company's full-scale FOX design, which, when certified, will be Australia's largest unmanned aerial surveillance system.

Camco Engineering is another exemplary WA-based company and is one of the largest integrated mechanical heavy engineering businesses based in Canning Vale and Belmont. Camco provides innovative, time-critical

engineering solutions to the mining, oil and gas, defence, rail and energy sectors in Australia. It is a great example of a company that is ensuring it keeps up with technology and is focused on developing advanced manufacturing practices here in WA. Camco had been working closely with Naval Group to secure opportunities relating to the Attack-class submarine program, which has recently been cancelled by the Australian government. I urge the Australian government to provide certainty to companies like Camco and provide continuous naval shipbuilding activity in Western Australia.

Both Innovaero and Camco co-exhibited with Defence West at the Land Forces conference in Brisbane earlier this year. With the support of Defence West, we will continue to provide opportunities for companies like Camco and Innovaero to promote their capabilities to senior Department of Defence and defence industry decision-makers. I look forward to visiting other defence industry companies across Western Australia and advocating to ensure that they maximise opportunities available in national defence programs.

POLICE STATIONS — WHEATBELT

Statement by Minister for Police

MR P. PAPALIA (Warnbro — Minister for Police) [9.14 am]: Last week, I had the pleasure of visiting a number of police stations in the wheatbelt police district of Western Australia—Wundowie, Toodyay, York and Beverley, and the district headquarters in Northam. In Wundowie, Toodyay, York and Northam, I was joined by Hon Darren West, MLC, member for the Agricultural Region. As a local farmer, the honourable member is well known within his community and is a fantastic advocate for the wheatbelt region.

The visits that I have been undertaking to police districts across Western Australia have provided me with the opportunity to hear directly from the officers on the ground about the issues impacting their communities. They also afford me the chance to update officers on impending legislation that will affect their conditions and operational capabilities. Each of these communities is unique and faces different challenges. From dealing with an increase in a town's population and what this means for the local community, to dealing with the impact of road trauma on often close-knit communities, the work of a local police officer varies from day to day. I would like to acknowledge the hard work and commitment of all the officers within the wheatbelt district and I thank them for all they have done to keep the wheatbelt and Western Australia safe.

I look forward to visiting more police stations in the wheatbelt district with Hon Darren West, MLC, in the near future, and I am now one step closer to achieving my goal of visiting every police district in Western Australia by the end of the year.

CHILD PROTECTION — BUSSELTON

Grievance

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [9.15 am]: My grievance is to the Minister for Child Protection. I thank the minister for taking my grievance, which is about the lack of support for vulnerable youth, particularly in the south west.

I will refer to one specific case, which was raised with the minister's office last Friday, as an example of the level of dysfunction and under-resourcing within the system. As the minister may be aware, the Busselton Youth and Community Activities Building was officially opened in 2018 as part of the Busselton youth precinct and skate park. YCAB is managed by the City of Busselton and provides supervised activities for youths aged from 12 to 24. The space was designed for young people to upskill, engage, socialise and receive positive mentoring. However, since its opening, YCAB has become a drawcard for vulnerable, and often homeless, youths. It is managed by a small team who have had to adapt the space to provide what support they can for these young people, including access to phones, food, and, increasingly, sleeping bags. This was not the intent of YCAB when it opened, but it has become a major focus out of necessity due to a lack of other facilities and support for these vulnerable youths.

I have been working with the team to obtain state government and community support, including lobbying for dedicated youth police prevention officers, to resolve the escalating issues that these at-risk teens are experiencing, but our pleas have fallen on deaf ears. Mostly, the team has been doing its best with what it has. However, the situation is now becoming dire. Last weekend, the manager of YCAB contacted me in desperation regarding a particularly disturbing incident. Tim—not his real name—is 14 years old and is homeless. He had been living in a tent with a man who had recently been released from prison and has become physically violent towards Tim. Other residents at the campsite where he was living have been trying for a number of weeks to raise the alarm with Child Protection about his living arrangements, as have the staff at YCAB, who say their concerns have been ignored. One resident, frustrated by the lack of action or care from the department, took matters into her own hands last week and drove Tim to the Busselton child protection office of the Department of Communities seeking urgent intervention. Tim, who was depressed, had been self-harming, and allegedly had had suicidal thoughts, met with child protection officers later at YCAB to detail his perilous living arrangement. Their response was to offer Tim some food vouchers. There was no alternative short-term housing solution. That was a shockingly inadequate response from a department that is charged with caring for our most vulnerable youths.

It should be noted that Tim's situation has been known to the department since he was about eight years old, with a history of being both in care and homeless. How is it that a child whose situation has been well documented within the department for six years had been allowed to live in a tent with a convicted offender without that raising any red flags within the department? Where are the checks and balances and the duty of care? Tim has now found a job but is sleeping on a friend's couch while he waits for the department to provide him with personal documentation to set up his bank accounts. He still does not have stable accommodation or a legal guardian to care for him. Minister, this is simply not acceptable. A homeless 14-year-old known to Child Protection is vulnerable and in need of support, and yet his cries for help, along with those trying to help and support him, are ignored.

Unfortunately, Tim's case is not an isolated one and his situation is indicative of an escalating problem within the south west and, I believe, throughout the state. The team at the Youth and Community Activities Building in Busselton has told me that it regularly provides support for homeless youths. In the last six months alone, it has given out 10 tents to vulnerable youths who have nowhere to go and nowhere to sleep. There is simply no local emergency housing for these youths. Both the team and the local government agencies try to support them but feel helpless. Clearly, there are deeper problems in the minister's department. This was recently highlighted by the damning *Independent review into the Department of Communities' policies and practices in the placement of children with harmful sexual behaviours in residential care settings*. Amalgamating the specialist child protection unit into the mega Department of Communities has been a failed repeat experiment with a high price to pay for children like Tim. It has degenerated into a system in which children are falling through the cracks, including two children in care who have been missing for at least 40 days, as revealed in the Legislative Council and through the estimates process last month. The real concern with this particular case is that it is only the tip of the iceberg and highlights that possibly many more youths are effectively out of the control of the department and in serious danger. There is also a real concern about the extraordinary pressure on our child protection workers. For every single month in the last financial year, at least 69 caseworkers had case loads in excess of the recommended limit of 15 cases and multiple caseworkers had case loads in excess of the exceptional limit of 18 cases. One team leader had 58 cases. It is clear that the system is broken. There are not enough caseworkers, emergency resources or youth housing options, and teens like Tim are being left to fend for themselves in precarious and often dangerous situations without any support.

I implore the minister to urgently address the homeless youth issue in the lower south west and to provide extra resources on the ground to ensure that Tim and the many other youths in the same dire predicament receive the support that they need.

MS S.F. McGURK (Fremantle — Minister for Child Protection) [9.22 am]: I thank the member for the grievance. I can certainly assure the member, other members of this house and the Western Australian public that not only is this government strongly committed to ensuring that a child's right to safety and protection from harm is paramount in our consideration, but also the Department of Communities works very hard each and every day to promote the best interests of children and young people in our state. I would particularly like to commend the many child protection workers, both in the Department of Communities and in our community sector organisations, who work very hard to that end each and every day across the length and breadth of our state.

Children come into the care of the chief executive officer of the Department of Communities for a complex range of reasons. As I said, this government is committed to ensuring that when a child enters care, they are provided with the support, safety and services required to address their needs. Often these children and young people have faced trauma, grief, loss and serious developmental challenges as a result of their past experiences. They can be dealing with mental illness and even with a disability. This can mean that they present at different locations to raise their concerns or to ask for help and that they may, at times, be in a dysregulated state and experiencing significant stress when they do so. I appreciate that this can be confronting for the public or the organisations at which they present.

I take all child protection matters raised with me seriously, including the matter raised by the member, and I work with the Department of Communities to respond to and resolve matters effectively and in a timely manner. I have done this since becoming the Minister for Child Protection in 2017. It is my job to ensure that we have the right legislation, policies, systems and practices to ensure the safety of children and young people in our care. I stress that I will not be talking about the specific details of an individual. This is something that I am cautious to do. The legislation is very clear that we do not identify young people in care. But I will try to talk generally about the circumstances that the member has addressed. The situation of young people in care who, at times, remove themselves from their endorsed placement is not something that is particular to Western Australian or Australian child protection systems. It is a phenomenon that bedevils child protection systems across the world; that is, young people will often remove themselves from an endorsed placement and, sadly, place themselves back at risk and in an unsafe situation. Often they go back to their mum and dad, who were sadly the reason they came into care in the first place. This is a challenge for child protection systems, because we have to try to get these young people back into a safe, endorsed placement. We have to address the reason that they left a safe place and we have to put in place proper safety planning around them to ensure that they do not put themselves or others at risk. But at times these children and young people will continue to remove themselves from a safe placement and go back to an unsafe situation. Despite the best efforts of the department, it is faced with the unenviable situation of putting safety planning

around these young people even when they are not in an endorsed placement. This does not mean that the department does not know where the young person is, nor does it mean that the department is not in contact with them; it is doing its best to ensure that they are in a safe situation. At times, the department will involve the police to ensure that these young people can be located and are safe and to ensure that the public is safe as well. The department continues to monitor these situations closely and, at times, will work with the police to ensure that that is the case.

I do not know whether the member is aware but there is one secure facility in Western Australia, the Kath French Secure Care Centre, in which children and young people can be detained away from the criminal justice system. However, the legislation surrounding the circumstances under which young people can be placed in that facility and for how long is very clear, and I support that legislation.

With reference to the member's claims about the specific case and the timeliness of the department's response, as I said, I will not go into the specific details, but I have made inquiries, understanding that I got notice of this particular grievance only yesterday afternoon. I can confirm that when my ministerial office heard about the situation at two o'clock on 8 October, we ensured that by the end of the day the Department of Communities had met with the young person and the community sector organisation that the member has referred to. I certainly take issue with the assertion that the department's response was inadequate, that it did not care that the young person was not at an endorsed placement and that it was not making an effort to ensure that that young person was placed back with approved carers, because I know that the department's individual caseworkers and its team leaders worked very hard to ensure that that was the case.

The member may have been paying attention yesterday in question time when I said that the number of children in care has reduced for the first time in nearly two and a half decades, and also that we have invested more money than ever in the child protection system—$93 million over the forward estimates was announced in this budget. We continue to work to ensure that we have the right legislation—legislative change is being debated today in the upper house—the right policies and the right practices to ensure that children are kept safe in care.

RESPECTFUL RELATIONSHIPS TEACHING SUPPORT PROGRAM

Grievance

MS C.M. ROWE (Belmont) [9.29 am]: My grievance today is to the Minister for Prevention of Family and Domestic Violence. It regards the tragic, complex, multifaceted and, sadly, widespread issue of domestic violence and what we can do from a primary prevention space. As members in this place will know, the statistics around domestic violence continue to be really shocking and persistent in our community right across Australia. We still see one woman die every single week in our country as a result of family and domestic violence. In Australia, 1.6 million women have experienced some form of family or domestic violence and WA has the second-highest rate in the country of reported physical and sexual violence perpetrated against women. These numbers are absolutely terrible in themselves, but when we put a name and a face to those numbers, it becomes even more tragic, more real and even more critical that we do something about it. These numbers represent our friends, our sisters, our mothers, our kids and our community. The impact of family and domestic violence is substantial and far-reaching and, tragically, it overwhelmingly affects women and children.

The research shows that children who are exposed to family and domestic violence experience long-term effects in their development, behaviour, health, relationships, emotional learning and thinking abilities. We have a real obligation here to challenge the factors that contribute to violence, particularly as our children are developing, so that we can break that cycle for future generations. Beliefs, attitudes and behaviours that excuse or support gender inequality and negative gender stereotypes are known as drivers of violence. I feel that this is evidenced quite clearly and incredibly disturbingly in an article titled "No jail for church camp rape" in *The West Australian*, which I read last week. A young woman, who was 18 at the time of the first attack, was raped at a church camp by her then boyfriend and then again the following year. It was in the presence of another person and both times occurred whilst she was asleep. The resulting impacts on her mental health and her life have been severe. In her victim impact statement to the court, she told how she had developed post-traumatic stress syndrome and attempted to take her life after the rapes. The lawyer for the male perpetrator made a big claim, saying that his client was "not a sexual deviant" but simply failed to understand consent. He continued —

> "It's out of character for the morals to which he was taught … what he didn't understand is exactly what consent was," …
>
> "In hindsight, he realises what he has done is incorrect, but at the time, he was trying to encourage her to have consensual sex."

I was horrified to read that someone could simply talk away an incident like rape and say that they just did not understand consent. It is disgusting. Disgracefully, the rapist escaped jail time and the young woman is left to piece back together her life in the aftermath of the trauma. From reading her victim impact statement, it is evident this has completely derailed her entire life. I raise this matter, minister, because it really demonstrates how far we have to go and the enormous amount of work we need to do to educate, I think, predominantly boys and young men in our community on the concept of consent. That is why I feel so passionately about the program that our government

has funded, Respectful Relationships, which is a teaching program that is available to our state schools. This is a whole-of-school program that trains our teachers to promote a culture of equality and respect and to teach our kids about the importance of respectful relationships to prevent violence before it even starts. Research shows that this approach has the potential to provide widespread benefits, including reducing the incidence of bullying, violence and risk-taking behaviour; improved academic outcomes; and improved wellbeing and mental health capacity for people to seek help if they experience or witness violence. The list of benefits, certainly for young children, goes on.

I recently had the pleasure of catching up again with Leanne, who is the CEO of Starick Services. Its head office is in my community in Belmont. She and one of her staff members came to talk through in detail the Respectful Relationships program in WA schools. I know that the minister has a fantastic relationship with Starick and I know that she is very aware of the vital work it does to help women escape domestic violence in our community. In my electorate of Belmont, I continue to see the devastating and long-term impacts of family and domestic violence on victims. That includes homelessness, health risks, anxiety disorders and, of course, a significant financial impact. It impacts women from all walks of life. Their background or postcode does not matter; it seems to be something that can impact any demographic of women.

I have spoken previously in this place about Margaret Indich. She was a 38-year-old constituent of mine in Belmont. In January 2018, she was brutally bashed to death. She was in an 18-year relationship and it was tragic. I know her mother still experiences the trauma of that loss. I ask the minister to talk through what the state government is doing to address this terrible scourge in our community. Thank you.

MS S.F. McGURK (Fremantle — Minister for Prevention of Family and Domestic Violence) [9.36 am]: I thank the member for raising these important matters in this house and for her passion and commitment to ensuring a safe and equitable community for women and girls and, in fact, everyone in Western Australia. I hope it goes without saying that violence against anyone is unacceptable and we all have a responsibility to promote equal and respectful relationships as the norm.

As a government, we know that teaching young people about healthy and positive relationships is the best way to prevent violence before it starts. As the first Minister for Prevention of Family and Domestic Violence to be appointed in a Western Australian government, I can assure members and the WA public that we have stayed focused on working across the continuum to not only ensure that there is a proper, adequate and effective crisis response, but also stop the violence before it happens. We need not only good systems of response to ensure that perpetrators are held to account and justice is served after violence has happened, but also to prevent that violence occurring before it takes place. To that end, in 2019 we introduced the Respectful Relationships teaching support program in schools, as the member referred to. The program is delivered in primary and secondary schools in this state. It aims to create generational change and break the cycle of domestic violence before it starts. As the member said, it uses a whole-of-school approach to support staff in public schools to deliver material within the context of the curriculum aimed at respectful relationships to give teachers the skills to support students to build relationships characterised by nonviolence, equality, mutual respect and trust. It is delivered in partnership between the Department of Communities, the Department of Education and Starick Services.

We know that in the formative years of schooling, young people are likely to have their first experiences of intimate partner relationships. This means that supporting and educating students is critical in helping them foster respectful relationships. To date, 22 schools have completed the program, with another 16 currently in progress in the final intake of schools during the pilot program, which ends in mid-2022. As part of our last state election commitments, we committed to another $1.4 million to expand the program to another 12 schools in 2022. As the member for Belmont pointed out, education can be an important tool to help young people better understand the concept of consent. The Australian Curriculum, Assessment and Reporting Authority is currently reviewing the national curriculum to include a review of the health curriculum with particular considerations for consent and relationships in education. We anticipate that it will include greater consent and relationships education, and we look forward to that. Although these measures are important, we also cannot rely solely on the school curriculum. Everyone has a role in calling out poor behaviour and educating those around us.

Since 2017, when we came to office, we have committed over $120 million to breaking the cycle of abuse and providing better outcomes for those experiencing family and domestic violence in our state. Our achievements last term included significant law reform and building two new women's refuges and two new FDV one-stop hubs. We continued this term with other measures, including a $29.5 million Safe Home, Safe Family package, funding safety planning and securing upgrades for women to stay safe in their own homes, supporting rapid rehousing and supporting women in private or public housing. There is a $14.2 million law reform package to support victim/survivors in court processes and a new supporting survivors package of $4 million to include initiatives such as paid driving lessons and dental treatments.

As the Minister for Women's Interests, I know all too well that sexual violence is nothing new. We have all watched as it impacts all parts of our society and industries, from mining to politics. We are now seeing that women and men will no longer tolerate sexual violence and sexual harassment. This government continues to work to empower people to share their stories and report sexual violence and harassment, because no-one should suffer in silence. Last

month we announced that we are commissioning the state's first sexual violence prevention strategy. I announced that in concert with the Attorney General and the Minister for Health. That project will review sexual assault laws, hold offenders to account and focus on primary prevention to reduce sexual violence and harassment in our society. Another key initiative that we introduced was our 16 Days in WA to Stop Violence Against Women campaign. Now in its fifth year, the campaign aims to promote community action to address violence against women and drive change that promotes equality and respectful relationships. I encourage the member for Belmont and all members of this house to show support for this campaign from 25 November to 10 December. The point of the campaign is to say that we all have a role in educating ourselves about violence and harassment against women and girls in our society and to encourage those in our community and electorate to take up this campaign.

I thank the member for Belmont for raising this important issue. I know that we still have a way to go, but this government is committed to drawing a line in the sand and ensuring our state is a safe place for girls, women and everyone.

PORT GREGORY JETTY

Grievance

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [9.42 am]: I rise today to grieve to the Minister for Transport on behalf of the Port Gregory community, particularly the local cray fishermen who desperately want to utilise their local Port Gregory jetty to safely access their cray boats.

The jetty stands high and dry. Significant silting has rendered the jetty unusable, even to small craft such as dinghies. At low tide, it is now possible to walk or drive around the jetty. There is not a skerrick of water lapping the jetty's pylons. Ordinarily, a jetty is a structure that projects from land out into the water but, at present, the Port Gregory jetty serves only as a boardwalk and viewing platform. I refer to the Department of Transport's fact sheet that states "The Port Gregory Maritime Facility consists of one wooden service jetty". I think the term "service" has been used rather loosely with reference to this stranded state asset. The same fact sheet refers to a temporary notice to mariners regarding the reduced navigable water depth and notes that restricted access has been in place since 16 July 2012.

Port Gregory was established in 1849. The port served as an important supply and export point. It was used in the early years by whalers and pastoralists, and to ship lead from local inland mines. The town is located 47 kilometres north west of Northampton by road and midway between Kalbarri and Geraldton. As an aside, on 27 January 1943, the Japanese submarine I–165, while planning to bombard the port of Geraldton, observed three aircraft and what was believed to be a destroyer and aborted the intended attack. On the following night, the submarine bombarded Port Gregory with about 10 100-millimetre shells from her deck gun in the belief that the local crayfish cannery was an ammunition factory. In spite of the attack, the town lived on, and in 1980 Port Gregory's current jetty was built.

Port Gregory local Greg Horsman has spent almost 50 years working in the crayfishing industry. He remembers the days when a truck could be driven onto the jetty to unload the day's catch—a simple and efficient operation. Nowadays, it is a complicated feat that involves unloading the crates of crays from the boat to a dinghy at a mooring, bringing the dinghy ashore and finally transferring the catch to a truck in the carpark. All that handling impacts the quality of the fresh product which, in turn, sells for an inferior price. The labour-intensive, multistage operation of unloading the catch is costly and has forced Greg to invest in additional equipment, such as a pot trailer and a rope trailer. He says the useful life of his ute and trailers is severely compromised due to corrosion from the need to reverse trailers into the ocean to launch the dinghy. Because the local fuel depot closed, Greg now has to travel an additional 30 nautical miles to Kalbarri or Geraldton to refuel the boat.

As a long-term user of the jetty, Greg has remained in frequent contact with the Department of Transport. He says that five years ago the department spent $160 000 repairing jetty timbers, but the water supply to the jetty has subsequently been disconnected. He believes some $500 000 was spent over 10 years monitoring the jetty. In his view, which is informed by a great deal of local knowledge and experience, around $400 000 would be needed to employ an excavator that would be able to clear the sand around the jetty. He says that southerly winds have shifted sand from the dunes, which have built up around the jetty, and with the water being deeper near the jetty than it had been, he suggests that sand could be dug out from around the jetty's south face next month to return the area to navigable depths. He believes if this process were started, the water would continue to flush and clear the area of sand.

Greg questions why funds are available to dredge in Kalbarri but Port Gregory is overlooked. He says there are currently up to eight cray boats operating out of Port Gregory, a similar number to that in Kalbarri. Kalbarri, he says, had a dredge at work recently which cost $600 000. Some residents have suggested that an alternative solution to dredging in Port Gregory could involve an additional 10 to 15–metre finger jetty extension to the existing jetty.

Colin Suckling is another Port Gregory local who has long been associated with the crayfishing industry. He describes the precarious task of carefully bringing the catch ashore—first offloading the crayfish to the dinghy while taking care not to sustain any physical injury while lifting the crates. Hot days when the easterly wind is blowing are the

worst, and wet hemp is draped over the crates of crayfish to minimise the percentage that will be downgraded. He says that he starts out with a premium product, but in the time it takes to bring the catch ashore, the quality deteriorates. He also says that he has had instances in which the dinghy had hardly any freeboard and he had to order a larger dinghy to meet his future needs.

A five-kilometre-long coral reef running parallel to the shore offers Port Gregory a stretch of protected water that makes the town a popular holiday destination. With its sheltered waters, recreational fishing is popular among locals and tourists. Many Western Australians have in the past 18 months hit the road, and a good number visited Port Gregory's local attractions, such as the Lynton heritage site, which was a convict hiring depot. It functioned in the 1850s and is a unique glimpse of convict life in Western Australia. Typically, the town's population swells during the summer months. Prior to COVID-19, many international tourists visited to view the pink lake—Hutt Lagoon—which shot to worldwide fame via social media posts and will, no doubt, once again be a huge attraction for international visitors when travel resumes.

Despite the fact that they have no workable jetty, the residents of Port Gregory continue to go to work to manually bring their crayfish catch ashore as their forefathers did. The inconvenience of not having a jetty costs time and money, with the further financial penalty being the deterioration of the quality of their live catch due to the stress of the multiple handling required to bring the lobster ashore and to market. Recreational boating and fishing is booming in WA. Boat sales last year were at a record high. Colin Suckling notes that the many jetties on South Australia's Eyre Peninsula are all well maintained by the South Australian government for recreational fishers.

During budget estimates last month, the minister indicated that she needed to visit Port Gregory to see the situation firsthand. Minister, I encourage you to do so and to engage with the local community, who have extensive local knowledge and experience of the conditions in Port Gregory and the movement of sand and sea. I implore the minister to act to rescue the Port Gregory jetty so that this valuable and important piece of infrastructure does not remain a stranded asset. I thank the minister for receiving my grievance today.

MS R. SAFFIOTI (West Swan — Minister for Transport) [9.49 am]: I thank the member for Moore for his grievance. He asked questions about this during estimates. I have some speaking points that I will go through and then I will make some other comments at the end.

Sediment build-up has been increasing at the Port Gregory jetty since at least 2001, and unfortunately the jetty is currently landlocked. Since 2012, the government has been regularly monitoring and investigating the build-up of sediment at Port Gregory. Recently, in mid-2020, an investigation was undertaken using drone footage, and a follow-up hydrographic survey of Port Gregory was completed earlier this year. The monitoring continues to indicate that the rate of sediment build-up and shoreline movement in the Port Gregory area is showing no signs of slowing.

The Department of Transport met with the Shire of Northampton in 2018, 2019 and more recently in mid-2020 to discuss options for making the jetty serviceable. The meeting in 2020 between the department and representatives from the shire, Port Gregory fishermen and the Mid West Development Commission discussed potential options such as dredging or an extension to the jetty. Neither of those have proved to be viable long-term solutions because of the rapid rate of silt build-up at Port Gregory. Over the last 10 years, several reviews and risk assessments for a remedial dredging campaign at Port Gregory have been undertaken. The reviews in 2012, 2018 and 2020 identified that the most significant issue is that remedial dredging would only provide a short-term benefit of less than two years before further sediment build-up would be likely to restrict jetty access again. The remedial dredging would also be likely to result in the removal of the natural beach boat-launching ramp. Any permanent extension or expansion of the Port Gregory jetty would cost millions of dollars.

I understand that there has been a lot of analysis of and discussion about the sediment build-up. Of course, work has been done in Kalbarri, and that has been an alternative solution for some; however, I understand that the state of the jetty is quite frustrating for those locals. The advice I have so far is that the only long-term solution would probably be an extension of the jetty. That would cost millions of dollars and there is currently no funding for that. Any dredging would benefit the jetty for only a couple of years and would not be a long-term solution. As we have seen in the past up and down the state, sometimes solutions are put forward that benefit only in the short term, and then the same problems arise again. That is an issue up and down the state, whether it is coastal erosion or the build-up of sediment and its impact on some of our operating jetties.

It does look like a tough issue. I will not say that I have a solution, but I have committed and I do commit to visit the area, meet with the council, discuss the issues and see for myself just how stranded the jetty is. I note that these issues are complex, and there are many of them up and down the state. We are trying to work through them all, because there seems to have been a build-up of these issues. I do not want to be too political about it, but this has not happened only in the past four years, member. There has been a build-up of issues up and down the state. We are trying to address those issues, whether they relate to the operation of jetties, coastal erosion, or access to places like the fascine. We are trying to address a lot of long-term issues up and down the state, but I never discount the frustration that locals have about the state of their jetty.

GREAT NORTHERN HIGHWAY — SAFETY MEASURES

Grievance

MR K.J.J. MICHEL (Pilbara) [9.53 am]: My grievance today is to the Minister for Transport and relates to additional safety measures on Great Northern Highway. As the member for Pilbara, I drive extensively throughout my electorate between Newman, Port Hedland and Karratha, so I use Great Northern Highway frequently between Hedland or Karratha and Newman. I tabled a petition relating to this road on Tuesday, 12 October. As Newman and Hedland residents know all too well, this road can be quite dangerous due to the amount of haul trucks and caravans on the roads. Local residents acknowledge the importance of these trucks to our local economy, and many locals work in the logistics industry. Pilbara residents also acknowledge that caravans and grey nomads are a feature of life when living up north and show that our local tourism industry is booming. However, it can be very frustrating for local residents to be stuck behind trucks and caravans that may have to slow down to 40 kilometres an hour at some points on the highway. In places where there is a lack of overtaking lanes, this can cause drivers to get frustrated and lose time, as well as lead to dangerous situations with people overtaking on the highway.

I acknowledge our record investment into regional roads since 2017 and commend the minister's work in delivering investment into Pilbara road projects such as Manuwarra Red Dog Highway and the Coongan Gorge realignment project. I also note the recent state budget commitment of over $49 million through the regional road safety program to upgrade more than 720 kilometres of Pilbara roads with road safety treatments.

I was recently presented with a petition from a Port Hedland resident seeking for additional safety measures to be put in place on the Great Northern Highway such as extra overtaking lanes and more driver training and awareness. For the benefit of this house and Pilbara residents, I ask the minister to outline how our government is investing in safety measures for regional roads such as the Great Northern Highway. Thank you.

MS R. SAFFIOTI (West Swan — Minister for Transport) [9.55 am]: I thank the member for Pilbara for that grievance and for his ongoing interest in road safety and the conditions for truckies in the entire Pilbara area. Of course, trucks play such a vital role in the Pilbara in facilitating the very strong local economy, the mining and resources sector, and the vast distances that people travel through the Pilbara. I know that the member is constantly driving hundreds of kilometres servicing his electorate, and I know that he is also a passionate camper and four-wheel driver, too. He has been experiencing the Pilbara for many, many years.

We are very much committed to road safety and improving the condition of our roads throughout Western Australia. Members will be aware that we successfully negotiated an incredible partnership with the federal government to deliver the widening of many roads across Western Australia. I think that included up to 7 000 kilometres of shoulder widening and audible edge lining on our major highways. Almost 290 kilometres of shoulder widening at a cost of $44 million has been completed on various roads in the Pilbara under the $600 million regional road safety program. A total of $27 million has been spent on Great Northern Highway alone, widening 192 kilometres on the section between Newman and Port Hedland. A further 430 kilometres of the Great Northern Highway is due to be upgraded, with audible edge lines by the end of this year under tranche 2 of the program at a cost of $5.3 million. Some of the works that we have completed on Great Northern Highway projects include the Newman to Mt Robinson Rest Area, worth about $8 million; Newman to Eagle Pool Road, worth $5 million; three kilometres east of the Mt Robinson Rest Area to 8.8 kilometres south of Karijini Drive, $6.6 million; and eight kilometres south of Karijini Drive to Munjina–Roy Hill Road, $6.6 million. Audible edge lining works on the Great Northern Highway include Kalgan Drive, Newman, to Munjina–Roy Hill Road at $2.4 million as part of tranche 1, and Munjina–Roy Hill Road to the BHP maintenance depot access road at $2.9 million to be completed in December 2022. Of course, other projects that we have completed include two projects at Paraburdoo to Tom Price Road at $7.7 million each, and Point Samson–Roebourne Road at $1.7 million. A lot of work is being undertaken on regional road safety, creating wider shoulders and audible edge lines to make Great Northern Highway safer for everyone involved.

Of course, overtaking lanes are also a key part of road safety. They reduce frustration and give people the ability to overtake in a safer way. We have recently undertaken a review of existing overtaking lanes across the entire state rural network, assessing their length and location and identifying where we need to install more. An assessment is underway on Great Northern Highway between Newman and Port Hedland to identify where new overtaking lanes are needed. We have completed the first pair of overtaking lanes, one northbound and one southbound, five kilometres south of the Port Hedland town site. We are doing detailed planning and investigation for additional overtaking lanes. Once that work is completed, we will make submissions to the commonwealth government, which funds 80 per cent of these projects. We are doing detailed planning to form further submissions to the commonwealth to get funding for more overtaking lanes in the area between Port Hedland and Newman. We are also undertaking planning work to extend the existing acceleration lanes on that section of the highway. We are working now to form further submissions to the commonwealth.

As the member would be aware, we have also committed $50 million as part of a state–federal government partnership towards the freight vehicle productivity improvement program. The program includes 14 projects across regional and rural locations to improve parking facilities and amenities, in particular, for truck drivers. The projects

will also help improve safety, with better rest and comfort stops giving truck drivers access to better facilities across the state. Almost half the projects the state government has funded in phase 1 of the program will be undertaken on the Newman to Port Hedland section of Great Northern Highway.

Members might have seen some of the education programs to educate road users on what to do when they encounter large and oversized vehicles. The "Know what to do when it's bigger than you" program was relaunched in October. It uses social media and other forms of communication to inform drivers that they have to take care when approaching big trucks, caravans and so forth because of their size, the time they take to stop and blind spots. Also on education and training, we have launched dedicated training programs with the Department of Training and Workforce Development, specifically courses to ensure that truck drivers have the training and necessary skills to drive significantly large vehicles and understand the basics on containing loads and other aspects of those vehicles.

I thank the member very much for his work. Of course, a lot of work is happening around Port Hedland at the moment on level crossing removals. I think three have been funded and one is underway. The other two will be underway soon. Again, those level crossing removals are also about improving safety. I thank the member very much for all his work, and we will continue to work to try to improve safety.

PUBLIC ACCOUNTS COMMITTEE

First Report — Annual report 2020–2021 — Tabling

Mrs L.M. O'Malley presented the first report of the Public Accounts Committee titled *Annual report 2020–2021*.

[See paper 711.]

Second Report — Budget briefing 2021–2022 — Tabling

Mrs L.M. O'Malley presented the second report of the Public Accounts Committee titled *Budget briefing 2021–2022*.

[See paper 712.]

CRIMINAL LAW (UNLAWFUL CONSORTING AND PROHIBITED INSIGNIA) BILL 2021

Introduction and First Reading

Bill introduced, on motion by **Mr J.R. Quigley (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR J.R. QUIGLEY (Butler — Attorney General) [10.05 am]: I move —

That the bill be now read a second time.

The Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021 introduces a reform package that will deliver on the McGowan government's commitment to target serious and organised crime. The suite of reforms in this bill will disrupt and restrict communication and networking between offenders, criminalise the display of insignia of identified criminal organisations and disrupt the ability of members of identified organisations to gather in public places. The reforms in the bill will make Western Australia the jurisdiction with the toughest and most comprehensive laws in the country to fight serious and organised crime. These laws will make Western Australia the most inhospitable jurisdiction for serious offenders and criminal organisations to operate or expand their criminal activities.

The bill contains three key reforms. The first reform is the unlawful consorting scheme, which will disrupt and restrict the capacity of offenders to engage in criminal conduct by criminalising association and communication between offenders. The second reform is the prohibited insignia scheme, which will criminalise the display of insignia of identified organisations in public places and empower police to modify or remove publicly displayed insignia. The third reform is the dispersal notice scheme, which will empower police to require suspected members of identified organisations to cease associating and communicating in public for seven days.

Criminal groups, such as outlaw motorcycle gangs—often referred to as OMCGs—are organised, hierarchical and well funded. The Australian Criminal Intelligence Commission states that criminal syndicates in Australia are diverse and flexible, with high-threat organised criminal groups sharing a range of common characteristics, in particular transnational connections, activities spread over several markets and the intermingling of legitimate and criminal enterprises. This makes them difficult to stop via traditional law enforcement methods.

The nature of an organised crime group requires considerable communication and networking. The first reform contained in the bill—the unlawful consorting scheme—targets this very reliance on communication and networking. It will enable the Western Australia Police Force to target those individuals who involve themselves in the planning of criminal activity. The unlawful consorting scheme is, by design, a preventive tool that can be levied on individuals, informed by their criminal history and police intelligence.

In addition to the unlawful consorting scheme, which targets a wide cohort of offenders, the prohibited insignia scheme and dispersal notice scheme target criminal organisations and their members. Violent conflict between

OMCGs is common and often takes place in public, exposing members of the community to extreme risk. Most notably, in 1984 an incident now known as the Milperra massacre resulted in the death of seven people and the wounding of a further 28 when a gunfight erupted between members of the Comancheros OMCG and the Bandidos OMCG in regional New South Wales. Since 1984, there have been multiple OMCG murders, shootings, firebombings and violent assaults that have occurred in public places throughout Australia. In Western Australia, we have recently been exposed to escalating incidents of serious violence by members of rival OMCGs in public places. This includes the recent shooting of the Rebels OMCG president, who was fatally shot from long range while attending a public event at the Kwinana Motorplex in 2020. The shooting also injured a young boy when a bullet grazed his body before lodging in the arm of an unverified Bandidos OMCG member.

Incidents of serious crime by OMCGs in public have occurred with regularity in recent years, with offences committed against other gang members and members of the public, including violent assault, kidnapping, armed robbery, aggravated burglary and threats to kill. In one particularly cowardly incident last year, a member of the public was assaulted by an OMCG member for wearing a jacket emblazoned with the insignia of a fictional American OMCG popularised in the television program *Sons of Anarchy*. This act of violence against an innocent member of the community was in apparent retribution for the victim not having "earnt" the patch, and is demonstrative of the misguided value of insignia to the identity of OMCGs.

This government will not permit criminal gangs to advertise, recruit, intimidate and commit violent acts in public. By prohibiting the display of insignia, this bill will deprive identified organisations of the ability to spread their culture and better protect the community from harm. The offence of displaying insignia introduced by this bill is tougher and more comprehensive than similar offences in any other Australian jurisdictions, both in the conduct it captures and through exposing both individuals and corporations to criminal liability.

The dispersal notice scheme will provide a time-limited responsive tool for police to intervene when suspected members of identified organisations are consorting in a public place, whether they are part of the same gang or a different gang. A dispersal notice will compel a suspected gang member to cease consorting with other suspected gang members named in the notice for a period of seven days. Dispersal notices will assist police to protect the public from public disorder, intimidation and violence.

Although the bill confers strong powers on the WA Police Force, these are balanced by a range of statutory safeguards including procedural requirements, targeted defences, exclusion of children from the operation of the bill and a comprehensive monitoring and oversight regime that will be exercised by the Parliamentary Commissioner for Administrative Investigations, commonly referred to as the Ombudsman.

The reforms in this bill unapologetically target those individuals and organisations involved in carrying out criminal activity and causing public harm. These are unquestionably tough reforms, but they are necessary to significantly disrupt serious organised crime and criminal groups in WA.

The bill has been developed in consultation with the Solicitor General, the State Solicitor's Office and subject-matter experts to ensure the reforms are targeted, efficient and robust. I am pleased to advise the house that the passage of these reforms will be supported by a comprehensive report prepared by the WA Police Force, which speaks, in particular, to the necessity of the reforms contained in part 3 of the bill. This report will be made available to members and tabled in the course of debate on the bill.

I will now explain the bill in more detail.

Part 2: Unlawful Consorting Scheme: The current consorting offences contained in sections 557J and 557K of the Criminal Code are aimed at preventing declared drug traffickers under the Misuse of Drugs Act 1981 and convicted child sex offenders from consorting with people with like convictions.

There are several deficiencies in the current consorting legislation. The current consorting provisions only apply to two cohorts of offenders—child sex offenders and declared drug traffickers. Further, WA Police Force advises that the current consorting legislation is impractical, difficult to prosecute and has not been consistently or effectively utilised since its introduction in 2004. The bill addresses these deficiencies by establishing a more detailed scheme that applies to a broader class of offenders. The unlawful consorting scheme will encompass an expanded cohort of relevant offenders defined in clause 6 of the bill to include child sex offenders, declared drug traffickers, persons who have been convicted of an indictable offence in WA or another jurisdiction and persons convicted of an offence under clause 25(2) of the bill, displaying insignia of an identified organisation, and clause 42(1) of the bill, consorting contrary to a dispersal notice.

Part 2, division 2 of the bill provides that an unlawful consorting notice can be issued by an authorised officer—being a police officer who is, or is acting as, a commander, or a more senior rank—if specific criteria are met. To issue an unlawful consorting notice, an authorised officer must first establish that the person is over 18 years of age and a relevant offender, as defined. Secondly, the relevant offender must have consorted, be consorting or be suspected on reasonable grounds as likely to consort with another relevant offender. Finally, the authorised officer must consider it is appropriate to issue the unlawful consorting notice in order to disrupt or restrict the capacity of relevant offenders to engage in conduct constituting an indictable offence. When a person is issued an unlawful

consorting notice, the person is referred to as a restricted person. An unlawful consorting notice must contain a range of information, including the name of each relevant offender with whom the restricted person must not consort. A single notice may include the names of multiple relevant offenders with whom a restricted person must not consort.

The term "consort" is defined in clause 3 of the bill and includes direct and indirect communication with a person by any means or being in the company of a person, whether inside or outside of the state. The offence of consorting contrary to an unlawful consorting notice is committed when a restricted offender consorts with a named offender on two or more occasions. It does not matter whether the consorting occurred with the same named offender on each occasion or with different named offenders. The offence of consorting contrary to a consorting notice is indictable, punishable by a maximum penalty of five years' imprisonment on indictment, or two years' imprisonment if dealt with summarily. An unlawful consorting notice is in effect for a period of three years once served on the restricted person and a further notice can be issued upon expiry.

The unlawful consorting scheme also contains important safeguards in the form of targeted defences set out in clause 18 that cover an acceptable range of day-to-day law-abiding activities, where it may be necessary or reasonable for a restricted person to consort with a named person. The defences also serve to direct police on what relationships and forms of consorting should be exempt from the operation of the consorting scheme.

Under clause 18(1) of the bill, it is a defence for the accused to prove, on the balance of probabilities, that the consorting was between family members and reasonable in the circumstances. The bill introduces a definition of "family member" under clause 4 that extends to family or kinship relationships recognised by the customary law and culture of Indigenous communities. This is a safeguard to ensure that members of the community are not targeted by the scheme for consorting with family members if it was reasonable in the circumstances.

Under clause 18(2) of the bill, it is a defence for the accused to prove, on the balance of probabilities, the consorting was necessary in the circumstances and occurred in the course of one of the specified circumstances listed in clause 18(2)(a). An example of the conduct covered by the defences includes attending an educational institution. To avail themselves of a defence, an accused would have to prove that the consorting occurred in the course of taking part in a particular educational or training course and that consorting with the named person was necessary in the circumstances. It would not, for example, be necessary to sit next to the named person in a lecture theatre when other seats were available 30 metres away in another part of the lecture theatre.

The bill contains a range of provisions to ensure the fair and effective administration of the scheme, including provisions that specify the content of an unlawful consorting notice, specify how notices must be served, and provide mechanisms by which notices can be corrected, varied or revoked in particular circumstances.

Part 2, division 3 of the bill confers a range of powers on police to administer and enforce the unlawful consorting scheme. These include powers in relation to service of an unlawful consorting notice, including to stop a person, to stop and enter a vehicle, request personal details, take a person into custody and convey them to a police station. The bill also empowers police officers to intervene when an officer reasonably suspects consorting has occurred in contravention of a consorting notice by requiring a person to leave a place or go beyond a reasonable distance from it.

A person who does not comply with the requirement of a police officer exercising powers under clause 19 commits a summary offence, punishable by imprisonment for 12 months and a fine of $12 000.

Part 3: Prohibited Insignia Scheme and Dispersal Notice Scheme: I now turn to part 3 of the bill, which contains the insignia offence and the dispersal notice scheme. The reforms in this part are the toughest of their kind in Australia, while being appropriate and adapted to serve their objects, as outlined at clause 23 of the bill, of protecting the community from public harm, disorder and violence. The reforms in part 3 rely on the list of identified organisations in schedule 2 of the bill. The prohibited insignia offence will apply to the insignia of these identified organisations and the dispersal notice scheme will apply to suspected members of these identified organisations.

Schedule 2 contains 46 "identified organisations", which fall into four categories: OMCGs recognised as having a presence within Western Australia; OMCGs recognised as having a presence within Australia; OMCG affiliate gangs, also known as "feeder clubs"; and street gangs. The inclusion of these organisations in the bill is based on police intelligence at the state and commonwealth level.

Importantly, additional organisations can be added to the list in schedule 2 only through amendments passed by Parliament. There is no mechanism to add further organisations through regulations. This will preserve the sovereignty of Parliament and ensure that the reforms apply in a way that is targeted, supported by evidence and constitutionally robust.

I turn first to the prohibited insignia scheme. The offence of displaying the insignia of an identified organisation is set out at clause 25 and provides that a person commits an offence if the person displays insignia of an identified organisation in a public place. The penalty in the case of an individual is imprisonment for 12 months and a fine of $12 000. The penalty, in the case of a body corporate, is a fine of $60 000. I will refer to this offence as the "prohibited insignia offence" for convenience. As I have said, the prohibited insignia offence in this bill is tougher and goes further than other Australian jurisdictions in a number of ways.

First, the offence applies to individuals, corporations and the corporate officers of corporations. An officer of a corporation is criminally liable for an offence committed by a corporation unless the officer proves that they took all reasonable steps to prevent the commission of the offence by the corporation. We know that some identified organisations hide behind the guise of legitimate businesses to conceal their criminal activities. The prohibited insignia offence will hold those organisations to account. If an identified organisation is a body corporate, as defined by the commonwealth Corporations Act 2001, the corporation can commit the offence and its corporate officers will be held to account if they fail to take steps to prevent the commission of the offence.

Secondly, comparable with other jurisdictions, the offence will capture circumstances when a person is in physical possession of insignia that is displayed in public, including where a person wears or carries an item such as a jacket bearing insignia. However, this offence goes further and will also apply where a thing bearing insignia is possessed or controlled so it will be visible to a person in a public place. This will ensure that identified organisations cannot flout the law by displaying insignia from gang headquarters on a sign or a flag, for example. The organisation itself, its corporate officers or the individual responsible for the display of the insignia will be held to account. It is important to point out that the offence is committed whether the person displaying the insignia is located in a public place or a private place. What matters is that the insignia would be visible to a person in a public place. This will ensure that members of the public can go about their lawful business in public places without experiencing such intimidation, threat or fear.

Thirdly, the offence extends to where a person has a tattoo or body marking comprising insignia of an identified organisation and it is left uncovered in a manner that would be visible to another person in a public place. We make no apologies for cracking down on the public notoriety that members of identified organisations enjoy by the intimidatory and threatening display of tattoos bearing insignia. Those individuals will be required to cover up their tattoos or body markings or risk being charged and prosecuted.

Fourthly, the definition of insignia contained in clause 22 will ensure all insignia of identified organisations are captured now and into the future. The bill provides that the insignia of an organisation includes the name, logo or patch of the organisation, and any other image, symbol, abbreviation, acronym or other form of writing or mark that indicates membership of, or an association with, the organisation. In addition, the symbol "1%" and the symbol "1%er" are also taken to be insignia of every identified organisation. We know members of OMCGs wear these symbols to demonstrate their affiliation with outlaw gangs and criminal conduct.

The definition will capture insignia even if an identified organisation changes or adopts additional insignia after the bill is passed. It will be a question of fact whether the insignia is that of the identified organisation. The effect of the definition of insignia in the bill is that the offence may capture insignia that has a dual purpose. For example, we know that some OMCGs routinely wear clothing bearing the name and logo of sports teams to indicate membership of the organisation. In some jurisdictions this practice has developed in an attempt to overcome bans on OMCG insignia. The offence in the bill closes that loophole. Similarly, where the organisation itself has changed names, it will be a question of fact whether the insignia displayed is actually that of the original organisation.

As the prohibited insignia offence has strict application to the display of insignia, it is necessary to ensure the offence is balanced by a range of safeguards. Firstly, the offence will not apply to persons under the age of 18. Secondly, a number of defences contained at clause 26 will ensure the operation of the offence is consistent with the objects of this part and members of the public do not face the risk of significant criminal penalty for reasonable conduct. All the statutory defences to the prohibited insignia offence place an onus on the accused to prove, on the balance of probabilities, that a defence exists. The defences will afford appropriate protection to police and other investigators, prosecutors and other lawyers, the media and any genuine artistic or educational use of insignia. Defences will also be available to protect members of the community who can prove that they unwittingly displayed insignia of an identified organisation, either by not knowing it was displayed or not knowing that it was the insignia of an identified organisation.

As the offence will capture insignia with dual purposes, a defence will also be available when the display of the insignia was only for the purpose of association with some other organisation, such as a sports team, or its only purpose or meaning was unrelated to an identified organisation, such as the use of the "1%" symbol in advertising. Finally, a defence will be available if the accused can prove the display is authorised under a written law of the state or commonwealth.

I now turn to the insignia removal notice scheme set out in subdivisions 2 and 3 of division 2 of part 3. The Criminal Investigation Act 2006 will, in most circumstances, provide police with appropriate powers to seize things bearing the insignia of identified organisations. However, there are some particular circumstances when additional police powers are required to ensure insignia is modified or removed. This includes when a prohibited thing bearing insignia is immovable and cannot be seized, displayed from private premises or displayed from a public place that is privately owned. The insignia removal notice scheme will enable the Commissioner of Police to issue a notice requiring a person to modify or remove a prohibited thing within 14 days. If the person fails to comply, police will be empowered to take steps to remove or modify the prohibited thing. Importantly, the insignia removal notice scheme does not apply to tattoos or body markings.

I now turn to the dispersal notice scheme. Part 3, division 3 of the bill introduces a scheme that will empower the police to issue and enforce dispersal notices with the intention of disrupting consorting between members of identified

organisations occurring in a public place. A dispersal notice will compel a person who is the subject of the dispersal notice to not consort in a public place with persons named in the notice for a period of seven days. A person who consorts with a person contrary to the notice will be committing an offence punishable by imprisonment for 12 months and a fine of $12 000.

The structure of the provisions contained in the dispersal notice scheme largely mirror the unlawful consorting notice scheme with some amendments to suit their particular purpose. This includes similar provisions regarding the content of notices; service of notices; correcting mistakes and revoking notices; and police powers. A police officer may issue a dispersal notice to a person if the person has reached 18 years of age and the officer reasonably suspects that the person is a member of an identified organisation and has consorted, or is consorting, in a public place with another adult member of an organisation. The person who is the subject of the notice and the named persons are not required to be suspected members of the same identified organisation. This ensures that the notices can be used to intervene in consorting between members of the same or different organisations.

The bill provides police officers with a range of powers necessary to issue and serve a notice if the officer reasonably suspects the criteria for issuing a notice are met, including powers requiring a person to stop, provide their personal details and accompany the officer to a police station for the notice to be issued and served. These powers are broadly consistent with the powers contained in the unlawful consorting scheme. Failure to comply with these requirements is an offence, punishable by imprisonment for 12 months and a fine of $12 000. The same defences that are available to an accused in respect of the offence of consorting contrary to an unlawful consorting offence are available to a person charged with consorting contrary to a dispersal notice.

Under part 4 of the bill, the Parliamentary Commissioner for Administrative Investigations—that is, the Ombudsman—has a broad scrutiny, oversight and reporting role. This oversight regime will ensure that the operation of the reforms and the use of police powers is transparent and subject to continuing oversight. To facilitate the monitoring functions of the Ombudsman, the Commissioner of Police must keep a register of the use of powers under the bill. In carrying out this role, the Ombudsman must scrutinise police records, may make recommendations to the Commissioner of Police to revoke or vary unlawful consorting notices issued under the bill and must prepare an annual report to the minister and Commissioner of Police, which the minister must table in both houses of Parliament. The annual report may include any observations the Ombudsman considers appropriate to make about the operation of the bill and review the impact of any scheme on a particular group if such an impact has come to the Ombudsman's attention.

This bill will introduce a major suite of reforms to add to the state's arsenal to deal with the growing threat of organised criminal groups. When enacted, Western Australia will have the strongest and most comprehensive serious and organised crime legislation in Australia. This bill sends a strong signal to organised criminal groups in Western Australia, or those thinking to expand their networks into our state, that their criminal activities will not be tolerated. This bill is constitutionally robust, fair and efficient, and it will assist to protect our state from public harm.

I commend the bill to the house.

Debate adjourned, on motion by **Mr V.A. Catania**.

CONSTITUTIONAL AND ELECTORAL LEGISLATION AMENDMENT (ELECTORAL EQUALITY) BILL 2021

Consideration in Detail

Resumed from 13 October.

Debate was adjourned after clause 34 had been agreed to.

Clause 35: Section 62E amended —

Ms M.J. DAVIES: We had a bit of a discussion late last night about the 500 unique members and the new process that will be required for party registration. As explained last night, I understand that is one of the factors that was recommended by the Ministerial Expert Committee on Electoral Reform to keep the ballot paper short —

Mr J.R. Quigley: Not short, but manageable.

Ms M.J. DAVIES: Okay, manageable. We will still have a very long ballot paper. Everybody will be very interested to see how long it ends up. I understand that this clause relates to its practicalities. It refers to a political party wishing to use an abbreviation. In the case of the Nationals WA, I think we are registered as the National Party of Australia (WA) Inc. I presume that means that we would be allowed to use "Nationals WA" on the ballot paper. We are seeking to amend section 62E(4)(a) by deleting certain words and inserting —

> or acronym of its name on ballot papers …

I am seeking an explanation for that change. Is my interpretation correct? I thought we could do that already. We always have "Nationals WA" written on the ballot paper. Are there other examples that I am missing?

Mr J.R. QUIGLEY: It is dealt with in more detail later in the bill. In brief, for example, there could be an acronym like ALP, as everyone understands that is the Labor Party, or it could be "Nationals WA". Later in the bill, it specifies what words can be used. Four words will be allowed, so people cannot have a spiel, so "Nationals WA"

fits comfortably within that. Not only four words will be allowed but there must be no capitals, except for the first letter of a word, or acronyms. We will get to that later. Obviously, we are trying to keep the ballot paper down a little and not have emboldened headlines.

Ms M.J. DAVIES: The application will essentially go to the Western Australian Electoral Commission. It comes from the party that seeks to register. We spoke last night about the fact that we need those 500 pieces of paper because we are not quite in the twenty-first century when it comes to the Electoral Act.

Mr J.R. Quigley: I promised it to you in the next bill.

Ms M.J. DAVIES: I am looking forward to it, and I know our state director will be as well. The names and addresses of the 500 members will accompany those pieces of paper. The registration also needs to be accompanied by a fee of $2 000 or a greater amount as prescribed. Can the minister explain why that fee has been introduced?

Mr J.R. QUIGLEY: Certainly. We are looking at whole-of-state jurisdictions. As the Leader of the Opposition mentioned, we are trying to contain the size of the ballot paper so that people do not just give it a fly for the heck of it. The ministerial expert panel suggested that WA be brought into line with other whole-of-state jurisdictions. South Australia maintained that it has only a small number of people going up. I think only 11 go up each cycle in the Legislative Council of South Australia. Its fee is $500. The fee in New South Wales, which has almost a comparable number to us, is $2 000. As I mentioned to the Leader of the Opposition last night, after getting the ministerial expert panel report, my office had discussions on this subject. We found out that the fee in New South Wales was $2 000, so we made it $2 000. I think that is the same amount as the Senate. Sorry; I am confusing myself. It is the same as New South Wales. That is why it is $2 000.

Ms M.J. DAVIES: This might be relevant down the track because there are a couple of clauses to come that relate to this new matter. I refer to the storing of information—the storage of the data and the declarations with the Electoral Commission. How long will the commission need to keep that data? What covers that in terms of privacy? The government is providing much more than is currently required. I understand that currently a declaration is provided. The party's director or agent, as it is termed in the Electoral Act, declares that it has 500 members. Up to this point, it has been accepted that there would be a penalty if any political party made a false declaration. Now we will need to provide the party's constitution, the registration details and all the details of those individuals. When people join a political party, they have to provide those details. We are taking those details and handing them to another entity. The privacy side of that will be critical. I am sure the Electoral Commission has taken that into consideration. For the record, we want to understand how that will work and for how long those details will be kept. Obviously, for a party to continue to be registered, those details need to be kept on file. Is there a limit to how long they need to be held?

Mr J.R. QUIGLEY: Currently, when a political party is being registered, under section 62E(4)(d), there is a requirement for the application to —

> set out the names and addresses of at least 500 members of the party who are electors;

That is being deleted. The information relating to new membership is already provided to the commission. From the form that I saw, the only additional information required will be an email address and a phone number for contact. The agency must keep that information pursuant to the State Records Act. Then it could be subject to FOI, bearing in mind that each elector's name and address is already on the electoral roll.

Ms M.J. Davies: Not their phone number though.

Mr J.R. QUIGLEY: No, not their phone number. These details would not generally be published. If it was FOI-ed—my erstwhile assistant, in the words of Meatloaf, stole the words out of my mouth—it would be exempt personal information. If a person made an application, the Information Commissioner would have to notify the person and give them a chance to object to their phone number being disseminated.

Ms M.J. DAVIES: I can see from the current application for registration that political parties already have to submit a copy of their party's constitution. Proposed section 62E(4) really relates to being allowed to use an acronym or abbreviation, the names, addresses, contact details and phone numbers of at least 500 members, and the piece of paper that has to go in; that is essentially what clause 35 introduces, as far as I can see.

Mr J.R. Quigley: And the registration fee.

Ms M.J. DAVIES: The registration fee, which is a new fee.

Mr J.R. Quigley: It's an uplift of the fee.

Ms M.J. DAVIES: What is the current fee?

Mr J.R. QUIGLEY: There is currently no fee to register a party. The Ministerial Expert Committee on Electoral Reform recommended that there be one because, as I was trying to explain last night, we do not want the "Billy Bunter Party" suddenly appearing shortly before the election.

Mr D.J. Kelly: It's already here, under a different name!

Mr V.A. Catania: The Labor Party!

Mr D.J. Kelly: Oh, witty. Good comeback.

Mr J.R. QUIGLEY: Fair go, it is before lunch!

These measures are designed to try to manage the size of the ballot paper. We do not want to see the try-on parties; they almost do it for fun, come election time, which is why I said the "Billy Bunter Party". Some people come up with silly party names but get them on the ballot paper. They are never contenders, but they can swamp the votes of smaller and more vulnerable parties. But all the best, on a 2.63 per cent quota.

Clause put and passed.

Clause 36 put and passed.

Clause 37: Section 62HA inserted —

Ms M.J. DAVIES: Clause 37 makes provision for timing. Perhaps the Attorney General can give us an outline of the requirements under this bill for registering a party, given that we have a new process.

Mr J.R. QUIGLEY: Sure. We have gone through the requirements of having to have 500 declarations, the registration fee and the party's constitution et cetera. Proposed section 62HA provides a caveat on all of it. A party's registration for a general election will not apply or be successful unless the application for registration, with the accompanying documentation, is valid. To be a valid application it will need the things we have already referred to—the registration fee, the 500 names, addresses and telephone numbers, and the party constitution. All of that must be attached to the party's application, and it must be lodged at least 12 months prior to the issue of the writs. With a fixed election date, we can safely say that the issue of the writs will be in early February. If a party does not make that application 12 months prior to the issue of the writs, it will not be deemed to be registered.

When the media picks up on the fact that an election is less than a year away and everyone gets excited, little parties pop up at the last minute; I have seen it many times. They are not genuine; they want to get in there for a stir. I thought the Daylight Saving Party was of that category, but as the Leader of the Opposition noted, it got elected under this system on 98 primary votes. If the application is not made 12 months prior to the issue of the writs, the party will not get the benefits of nomination under part IV, division 2, the printing of party names on the ballot paper under section 113C, or electoral funding under part VI, division 2A. It will not have any of those benefits available to it.

Ms M.J. DAVIES: What is the current time requirement for submissions? I was a party state director many years ago, but that information is gone from the back of my mind. What is the current requirement? I agree that 12 months is a sensible amendment, but I ask that for the purposes of clarity.

Mr J.R. QUIGLEY: At the moment it is open slather right up until the close of polling. I will get the provision in a moment, but there is currently no limitation of the kind in proposed section 62HA. Currently, an applicant cannot register as a party during an election period, and an election period is defined under section 62C(1) as —

> ***election period***, in relation to an election, means the period commencing on the day of issue of the writ for the election and ending on the last day for the return of the writ;

During that time, the applicant cannot apply to be a party.

Ms M.J. DAVIES: Just one further question. Given that we have a set election date, will the 12-month requirement be known, although be dependent upon when the writs are issued? Is it from the election date, or from when the writs are issued?

Mr J.R. QUIGLEY: It is from when the writs are issued. That is what we discussed last night. We have a fixed date for the election, so the writs will not be issued before the beginning of February for a mid-March election.

Ms M.J. Davies: So it's not going to be a fixed date—you'll just have to take a punt that the writs are always called in February, and make sure you've got it in by January?

Mr J.R. QUIGLEY: That is right.

Ms M.J. DAVIES: We touched on resourcing briefly last night. Given that there is a new process, will there be a requirement for any additional resourcing to manage this?

Mr J.R. QUIGLEY: The commissioner, Mr Kennedy, did not believe so when he attended upon my office. To give the Leader of the Opposition a prompt, she might remember that when we talked about this last night, I said that it will not be a checking of every form, it will be an audit in accordance with normal audit protocols as to the number to be sampled. That might prompt the Leader of the Opposition from my waffle last night!

Clause put and passed.

Clause 38: Section 62J amended —

Ms M.J. DAVIES: As I understand it, this clause relates to the use of acronyms in the name of an application. The Attorney General mentioned earlier that a name that is above the line cannot have more than four letters.

Mr J.R. Quigley: Four words.

Ms M.J. DAVIES: Yes, four words. What would happen if a party had the name "Legalise Cannabis Western Australia Party"? How would that be managed if it had met the registration requirements?

Mr J.R. QUIGLEY: I am not going to direct parties how to comply, but I can make a suggestion. The name "Legalise Cannabis Western Australia" would fit.

Ms M.J. Davies: So it would have to formally change its name?

Mr J.R. QUIGLEY: Yes, to "Legalise Cannabis Western Australia"—those four words would fit.

Madam Acting Speaker, with your indulgence, there is one section that is apposite to the debate on the previous clause that I think should be read into the record.

The ACTING SPEAKER (Ms M.M. Quirk): It is actually probably with the Leader of the Opposition's indulgence.

Mr J.R. QUIGLEY: It is section 64 of the Electoral Act, which states in part —

> (1) If an Assembly is dissolved before 1 November last preceding its expiry year, the Governor shall cause a writ for elections in all the districts to be issued not later than 10 days after the dissolution.
>
> (2) If an Assembly is not dissolved before 1 November last preceding its expiry year, the Governor shall cause a writ for elections in all the districts to be issued on the first Wednesday of February in the expiry year.

That is to do with the writs.

Ms M.J. DAVIES: Yes—the timing. I understand. I thank the Attorney General for that clarification.

The explanatory memorandum states that clause 38 amends section 62J as follows —

> (d) inserts a new provision s. 62J(4A) to provide that related political parties can have the same or similar names, abbreviations or acronyms of names;

Could the Attorney General explain what that is seeking to do? We have seen examples, such as with the Liberal Democrats, of the use of party names that are similar in order to game the system. Is this to do with that occurrence? What is the purpose of this proposed amendment?

Mr J.R. QUIGLEY: I think we might have already turned to it. Clause 38(4) states in part —

> After section 62J(4) insert: —

It then explains what a related political party is —

> (4A) For the purposes of subsection (4), the existing party is related to the party in respect of which the application is made if —
>
> (a) one is a part of the other party; or
>
> (b) both are parts of the same political party.

If I could give the member an example —

Ms M.J. Davies: Please do.

Mr J.R. QUIGLEY: There is not such a political party in existence, but we could register—I am not saying we are, or are even of a similar mind; this is hypothetical—a party called "Country Labor", which comes from within the broader Labor Party. It is either part of the Labor Party or both are parts of the same party. It is to permit people to do that, so long as it is the same party or a related party. It is not like the Liberal Democrats. That is a different party, and it has been scammed on occasions by people—I think Mr Leyonhjelm in Sydney drew a position just in front of the Liberals, so we had Liberal Democrats and then Liberal, and people saw the word "Liberal" and voted for it. That is a different provision concerning the names of the parties and confusion.

Ms M.J. DAVIES: That is very interesting, Attorney General. I am wondering about the genesis of that idea. I will use the example given by the Attorney General of "Country Labor" and Labor. They are the same party or part of the same party. If "Country Labor" wanted to be registered, would it need to have 500 unique members in addition to Labor? I wonder why we are including this proposed amendment.

Mr J.R. QUIGLEY: Sure. This provision is already in section 62C(2) of the act in exactly the same wording. This provision was inserted by the Court ministry in act 36 of 2000. We are just putting it in what we consider to be a more appropriate spot.

Ms M.J. DAVIES: I have one further question; sorry. I assume that a party would have to adhere to the registration requirements that we have been talking about, which is that if it wanted to have the name "Country Labor" or "Metro Nationals" —

Ms M.J. Hammat: Not quite the same!

Ms M.J. DAVIES: Not quite the same! I am trying to apply it to a real-life situation! Would such a party need to have 500 unique members of its own? Would it have to adhere to the registration requirements if it was indeed a separate party, although it acknowledges that it has the same constitution? Would that be the requirement?

Mr J.R. QUIGLEY: That is correct. We will get to the shape of the ballot paper later, but each political party will want to end up on that valuable piece of real estate above the line. If "Urban Nats" or "Country Labor" or whatever we like to think of this morning wanted to get above the line, it would need to register as a political party and have 500 members. A party would be permitted to use the name Labor or Nats if they were part of us, or part of you, if that is helpful.

Clause put and passed.

Clause 39: Section 62KA inserted —

Ms M.J. DAVIES: Clause 39 inserts a new provision for a registered political party to submit an annual return in an approved form between 1 June and 30 June each year so that the Electoral Commissioner can determine its continued eligibility, unless a party has been registered for less than six months. Can the Attorney General tell me whether there is a form that we might be able to see? Has the government contemplated what kind of details, form or manner that might look like? I presume, because we have spoken about it, that they exist in other jurisdictions, so maybe the Attorney General might point us to an example. Why does it provide that a party must submit an annual return unless it has been registered for six months? The six-month cut-off is that a party has submitted and the Electoral Commissioner has dealt with its registration within that period, I assume. Perhaps the Attorney General can provide some clarification.

Mr J.R. QUIGLEY: That is correct, because they might have lodged prior to the 12 months. It might take a while for the registration. It might take six months.

Ms M.J. Davies: It might take six months for the Electoral Commissioner to approve.

Mr J.R. QUIGLEY: I do not know. It depends how many. If just before the 12 months expired, a dozen parties register with 500 forms each, it might take six weeks; I do not know. The question initially was aimed at the form. What will the form look like? All I can suggest is that it will be drawn by the Electoral Commissioner, as will the declaration forms. I expect that they will draw from the New South Wales experience, and there are forms for registration of political parties on the New South Wales ones that have pretty well the same features as what we are introducing here. I am reminded of a meeting we had with the commissioner about resources and he said that he is satisfied at this stage that he has resources, but we will see going forward. He indicated at that time that it could take up to three months to complete the registration of all the parties. It will take 12 weeks to check or spot audit the 500 forms, but he is saying that depending on the workload, it could take up to three months.

Ms M.J. DAVIES: Every political party will have to manage this behind the scenes. As the Attorney General has observed, I suspect those with a bigger party machine will be able to do that more efficiently than perhaps some of the newer political parties. Given that a party will have to apply for registration 12 months before the election, the applicant will not know whether it is eligible to run until potentially three to four months before the election; is that correct?

Mr J.R. Quigley: Yes.

Ms M.J. DAVIES: It would be too late, would it not, because the deadline would have passed, so essentially, under the new circumstances, the Electoral Commission would encourage parties to get in their applications and requirements well in advance?

Mr J.R. Quigley: That would be wise.

Ms M.J. DAVIES: The Attorney General is saying that someone may not know whether they are eligible until three to four months after the cut-off date for submitting.

Mr J.R. QUIGLEY: My response is that the ministerial expert panel recommended six months prior to registration. I made the decision to double that to 12 months to cover the exact eventuality of which the member speaks. If it had been six months as recommended by the ministerial panel and then it took three months for the commissioner to check it, we would be talking about 12 weeks before the election. That is why I doubled it to 12 months, so that we more than meet what the ministerial expert panel recommended. Yes, it could be up to three months after the application, but there would still be nine months before the election, which is three months longer than what the expert panel suggested for the application. I doubled it after that discussion I had with the commissioner, who said that it could take up to three months. I thought if he is saying that it could take three months and the panel is saying that a party should have to get its registration in six months before, that is half the period already gone. I said let us double that and build in a buffer there.

Ms M.J. DAVIES: This all sounds to me as quite intensive. I am wondering whether the Electoral Commission has that much capacity. There must be spare capacity in the Electoral Commission for it to absorb that task, because what we are talking about is not insignificant. We are not talking about only the parties that are in Parliament at the moment. There could potentially be a whole raft of new organisations. Is the Attorney General absolutely convinced that the commission will not require additional resources to manage this? It seems it would be the most efficient government department I know, if that is the case.

Mr J.R. QUIGLEY: I have to be honest with the member that we do not know for sure because we do not know how many parties will apply. The commission would know at least 12 months before the issuing of the writs, because that is the latest for that general election for a political party to make an application for registration. As I said before, there will be discussions between the commission and Treasury. It will be properly resourced, but if we go on the number of political parties that exist, they will all be transitioned so that when this comes into operation, all political parties that are registered will continue with their registration. The commission has the next 12 months to wait for forms to come in and check them. It will be a couple of years prior to the election. Twelve months out from the writs, the commission will get better vision on what resources are required because it will know how many outstanding parties' new applications it has to deal with. It will be properly resourced as the minister will not allow our population to go to an election with a commission that cannot properly administer the election. It would be a total failure by me.

Clause put and passed.

Clause 40: Section 62L amended —

Ms M.J. DAVIES: This clause refers to the cancellation of party registration. Can the Attorney General just explain it to me? It will delete a section that says "the party is not a parliamentary party and does not have at least 500 members who are electors" and replace it with "the party (not being a parliamentary party) is no longer an eligible political party". Is it much the same? Can the Attorney General just explain?

Mr J.R. QUIGLEY: The difference is between "may" and "must". The commissioner may give notice to a party—this is about deregistration.

Ms M.J. DAVIES: Will it take discretion away from the Electoral Commissioner?

Mr J.R. QUIGLEY: Correct. If parties are hanging around from the last election and they have not complied, it is no good them coming in in the last six months and pleading hardship—pleading this; pleading that—and asking the commissioner for discretion. We will all have to be on our mettle. Even the secretary of my party said, "This places a burden on us. What if we missed?" If we missed, there would be no Labor Party. However, this measure is designed, once again, to try to manage the ballot paper. Some political parties are not like the Nationals or the Labor Party and do not have secretariats. Some of these parties are small; they pop up before an election, get registered and do not comply later. They come back and say, "I went to America" or something like that, or, "I didn't get my mail" or "My dog ate my notice", and ask for a discretion. No; they will be out. This is going to be the guillotine. If they are not in time, they will be out.

Ms M.J. DAVIES: Just a further question on that. How many parties have had their registration cancelled? How often does that happen?

Mr J.R. QUIGLEY: Under the current regime, I am not aware of any having had their registration cancelled. It is much harder now; there are not all these requirements. We are stiffening that up in an effort to make the ballot paper fairer, especially to the other small parties that have complied. Section 62L(2)(b) currently states —

> the party is not a parliamentary party and does not have at least 500 members who are electors;

Proposed new paragraph (b) states —

> the party (not being a parliamentary party) is no longer an eligible political party;

That will require the registration of the constitution, the 500 members et cetera. If a party has not complied with that, it must be deregistered. However, we recognise current parliamentary parties as they are recognised by the Parliament. If that party fails to do something next year, we will not be able to deregister it as a party because it is already a party here. There is a transition period in that 12 months, but if such a party subsequently does not comply by registering its constitution and putting in its 500 forms, it will not be eligible.

Clause put and passed.

Clause 41: Section 62Q amended —

Ms M.J. DAVIES: I will go through these clauses one at a time. I am not sure that I actually did need to speak on clause 41, but I will ask the minister a question anyway. I think there is something in here about a penalty of $1 500 in relation to providing false information to the Electoral Commissioner. I assume that because we will now have the declarations and proof of members, it will be a very strong signal to every political party. I would have thought that that was already there. What will this actually do? Clause 41 seeks to insert in section 62Q(1) the words "62K, in a return under section 62KA," before "A person must not in an application under section 62E". Perhaps the minister could give me a bit of an explanation of that.

Mr J.R. QUIGLEY: If I take the Leader of the Opposition to section 62Q(1), it states —

> A person must not in an application under section 62E … or in response to a request under section 62P, make a statement or provide information that the person knows to be false or misleading.

The penalty section provides a $1 500 penalty for making a false statement. We are taking out the reference to "62J" and inserting "62K, in a return under section 62KA," which is the continuing requirement declaration. We are attaching the penalty to those additional declarations. Otherwise, there would be no penalty for the new declarations.

Clause put and passed.

Clauses 42 to 44 put and passed.

Clause 45: Section 75 replaced —

Ms M.J. DAVIES: This clause replaces section 75. There is a lot of red in my version of the bill!

Mr J.R. Quigley: Do you have a blue copy?

Ms M.J. DAVIES: I have a marked-up one.

Mr J.R. Quigley: That is okay. I am just trying to pick up the same section.

Ms M.J. DAVIES: The proposed new section relates to the advertising of the writ. I guess the question is: why has the obligation to advertise the writs in print been removed, as far as I can see? I understand the changing media environment, but I would have thought that a number of people would still use or consume newspapers. Can the minister clarify whether that is what this will do? Are we to no longer require it to be printed in the paper or are additional requirements to be added?

Mr J.R. QUIGLEY: All the Leader of the Opposition's comments are spot-on. It is about the changing of the media landscape and where advertisements must be placed. Proposed section 75, which will replace current section 75, states, in part —

> … advertise on the Commission website and in any other way the Electoral Commissioner considers appropriate.

The Electoral Commissioner must advertise on the day of issue of the writ and as soon as practicable after receiving the writ, and publish whatever information the Electoral Commissioner considers necessary to adequately inform electors about polling places. The advertisement must give at least 10 clear days' notice of the polling day. Those time limits have not changed. Once upon a time, if something was advertised in *The West Australian* public notices section, everyone would see it. A lot of people read the paper online now, and they do not see the public notices section, so it has to be advertised in a way that the Western Australian Electoral Commissioner believes will generate maximum exposure to the advertisement.

The only approved advertising that is prescribed at the moment is in a newspaper—*The West Australian* or a newspaper circulating in the area. The nature of the media is changing. Even out my way, in Butler, the community newspaper has gone; we have PerthNow North and most people get it online because there is no letterbox delivery. It is important that people are given notification and that the commissioner advertises as widely as possible to inform everyone.

Ms M.J. DAVIES: One of the questions that we have is around making sure that regional people are adequately informed. The Attorney General spoke about community newspapers in his electorate. It is very similar in my electorate. I now have three newspapers. I have one in York and a community newsletter that is pulled together and gets printed by, I think, the people who print all those community newspapers, but it is not mainstream media. I have lost *The Avon Valley Advocate*. I have very limited print media, but there are little newsletters in every one of my communities, which I can tell members are read from front to back—people read them right through every week. Is there anything precluding the Electoral Commissioner using that form of communication and how would we make sure that it was utilised? There is a propensity for government departments to think that online advertising is a panacea. Many members of our community are not necessarily connected, or in the case of regional Western Australia cannot be connected, because the connections are not good enough. I want to be very sure that amending this section will not mean some of the more traditional ways of communicating with people will be paid no mind. I am very happy for it to be opened up to more than just mainstream newspapers, because I agree that that has changed; I read the newspaper on my phone, but I read it in full, not just the articles that are pulled out, so I still see all the public notices. I might be a slightly different consumer of news, shall we say, than some of my constituents, and I suggest everyone in this chamber would be the same. I want to make sure that we are not signalling that everything can go online, we have done our job and that is it, because there are many forms of communication, particularly in regional communities and for our seniors and those who might not consume online or digital communications, and we need to make sure that they are included and we are not being exclusive in the way that we communicate.

Mr J.R. QUIGLEY: As the minister, I know that people will be looking for my bald head if the commissioner were to fail to properly advertise an election. There is now no longer a requirement or restriction to use print media. The Electoral Commissioner has the responsibility for the proper conduct of elections. I have noticed ads in the newspapers at the moment for elections to professional organisations conducted by the Western Australian Electoral Commission and massive amounts of advertising for local government elections. This amendment will open it up so the commissioner can try to reach more people, given the changing nature of media, which the Leader of

the Opposition has already alluded to. No-one is trying to penny pinch or save money on this. We all want all Western Australians to participate. It would be a mark of my success if we were able to lift up the participation rate. That is what we are aiming to do and we will bring in another bill that I hope will facilitate that.

Ms M.J. DAVIES: It is good to have that on the record because the words written in a bill are one thing and the government's intent of what it wants to happen is quite another. I know that when the government has passed this legislation, the Electoral Commissioner and those responsible for enacting it will look back to this debate and I absolutely want on the record that we need to be mindful of the size and geographical nature of the state and that communities might not be connected. I certainly do not want to see us going to just an online methodology. Anybody who reads this debate in years to come to interpret the legislation will see it is very, very clear that we as the opposition think that these changes will silence or make it more difficult for some sections of our community to have their voices heard. We must make sure that everybody has the opportunity to understand the process that gets people elected to this place. The reason I am harping on is that I see so many government departments and governments trying to save money by pulling things back and saying that it is much easier to communicate via digital technology. In fact, in some cases, I still find sticking something in someone's letterbox is the most effective form of communication.

Mr J.R. QUIGLEY: I will just briefly mention one of the concerns. Section 75(4) of the act states —

> In this section ***advertise*** in relation to a region or district means advertise in a newspaper circulating in the region or district, or by placards or otherwise.

That is principally aimed at getting an advertisement into a newspaper circulating in the district.

Ms M.J. Davies: They no longer exist.

Mr J.R. QUIGLEY: That is right. No. One could say that is *The West* because it circulates in the district, but how many people—this is no criticism of *The West*, because it is now also online—in, say, Indigenous communities and on farms et cetera pick up *The West* every day? It is probably a diminishing number. The responsibility of the commissioner is clear in the new section 75. If he fails, that is unimaginable. We share the Leader of the Opposition's aspiration of encouraging as many Western Australians as possible on the roll to vote.

Clause put and passed.

Clause 46 put and passed.

Clause 47: Section 78 amended —

Ms M.J. DAVIES: This clause relates to the nomination form for a candidate. Perhaps the Attorney General could talk me through new paragraph (c). Section 78 of the act states —

> (1) Nominations may be in an approved form and shall —
>
> (a) be signed by the candidate; and
>
> (b) state the surname and each christian or given name, the place of residence and occupation …

The new paragraph (c) states —

> in the case of a Council election, unless the nomination is a party nomination … be accompanied by declarations in support of the nomination, in an approved form …

I presume this is for the nomination of Independents. Could the Attorney General explain why we landed on 250 declarations and what the form and the declaration that will be required by those people signing up to support that individual will look like?

Mr J.R. QUIGLEY: The commissioner will design the nomination form. How did we lob on 250 electors? Once again, we are talking about managing the size of the ballot paper, Leader of the Opposition. The Ministerial Expert Committee on Electoral Reform recommended 250 electors for an Independent candidate to show that they have community support. I observed that South Australia requires 250 people. I thought that that was fair enough; we are at least as big as South Australia. It is a bit arbitrary. The panel recommended at least 200 people. I said, "What've the others got?" The wonderful Ms Buchanan said that South Australia has 250. The panel said at least 200 so I decided to go with South Australia's number of 250. I hope that gives the member an insight to my workings!

Ms M.J. DAVIES: Thank you, minister. Is the whole purpose of this for an Independent to get their name above the line on the ballot paper or just to be listed at all for election to the Legislative Council?

Mr J.R. QUIGLEY: Not above the line, but in the election at all. We will get to Independents going above the line in a moment.

Ms M.J. DAVIES: I refer to unique voters. This is the same requirement as political parties in that an Independent has to make sure that the people put forward are unique voters; they cannot provide support for six Independents, for instance. An Independent has to be assured that the people on their list are only on their list. Is that correct?

Mr J.R. QUIGLEY: That is correct. We do not want a party with 250 electors to then replicate itself under different names using the same declarations because our ballot paper would extend from here to Northam.

Ms M.J. DAVIES: That would then go to the amendment that is being made, which states —

> If the nomination forms for 2 or more candidates are accompanied by a declaration completed and signed by the same elector, the elector cannot be relied on by any of those candidates for the purposes of subsection (1)(c).

The minister earlier referred to South Australia, so I assume that this is modelled on the way that other jurisdictions deal with Independents.

Mr J.R. QUIGLEY: We are dealing with two jurisdictions that have whole-of-state electorates. We have got a bit from one and a bit from the other and fashioned them into the best regime to present to the Parliament. The Leader of the Opposition is right in that there are unique nominees in other jurisdictions. There are 200 unique nominees in South Australia, but we are pushing that to 250. I stress again that the expert panel said at least 200, but we have bumped it to 250. South Australia has 250 but the committee said 200.

Clause put and passed.

Clause 48: Section 80 amended —

Ms M.J. DAVIES: Can the minister explain the amendments that will be made to the grouping of candidates and how that will impact what is currently done?

Mr J.R. QUIGLEY: As the Leader of the Opposition can observe from what is in front of her in her marked-up copy of the legislation, clause 48 amends section 80(1) and (2A) to use a defined term for group claims for the ease of reading section 80 generally. Clause 48 makes consequential amendments to section 80(2), (3), (4), (5) and (6) to reflect that a Council election is no longer in respect of a region. All candidates or the party secretary must prove the withdrawal of the claim for consistency with section 82(2). Section 78 enables an elector who chooses to vote above the line to vote for all the candidates listed below the square above the line in the order determined by the party or other group. That obviously means that the Nationals WA will be able to determine the order of Nationals candidates below the line. It is not the group voting ticket system because a vote above the line does not allocate preferences for every candidate, only those candidates in the relevant group in the order listed below the line from top to bottom. It is apparent to the voter then where the preferences will flow if they choose to vote above the line. When we look at that in operation, subclause (3) deletes "election in a region" and inserts "Council election" and "group claim". Under section 80(2A), a group claim can be made —

> (a) where all the candidates in the group are the subject of a party nomination, under section 81A, by a particular registered political party—by the secretary of the party; or
>
> (b) where the candidates in the group have been endorsed by different registered political parties—jointly by the secretaries of all of those parties.

Proposed new section 80(2) states —

> Subject to subsections (3), (4), (5) and (6), the names of candidates nominated for a Council election who have made a group claim must, for the purposes of that election, be included in a group in the order specified in the claim.

This is for group claims. In a moment we will deal with how many people have to be in a group before they can apply to be above the line. Otherwise, Independents will not be in a group; they will just be Independents below the lines in columns, which we will come to in a moment.

Ms M.J. DAVIES: So that I am absolutely clear, a group claim is essentially when a party submits its list of candidates and it is the order in which the party wants its candidates to be listed below the line. It has nothing to do with the group voting ticket, which will be abolished. If I am thinking correctly, the party used to get a ballot paper.

Mr J.R. Quigley: Don't do that; it's too big!

Ms M.J. DAVIES: For the purposes of *Hansard*, I am referring to a ballot paper the size of a table! This relates more to the group voting ticket, which we will discuss later. For a party, every number under the line would be filled out to indicate where the preferences were going—beyond their own party. This is simply for the purposes of saying, "Here are the candidates we are nominating for the whole-of-state ticket and this is the order we want them to appear in on the ballot paper."

Mr J.R. QUIGLEY: That is correct. We will come to clause 63 later. The Leader of the Opposition mentioned the word "group". That clause refers to a group that wants to get above the line. There can still be a group but not a group voting ticket, like the Leader of the Opposition talked about earlier. A bunch of Independents who want to get above the line can form a group. We will get to it in clause 63. That group will be called "grouped Independents" and they will get a little square above the line. We will get to that in a moment. It comes down to the order of the group as well.

Clause put and passed.

Clause 49: Section 81 amended —

Ms M.J. DAVIES: This clause relates to the fees attached to those nominations that we were just discussing. Are they new fees or is the section being amended to reflect the change to the whole-of-state electorate? If they are new fees, how did the government arrive at that amount, in particular the deposit for the Council election being capped at $10 000 for groups of more than five candidates?

Mr J.R. QUIGLEY: At the moment the fee is $250.

Ms M.J. Davies: Per candidate?

Mr J.R. QUIGLEY: Yes. Again, this comes down to the management of everything. We are trying to not make the bar so high as to deter genuine Independent candidates or others from nominating. We want a participatory democracy; we do not want a set of rules that excludes people. Currently, the fee is $250. The fee in South Australia is $3 000. The expert committee said that it could be uplifted to $1 000. We went with $2 000, which is not as high as South Australia. How did we get to $10 000? As we will see in a moment, a party needs a minimum of five candidates to get above the line. We have not got to clause 63 yet, but Independents who want to form a group will have to show that there is a minimum of five candidates in the group.

If we take a group like the National Party, to get above the line, it would want at least five candidates. It might want to run 10 candidates. If we set the fee at $2 000 for every candidate who was nominated, that would be $20 000, which seemed a bit steep. We should bear in mind that these deposits are returned to candidates who are not successfully elected, or to a party, which the Leader of the Opposition would definitely come under, or ungrouped Independents who have five candidates. They will get their money back if they get four per cent of the vote. It does not matter how many candidates are elected; they will get their money back if they get four per cent.

What were the workings in my mind that got us to $10 000? This bill does not raise the fee for nominations to this chamber, which is $250. The other chamber will be a whole-of-state electorate. The National Party, which is the official opposition of Western Australia, may choose to run a candidate in every seat in this chamber. I said "ungrouped candidates" before; I meant to say "grouped candidates". If grouped candidates want to get above the line, they have to have five members. I am a lawyer, too; it takes a while to do the maths. If the National Party wanted to contest every seat in this chamber—that is, participate in a statewide election for the Assembly, doing it district by district—it would cost $14 750 to nominate. I did not think $10 000 for the other chamber was out of the ballpark. At the same time, candidates will be required to put up $2 000, so Billy Bunter might not have two grand in his Commonwealth Bank tin. There have to be serious candidates who have reasonable resources. That is how we arrived at that figure. As I said, the figure is a bit less than it is in South Australia, but there is a cap on it.

Clause put and passed.

Clause 50: Section 82 amended —

Ms M.J. DAVIES: Minister —

Mr J.R. Quigley: We are on what clause?

Ms M.J. DAVIES: We are on clause 50—halfway!

Mr J.R. Quigley: It is a long first half.

Ms M.J. DAVIES: You could have sent it to a committee. It would have been much quicker and we would not have had to ask all these questions.

Clause 50 seeks to amend section 82 by deleting subsection (2) and inserting other words. There already was a section relating to the nomination and withdrawal of candidates. Can the minister explain the amendment? Subsection (2) will read —

> The withdrawal of the nomination of a candidate included in a group —

This is part of a party or, I assume, a group of Independents, but the minister can dissuade me if I am not right —

> has no effect unless each other candidate included in the group has consented in writing to the withdrawal.

The explanatory memorandum says that if a candidate wants to withdraw, they have to have the consent of all of their party's candidates on the ticket. Where has that come from? Was that already part of the act? I can see that it is replacing something. Is this amendment just updating the act to reflect the whole-of-state electorate or is it a new or different clause?

Mr J.R. QUIGLEY: It is existing law. It was put in there so that people would not drift on and off the ballot paper, say they wanted their two grand back and get out of there. Under the current provision, candidates have to consent to the withdrawal. It is not specified in writing. This can lead to the Court of Disputed Returns or something like this on an evidential basis. If someone says they withdrew, someone else could say, "Well, I did not consent to you withdrawing." The person who is seeking to withdraw could say, "Well, I rang you up." We want a firmer

basis for the withdrawal. That can, in turn, affect whether people on the ticket get elected. If someone wants to go into a group, let them be deadly serious about going into the group. Once they have joined a group, they are in that group, unless everyone agrees that they are out of the group.

Ms M.J. DAVIES: So it is in writing. I presume that has to be presented to the Electoral Commissioner in a statutory declaration. Will there be a form? As the minister says, that does not exist now, other than that it is required in writing. How will that be done? What are the practicalities?

Mr J.R. QUIGLEY: No, it is just for evidential purposes. It just has to be in writing, signed by the candidate. There just has to be consent so that we know, factually, that everyone has ticked off on it—he or she is out—because it will affect the flow of preferences et cetera on a group ticket.

Ms M.J. DAVIES: Has this actually happened previously? I accept that this provision already exists in the Electoral Act and that we are just trying to make it clearer so that we can avoid the Court of Disputed Returns. As someone who has been part of that process, I can absolutely assure every member that it is not fun, so that should be something that we all aspire to. A candidate could be in a group, either within a party or in a group of Independents. They could have a falling out with someone and say, "That's it, I'm packing my bags and heading off." They will then need to have permission from all the people —

Mr J.R. Quigley: Consent.

Ms M.J. DAVIES: Consent. They will have to have a letter from people with whom they may have had a falling out to say they are off, but it will not have to be a statutory declaration, or any formal requirement from the Electoral Commission. It will simply be a letter. What is the purpose of that? Is it to inform when they are doing the vote? Is that the purpose of the clause—so that when the votes are being counted, they are extracted from the system so they do not elect someone who says, "Bugger off, I'm not part of this any longer"?

Mr J.R. QUIGLEY: That is correct. Evidentially, we can then prove, "Everyone consented that you weren't part of this, so your preference flows go on. You're out; you're withdrawn." They can withdraw at any time.

Ms M.J. Davies: But everyone else can't decide they're out; it has to be accompanied with —

Mr J.R. QUIGLEY: Yes, they cannot be booted out. I suppose the party —

Ms M.J. Davies: We're talking about political parties, minister, just to be clear—not everybody loves everybody else!

Mr J.R. QUIGLEY: Yes, but everyone has to consent to the withdrawal.

Clause put and passed.

Clause 51: Section 84 amended —

Ms M.J. DAVIES: The current section 84(2) states —

> On the death of a candidate before polling day, or on polling day before the close of the poll, the deposits made by or on behalf of that candidate and the other candidates shall be returned in accordance with subsection (3) or (4).

What is the difference? What does this amendment actually try to achieve?

Mr J.R. QUIGLEY: Under the regions system, the death of a candidate means that that region's election fails, so there has to be another election. We will now have a whole-of-state electorate.

Ms M.J. DAVIES: Has that actually occurred?

Mr J.R. QUIGLEY: No, because we do not yet have a whole-of-state electorate.

Ms M.J. DAVIES: Sorry, that was in imprecise question. Has that occurred after the death of a candidate under the current system?

Mr J.R. QUIGLEY: I would have to go back and look at the history. I cannot help the Leader of the Opposition there.

Clause put and passed.

Clause 52: Section 86 amended —

Ms M.J. DAVIES: I assume that this amendment relates to matters very similar to those in the discussion we had about advertising for the writs of the election, except that this is for by-elections. This gives the Electoral Commissioner the ability to advertise as they see fit. The opposition's comments on the earlier clause about making sure that everyone is given due notice also stand for this clause, particularly in relation to by-elections in which there are usually shorter time frames. It is not well known because there is a set date for an election. Can the minister confirm that this is for the same purpose—so that the Western Australian Electoral Commission will not have to rely upon the state newspaper?

Mr J.R. QUIGLEY: That is correct.

Clause put and passed.

Clause 53: Section 87 amended —

Dr D.J. HONEY: I seek some clarification on proposed section 87(4). This may be covered in another part of the bill, but it is my understanding that we are going to see an exhaustion of preferences because of the low number of votes people will be required to fill out below the line. We will get to a point on the ballot paper whereby, if a certain number of candidates are left, a number of candidates could be elected with fewer votes than required under the quota. Perhaps this process is covered in more detail elsewhere in the legislation, but I wonder whether this will impact on that. Under one provision in the bill, we will get to a point at which there is certain number of positions to be elected and there is only a certain number of candidates left, and they will be elected. Can the minister explain that, please?

Mr J.R. QUIGLEY: Certainly. If there are more positions to be filled by way of election and fewer candidates nominate than there are positions available, those who nominate will be declared elected. That is no change at all. Proposed section 87(4) states —

> If the candidates are not greater in number than the candidates required to be elected, the returning officer must declare the candidates duly elected.

There is a sharpening-up of the language, but no substantive change.

Clause put and passed.

Clauses 54 to 62 put and passed.

Clause 63: Sections 113A and 113B replaced —

Ms M.J. DAVIES: We talked about this earlier. This provision partly involves Independents getting their names above the line on the ballot paper. Essentially, this will change the voting tickets and printing requirements and how candidates will be placed above the line. Maybe the minister can give me an overview of what is sought to be achieved and how a change to a whole-of-state ticket will impact on the Electoral Act, because the clause will make quite substantial changes.

Mr J.R. QUIGLEY: Clause 63 will replace section 113A and insert proposed section 113B, which deal with voting tickets for Council elections. Proposed section 113B states —

> (a) the names of the candidates must be printed in the order determined under section 87(6); and
>
> (b) a square must be printed opposite the name of each candidate.

That will facilitate the numbering. Under Proposed section 113B(3)(a), when in the case of an election more than one Council seat is to be filled, group candidates are to be printed ahead of ungrouped candidates; that is, ungrouped Independent candidates will be printed to the right of the ballot paper after the grouped candidates. Under proposed sections 113B(3)(b) and (c), in the case of an election when more than one Council seat is to be filled and there are two or more groups, registered party groups are to be printed in columns sequentially from the left of the ballot paper and across the ballot paper, followed by other groups, and the order within those groups is to be in accordance with proposed section 80(1), which determines the order.

Under proposed section 113B(3)(d), ungrouped candidates are to be printed in one column or, if there are too many names in two or more columns, they will be grouped in the order determined under section 87(6). Under proposed section 113B(4), in the case when there are no groups, ungrouped candidates are to be printed in the order that is once again determined by section 87(6).

Under proposed section 113B(5)(a), a square must be printed opposite the name of each candidate, and if there are five or more candidates in that group, that group must be allocated a square above the dividing line on the ballot paper. That is what we discussed earlier. There must be minimum of five grouped candidates to get a square printed opposite the name of each candidate above the line. The ministerial expert panel recommended that in a statewide election, at least three Independent candidates must be grouped to get above the line. If people are offering themselves as candidates in an election of 1.8 million voters, we feel that they should be able to present at least five candidates to get above the line.

Under proposed section 113B(6), if before polling day for a Council election a candidate is declared by a court to be incapable of being elected, the returning officer may cause the ballot papers to be reprinted or notations or marks included on the ballot paper, and the order of the ballot paper is to be determined by the ballot procedure in schedule 2. That means that a group must have five candidates to get above the line.

Ms M.J. DAVIES: Is that as a group of Independents?

Mr J.R. Quigley: It is a party or grouped Independents.

Ms M.J. DAVIES: A group of Independents will all go through the registration process to get the required declarations of 250 unique electors. Presumably, they will all be running on the same platform and will want a number above the line, even though they are not a party. I looked at section 87(6) that the minister said will determine the order in which they will appear on the ballot paper from left to right. Why is preference given to registered parties

over Independents? Is there some science behind that? Is it a convention to put them on the left-hand side of the ballot paper? I think everyone knows that the closer a candidate is to the left-hand side of a ballot paper, the easier it is, or there is some form of advantage at least. Was a determination made on that? How is the order determined in which the ungrouped or Independent candidates will appear in those columns?

Mr J.R. QUIGLEY: The member is quite right that being on the left-hand side of the ballot paper is preferable. We want the ballot paper to be managed so that as people read it from left to right, we do not want Independents who are not even above the line getting in between two parties that are above the line and the ballot paper ending up higgledy-piggledy. Additionally, the parties that will be above the line will have secured their position as a registered party, or made an application at least 12 months before the election, so that will all have been ruled on. However, Independents can nominate right up until the close of the electoral roll. They can nominate very, very late in the day, but if they want to get above the line, they will have to be grouped with four other candidates. All that will be shown above the line is "grouped Independents". The ballot paper will not tell the electors anything about any of the individual Independents below the line. We did not want to exclude Independents from getting above the line for electors who vote above the line, but, above the line, the order will be the order that the Independent candidates have agreed on. Each of those Independents will have to pay the nomination fee, which will be a couple of grand, and if they want to get their money back, they must either get elected or that group has to get four per cent of the vote, which could be difficult on both counts.

It would be unusual for Independents to end up above the line, sitting next to the Nationals WA. When people go to vote, the Nationals WA would have its policies out there. The Nationals WA would also have chosen the order on the ballot paper. Hon Martin Aldridge might be number one, I do not know, but everyone would know the order. They would know that all the people below the line have signed up for the same party policies as has Hon Mia Davies as leader. Grouped Independents will be inviting people to vote "1" above the line, and they will not know what any of them stand for. That is their risk. If number one gets elected, the other four Independents do their dough. They might want to stand ungrouped. I am trying to think of any Independents in the other place. I cannot think of any. I know of members who were up there who have resigned from parties. I think Hon Derrick Tomlinson might have done that, and he voted with the Gallop government on the electoral reforms of 2005.

Ms M.J. Davies: It was Hon Alan Cadby.

Mr J.R. QUIGLEY: Alan Cadby, was it? He voted with the government for the 2005 reforms. I do not think he was re-endorsed.

Ms M.J. Davies: I am not sure. It was not our party.

Mr J.R. QUIGLEY: No; it was the Liberals.

Ms M.J. Davies: I think there was some form of falling out. I am not sure.

Mr J.R. QUIGLEY: I think he got number three or number four.

Ms M.J. Davies: He was a bit unhappy, anyway, and as a consequence he decided that he would —

Mr J.R. QUIGLEY: Exactly—vent his bile.

Ms M.J. Davies: Use his vote accordingly.

Mr J.R. QUIGLEY: That is right.

Mr D.J. Kelly: It was a road to Damascus revelation for him, electoral reform.

Mr J.R. QUIGLEY: Okay. Thank you.

Ms M.J. DAVIES: I have a further question to that, Attorney General. The columns that the ungrouped candidates will be in at the end of the ballot paper—that is, all the Independents that make it to the ballot paper under the line—how will the order in which they are placed in the columns be determined, or will they just go in multiple columns for ever and a day?

Mr J.R. QUIGLEY: Schedule 2 provides for a ballot as to the position.

Ms M.J. Davies: A ballot. Bingo? A lottery?

Mr J.R. QUIGLEY: Yes. I think that is a good descriptor.

Mr R.S. LOVE: In terms of the design of the ballot paper, bearing in mind that the way that the parties will be set out will be the grouped individuals and then the ungrouped individuals —

Mr J.R. Quigley: Left to right.

Mr R.S. LOVE: Yes, across the page. I have a couple of questions. Was there any consideration in the Attorney General's mind about any of the alternatives, such as an opposite rotation where there is a change to the order of the ballot so that there is not one single list for those individuals when they are chosen on the ballot? In that way, there would be some level of fairness, rather than perhaps a donkey vote down that line?

Mr J.R. QUIGLEY: If the member reads the report, the committee sort of looked at that, but did not recommend it. There is one other thing about the ballot paper. When the member said left to right, there would also be a ballot as to the order of the parties left to right.

Ms M.J. Davies: As I understand it, the registered parties will always be on the left-hand side of the ballot paper.

Mr J.R. QUIGLEY: The left-hand side, yes, but the order that they start with and the order that will sequentially follow them will be a lottery. It might be that people enter the booth, and with it now being optional preferential they just put "1" in the first square on the left-hand side of the page. That might be the best possie; I do not know. It will not be fixed forever. It will be a lottery.

As to the question from the member for Moore, the committee looked at it but did not make the recommendation.

Mr R.S. LOVE: Thank you, Attorney General. With the changes that are being introduced and this fairly different way of conducting a ballot, with the sheer number of individuals who will be elected and parties potentially participating, this could still turn out to be a quite a complex and large ballot paper. Is there provision for further consideration of alternative methods of voting in the future, such as touching a screen or some other method, to examine whether that might be practical? I have a concern that it might just confuse a lot of people. I am wondering what provision there will be to review the effectiveness of this ballot, the level of informality, and whether it is actually a change that is leading to people not understanding how to properly cast their vote. What will be the review process for such a radical change?

Mr J.R. QUIGLEY: It is hard to predict the shape of the ballot paper. I am trying to get it so that it will not be any deeper than an A4 piece of paper. I cannot guarantee the length. I just got a bit shocked and appalled when the Leader of the Opposition started extending her arms to indicate the length—a yard long, or more! The member was not in the chamber at the time.

Mr R.S. Love: I was.

Mr J.R. QUIGLEY: Was he? He could have got belted in the ear! It was a big ballot paper that she was indicating!

Ms M.J. Davies: Antony Green and others say that is still a possibility, Attorney General.

Mr J.R. QUIGLEY: That is right, but we do not know. As I understand it, his submission was that the whole-of-state electorate works, but he challenges the ballot paper—we have to take measures in relation to the ballot paper. That is why we are taking these measures; the Independents can go in columns next to each other so that the ballot paper does not grow and grow.

Mr R.S. Love: You would not go on the back and front of one page, would you, for instance?

Mr J.R. QUIGLEY: No. As to the A4 depth, the fast scanning machines take paper that is A4 deep. As to the member's other question about alternative methods of casting a vote, this will be the subject of intense consideration in my office once we clear this. As I promised the Leader of the Opposition, we will be working on bringing another bill to the chamber to do with electoral donations, expenses and a whole lot of sundry matters that were not appropriate for this legislation.

I noticed in the presidential elections in America and with all the subsequent auditing of those returns that the electronic ones were stable. Trump was saying that he had been robbed in Arizona, and they had that expensive manual recount in Arizona but it came up with the same result. So it has to be looked at, but I do not want anyone reporting these proceedings to say that I am going there. We are not doing that. I am saying this next bill will look at all those matters. We will be asking the National Party state director, "What improvements do you think we should make?" I understand the politics, and I understand the Nationals' criticism of the ministerial expert panel. I have honestly gone about trying to find the proper inputs for these reforms, given that we are shooting for equality. These other administrative matters are as important to the members of the Nationals WA as they are to our party. As we come to consider the next tranche of reforms, we will come to the National Party and say, "Do you have any ideas? Do you have any concerns about the other admin matters?"

Ms M.J. DAVIES: Thank you. Just a further question in relation to that. I note the remarks of the ministerial expert panel. This is outside its terms of reference, but it is related to this in particular, because we are talking about the ballot paper and the potential for informal votes—if we make it too complex or too big and it turns people off, the risk is a reduction in the formality of voting. Dr Harry Phillips, or is it professor —

Mr J.R. Quigley: Larry?

Ms M.J. DAVIES: Professor Harry Phillips.

Mr J.R. Quigley: Sorry; I thought the member was talking about one of the —

Ms M.J. DAVIES: Is he a professor or a doctor? I think he is both. He is an esteemed individual—emeritus. He has recommended an increase in education to make sure that people understand these changes to the ballots. It will be a substantially different process in not just what it looks like but the impact of how people vote. Will government make an undertaking that there will be appropriate resourcing to make sure that people are aware of the system we

are moving to? I raised in my speech in the second reading debate the concerns that we seem to have chosen a slightly different method from that used for the Senate. We are abolishing group voting tickets; we are doing optional preferential, but it is not quite the same methodology.

Mr J.R. Quigley: Very close.

Ms M.J. DAVIES: But it is not quite the same in terms of the numbers voters can do above and below the line. Educating the electorate on what these changes will be will be imperative. It has been noted as part of the electoral —

Mr J.R. Quigley: Antony Green calls it an electoral lie. Malcolm Mackerras—sorry.

Ms M.J. DAVIES: Sorry; what now? What education and resources will be directed towards making sure that people understand the changes well in advance so that we do not see a higher level of informality as a result of those changes, which will potentially—I have my hands up again for the purposes of Hansard—deliver us a very significantly long ballot paper?

Mr J.R. QUIGLEY: We undertake that there will be adequate education of the population. As I have said earlier, it is the government's aspiration, wish and intention that everyone on the roll gets to vote. We know that does not happen. In the next tranche, we want to design things that will enhance that; and we will work with the opposition in that regard and we will conduct a very wide community education program. The member said that we are nearly the same as the Senate, but not quite. Malcolm Mackerras calls it the dishonest instruction. The Senate ballot paper invites voters to write above the line —

Ms M.J. Davies: Just vote 1.

Mr J.R. QUIGLEY: No, it invites voters to write 1 to 6. But if a voter writes only "1", it is not informal. There is the dishonesty of the instructions as Mr Mackerras wrote. That is dishonest.

Mr R.S. Love: Is that a proper construction? I thought if a person made a clear indication where they wanted to vote, we should honour that indication.

Mr J.R. QUIGLEY: They should. But the indication is that the voter is required to put 1 to 6 above the line. Under a strict reading of the act, a "1" above the line is a valid vote.

Mr R.S. Love: But it limits the range of opportunity.

Mr J.R. QUIGLEY: Yes. Below the line, of course, is the full range of preferences but the elector must mark 20 boxes. I was thinking they must mark 37, but the preferences are probably well and truly exhausted by the time they get to the twentieth preference.

Clause put and passed.

Clause 64: Section 113C amended —

Mr R.S. LOVE: Clause 64(2) will delete section 113C(6) and insert —

> (6) If each candidate in a group applies under subsection (5), the following requirements apply to the printing of the ballot papers —
>
> (a) the word "Independent" must be printed on the ballot papers adjacent to the name of each candidate in that group;
>
> (b) the word "Independent" must be printed on the ballot papers adjacent to the square, if any, printed above the line for that group.

I am just wondering whether the Attorney General could give me an instruction. If we are talking about a piece of paper that will be A4 height and given that my eyesight is not what it once was, how small will the font be in the production of this paper if we will include words like "Independent" at the top?

Mr J.R. Quigley: "Quigley" will be in huge font!

Mr R.S. LOVE: There we go. I know that we have abbreviations for party names et cetera. Could there not be a way of indicating an Independent's position with a column heading, rather than a whole number of persons, which would just increase the width of the paper?

Mr J.R. QUIGLEY: That is not prescriptive. That is an operational decision of the Electoral Commissioner, and I invite the member to make a submission on that to Mr Kennedy.

Mr R.S. LOVE: It looks prescriptive. It says "adjacent to".

Mr J.R. QUIGLEY: Sorry, I am talking about the font. The font is not prescriptive. If people are going to nominate as an Independent, the public or the constituents ought to have that indication there. The Deputy Leader of the Opposition would be branded or known as a National because the member —

Mr R.S. Love: I will not be in the election for that house, hopefully. I might be sent down there, though; we will see! It depends what happens to what remains of the regional area I represent.

Mr J.R. QUIGLEY: Probably not much, but who knows? Everyone who enters the booth and looks at the name "Aldridge" will immediately recognise he is a National because he will be under the Nationals WA column. When a plethora of other people are nominating and not attached to any party, it should be clearly indicated for each of those people that they are an Independent so that the public know they are not signing up to, or are not being invited to vote for, a group or party's platform; they are being invited to vote for a free agent—an Independent. That should be on the paper so it is clear to the people. Do not forget that, if ungrouped, we are talking about 2.7 per cent of the voting public vote below the line. There would not be enough. We would have to get people really serious because the quota is 2.63 per cent and 2.7 per cent vote below the line. That Independent would have to get the number one vote of everyone voting Independent.

Clause put and passed.

Clause 65: Section 113D amended —

Ms M.J. DAVIES: I am looking for a bit of guidance here. I am really looking for where in the bill the abolition of group voting tickets is first mentioned. I do not want to miss that clause. I note that "voting ticket" is mentioned in the section that is being amended by this clause. I think clause 68 is also relevant. Could the minister please explain clause 65 for me and, so that we do not have the conversation twice or outside the appropriate clause, perhaps also foreshadow for me where the reference to removing or abolishing group voting tickets is?

Mr J.R. QUIGLEY: Group voting tickets are first mentioned in section 4 of the act. I am just trying to pick up the definition. The main operative part was section 113A. That is the big page of red that we wiped out before.

Ms M.J. Davies: We just did that.

Mr R.S. Love: It does not say "group voting ticket"; it says "voting ticket".

Ms M.J. DAVIES: I thank the minister for that clarification. That was my oversight. We were looking at the technicalities of what the ballot paper would look like. I wanted to make sure that we had on the record, as we all said in our contributions to the second reading debate, that we support the abolition of the group voting ticket and we understand the motivation for why we are dealing now with consequential amendments. It was well canvassed prior to the election. This clause does reference "voting ticket", as it was called previously. A piece of legislation was brought to the Legislative Council by the Greens during the last term—I think by Hon Alison Xamon—to make changes to group voting tickets. As far as I can see, that bill was not progressed or supported by the government. The reason we are debating this broader bill now is the notion that has been put forward that this is a solution to some of the things that have been proffered around making sure that we do not have a Daylight Saving Party or individual elected on a very small number of votes. I think that is right. The ministerial expert panel observed that. I think there was broad support across the board—maybe not from every political party, but I think the community accepted that that could not continue. I wonder why we could not have dealt with those changes, for instance. The minister spoke about section 113A, "Voting ticket for Council election, lodgement of etc." That could have been dealt with in a very short, sharp bill with consequential amendments. We could have dealt with that. The government could have accepted Hon Alison Xamon's bill in the last term of government, or we could have just dealt with that matter independently. As I understand it, there is no interaction between the group voting tickets and the application of, or change to, a whole-of-state electoral system. I ask the minister to confirm that for me.

Mr J.R. QUIGLEY: I can confirm the last of what the member asserted; that is, there is a world of difference between a group voting ticket and a whole-of-state electorate. The Greens did introduce a bill, and my understanding is that it also included a whole-of-state electorate. The bill went to a committee in the Council—it never got to us—and lapsed. We are dealing with the abolition of group voting tickets now, but if we just had a very short, sharp bill to introduce a whole-of-state electorate and did not deal with all the ancillary matters of trying to manage the ballot paper et cetera, the size of the ballot paper would be such that it would stretch from the Leader of the Opposition back to the Leader of the Liberal Party. My advice was that the experts in the east said that one whole-of-state electorate is okay, so long as we can manage the ballot paper. Many of the clauses we have dealt with so far go to that point.

Ms M.J. DAVIES: Could the minister explain this clause? It obviously makes a consequential amendment to the one we dealt with previously. I accept that a whole-of-state electorate is the solution to a problem or an ideal that the Labor Party is pursuing. It is good to have it on the record from the minister that the two issues are not the same and could have been dealt with separately. We could have dealt with abolishing the group voting ticket alone and then had a more substantial conversation around electoral reform—one vote, one value—and we could have potentially sent that to a committee or even taken it to an election. I do not think there would have been any objection to the abolition of group voting tickets. It has been much canvassed and long talked about. It was highlighted at the last election, but it was well understood prior to the election. The minister made the point that the Greens bill went to a committee and lapsed, but I do not think there was any great urgency for the government to pursue those changes, even though there had been much discussion and we had seen changes in other jurisdictions. It gets talked about as the reason we are dealing with this whole plethora of changes, when it really could have been dealt with in the previous term of government had there been the political will to do so, and we probably could have avoided the circumstances that we have today. I am not making any reflection on the member of Parliament who is sitting in

there; he used the system and has a four-year term to make a mark in the state Parliament, albeit after having been elected with 98 votes. I wonder why that was not a priority for this government in the last term when the public reason, outside this place, that we are talking about this is the need to make sure that this cannot happen again.

Mr J.R. QUIGLEY: I will respond to that very briefly. Yes, it dealt with group voting tickets, but we could not overlook malapportionment. Although that member was elected with only 98 votes, the whole of the district had only 69 000 voters. I have about 400 000 voters. We could not look at the Daylight Saving Party issue without looking at both issues. I appreciate that they are not one and the same, but their combined effect saw the Daylight Saving Party enter the Parliament. That member represents an area; he probably took a seat that is normally a Nationals seat. It was a combination of both the group voting ticket and gross malapportionment.

Ms M.J. DAVIES: I refer to the detail of the clause, which amends section 113D. The clause removes the words "voting ticket, notice or application under section 80". Could the minister explain to me what it is actually doing?

Mr J.R. QUIGLEY: The substantive effect of section 113D of the act will not be altered in relation to notices or applications under section 80, "Grouping of candidates". However, the clause deletes the reference to "voting ticket" because group voting tickets will be abolished by this legislation.

Ms M.J. DAVIES: In the very limited time I have left, I reiterate that the opposition supports the abolition of group voting tickets and we understand exactly why it is part of the legislation. Notwithstanding support for the broader legislation, this is a sensible reform, and had the government brought to Parliament all the amendments and subsequent amendments to bring it into effect, it would have had the support of the opposition. At the end of the day, the opposition will oppose this bill, but that should not be used to signal to anyone that we do not support the abolition of group voting tickets. There is plenty of evidence to suggest that the people of Western Australia are sick and tired of hearing that parties do deals behind the scenes. None of them is acting illegally, but, as the Attorney General would understand, once there is a system in place, there are organisations and individuals who find a way to maximise it for their benefit. Initially, group voting tickets were to make it easier to vote and reduce informal votes but it has morphed into —

Mr J.R. Quigley: People have gamed it.

Ms M.J. DAVIES: People have gamed it. The Attorney General would accept as well that every system will be gamed, no matter what.

Debate interrupted, pursuant to standing orders.

[Continued on page 4545.]

HARVEST MASS MANAGEMENT SCHEME

Statement by Member for Moore

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [12.52 pm]: Today, with the grain harvest underway in parts of the Moore electorate, I would like to acknowledge the outstanding contributions made to regional communities by Co-operative Bulk Handling Ltd and Main Roads with the harvest mass management scheme. The scheme was designed to reduce the instances of overloaded grain trucks arriving at CBH receival sites. Loading trucks in paddocks, without access to weighing scales, makes it difficult for growers and transporters to know exactly a truck's tonnage, as it is dependent on the grain's bulk density, which can vary between loads. Despite their best efforts, occasionally a truck may be a little overloaded. When finally weighed at the bin, growers can choose to forfeit grain from any overloaded trucks, which is then sold and the resulting funds provided to Western Australian charities.

Since its inception in 2012, more than $1.8 million has been donated to charities active in regional communities. Beneficiaries of these grants include volunteer bush fire brigades, Foodbank, the Fiona Wood Foundation, the Mental Illness Fellowship of Western Australia, Midwest Charity Begins at Home, the Asthma Foundation of WA, St John Ambulance and Ronald McDonald House. These charities all play a vital role in ensuring that regional Western Australians have continuing access to essential health and wellbeing services. One example of the scheme in action has been the installation of defibrillators in remote grain-growing areas, potentially saving lives by ensuring fast access to this equipment. I wish all our state's grain growers the best for a safe and successful harvest.

SOUTH FLANK MINE

Statement by Member for Pilbara

MR K.J.J. MICHEL (Pilbara) [12.54 pm]: Last Thursday, I had the honour of travelling with Premier Mark McGowan to the Pilbara to open the South Flank mine. In July 2018, the Premier and I, along with BHP staff and the traditional owners of the land, the Banjima people, broke ground at the soil turning event on the $US3.6 billion project, located near the mining area C operation. Along with existing mining area C, South Flank mine will be the largest iron ore hub operation in the world, producing more than 145 million tonnes of iron ore. More than $4.6 billion of work has been awarded on South Flank, with 78 per cent of that work awarded to Australian businesses, including 41 per cent to Western Australia businesses and 37 per cent committed in the Pilbara region. This project has created

9 000 direct jobs, 3 000 construction jobs and more than 600 ongoing operational roles. It has also generated many opportunities for Western Australian suppliers. Fifteen per cent of the ongoing operational workforce is Indigenous while 40 per cent of the workforce is female or gender diverse. These are industry-leading standards.

South Flank is the largest iron ore mining and processing facility to be built in the last 50 years of iron ore mining in the Pilbara. It stretches 26 kilometres in length and more than two kilometres in width. On behalf of the McGowan government, I thank BHP for working with us to create jobs, contributing to the economy, keeping its workers safe and bringing new projects to the Pilbara.

YOUTHCARE — COTTESLOE

Statement by Member for Cottesloe

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [12.55 pm]: I recently had the privilege of meeting with Natasha Reynolds, the YouthCARE area chaplain, and other YouthCARE chaplains who assist schools across the Cottesloe electorate. School can sometimes be a tough and confusing time whether you are a student, parent or staff member. However, through its chaplaincy program, YouthCARE has sought to provide a space for compassionate conversations. Natasha highlighted the critical work that YouthCARE does within the Cottesloe electorate, providing chaplaincy programs across six local schools. Chaplains provide care for the social, mental and spiritual wellbeing of the whole school community through conversation. These conversations provide an outlet for students to discuss anything from peer relationships to mental health, with chaplains referring people to external agencies when necessary. With more than 100 000 student conversations and more than 15 000 staff and parent conversations, YouthCARE chaplains have become an integral part of our local school communities. YouthCARE's work is not limited to pastoral care; it extends to provide valuable student programs, such as student breakfast clubs, and social and emotional sessions to provide an outlet for issues to be sensitively addressed. It also creates a positive school culture. YouthCARE's work in primary schools across the Cottesloe electorate from North Fremantle to Mt Claremont has empowered and encouraged our next generation of leaders. To Natasha and all the local chaplains, thank you very much for the support that you give to our community.

TOKYO PARALYMPIC GAMES — JOONDALUP REPRESENTATION

Statement by Member for Joondalup

MS E.L. HAMILTON (Joondalup) [12.56 pm]: Today, I hope that I am able to give members a sense of the remarkable achievements of our Australian athletes at the Tokyo Paralympic Games. I am delighted to congratulate Paralympians who are part of our local Joondalup community. Ben Popham, a member of the Joondalup Arena Swim Club, is one of these athletes. It was an honour to join Ben's family, his parents, Jennifer and Matthew, and a huge crowd at the Joondalup Sports Club to cheer him on in his first race on 25 August. We all cheered as we watched Ben secure Australia's first gold medal in the 100-metre freestyle S8, which was a phenomenal race. Ben also won gold in the 4 x 100-metre freestyle relay and a silver in the 4 x 100-metre medley relay. He received a massive and well-deserved reception at his recent welcome home party at Joondalup Resort. Thank you to all the local businesses and organisations that sponsored the event. Thank you to Priya Cooper for being the master of ceremonies for the afternoon and to the amazing volunteers who made this event happen—Faiza, Rebecca, Michelle and Kate—who showed such a wonderful community spirit.

Joondalup local Rhiannon Clarke also participated magnificently in the games. I had the pleasure of meeting Rhiannon at a community fair last year when she was a year 12 student at Mater Dei College. In her first Paralympic Games, Rhiannon competed in the women's 100-metre T38 and the women's 400-metre T38, placing fifth and seventh respectively. Congratulations.

Australia's first judo representative since the 2008 Paralympic Beijing Games, Wayne Phipps, ranked ninth in the men's judo under-66 kilogram division. As a Connolly local, I know he has made his local community and Australia very proud.

I trust that our Paralympic athletes will create a positive and lasting impact on our WA kids, who will look up to them as role models. Congratulations.

COUNCILLORS — NORTH WEST CENTRAL

Statement by Member for North West Central

MR V.A. CATANIA (North West Central) [12.58 pm]: The statewide ordinary local government elections will be held this weekend, Saturday, 16 October. I wish all candidates, who have put themselves forward to serve the community, the best of luck. I would also like to thank those retiring councillors who have dedicated many years of service to their community, particularly those councillors in my electorate of North West Central. I would like to thank Councillors Kristan Pinner, Julee Nelson and Kane Simpson from the Shire of Carnarvon, who will all be retiring; my good friend Matt Niikkula, the president of the Shire of Exmouth, Ben Dixon and Gary Mounsey, who are all retiring from the Shire of Exmouth; Peter Clancy, the deputy shire president of the Shire of Meekatharra; and Councillor Craig Simkin, the president of the Shire of Northampton, who has done an amazing job, given he has had to endure tropical cyclone Seroja. I wish Craig all the best, as I do Stewart Smith, who is also retiring from the

Shire of Northampton. I would also like to thank Alwyn Bates, who is retiring from the Shire of Ngaanyatjarraku, and Jamie Burton, who is retiring from the Shire of Shark Bay. I thank everyone for their service. Once again, I would like to thank those councillors for their tireless service to their community. I wish you well with all your future endeavours.

PARENTS AND CITIZENS ASSOCIATIONS

Statement by Member for Bicton

MRS L.M. O'MALLEY (Bicton) [12.59 pm]: Education is critical to successful life outcomes. Teachers are integral to this, but parents are our children's first teachers and when they remain actively engaged during their children's formal education years, there are significant benefits to learning outcomes. There is no better example of this than through P&Cs and their partnership with principals and schools to support and enhance their children's learning environment.

The year 2021 has been another challenging year for our school communities. The continued prevalence of the COVID-19 pandemic has caused ongoing disruption to education. The work of P&Cs in supporting their schools and local communities has never been more important. That is why I would like to acknowledge and thank the following P&C presidents, committees and members: Mark Jeffrey from Attadale Primary School, Lisa Veart from Bicton Primary School, Ross Warton from Melville Primary School, Pip Brown from Palmyra Primary School, Aoife Lannon from Richmond Primary School and Jonathan Gayton from Melville Senior High School.

I would also like to congratulate the Western Australian Council of State School Organisations on achieving an impressive milestone. WACSSO is the peak parent body for P&Cs in WA public schools and 2021 marks 100 years of its partnership with parents and carers in public education across Western Australia. Congratulations and thanks to current WACSSO president Pania Turner; immediate past president and life member Kylie Catto; and state councillors and the team, including long-time staff Jodie Quinn, Karen Izard and Richard Brand. Here's to another 100 years of WACSSO and P&Cs!

Sitting suspended from 1.01 to 2.00 pm

VISITORS — PICKERING BROOK PRIMARY SCHOOL AND ANNA STEWART MEMORIAL PROJECT PARTICIPANTS

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.00 pm]: On behalf of the member for Kalamunda, I would like to welcome the students and staff from Pickering Brook Primary School.

Also, on behalf of the member for Mirrabooka, I acknowledge and welcome to Parliament today the Anna Stewart Memorial Project participants, which is a leadership program for women run by UnionsWA.

QUESTIONS WITHOUT NOTICE

CONSTITUTIONAL AND ELECTORAL LEGISLATION AMENDMENT (ELECTORAL EQUALITY) BILL 2021 — TIME LIMIT

591. Ms M.J. DAVIES to the Premier:

I refer to the electoral reform legislation that the Premier denied was on the agenda before the election, that he refused to allow a parliamentary committee to review the detail of, and refused to allow the people of Western Australia to have a say on via a referendum and is gagging debate after only two days of discussion in this chamber. What explanation can the Premier offer for failing to meet his own promise to deliver a gold standard of transparency in government and is, instead, allowing the bill to be rushed through and is gagging debate and not giving appropriate consideration of something that will change the way that people elect representatives to this Parliament?

Mr M. McGOWAN replied:

I reject every premise of that question—every premise. I am advised that there has been at least 15 hours of debate in this chamber, much of which has been repetitive by the opposition. But the minister has handled it superbly and has provided advice to the opposition that has been very straightforward and clear. The opposition was given briefings on the bill. There was a full inquiry before the bill was brought in to which the opposition and anyone in Western Australia could have put in a submission. Many submissions were put to that inquiry. The inquiry recommended an outcome, and that outcome is the one the government endorsed and has drafted legislation accordingly. If and when the bill passes this house, it will go to the upper house, where I am sure there will be fulsome debate as well. After that, if there are any amendments, it will come back here for further debate. That is the parliamentary process.

That is a lot of debate. If we compare debate on bills in this Parliament with that in other Parliaments, the amount of time spent debating legislation is far longer and far greater in this Parliament than other Parliaments around Australia. Just so that members know, when I first came to this place, time management was a regular occurrence; in fact, on a weekly basis. When I first came to this Parliament, Colin Barnett stood right here. He was the Leader of the House at that time and time management was a weekly occurrence, every single week. Sitting here all night

was a weekly occurrence as well. I thought it was just normal and that that was what Parliaments did. These days, it is a little bit rare, which is a good thing. But, at the same time, there has been fulsome debate, and 15 hours is a long time in which members can make their points, whatever they may be, and the Attorney General has answered them.

CONSTITUTIONAL AND ELECTORAL LEGISLATION
AMENDMENT (ELECTORAL EQUALITY) BILL 2021 — TIME LIMIT

592. Ms M.J. DAVIES to the Premier:

I have a supplementary question.

Premier, why is your government gagging debate on this important piece of legislation when there are three years before the next election and many other pieces of legislation that should take priority given that he did not take this to the election and has denied the people of Western Australia an opportunity to have their say?

Mr M. McGOWAN replied:

There has been fulsome debate on the bill, as I said; it has been 15 hours. If members cannot make their points in 15 hours of discussion, there is something wrong with them. Obviously, the government has a very full legislative agenda and the Attorney General has many things that he will be dealing with, one of which is legislation to deal with outlaw motorcycle gangs, which we will be dealing with shortly.

One thing I have noticed over my two decades here is that tedious and repetitious debate is the staple of the Liberal and National Parties—filibustering is what they are known for—and it is often poorly researched and often without any substance.

Ms M.J. Davies: There was an article written about one of your speeches the other day being tedious and repetitious.

Mr M. McGOWAN: They have been provided with many opportunities.

Ms M.J. Davies: One of the media was commenting on it, Premier.

Mr M. McGOWAN: I am sorry?

Ms M.J. Davies: He said that he heard one of your speeches several times before; this was when you were at a function the other day. The media are starting to comment that you are a little bit tedious and repetitious.

Mr M. McGOWAN: I am sorry I missed that article. Which journalist was it?

Ms M.J. Davies: You have plenty of people in your media team, Premier. I have never seen so many people who trawl through the history.

Mr M. McGOWAN: I find it hard to believe that a journalist would write that! I am shocked! If a journalist has written that about me, I would be appalled. I would like the Leader of the Opposition to tell me his or her name so I can follow up fulsomely with that journalist, if that is what they say about me. It is shocking that that would be written about me, because, of course, nothing negative is ever written about me! As I noted the other day, I go to the football and get criticised. I note that the Leader of the Opposition went to the football and was not criticised. Obviously, people are out to get me, Leader of the Opposition!

In terms of the bill, we are doing the right thing by the people of the state. We are the last hold-out of a Parliament in Australia that is not democratic—the last hold-out. Parliaments around Australia over the last 150 years have become democratic. It is now accepted practice that people's votes are equal irrespective of how rich they are. No matter where they live, how much property they own or what sex they are, their vote is equal. Each person above the age of 18 should have an equal say about who is in government. Just because someone is richer than someone else does not mean that their vote should be worth more. Just because a person's occupation might be regarded broadly as having some greater value than someone else's occupation does not mean that their vote should have greater value. It is archaic thinking that that should be the case. If the natural conclusion of the Leader of the Opposition's argument is that people who are wealthier should have more votes, then there should be more votes in Cottesloe than in other electorates around the state. I hear that argument raised regularly—that those people who produce more wealth should get more votes. That is the argument I hear members opposite raise—that those who produce more wealth should get more votes. If that is the case, why do we not give billionaires thousands of votes and people who do not have any money half a vote? That is the argument the opposition runs. Then it runs the argument that it is based upon regional representation. Why is it that someone's vote in Northam, an hour from the city, is worth four times someone's vote in Augusta, five hours from the city? Why is that? Why is it that the vote of someone in the member for Mandurah's electorate is worth one and a half times the vote of someone in the member for Warnbro's electorate when they live next door to each other? Those things are past. They make no sense. Clearly, it needs reform. Our view is that it should be reformed, and that is what we are doing.

JOBS — TRAINING

593. Ms C.M. ROWE to the Premier:

Before I ask my question, on behalf of the member for Willagee, I acknowledge the students and teachers from Blue Gum Montessori School in the public gallery.

I refer to the McGowan Labor government's commitment to creating more jobs for Western Australians and delivering the strongest economy in the country. Will the Premier update the house on the work undertaken by this government to not only create jobs and deliver record employment, but also ensure that Western Australians have the skills necessary to meet the demands of business and industry?

Mr M. McGOWAN replied:

I thank member for Belmont for the question. Today the Australian Bureau of Statistics released the jobs figures for September. I urge every eastern states commentator who regularly attacks Western Australia to take note: Western Australia is not locked up. We are a free community—a free society. Our economy is not struggling. We are not holding back the nation. We are supporting the nation. We are driving the nation. We are producing the revenue and income that is being poured into the COVID-19-positive states of New South Wales and Victoria. Today's figures show that Western Australia continues to lead the country through our investment in economic recovery and by protecting the state from COVID-19. We have delivered the strongest jobs market of anywhere in Australia.

Today's jobs figures show that the unemployment rate in Western Australia is now down to 4.1 per cent. That is the lowest unemployment rate in Australia. It is the lowest rate in nearly 10 years. We now have 1.427 million Western Australians in work. In September, 3 580 new jobs were created. Since the WA Labor government came to office we have created 123 100 new jobs. That is a record that is better than any other state in Australia and I expect better than any other government in Western Australian history. But what it does mean, of course, is that there are pressures out there in the labour market. That is why we held the WA skills summit in late July. We are responding to the issues raised at the summit. This week we announced more low-fee courses at TAFE colleges, particularly in child care, aged and disability care, and the civil construction sector so that we can get more people into those areas.

I was at a childcare centre in the member for Mirrabooka's electorate the other day and the childcare workers are great people. The cost of a diploma in early childhood education and care has been reduced by $7 200 from nearly $10 000 to around $2 000. Obviously, the previous government increased the cost of that course to over $10 000. That is a very important reform we are putting in place. Under the last Liberal–National government TAFE fees went up in many courses by more than 500 per cent. We froze fees when we came to office and we have reduced fees for 180 high priority courses by up to, and more than for some, 72 per cent across the state. A certificate IV in hospitality has been reduced by $3 000; a certificate IV in transport and logistics has been reduced by $1 500; and a diploma of surveying has been reduced by over $3 500. A range of others have been reduced.

The government is ensuring that we have the strongest economy and strongest jobs market in Australia, training Western Australians for these jobs more than ever before by making TAFE more affordable and more available for ordinary citizens.

MINISTERS — GIFTS AND TRAVEL

594. Mr R.S. LOVE to the Premier:

I refer to the Premier's comments in this place yesterday during debate on a matter of privilege regarding the disclosure of gifts. Given that the Premier believes that declaration on a ministerial gift register is appropriate reporting for his cabinet members, will he commit to tabling that register each year in Parliament with the members' annual returns?

Mr M. McGOWAN replied:

It was an instructive debate yesterday because it showed that the opposition really does not understand much at all—that is what it showed. For members who were not here who may not have been listening—I realise that members listen intently to Parliament most of the time—and for the press who may not have been listening intently, what was raised yesterday was about the disclosure return of members of Parliament and the fact that those disclosure returns did not necessarily include gifts for members of Parliament. Of course, there is a gift register that ministers compile, and that was released recently to the press. That contains all the relevant gifts, whether it is a baseball cap, tickets to the ballet or football, or whatever it might be. All those gifts are compiled in that register. The opposition was alleging that somehow ministers should do it twice, even though, as I pointed out, the Leader of the Opposition, when she was a minister, did not do that. Michael Mischin, when he was Attorney General did not do that. Colin Barnett, when he was Premier did not do that. Brendon Grylls, when he was Leader of the National Party did not do that. But now the opposition is alleging some grand conspiracy that somehow this should be happening and it wants to refer a Labor minister to a privileges committee for that, even though members opposite did exactly the same thing. There has been full disclosure of gifts by ministers. Just so members opposite understand—full disclosure. And they have been published. The ordinary course of events for these things in past governments was that the opposition would ask a question and the ministerial gift register would be tabled. That is what we did when we were in opposition, frankly because we did a little bit of work: we put a question on notice and it was tabled. Unfortunately, putting a question on notice seems to be beyond the capabilities of the current opposition. That is all it has to do—a question on notice. If members opposite like, I will show them how to do it later on. That is what we did and that is why they were tabled under the last government, and the information was provided. But the press asked a question, so we gave the information to the press.

It came out the other day that I went to the football. As I said—it is a significant story—we acquired the AFL grand final for Western Australia at no cost and I was invited, so I went. Many people were invited, including the Leader of the Opposition; the federal sports minister, Mr Colbeck, who is from Tasmania—and the Tasmanian sports minister decided to come along as well; Mr Ken Wyatt; Michaelia Cash; Colin Barnett; Ben Morton; the member for Roe, who seems to frequent many of these events; and other Liberal–National MPs. That is a good thing. Family members attended as well. That is a good thing. If the opposition's argument is that somehow we have done the wrong thing because we went to the footy, well, so did you.

MINISTERS — GIFTS AND TRAVEL

595. Mr R.S. LOVE to the Premier:

I have a supplementary question. If members of the cabinet have nothing to hide, why will the Premier not commit to tabling that register?

Mr M. McGOWAN replied:

The register has been released. If the member for Moore has nothing to hide, why does he not release all the events that he goes to? Why does he not release all of the functions and events that he goes to? Will he commit to that? Will he commit to all of the gifts?

Mr R.S. Love: Absolutely—if they are over the value of $500, as required under the financial interests act.

Mr M. McGOWAN: Our gift register releases everything. Will the member for Moore release everything? Will the opposition release everything? Our gift register is there. All members opposite have to do —

Several members interjected.

Mr M. McGOWAN: I realise that the report done by Mr Trowell and—who was the other one who did the report?—Mr Keenan and the other Liberal Party luminaries described the Liberal Party as staggeringly lazy, but I would say that the National Party is monumentally lazy because if the member cannot ask a question on notice, if that is beyond his capability, I am sure we can get some instructions for the member from the officers of the Parliament.

ELLENBROOK RAIL LINE — WHITEMAN PARK STATION

596. Ms J.J. SHAW to the Minister for Transport:

I refer to the McGowan Labor government's record investment in job-creating transport projects, including the delivery of Metronet.

(1) Can the minister update the house on the work underway to deliver the Morley–Ellenbrook line, including Whiteman Park station, and what this project will mean for people in the north-eastern corridor?

(2) Can the minister advise the house how this government's unprecedented infrastructure investment compares with the record of the Nationals WA and the Liberal Party?

Ms R. SAFFIOTI replied:

(1)–(2) I thank the member for Swan Hills for that question. She is a strong supporter of Metronet and the Morley–Ellenbrook rail line. Yesterday, we released the first images of the new Whiteman Park train station, and it is incredible. The Whiteman Park train station is a key part of the Morley–Ellenbrook line.

Dr D.J. Honey interjected.

Several members interjected.

The SPEAKER: Minister, just pause for a moment here. We had an interjection from the member for Cottesloe. That is not an opportunity for everybody else to interject, and it is unparliamentary. What I would like to hear is the answer to the question that was asked by the member for Swan Hills.

Ms R. SAFFIOTI: The key difference between the Labor Party and the Liberal Party is that we announce things because we are doing things. Do members remember the former member for Swan Hills, "Little Frankie"? He said the Liberals will build the rail line to Ellenbrook. Do members remember that one? The Liberals announced the Ellenbrook rail line and never delivered it in eight years. They never started it! They promised it twice and never even started or planned for it. The difference is that we announce because we do. They announce and they break promises—that is all they did.

We have referred a little bit to the Leader of the Liberal Party's comments in front of the Liberal Party state council meeting last weekend. Members will remember him performing for the puppetmasters in the audience. In his comments on public transport he said that he does not believe in taxpayer subsidisation for people using our trains.

Several members interjected.

Ms R. SAFFIOTI: He stood in front of that audience and criticised the subsidisation of public transport.

I go back to the beautiful Morley–Ellenbrook rail line.

Dr D.J. Honey interjected.

The SPEAKER: Member for Cottesloe, I am asking you not to interject.

Ms R. SAFFIOTI: The member for Cottesloe is very touchy. He likes to criticise, but when we put a mirror in front of his performance, he cannot handle it. Do members remember his performance in front of those puppetmasters, the upper house members? He described them as "the good Liberals in this audience." He said, "People might criticise you out there, but you're good Liberals and please keep me as leader for a bit longer." That is basically what he was begging for at his own Liberal Party conference.

I will get back to the new Whiteman Park station, members. It is a beautiful new station and a beautiful design. A new underpass at Drumpellier Drive will connect the residents of Dayton, Brabham and Henley Brook. A 20-metre underpass will ensure that people in that corridor can get to the train station by cycling or walking. In the next five to 10 years, 12 000 new homes will be built in that corridor, with 32 000 additional people coming into that area. There will be parking bays, toilets, lifts, escalators and bus stands.

As part of the entire project, the other work that people can see happening as they drive along Tonkin Highway is the Tonkin Highway Gap project. We had an incredible bridge lift over the weekend and one of the four bridges around the Guildford Road and Railway Parade area is now complete. If people look in the medium term, they will see that it is the work for the Morley–Ellenbrook rail line. Work is happening up and down that corridor. Again, we apologise for the disruption, but we are delivering the Ellenbrook rail line, a rail line that members opposite promised and failed to deliver. They lied about it time and again.

HEALTH — 2021–22 STATE BUDGET

597. Ms L. METTAM to the Premier:

I refer to the Premier's comment in *The West Australian* today that his government would not be pursuing a bid to host the Commonwealth Games in 2026 because it wanted to retain financial firepower to deal with COVID-19 or any other future crises. With thousands of elected surgeries cancelled, 119 preventable deaths in our hospitals and more than 100 code yellows due to a lack of beds in the last year, why is the Premier stockpiling funds for future crises when the health system is in crisis now?

Mr M. McGOWAN replied:

We brought down a state budget last month that had an additional $1.9 billion in recurrent funding that will provide an enhanced 332 hospital beds, at least 500 additional nurses and hundreds of extra doctors. There is also a significant increase in the number of mental health beds across the system as part of the state budget, with a massive increase in mental health spend, and then there is a $3.1 billion spend on important capital works in the health system across Western Australia that will also bring on additional beds. Per capita, we fund our health system the strongest of any state in Australia, by a long way actually; we are 18 per cent above the national average spend per capita on health.

Overwhelmingly, we have an outstanding health system. It is a system, however, that is under some considerable pressure, as indeed are all health systems across Australia. The South Australian Premier has said exactly the same thing, as have the Tasmanian and the Queensland Premiers. New South Wales and Victoria are obviously dealing with a COVID outbreak. New South Wales has adopted a model of hospital at home, so people essentially stay home when they have COVID, even though they may have, in ordinary circumstances, required a hospital bed. But our health system is under pressure for a range of reasons, as we know. Firstly, the decline in private health insurance. Secondly, Western Australia has a lower number of general practitioners per capita than any other state in Australia, particularly after dark and on weekends it is difficult to access a GP. A lot of people are therefore accessing emergency departments. We have also told a lot of staff to stay home if they are at all unwell in the COVID environment, so that and a range of things have added pressure to the health system. There has been a massive increase in spend, a huge increase in the number of beds and a huge increase in the services that we are providing all over Western Australia.

HEALTH — 2021–22 STATE BUDGET

598. Ms L. METTAM to the Premier:

I have a supplementary question. With budget cuts to the operational health budget next year, how many more lives will the Premier allow to be lost in our health system so that he can continue to crow about his financial credentials?

Several members interjected.

The SPEAKER: Order, members!

Mr M. McGOWAN replied:

That is an appalling question and it is beneath the member for Vasse to ask it. I do not know who writes the questions for the Liberals and Nationals WA, but whoever does writes appalling questions.

In terms of the operational budget, we fund for the COVID pandemic, basically, on a yearly basis because we do not know what is going to happen with COVID in future years. If we need to continue to fund our support for COVID initiatives in future years, we will, but we do not know where we will be at that point in time. This is just sensible budgeting when it comes to dealing with COVID.

We have an outstanding public health system and it is one of the best in the entire world. It is one of the things that makes Western Australia a great place. It deals with millions of presentations per year of people in need in some of the most remote locations using some of the most outstanding staff—nurses, doctors, support and ancillary staff—of anywhere in the entire world.

The member started the question by referring to the Commonwealth Games, which was an odd segue, and what we have done with the Commonwealth Games. We considered very carefully whether to bid for the Commonwealth Games. The problem with bidding for the Commonwealth Games is the cost can be great. It can be in the billions of dollars and it is difficult to nail down the exact costs. It would be a very nice thing to do, and a very nice thing to have, and I considered it, as indeed did cabinet ministers, quite a lot. But we are in a world that is very uncertain. We do not know what is around the corner with COVID, and we do not know what is around the corner with, frankly, Australia's relationships with our major trading partners. All those things out there are risks to Western Australia, and we need to focus on the main game, which is properly funding and supporting our health system, particularly in a COVID environment, dealing with COVID, making sure we keep our budget in surplus, making sure we keep our strong credit rating and continuing to create jobs. If we were to bid for the Commonwealth Games, obviously, we would have expected a major contribution by local government, and that would have been in the tune of $100 million to $200 million. I have seen no indication from the City of Perth that it would have been prepared to provide that amount of money towards this event. If it would have, it should say so. But it is a very, very expensive exercise, and I think being careful and very sensible in the world that we are currently in is the right, safe and correct course at this point in time.

CHILDREN'S HOSPICE

599. Ms H.M. BEAZLEY to the Minister for Health:

I refer to the McGowan Labor government's commitment to doing all it can to support children with life-limiting conditions and their families. Can the minister update the house on the work underway in helping to deliver Western Australia's first children's hospice, including the progress to secure land for the facility and can the minister outline to the house what the hospice will mean for these children and their families?

Mr R.H. COOK replied:

Sadly, there are around 2 000 children and their families in Western Australia who live with a life-limiting disease, a condition that will sadly take their young children from them at some point early in their lives. I do not think there can be a more compassionate or important role for a government than to look after these kids and their families at the time of their greatest need. Some years ago, around August 2019, I went to New South Wales and visited Bear Cottage, a children's hospice in Sydney that is doing some outstanding work looking after young children with life-limiting conditions, and their families, as they go through a very difficult time. Little did I know that at the same time, Hon Ian Campbell, who I would like to acknowledge in the Speaker's gallery today and is the chair of the Perth Children's Hospital Foundation, and Carrick Robinson, the chief executive officer, were also visiting Bear Cottage. They, like I, were struck by the important work that was done there.

On 19 September, the McGowan government announced that Western Australia's first children's hospital would be built at the former site of the of the Swanbourne Bowling Club in Odern Crescent, Swanbourne, in partnership with the Perth Children's Hospital Foundation. This has been made possible with the transfer of crown land by the McGowan government to the Child and Adolescent Health Service. The hospice will not impinge on the natural environment around Allen Park, and it will be built on the site of the demolished bowling club of which I was once a proud member. This important facility will be made possible through the great partnership that we have with the Child and Adolescent Health Service and the Perth Children's Hospital Foundation. A $4 million Lotterywest grant is being provided to PCH Foundation and has been awarded towards the construction of Western Australia's first children's hospice. In addition, the McGowan government has committed $3.2 million for the hospice project planning and to increase the current service capacity of the WA Paediatric Palliative Care Service. The children's hospice is currently estimated to cost around $25 million to build. The PCH Foundation will provide funding for the construction, fit-out and ongoing non-operational costs of the hospice, while the state government, through the Child and Adolescent Health Service, will be responsible for governance, management and the ongoing clinical operational funding. Construction of the hospice is planned to begin in late 2022 and it is hoped to open in the first half of 2024. It will include seven beds and three family accommodation suites for families, ensuring the service will be able to provide for regional families as well as those based in Perth. The design of the hospice will incorporate shared, family and play rooms and provide outreach support to families and their children in a beautiful ocean-side setting. The hospice will become an integral part of the statewide WA Paediatric Palliative Care Service, which will coordinate holistic support for children and their families.

This is a great program. It is a fantastic program. I would like to thank the member for Nedlands for her support in it, and, of course, in particular, Hon Ian Campbell, for his strident support and shared vision of creating this important hospice. We know that it will provide an outstanding service for the sickest and most unfortunate children in our community and it is one about which the McGowan government is rightfully very proud.

HYDROGEN INDUSTRY — ANDREW FORREST'S COMMENTS

600. Dr D.J. HONEY to the Premier:

I refer to Andrew Forrest's scathing rebuke at the National Press Club of Australia today in relation to the Premier's inaction on green hydrogen investment. This is a quote from Mr Forrest at that conference —

> "Would I have preferred to have had our first … in Western Australia?
>
> "Certainly, I would have, but it wasn't possible.
>
> "I've written to the Premier … in increasingly strident terms saying, 'Mate, we can't wish this into existence, you're either going to do it or not.'"

Will the Premier now explain to the people of Western Australia how he has completely and utterly failed to deliver a once-in-a-lifetime generational economic and jobs opportunity for Western Australia?

Mr M. McGOWAN replied:

Obviously, we are working on hydrogen projects as we speak. Post the state election, we created a Minister for Hydrogen Industry, who is the very enthusiastic Hon Alannah MacTiernan and who has been working on around 30 projects, as we speak, around Western Australia. Some of those projects are to the north of Perth; some are in the south. Each and every one of them is very interesting in its nature and scale. But there is also the prospect of Western Australia being a generator of hydrogen in large scale—not just a manufacturer of components, but also a generator of hydrogen in large scale using renewable energy. I think what is lost and what some people who commentate on these issues perhaps do not understand is that there are various ways hydrogen can be produced. Victoria is currently producing hydrogen using coal and exporting it to Japan so that the emissions and pollution in Japan is less and the emissions and pollution in Australia is more, so it does not really achieve the outcome that we are seeking to achieve, which is less emissions overall. Therefore, we need to use renewable energy in order to create hydrogen.

We are currently working through the land tenure issues, because in order to provide the space for major solar and wind generation to produce hydrogen—the electricity needs to produce hydrogen combined with desalinated water on scale—we have to work through the issues that allow for access to land. Those issues are complex in the Western Australian context in which we have a large pastoral state, which is potentially subject to native title. All those issues need to be worked through. It takes some time to work through those issues. It is simpler in an environment where the land is freehold, but in an environment where it is not, it is clearly more difficult. Ministers are working on these issues to make sure that they are done properly.

As I understand it, the Queensland government gave somewhere in the vicinity of $100 million or $150 million. The New South Wales government is looking at giving massive grants of billions of dollars. Obviously, we have a hydrogen fund that is not as large as that, but, on the other hand, there are innovative ways of achieving outcomes without giving multinationals billions of dollars.

HYDROGEN INDUSTRY — ANDREW FORREST'S COMMENTS

601. Dr D.J. HONEY to the Premier:

I have a supplementary question. How can the New South Wales Liberal government deliver $3 billion in investment for green hydrogen, yet despite a $5.8 billion surplus, the WA government cannot provide a fraction of that to attract those critical new industries to the state of Western Australia?

Mr M. McGOWAN replied:

Just so we understand, debt levels in the New South Wales government's budget were heading to $128 billion prior to the lockdown. It currently has a deficit of, from memory, $8 billion to $9 billion, and that will obviously get far worse. The New South Wales government does not really care about financial management, just so we understand. What I find is that other states do not care about financial management. We do. We care about financial management. That will place us as a state in a much better position than other states of Australia. Just so the member understands, Western Australia will be in a far better position. I just want to outline today that our surpluses and our debt position are far better than those of any other state in Australia. That gives us the capacity to respond to health and other threats that approach the state that allows us to invest, because we do not have that massive interest bill. If there is an interest rate increase, think about the slashing and burning that the other states will do or the loss of credit ratings that will happen that will drive up their interest bills. All of that awaits the other states.

We are in a better position than any other state. The evidence was there today with a 4.1 per cent unemployment rate, the lowest unemployment rate in Australia by miles. As we saw the other day, we are attracting new industries to Western Australia, and we will attract hydrogen investment in large amounts to Western Australia, but destroying our finances in order to do it is not something I am going to do. We will use techniques to attract investment that do not involve wrecking the state's financial position. Obviously, the Leader of the Liberal Party thinks that we should

just blow everything and give billions of dollars to billionaires and multinational corporations. That appears to be the approach of the Leader of the Liberal Party. I do not know what has happened to the Liberal Party. It does not seem to have a clue about how to govern responsibly.

Just so I can explain to the member, we have the strongest service position of any government in Australia, we have the strongest economy of any state in Australia, we have the best unemployment figures of any state in Australia, we have the lowest cost of training of any state in Australia, so Western Australians can get trained, and we have the strongest investment in health per capita of any state in Australia. We have a whole range of new industries developing in Western Australia, and we are working through the land tenure issues to secure hydrogen projects. We are working through those issues to do it, and we are attracting investment into a range of projects that we will see shortly. That is what we are doing. The idea that the Liberal Party is now promoting is that you take billions of dollars from the taxpayers of Western Australia and give it to multinational corporations. That is not an approach I am going to adopt. We are not going to give billions of dollars to multinationals, but we will look at strategic investments and leveraging land tenure issues and capital to secure strategic approaches to hydrogen that will work.

OFFICE OF DISABILITY — NATIONAL DISABILITY INSURANCE SCHEME

602. Mr M.J. FOLKARD to the Minister for Disability Services:

I refer to the McGowan Labor government's commitment to people with disability in Western Australia. Can the minister update the house about how the government is supporting Western Australians with disability and ensuring that our state receives a fair deal from the commonwealth on the National Disability Insurance Scheme?

Mr D.T. PUNCH replied:

I thank the member for Burns Beach for his excellent work, particularly in researching post-traumatic stress disorder and assisting people experiencing that very debilitating condition.

The McGowan Labor government is proud to establish the state's first office of disability as part of the 2021–22 budget to promote the rights and interests of people with disability and support the broader disability sector that exists in Western Australia. The establishment of an office of disability will ensure disability continues to be a key part of the state government's focus and there is a strong voice advocating for people with disability across government, the disability sector and the broader community. The office will act as a vital conduit of information and knowledge on the range and quality of services that people with disability require. I know members get frequent inquiries about disability matters, and this office will be a vital part of helping to make sure the system is fair, equitable and easy to follow.

Sitting within the Department of Communities, the office will provide disability sector stewardship and advice on state and commonwealth systems, and drive work and information to advance inclusion and the participation of people with disability in Western Australia. It will provide leadership through a dedicated team to implement and monitor our *A Western Australia for everyone: State disability strategy 2020–2030*, which my predecessor, Hon Steve Dawson, led the development of. Importantly, the office will have a role in informing and advising government on the experiences between Western Australians with disability and their families and carers and the National Disability Insurance Scheme. The office supports the McGowan government to deliver better outcomes for the 411 500 Western Australians who live with disability, and is part of our commitment to investing in key services that will support all Western Australians.

The role and structure of the office of disability has been shaped by an extensive consultation engagement process undertaken across the state in 2020 that included people with lived experience of disability, and that is a key part of moving forward into the future. Its formation answers a call from peak and advocacy bodies throughout the disability sector in Western Australia that such an office be formed in WA. I am pleased to inform the house of that development, and I think the office of disability will make an outstanding contribution to the future of disability services in Western Australia.

CRIME AND ANTISOCIAL BEHAVIOUR — REGIONS

603. Mr V.A. CATANIA to the Minister for Police:

I refer to the unacceptable level of crime and antisocial behaviour across regional Western Australia.

(1) What is the government doing about the serious crime wave that is gripping the heart of Fitzroy Crossing, as residents are living in fear and surrendering their streets to gangs and young troublemakers?

(2) What is the government doing to fill the high number of vacant positions for police across the region, including 10 empty positions in Derby alone?

Mr P. PAPALIA replied:

(1)–(2) I am at a loss as to where the member sources the questions he asks me. With respect to the last observation the member made, I was in Derby only a few weeks ago visiting the police, and I can tell him that whilst I was there I saw something like half a dozen recent graduate officers who passed out of the academy,

one of the many graduations I have attended since becoming the minister. As I indicated yesterday, more police officers are joining the Western Australia Police Force and graduating from the academy in such a short time than ever before in history. Many of them are going to the regions, including Derby. By the way, they are voluntarily going to places like Derby. I met officers going to Kununurra at the last graduation. Young officers, wonderful young Western Australians, are volunteering in their droves to serve the community and protect Western Australia at this time of great need—when we confront a global pandemic and challenges the likes of which none of us alive has confronted before. They are volunteering; they are stepping forward to put themselves in the place of taking responsibility for caring for their community. I have to commend them for that—and they are doing it in Derby. There are more officers there than when the Nationals were in government. Sadly, crime is a constant presence in all communities and it is no different in Western Australia. I am not sure what the member is talking about. If he wants to ask a specific question about an incident, an offence or a report and he wants me to respond to that, I am happy to respond.

CRIME AND ANTISOCIAL BEHAVIOUR — REGIONS

604. Mr V.A. CATANIA to the Minister for Police:

I have a supplementary question. Locals in Fitzroy Crossing are pleading for action as they are at crisis point. Will the minister establish a specialist task force to deal with the escalating crime problem in Fitzroy Crossing?

Mr P. PAPALIA replied:

Member, which locals? I stayed overnight in Fitzroy during a recent visit that I undertook to the Kimberley. I met with Emily Carter and I talked about the situation in Fitzroy. I actually went there and talked to people. I am wondering who the member spoke to and when he was there.

Mr V.A. Catania: It is reported widely in the media.

Mr P. PAPALIA: Right. It has come from a Facebook post or something, has it, member? Is that the source of the member's question?

Mr V.A. Catania: So you're dismissing the crime problem, are you?

Mr P. PAPALIA: When was the last time the member was in Fitzroy?

Mr V.A. Catania: You're dismissing the crime problem.

Mr P. PAPALIA: When was the last time you were in Fitzroy?

Mr V.A. Catania: Answer the question: what are you doing about the crime problem?

Mr P. PAPALIA: I will say to the member that I am working with my colleagues to ensure that we provide targeted, effective responses to crime right across the state. I would hope that the member is aware of the challenges. Despite the nature of his questions, which are often divisive and frequently borderline racist, I would hope that the member is aware that the challenges confronting a lot of —

Several members interjected.

Mr P. PAPALIA: The challenges confronting a lot of our remote and regional communities are complex. They are not ones that just happened overnight. They are ones we have inherited as a consequence of a lot of failure and a lack of funding and resourcing over a long period, particularly in the eight and a half years the Liberal and National Parties were in government. We are addressing those challenges. They are complex; they require a cross-government response. I go and see people in the communities to talk with them. I say to them that we are working collaboratively across portfolios to ensure an effective, targeted and reasoned response to really complex challenges. There is no switch to flick that will solve them. The member should know that. What certainly will not solve them and what will not assist in any way at all is the nature of the comments —

Mr V.A. Catania: We cannot ask questions about crime—is that what you're saying?

Mr P. PAPALIA: I can tell the member that none of the police officers I spoke to in Fitzroy wanted to speak in the way that the member does. They do not want people speaking like the member does. They do not want people making comments such as the member makes. Universally, when I meet with police officers —

Mr V.A. Catania: People have had enough.

Mr P. PAPALIA: Who has had enough? They are fantastic police officers. I have talked to some wonderful police officers in Fitzroy and other places like Derby, Lombadina, Bidyadanga and other communities. Universally, they really do not appreciate commentary from politicians like the member for North West Central who do not actually talk to people but happily engage in divisive and negative commentary without having any idea about how to assist to resolve a situation.

The SPEAKER: A supplementary question is a single supplementary question. It is not an opportunity to ask another six questions by way of interjection and expect a response. I will ask the member for North West Central not to do that in future. I will also ask ministers, if those interjections persist, not to entertain them.

FAMILY AND DOMESTIC VIOLENCE — KIMBERLEY

605. Ms D.G. D'ANNA to the Minister for Prevention of Family and Domestic Violence:

I refer to the McGowan Labor government's commitment to combating family and domestic violence and keeping communities safe. Can the minister outline to the house what work has been undertaken to improve support in the Kimberley for those experiencing family and domestic violence?

Ms S.F. McGURK replied:

I thank the member for the question and for her understanding of some of the complex issues facing her community and her preparedness to work alongside community members to find practical, constructive and brave solutions. The awful reality is that too many women and children are facing unacceptable levels of domestic violence. It is something that we as a government have been very determined to tackle. We also know that some of the solutions need local responses, and that is certainly the case in the Kimberley. We are doing a range of things with Aboriginal leaders to combat domestic violence, but we are also listening to what is needed in particular regional settings and towns. I am pleased to announce that on 10 September this year, our new women's refuge was officially opened in Derby. The Marnin Bowa Dumbara Aboriginal Corporation previously operated a refuge out of premises that were no longer appropriate to meet the safety of women and children seeking refuge from violent perpetrators. This government worked with that corporation to look at another location that would accommodate larger families escaping domestic violence. We were able to find an accommodation building that was suitable and it has been repurposed and refurbished. That new accommodation was set up and opened just last month.

I was looking at past media about this. In 2020, Erin Parke from the ABC wrote an article titled "As governments spend big on stimulus, WA communities warn of more … 'Taj Mahals'". We were able to repurpose a $4.2 million accommodation building that had been set up in 2013 by the state and federal governments to construct a two-storey building to house young Aboriginal people doing apprenticeships and traineeships. It never attracted enough people to be viable and had been locked up and empty from 2016 until 2020. We were able to work with the community to refurbish that building and make sure that it was fit for purpose for the women's refuge, and it has now relocated. It is a very good outcome. The member for Kimberley will be pleased to hear that. We have had advocacy from members in the Derby region; in fact, I met some of them when we went up to Broome for the community cabinet not that long ago.

In addition to that, we are also spending extra money in stimulus and on the COVID response. An extra $2.8 million went up to the Kimberley through the COVID response because, unfortunately, we have seen levels of violence increasing over the COVID pandemic. In addition to that, we are doing some strategic work with women leaders in the Aboriginal community to look at what Aboriginal family safety might look like: what is a culturally appropriate response to high levels of domestic violence in Aboriginal communities? That might be something as simple as having different shopfronts, if you like, or different places where people can come forward. It is not surprising that some Aboriginal women do not feel as though they can go to police or they feel cautious about having their case triaged by child protection workers. We are trying to overcome that legacy, but it is a long-held suspicion or caution about those authorities. It might be as simple as alternative places where people can come forward or it might be a completely different way of doing things. We have an open mind and we are working in partnership with Aboriginal leaders to develop that strategy.

I am confident that we are well placed to address some very challenging and, in many cases, intergenerational issues to provide a safer place for women and children, including in the Kimberley.

The SPEAKER: The Deputy Leader of the Opposition with the last question.

MEMBERS OF PARLIAMENT (FINANCIAL INTERESTS) ACT — DECLARATIONS

606. Mr R.S. LOVE to the Premier:

I refer to the Premier's responses in discussions in this place with regard to members' requirements to lodge returns under the Members of Parliament (Financial Interests) Act 1992. Has the Premier instructed the Parliamentary Secretary to the cabinet or any other official to seek advice in relation to ministers declaring gifts and hospitality on the ministerial gift and hospitality registry and their obligations as members of Parliament via their annual returns under the law?

Mr M. McGOWAN replied:

Not to the best of my knowledge. I advise the member again that ministers declare all gifts. All that information is made public and was made public last week. I know that the opposition does not do that. Perhaps we now need to create a register for opposition gifts that members opposite are required to declare—what events they go to; what gifts they receive—so that there is equivalent accountability between the government and the opposition. Currently, members opposite are not declaring anything; they are not declaring any gifts. Perhaps that is something the government will look at because all gifts are being declared and all information is being provided.

The SPEAKER: Members, that concludes question time.

McGOWAN GOVERNMENT — PRIORITIES

Standing Orders Suspension — Motion

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [3.00 pm] — without notice: I move —

> That so much of standing orders be suspended as is necessary to enable the following motion to be debated forthwith —
>
> > That this house condemns the wrong priorities of the McGowan Labor government for rushing through legislation to strip regional representation from Parliament at a time when there is no clear COVID-19 plan, dangerously low vaccination rates and an under-resourced health system which is putting patients' lives at risk.

Ms S.E. Winton interjected.

The SPEAKER: Members! Member for Wanneroo!

Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority for it to succeed.

Standing Orders Suspension — Amendment to Motion

On motion by **Mr D.A. Templeman (Leader of the House)**, resolved —

> To insert after "forthwith" —
>
> > , subject to the debate being limited to 10 minutes for government members and 10 minutes for non-government members

Standing Orders Suspension — Motion, as Amended

The SPEAKER: I note again that as this is a motion to suspend standing orders, it will need an absolute majority in order to succeed. I have counted the Assembly and satisfied myself that an absolute majority is present, so I declare the motion carried.

Question put and passed with an absolute majority.

Motion

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [3.02 pm]: I thank the Leader of the House for supporting the suspension of standing orders motion and giving the opposition an opportunity to speak.

The SPEAKER: Member, you need to actually move the motion.

Ms L. METTAM: I move —

> That this house condemns the wrong priorities of the McGowan Labor government for rushing through legislation to strip regional representation from Parliament at a time when there is no clear COVID-19 plan, dangerously low vaccination rates and an under-resourced health system which is putting patients' lives at risk.

This motion is about the unconscionable priorities of this government in pursuing its own political agenda when our health system is literally on its knees. It is about the government's blatant arrogance to ignore and attempt to divert attention away from a very real crisis that affects the health and lives of Western Australians every day. This week we have seen the Labor Party for what it is, self-serving and worried only about its own political power beyond the years of this term of government. At a time it could, and should, be focusing on the state of a health system that it has allowed to be run down over the last four and a half years, it is instead trying to ram through the Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill, a bill the government said was not on its agenda not once, but seven times.

Ms S.E. Winton interjected.

The DEPUTY SPEAKER: Members!

Ms L. METTAM: The bill serves no purpose but to remove regional representation from the political process and to make the system more metro-centric and to support Labor's own political agenda.

Ms S.E. Winton interjected.

The DEPUTY SPEAKER: Member for Wanneroo!

Ms L. METTAM: The government has the numbers. It could have introduced this bill at any stage during the last four years.

Several members interjected.

The DEPUTY SPEAKER: Members! Member for Wanneroo, I call you for the first time. There are a lot of side conversations going on. If you want to have a chat, take it outside.

Ms L. METTAM: I will not be taking grubby interjections from the other members in this place because this is a very important motion.

Ms S.E. Winton interjected.

The DEPUTY SPEAKER: Member for Wanneroo, I call you for the second time.

Ms L. METTAM: The government hopes to push through the electoral reform bill in the hope that voters will forget in 2025 about its lack of honesty and lack of integrity. It has accused the opposition of playing politics by daring to scrutinise the bill and attempting to bring a referendum to the people of WA. It is disgraceful and speaks to the values of this Labor government—always a crowd-pleaser, usually with glowing media coverage, introducing new laws to deal with an age-old problem, laws that one of our prominent Queen's Counsel said will have little effect.

A number of damning reports were tabled in Parliament this week. The *Department of Health annual report 2020–2021*, despite its glossy cover and colourful charts, did little to hide the deteriorating state of our health system. There were 119 deaths due to clinical errors across our hospitals, which highlights a health system under extraordinary pressure. The loved ones of 119 families died in hospital due to preventable error, not because of the medical condition they were there for in the first place. In the WA Country Health Service, there were 116 SAC 1—severity assessment code 1—incidents and 39 deaths. A report states that under the Child and Adolescent Health Service, the number of incidents resulting in death had doubled from three to six over the same two-year period.

The system is at breaking point after four and a half years of chronic underfunding and under-resourcing. We have seen extraordinary staff shortages and frontline health workers continually being asked to do more with less, doing double shifts and overtime. We also saw in the Department of Health's annual report that only 63 per cent of stakeholders believe that the Department of Health is meeting expectations. The feedback was clear about the need for budget growth and transparency around the budget process.

We know that staff morale is low. The Your Voice in Health survey found that less than half the number of respondents felt their organisation valued and supported them. Only one in three health workers felt comfortable speaking up. The annual report also confirms that response times for priority 1 emergencies dropped below the target 15 minutes for the first time since 2016, another damning statistic and a damning reflection on our health system, which is in crisis. It is incredibly frightening to consider.

We know that response times have been seriously hampered due to the record number of hours that ambulances wait outside our hospitals for patients to be received—more than 6 500 hours in August this year. Again, we see attempts to divert attention away from the serious issues facing our health system. We have bed block. More than 100 code yellow incidents were called in hospitals last year because there were not enough beds in our hospital system. We know that our maternity hospitals are regularly on bypass because they do not have capacity and there is no plan for how to deal with this issue while a women's and babies' hospital is being built. Budget estimates revealed that more than 1 400 elective surgeries were cancelled in the metropolitan and country health system. This was before the government publicly announced category 2 and 3 surgeries would be put on hold. There are no COVID cases in the community, but the health system is already straining to cope with the volume of patients.

That brings us to the vaccination rollout. Last year, we were told border controls would give the health system time to prepare for the so-called storm. Twenty months on, we are in no better state. Some may say it is worse. We have the worst vaccination rates in the country and a government that has resorted to trying to mandate cohorts to lift up the lagging rate. Overwhelmingly, what the people of Western Australia need is a clear plan on how we will incentivise vaccination and what the plan going forward is for Western Australians who have been overwhelmingly obedient.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [3.09 pm]: I rise to congratulate the member for Vasse for this very good motion that she has brought to this house, condemning the Labor government for its disgusting lack of sensible priorities. In the middle of the COVID pandemic, what did it take up as its main priority? Stripping away regional representation!

Several members interjected.

The DEPUTY SPEAKER: Members!

Mr R.S. LOVE: What we are seeing in this place today at four o'clock —

Several members interjected.

The DEPUTY SPEAKER: Members! Minister! The Deputy Leader of the Opposition has the floor. He has three minutes to go, then the government will have the opportunity to respond.

Ms S. Winton interjected.

The DEPUTY SPEAKER: Member for Wanneroo!

Mr R.S. LOVE: The member for Vasse is a great advocate for the health system in Western Australia. She has been speaking out throughout this intense time when we have been working as a small team against an overwhelming majority of Labor government members, who have the wrong priorities at the heart of their government. They

do not have the priorities that the member for Vasse has. She is ensuring that the health of Western Australians is the number one priority. Their priorities are completely wrong. They are going to cut away regional voices at four o'clock, at a time when our vaccination rates are among the lowest in Australia.

Several members interjected.

The DEPUTY SPEAKER: Members! Minister!

Mr R.S. LOVE: Within our own state, we have Aboriginal communities that have devastatingly low vaccination rates. I had a briefing from the Chief Health Officer at lunchtime, and I was staggered to hear that the vaccination levels for some Indigenous communities is as low as 12 per cent. I am not talking about remote communities.

Mr R.H. Cook interjected.

The DEPUTY SPEAKER: Minister!

Mr R.S. LOVE: I am talking about communities in the south west that are accessing the health system in the same way as other people in the south west do. The government is not getting the message out there.

Several members interjected.

The DEPUTY SPEAKER: Members!

Mr R.S. LOVE: It is not getting to the communities. It is not ensuring that people are being vaccinated inside the time frame that we need to be able to protect Western Australia from an ongoing health crisis. We have a health system that is already in crisis, and we do not have COVID here at the moment. What will happen if we have an outbreak here?

Several members interjected.

The DEPUTY SPEAKER: Members!

Mr R.S. LOVE: I tried to get answers from the Chief Health Officer on how many hospital beds would be available in this state. I could not get any sort of indication that we have any capacity whatsoever to deal with any major outbreak, especially in regional areas. The only plan in regional areas is to rely upon the Royal Flying Doctor Service or St John Ambulance. We know that St John Ambulance is another organisation that the government has in its sights, again, as a wrong priority. If the government strips away St John Ambulance and all the volunteers who work there, who is going to be answering the call in Carnamah, Eneabba or Wyalkatchem if somebody needs help? Again, we are seeing the government's wrong priorities at work. The government has a predetermined plan when it comes to stripping away the regional voices in this Parliament. It has a predetermined plan when it comes to stripping St John Ambulance of its contract. That is why the government has not given it a decent contract renewal for the entire time it has been in office.

MR R.H. COOK (Kwinana — Minister for Health) [3.12 pm]: What a complete joke! You guys are hopeless! Honestly, Deputy Speaker, I have never seen a more incompetent bunch of fools in my life. Rather than debating the issue about which they care most, rather than debating the issue about which they have cried foul that they have not had time to talk about this week, we have had to listen to the member for Vasse reading out some staff member's dissertation done as part of a creative writing exercise, rather than actually getting on with the debate that they want to have! Why are they wasting so much of their own time allocated to cross-examine a bill that they say they care so much about? Member for Vasse, how many questions have you asked in the debate?

Several members interjected.

Mr R.H. COOK: I am sorry; I did not hear. Member for Vasse, how many questions have you asked in this debate on electoral reform?

Several members interjected.

The DEPUTY SPEAKER: Members! Minister!

Ms S. Winton interjected.

The DEPUTY SPEAKER: Member for Wanneroo, I am almost going to get to two and a half calls for you! Member, Deputy Leader of the Opposition, you have had your opportunity to speak. It is now the government's turn to respond to your contribution and that of the Deputy Leader of the Liberal Party. Members of the government, you have the minister on his feet responding to this suspension motion. Hansard does not have any chance of recording any of this the way you are carrying on. Can we let the minister carry on in silence, please.

Mr D.A. Templeman interjected.

The DEPUTY SPEAKER: Leader of the House!

Mr R.H. COOK: Deputy Speaker, I simply ask the very straightforward question of the member for Vasse, one of the regional members in this place: how many questions on this bill that she says will impact so dreadfully on Western Australians has she asked?

Several members interjected.

Mr R.H. COOK: It is zero, yet she has the temerity to stand up here now and waste another 20 minutes of this chamber's time complaining about the bill that members opposite have had every opportunity this week to actually examine the government on. Are they incompetent or just lazy?

Several members interjected.

The DEPUTY SPEAKER: Deputy Leader! Attorney General!

Mr R.H. COOK: Deputy Speaker, I heard the Leader of the Opposition on radio this morning crying foul that members opposite have not had enough time to debate this legislation, despite three days being allocated, despite every effort to answer their questions and despite all the opportunities they have had. Now we have the member for Vasse, I assume with the permission of the Leader of the Opposition, given that her deputy has spoken to this motion, coming in here and wasting another 20 minutes of the chamber's time having a discussion about COVID-19, which we are happy to discuss at any time.

Ms L. Mettam interjected.

The DEPUTY SPEAKER: Deputy Leader of the Liberal Party!

Mr R.H. COOK: If we want an opportunity to address the plight or the issues associated with the health system, what we have to do is pass the budget. Have we done that? We have. We have in place a $1.9 billion funding package to make sure that we can get on and address the issues associated with COVID-19, address the issues associated with demand in our hospitals and ensure that we keep Western Australians safe, despite the efforts of the Liberal Party and the Nationals WA's friend Clive Palmer to tear down all those things that we have relied on to keep us safe. Despite the member for Vasse's efforts, we have kept Western Australians safe. As a result of that, the Western Australian economy and the Western Australian community have been allowed to progress. The fact of the matter is that when we have a situation whereby the opposition says that we have no plan for COVID, we have to say, "Okay, let's see how the plan has gone to date." We have Western Australians everywhere grateful for the fact that this government has kept them safe during the COVID-19 pandemic.

Dr D.J. Honey: That's not a plan!

Mr R.H. COOK: We have been implementing our plan, member for Cottesloe! We remember your plan from last year to tear down the borders and we saw how well that worked for New South Wales and Victoria!

Ms M.J. Davies: How do you plan to get everyone vaccinated?

Mr R.H. COOK: We have seen how well that works! Thank goodness we have the McGowan government to keep everyone safe! I am coming to your point, Leader of the Opposition, so do not worry about that. We are coming there. I just wanted to bask for a moment in the praise of the McGowan government led by the incredible Premier that has kept Western Australians safe, kept our resources industry going, made sure that we have the workers in the agricultural sector to keep our farms going, and made sure that —

Ms M.J. Davies interjected.

Mr R.H. COOK: Deputy Speaker.

The DEPUTY SPEAKER: Leader of the Opposition!

Mr R.H. COOK: Really! No wonder the Attorney General was so frustrated with your cross-examination. I did watch it for a period when we repeatedly spun our wheels on clause 1 of the legislation. Members opposite were not actually asking questions of the legislation.

Ms M.J. Davies interjected.

The DEPUTY SPEAKER: Leader of the Opposition!

Mr R.H. COOK: They were really just re-running their second reading speeches in a way that I think really exposes the incompetence of those opposite.

COVID-19 plan—tick. We have done a great job with the assistance of an incredible community to keep this economy open, keep people safe and, thankfully, avoid the literally hundreds of deaths that we have seen occur in New South Wales.

I now turn to vaccination rates. People ask why we do not have the vaccination rates of Victoria and New South Wales. Apart from the fact that New South Wales got an extra million doses ahead of the other states through the favouritism of the commonwealth government, they saw bodies lined up in the mortuaries of New South Wales' hospitals and thought, "I don't want that to happen to me. I don't want to be one of those death statistics." As a result of that, people in New South Wales flocked to vaccine centres to get themselves vaccinated. Teenagers lined up for the AstraZeneca vaccine. They simply want to avoid the consequences of it.

The member for Vasse, as she read out her politics 101 essay, made the observation that some would say that we have the worst vaccination rates in the country. The problem is that what the member for Vasse says for the vast majority of the time is just not true. The latest statistics I have are from 12 October—admittedly, they are not from yesterday; they are from the day before yesterday—and they show that 53.5 per cent of eligible Western Australians

have now received two jabs. That is more than Queensland, which is at 53.4 per cent, and is running neck and neck with South Australia, which is at 55.5 per cent. The narrative that the member for Vasse was creating, that somehow we are failures in this, is simply incorrect. When we look at first jabs, the figure in Western Australia is 72.2 per cent. The Northern Territory, which admittedly has 56.9 per cent of people with double jabs, has only 68.7 per cent of its population with single jabs. It is simply not the case to say that we have the worst vaccination rates in the country. We are better than some states and, by and large, we are running neck and neck with all those states that have actually managed the COVID-19 pandemic. If it is a curse on our community that we have managed the pandemic well and, as a result, people who have busy lives and casual jobs and who do not have aspirations to travel, have somehow decided not to get vaccinated yet—we urge them to do so—then that is not our fault. It is a great situation for Western Australia to be in—that people feel so proud and confident of what we have done.

But we have to get them vaccinated and that is why we have the Vaccine Commander in place, who is doing a great job rolling out the vaccination program, except he is being undermined by those opposite. The member for Moore made the most profoundly obscure and confused contribution in this debate that I have seen in a very long time. He criticised us for not having vaccinated enough people in Aboriginal communities when it is specifically the responsibility of his mates in Canberra. Go talk to Barnaby! That's right: you do not support Barnaby! Go talk to Barnaby about his lack of performance and the lack of performance of the commonwealth government. We are doing a substantial amount of the heavy lifting in Aboriginal communities. I am out there encouraging them day in and day out, and so is Chris Dawson. We are doing everything we can. Do not dare come in here and try to offload the incompetence of the federal government onto this government when it is the federal government's responsibility.

Division

Question put and a division taken, the Deputy Speaker casting his vote with the noes, with the following result —

Ayes (5)

Ms M.J. Davies	Mr R.S. Love	Mr V.A. Catania *(Teller)*
Dr D.J. Honey	Ms L. Mettam	

Noes (40)

Mr S.N. Aubrey	Ms J.L. Hanns	Mr K.J.J. Michel	Mr D.A.E. Scaife
Mr G. Baker	Mr M. Hughes	Mr S.A. Millman	Ms J.J. Shaw
Ms H.M. Beazley	Mr W.J. Johnston	Mr Y. Mubarakai	Mrs J.M.C. Stojkovski
Mr J.N. Carey	Mr H.T. Jones	Mrs L.M. O'Malley	Dr K. Stratton
Ms C.M. Collins	Mr D.J. Kelly	Mr P. Papalia	Mr C.J. Tallentire
Mr R.H. Cook	Dr J. Krishnan	Mr S.J. Price	Mr D.A. Templeman
Ms D.G. D'Anna	Mr P. Lilburne	Mr J.R. Quigley	Mr P.C. Tinley
Mr M.J. Folkard	Mr M. McGowan	Ms M.M. Quirk	Ms C.M. Tonkin
Ms E.L. Hamilton	Ms S.F. McGurk	Ms R. Saffioti	Ms S.E. Winton
Ms M.J. Hammat	Mr D.R. Michael	Ms A. Sanderson	Ms C.M. Rowe *(Teller)*

Question thus negatived.

CONSTITUTIONAL AND ELECTORAL LEGISLATION AMENDMENT (ELECTORAL EQUALITY) BILL 2021

Consideration in Detail

Resumed from an earlier stage of the sitting.

Clause 65: Section 113D amended —

Debate was interrupted after the clause had been partly considered.

Ms M.J. DAVIES: This clause will amend section 113D. We had a discussion about this just before the break. Can the Minister for Electoral Affairs confirm that this amendment is consequential to taking out the group voting ticket, because that does not exist in the bill anymore, and can he tell me what it brings into effect?

Mr J.R. QUIGLEY: Yes, that is it: this amendment will simply delete a further reference to group voting tickets. There is no substantive change in there except the phraseology of "group voting tickets" is littered throughout the act, and we have got to pluck it out.

Clause put and passed.

Clauses 66 and 67 put and passed.

Clause 68: Section 128 replaced —

Ms M.J. DAVIES: The bill I have contains some amendments to section 114, but the bill goes from clause 65, which will amend section 113D, to clause 66, which will amend section 122A. I am happy to receive some clarification, but there is actually an amendment to section 114. Was that dealt with earlier?

Mr J.R. QUIGLEY: Those amendments are dealt with under clauses 93 and 94, and there is a schedule and tables.

Ms M.J. DAVIES: I thank the minister for that clarification.

Proposed section 128 deals with how a ballot paper is to be marked up—above-the-line and below-the-line voting. What changes are being inserted? They are quite extensive. What will be brought into effect? The clause relates to the abolition of the group voting ticket, so I presume it is how many candidates can be above and below the line, how people vote, how they are allowed to vote, including the number above the line and the number below the line, and why that was selected as opposed to the number that people are allowed to vote for above and below the line in, for instance, the Senate election. This is so we have some consistency between federal and state elections.

Mr J.R. QUIGLEY: The new provisions reflect the change to optional preferential voting above the line and optional preferential voting below the line; however, with a minimum number of squares to be marked. It is sometimes referred to as semi-optional preferential due to the requirement to mark a minimum number of squares. Marking a square above the line or below the line is defined and how an elector votes in certain circumstances is outlined. Under proposed section 128(2), in a single member election where there are two candidates, the elector must place the numeral "1" in the square opposite the name of their preferred candidate. Under proposed section 128(3), in a single member election where there are more than two candidates, the elector must place the numeral "1" in the square opposite the name of their first preference and consecutive numerals from "2" in the squares of all remaining candidates to indicate a preference for each candidate. The explanatory memorandum refers to a Legislative Council election where the number of members to be returned is more than one and there are —

(i) no squares above the line and:

(A) more than 20 candidates — the elector must mark at least the numerals 1 to 20 in the squares opposite the names of candidates so as to indicate the elector's order of preference for at least 20 candidates: s. 128(4)(a);

(B) fewer than 20 candidates — the elector must place consecutive numerals from 1 against the name of all candidates to indicate the elector's preference for all candidates: s. 128(4)(b);

(ii) squares above and below the line, unless the elector chooses to vote above the line, the elector must number at least 20 squares below the line in the elector's preferred order (if there are more than 20 candidates) and all squares below the line in the elector's preferred order if there are 20 or fewer candidates: s. 128(5)

(iii) 1 or more squares above the line, the elector may choose to vote above the line by placing the numeral 1 in a square above the line so as to indicate their first preference only or, if they choose to do so, may vote by placing the numeral 2 and, if they so choose, further consecutive numerals to indicate their preference for any remaining groups, if any: s.128(6).

That is the way to mark the ballot paper and the various permutations of nominations.

Ms M.J. DAVIES: Thank you, Attorney General. Why was that particular method chosen over others? I note that submissions were made that suggested other methodologies might be more suitable. Why was the weighting given to the particular method that the Attorney General just outlined? Why was that chosen over, for instance, the method referred to in the discussion we had earlier with the member for Moore, or other methods that might have been considered appropriate?

Mr J.R. QUIGLEY: A recommendation was made to this effect in the report of the ministerial expert committee. With just a few exceptions that we have already touched upon, we have followed the report. Of course, there is a long history of preferential voting in Australia, especially in Western Australia. We are making preferential voting optional, the same as the Senate, except it does not tell us that. In other words, a "1" will suffice, which is set out in proposed section 128, or, if a person wants to indicate preferences, they can, as set out in proposed section 128, when more than one candidate is to be elected.

Mr R.S. LOVE: As I understand it, if a person wishes to vote above the line, they can mark "1" in a box.

Mr J.R. Quigley: Correct.

Mr R.S. LOVE: That would then allocate the vote according to the order of preferences on the ballot paper for that party—there might be seven members. In effect, if I vote with a "1" above the line, I have voted for seven people potentially in order of preference. Why, then, is it a requirement that if I vote below the line, I have to vote for 20 people? I may wish to vote for one of those seven persons. I might not know any of the others and I might not wish to vote for anyone else. Why can I not vote for that one person and leave my vote at that? Why is it a requirement that I must vote 20 times?

Mr J.R. QUIGLEY: The constituency of the upper house in Western Australia will require that we fill 37 seats. If a person votes above the line, they are voting for everyone below the line in the order that that party has placed them. The Nationals WA might have placed them in a certain order. If a person ticks "Nats WA", they have voted for everyone below the line in that list. However, if a person votes only below the line and does not indicate a box above the line, we have to require that they vote for enough people to ensure that the election does not fail. What

if everyone started voting below the line? We do not know how they are going to vote—that is just not the history of it. We could end up with a chamber that is only three-quarters full. When voting below the line for the Senate, I think that a person has to fill out all the squares. There are 12 squares to fill—that being twice the number. I was just reminded that that is another misleading instruction from the federal government, because we should not forget that only half the Senate is elected in each round and six people need to be elected. The instruction on the Senate ballot paper is to fill in 12 squares below the line, but if a person fills in only six, they still have a valid paper. It is all smoke and mirrors. The federal government wants voters to fill in and exhaust some preferences, so it has an instruction on the ballot paper to fill in more than is actually required. We had to choose a number. There will be 37 seats. If everyone in the state voted below the line, it would be best if everyone voted 37 times below the line and each person would have the chance to fill the chamber. However, if we start to do that, we would end up with all these informal votes that we want to avoid. After numbering 20 squares, that many preferences will be expended that we are satisfied that the chamber will be full.

Mr R.S. LOVE: I do not want to go into the mathematical probability of 1.8 million people picking a random number below the line, but not electing enough candidates to fill the chamber. That is a bit of a red herring. What would happen if the person who indicates 20 preferences made a simple mistake and put "8" and then "10"? Would that make all their votes informal, or would the votes count until the counting reaches that place of informality?

Mr J.R. QUIGLEY: That is covered by amendments to section 146 and is to do with the voter's intention. Imagine that a voter filled out the boxes with "1, 2, 3, 4, 5" and then mucked it up by filling out "7, 7, 8, 9", but the voter's intention is clear—we will get to the section 146 amendments, I hope. The commissioner will count the vote. The commissioner is not going to knock them out.

Mr R.S. Love: As long as they have numbered 20 squares.

Mr J.R. QUIGLEY: Yes, and done their best and their intention is clear as to whom they want to vote for. That is dealt with in clause 73.

Ms M.J. DAVIES: Some of the concerns raised with this system is that a number of people will still be elected to the Legislative Council on a smaller number of votes. They will be likely to get less than a quota, and then the process of distributing preferences will become quite complex. One of the criticisms of the current system is the complexity of actually doing the count. Was that taken into consideration when shifting to this model?

Mr J.R. QUIGLEY: Yes, bearing in mind that less than three per cent of people vote below the line. I have already referred to that. It is the case that the last two or three people to get elected may get elected on less than a full quota. This is not unique. At the moment, that happens in South Australia, New South Wales and the Senate, so it is not a unique system. It is quite well tried and operates in those jurisdictions that have a whole-of-state electorate, those being New South Wales and South Australia. Whilst I concede the Senate is slightly different, nonetheless, it operates in the Senate as well. It operates in all three jurisdictions successfully.

Ms M.J. DAVIES: The minister keeps talking about the fact that a small number of people vote below the line. Does the minister expect that number to increase? Has that been the experience of other states when this reform was introduced?

Mr J.R. QUIGLEY: The answer is yes because we are making it easier for them. At the moment, in some regions, there are up to 64 candidates. For a person to vote below the line, they have to fill in "1" to "64". Now we are saying that they only have to go up to 20 preferences. There might be a slight increase because people will say they can handle voting "1" to "20", but they cannot handle voting "1" to "64". The idea of all these amendments and the next tranche of amendments, which we will start getting up after we get this through, is, as I said, to encourage and facilitate as many Western Australians as humanly possible on the roll to vote.

Clause put and passed.

Clauses 69 to 72 put and passed.

Clause 73: Sections 146E and 146F replaced —

Ms M.J. DAVIES: This clause relates to informal ballot papers, as I understand it. It is quite a significant addition. We are replacing sections 146E and 146F, which deal with informal ballot papers. Can the minister tell me what it would take for a ballot paper to be deemed informal? I understand that under the current legislation, as long as the intent is clear—for example, if a person ticks someone on the ballot paper—that will count. Will that still stand? What will this clause actually achieve and what will it take for a ballot paper to be deemed invalid?

Mr J.R. QUIGLEY: Thank you, Leader of the Opposition. Clause 73 will replace sections 146E and 146F with the proposed new sections 146E, 146EA, 146EB and 146EC to remove references to group voting tickets and voting ticket squares, which will be abolished by the bill. Proposed section 146E will provide that informal ballot papers, as defined in sections 139(a), (c) and (e), continue to be informal. This section then outlines when a ballot paper is informal when the relevant number is one or more than one—that is, if there are only two candidates and the elector does not indicate who they voted for, or if there are more than two candidates and the elector does not indicate

a preference for all candidates. That would be informal. When the relevant number is more than one, except when the elector votes above the line in accordance with section 128(6), a ballot paper is informal if there are more than 20 candidates and the elector votes below the line and does not indicate a preference for at least 20 candidates, or if there are 20 or fewer candidates and the elector votes below the line and does not indicate a vote for all the candidates.

The prescribed manner of marking the ballot paper is defined by reference to section 128. The new provisions include how a ballot paper is to be counted when numerals are repeated or missed for individual candidates, which is proposed section 146EA; when a single tick or cross is marked or numerals are repeated or missed for groups, which is proposed section 146EB; and when an elector chooses to vote above the line, which is proposed section 146EC. It is set out in the explanatory memorandum in codified form.

I note a minor error in the explanatory memorandum that I would like to correct and highlight on the record. Under the explanation for clause 68, halfway down page 23 of the explanatory memorandum, members will note it states —

> (c) In a Council election where the number of members to be returned is more than one and there are:
>
> (i) no squares above the line …
>
> (A) more than 20 candidates—the elector must mark at least the numerals 1 to 20 in the squares opposite the names of candidates so as to indicate the elector's order of preference for at least 20 candidates …

That is section 128(4)(a) and we have covered that. The next paragraph, which is paragraph (B), needs a little correction. At the moment, the opening words of the paragraph read "fewer than 20 candidates" but it should say —

> 20 or fewer candidates—the elector must place consecutive numerals from 1 against the name of all candidates to indicate the elector's preference …

That requirement kicks in at 20 or fewer, because people always have to number to 20. I just put that correction on the record.

Dr D.J. HONEY: In relation to this provision, when we vote for the Legislative Assembly, there is a preserving provision that if someone does not number all the squares, the ballot paper can be counted down to the point at which a clear preference can no longer be defined. In this case, why has the minister opted to make the vote invalid if someone does not get all that numbering correct, for example, all the way to 20, when above the line, the vote can still be counted even if a person does not number all the relevant squares?

Mr J.R. QUIGLEY: For the very simple reason that the bill provides that above the line, people only have to complete a number one. It is optional as to whether people want to number more squares. But the bill provides that below the line—for the reasons that I have already explained; we want to see a complete election—people have to number "1" to "20". However, above the line, they have to only number one.

Dr D.J. HONEY: I was referring to the Legislative Assembly preservation provisions whereby someone does not have to go through and number all the squares. In fact, if they make a mistake, the ballot paper can be counted down to the point at which a difference can no longer be defined. However, in this vote for the Legislative Council whereby a person numbers the squares, if they do not do it all correctly, the vote will be ineligible, as I understand it, based on this legislation.

Mr J.R. QUIGLEY: It is a completely different system of voting and the voting is for a completely different electorate. The vote is for a district for which one person will be elected. We all represent a district, and there is only one of us for each of our districts, whereas in the Council, with a whole-of-state electorate, the district, if you like, will be the whole of Western Australia, and 37 people will have to be elected from that one district. That is why it will be mandated that voters fill out at least 20 squares below the line. Above the line it does not matter a lot, because if someone votes above the line, they have voted for everyone in that group below the line. But we have extended to voters the option, if they choose, of putting some preferences above the line—as many as they want. As I said, there is a misleading instruction in the Senate that says that people have to vote for six above the line, when in fact they do not have to.

Ms M.J. DAVIES: The minister keeps referring to the misleading instruction in the Senate. I have raised a number of times that there is the potential for confusion between the federal and state elections. It exists now. This was the opportunity to try to have a similar system in both. I am just trying to understand why that was not considered or made a priority so we could have some sort of harmony between the two. Is this related to the size of the electorate or the number of parties? What was the reasoning or rationale for not having the simplest form between the federal and state elections so voters, who on most occasions are already pretty resentful about turning up and voting, are not confused, voting is made as easy as possible and those differences are reduced?

Mr J.R. Quigley: They thronged to vote for me in Butler!

Ms M.J. DAVIES: They are not too bad in Central Wheatbelt either! I thought it would have been a good opportunity to have that harmonisation between the state —

The DEPUTY SPEAKER: Order! Pursuant to the order of the house, the time has arrived for me to put all questions necessary for the bill to pass without delay or further debate or amendment. The question is that all remaining clauses, clauses 73 to 97, and the long title be agreed to.

Division

Question put and a division taken, the Deputy Speaker casting his vote with the ayes, with the following result —

Ayes (40)

Mr S.N. Aubrey	Ms J.L. Hanns	Mr K.J.J. Michel	Mr D.A.E. Scaife
Mr G. Baker	Mr M. Hughes	Mr S.A. Millman	Ms J.J. Shaw
Ms H.M. Beazley	Mr W.J. Johnston	Mr Y. Mubarakai	Mrs J.M.C. Stojkovski
Mr J.N. Carey	Mr H.T. Jones	Mrs L.M. O'Malley	Dr K. Stratton
Ms C.M. Collins	Mr D.J. Kelly	Mr P. Papalia	Mr C.J. Tallentire
Mr R.H. Cook	Dr J. Krishnan	Mr S.J. Price	Mr D.A. Templeman
Ms D.G. D'Anna	Mr P. Lilburne	Mr J.R. Quigley	Mr P.C. Tinley
Mr M.J. Folkard	Mr M. McGowan	Ms M.M. Quirk	Ms C.M. Tonkin
Ms E.L. Hamilton	Ms S.F. McGurk	Ms R. Saffioti	Ms S.E. Winton
Ms M.J. Hammat	Mr D.R. Michael	Ms A. Sanderson	Ms C.M. Rowe *(Teller)*

Noes (5)

Ms M.J. Davies	Mr R.S. Love	Mr V.A. Catania *(Teller)*
Dr D.J. Honey	Ms L. Mettam	

Clauses 73 to 97 thus passed.

Title thus passed.

Third Reading

The DEPUTY SPEAKER: Before I put the question that the bill now be read a third time, the third reading of this bill requires an absolute majority. If there is a dissentient voice when putting the question on the third reading, I will divide the house. If there is no dissentient voice, I will count the members present and declare the question to be carried by an absolute majority, if that is the case. The question is that the bill now be read a third time.

Question put.

The DEPUTY SPEAKER: A division is required.

Division

Division taken, the Deputy Speaker casting his vote with the ayes, with the following result —

Ayes (40)

Mr S.N. Aubrey	Ms J.L. Hanns	Mr K.J.J. Michel	Mr D.A.E. Scaife
Mr G. Baker	Mr M. Hughes	Mr S.A. Millman	Ms J.J. Shaw
Ms H.M. Beazley	Mr W.J. Johnston	Mr Y. Mubarakai	Mrs J.M.C. Stojkovski
Mr J.N. Carey	Mr H.T. Jones	Mrs L.M. O'Malley	Dr K. Stratton
Ms C.M. Collins	Mr D.J. Kelly	Mr P. Papalia	Mr C.J. Tallentire
Mr R.H. Cook	Dr J. Krishnan	Mr S.J. Price	Mr D.A. Templeman
Ms D.G. D'Anna	Mr P. Lilburne	Mr J.R. Quigley	Mr P.C. Tinley
Mr M.J. Folkard	Mr M. McGowan	Ms M.M. Quirk	Ms C.M. Tonkin
Ms E.L. Hamilton	Ms S.F. McGurk	Ms R. Saffioti	Ms S.E. Winton
Ms M.J. Hammat	Mr D.R. Michael	Ms A. Sanderson	Ms C.M. Rowe *(Teller)*

Noes (5)

Ms M.J. Davies	Mr R.S. Love	Mr V.A. Catania *(Teller)*
Dr D.J. Honey	Ms L. Mettam	

Question thus passed with an absolute majority.

Bill read a third time and transmitted to the Council.

INDUSTRY AND TECHNOLOGY DEVELOPMENT AMENDMENT BILL 2021

Second Reading

Resumed from 24 June.

MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary) [4.13 pm]: I rise, in the shadow of that momentous occasion, to make a very brief contribution on the Industry and Technology Development Amendment Bill 2021. As I stand to make this contribution, I reflect on what is often stated as the McGowan government's number one priority: WA jobs. In looking at the way this government has conducted itself over the first term in

office from 2017 through to 2021, and ever since we were re-elected in 2021, members can see the unwavering commitment of the WA government to do everything it can to promote job growth. When I look at the statistics that were quoted in question time today, with an unemployment rate at an astounding 4.1 per cent, it can be seen that the shoulder-to-the-wheel work that has been done is delivering dividends. Those dividends are for the benefit of the Western Australian community. Members would think that those efforts would be congratulated by the conservative parties in Western Australia. I thought they would be happy about the fact that our economy is in such good shape. I thought they would be happy about the way in which this government tackled the COVID-19 pandemic. I thought they would be supportive of the efforts that we have made in order to try to improve the livelihoods of everyday Australians. Members opposite stand condemned for undermining the efforts that we have put in. Yet again today we have heard them attack the McGowan Labor government for doing precisely the sort of work that is necessary to diversify our economy, to create jobs and to make sure that our community remains safe from the threat of COVID.

The Industry and Technology Development Amendment Bill is another regulatory endeavour designed to unleash the potential of Western Australia. I am going to define a couple of terms at the outset of my contribution so that people can stay with me as I go through some important points, and then I will speak about why this amendment bill is so important and what it will do to meet that government objective of creating WA jobs.

The Industry and Technology Development Act 1988 is a very old act when it comes to industry and technology. An important purpose of the ITD act is for the state government to administer the NAIF—Northern Australia Infrastructure Facility. Sorry about all these acronyms. The NAIF, which is a commonwealth facility, is administered by the state government under the auspices of the ITD act. As the ITD act is currently cast, it prevents the NAIF from being administered in a way that provides money for investment to government trading enterprises. I hope members can keep track of the ITD, the NAIF and the GTEs!

By bringing this legislation before Parliament, the McGowan government is hoping to unlock the potential for investment in northern Australia—in that part of the western third of northern Australia where there is so much potential. Unless and until these amendments pass, the ability of the state government to use the investment vehicles of GTEs such as the Water Corporation and Western Power and so on and so forth is constrained. The leveraging opportunities that might exist by coordinating our investment with commonwealth investment to unleash potential, and driving that investment through the GTEs, are opportunities that are being denied to us by the current structure of the legislation.

This is important legislation because it realises a potential for investing in critical capital in order to try to grow our economy. Let me rephrase that. If we are going to continue the excellent job growth that we have already demonstrated over the first five years of the McGowan government, we will need to diversify the economy. The reliance on a narrow set of industries exporting to a narrow set of markets is not sustainable in the long term. Not only do we need to create jobs for the present, but we also need to create jobs for the future. We need to be looking at ways to encourage industries to participate in Western Australia. We need to encourage industries in the renewable energy sector. We need to encourage industries in the hydrogen sector and we need to encourage industries in the Pilbara.

Recently I was very fortunate to be at an event organised by the Department of Jobs, Tourism, Science and Innovation. It was called India Connect and was one of those events at which industry, business, government and community come together to look at ways in which the relationship between Western Australia and India could be deepened and expanded. The Deputy Premier was there and gave an incredible speech. A great entrepreneur, a great investor in Western Australia was there, who feels passionately about advancing the cause of Western Australia and doing so in a way that is sensitive to his Indian roots. I am talking, of course, about Vikas Rambal, the managing director of Perdaman Chemicals and Fertilisers Pty Ltd. He came to Western Australia to seek a new life and to make his fortune. In so doing, he has contributed much back to the community. Perdaman Chemicals and Fertilisers Pty Ltd is planning to construct a $4.5 billion, 2.1-million tonne per annum urea production facility in the Burrup strategic industrial area. This project is expected to create over 2 500 construction jobs and 200 permanent operation jobs. However, significant investment in infrastructure upgrades is needed to support the project. This includes a $172 million expansion of the Dampier cargo wharf at the port of Dampier and a $99 million investment to expand the Water Corporation's Burrup seawater supply scheme.

This endeavour by Perdaman Chemicals and Fertilisers was subject to a proposal to cabinet, or the Expenditure Review Committee, and project finance from the Water Corporation and the Pilbara Ports Authority to fund the infrastructure upgrades to support the project. It has been recommended that the Minister for State Development in consultation with the Premier progress the drafting of amendments to the ITD act to enable the Northern Australia Infrastructure Facility to lend to government trading enterprises. We will try to keep track!

This is precisely the sort of example of combining entrepreneurialism and endeavour—values the Liberal Party used to hold dear—with commonwealth government investment, private capital and state government money through our GTEs. The opportunity to unleash this incredible potential that will drive the creation of many jobs can be done only in the right regulatory environment. That is why the amendments to this legislation are very important.

That is just one example. Perdaman expects to take a final investment decision for the project in late 2021, but it will require finance and equity agreements to be well developed. I was really disappointed to hear some of the contributions from members opposite about the state's endeavour in relation to hydrogen. I cannot recall the last time we had a cabinet-level representation for the hydrogen industry.

Dr D.J. Honey: Not as disappointed as the shadow minister for hydrogen way before you guys even thought about it.

Mr S.A. MILLMAN: Yes, brilliant—as shadow minister. Do you know what, member?

Dr D.J. Honey: What?

Mr S.A. MILLMAN: Do you know how I know you are not ready for government? It is because you are still so hopeless at opposition. Once you figure out how to be a good opposition, you might start working towards being an alternative government.

Dr D.J. Honey interjected.

The DEPUTY SPEAKER: Members!

Mr S.A. MILLMAN: For the first time ever, because we are in government, and it will be a long time before the Leader of the Liberal Party will be, I suspect, we have a minister responsible for hydrogen. The member for Cottesloe's party never had one when he was in government. He was in government for eight and a half years. He does not know what is coming over the horizon. He is so busy being stuck in the 1950s that he cannot see the potential.

Dr D.J. Honey interjected.

The DEPUTY SPEAKER: Members!

Mr S.A. MILLMAN: One of the things I find amazing about the WA Liberal Party is the extent to which it has its head in the sand. This is a Liberal Party that criticised the state government for the decision of a publicly listed company that is not part of the government to invest in Queensland to develop its hydrogen strategy. Fundamentally undermining the ability —

Dr D.J. Honey interjected.

Mr S.A. MILLMAN: For goodness sake!

Fundamentally undermining the government's ability to progress its strategy for renewable energy and hydrogen was the fact that completely blindsiding the state government and investors, the federal Liberal government rejected the Asian Renewable Energy Hub. It gave us an absolute kick in the teeth.

Dr D.J. Honey: Why?

Mr S.A. MILLMAN: It is because it has no vision; it has no idea. This Attorney General yesterday defeated Clive Palmer in the High Court, saving the people of Western Australia $30 billion that we would have had to pay because of the mistakes of Colin Barnett at Balmoral South. It is the Attorney General who has saved Western Australia $30 billion. I know the conservatives are dark about that; they are grumpy about it because they are on the same side as Clive Palmer. Does the Leader of the Liberal Party know how I know that? They are the ones who jumped into the helicopter with him and flew around the Pilbara and then took a donation.

Dr D.J. Honey interjected.

Ms M.M. Quirk interjected.

Mr S.A. MILLMAN: Sorry, Margaret!

Then the conservatives say, "Do you know what you should look to as your gold standard when it comes to investment decisions and financial management and managing COVID? Look to New South Wales." What an outrageous proposition. What an incredible proposition—look to New South Wales! We are celebrating the fact that the Western Australian economy is doing better than that in any other jurisdiction. We have a trajectory of state debt going down and a budget in surplus. The member should look at the billions of dollars that the New South Wales state government is now ponying up to attract multinational corporations into its community. It is facing an $8.6 billion deficit on its budget this year, with state debt projected to hit $104 billion at the end of the forward estimates in 2024–25, at exactly the same time as the sound fiscal management, the responsible financial management, of the McGowan government will see the massive deficit and debt legacy disaster left to us by the irresponsible Liberal and National Parties being paid down.

Dr D.J. Honey interjected.

Mr S.A. MILLMAN: Does the member know what the biggest risk for the financial sustainability of Western Australia is? It is the Liberal and National Parties because every day they have come in here, they have not found a problem that they cannot fix by throwing billions of dollars at it. This is the Liberal and National Parties. I do not talk about this to people in Mt Lawley because they are still furious with the Liberal and National Parties. The Liberal and

National Parties tried to fix the revenue stream because they could not get expenditure under control. Revenue and expenditure, member for Cottesloe, go together to figure out the state's finances—something he should pay attention to. The Liberals and Nationals could not fix their expenditure problems—their addiction to spending money—so they tried to fix the revenue side. Does the member know what the Liberal Party did, which was a complete abandonment of its principles? It increased land tax three times. Poor old Hon Michael Sutherland, the former member for Mount Lawley, decried the fact that his Liberal Party had abandoned its foundational principles. The member for Cottesloe, the comrade from Cottesloe, the Bolshevik of the beaches, is still there asking us to spend money all over the place. Vladimir Lenin from Vans cafe wants to spend money all over the place—more capital, more state money and higher taxes. The Liberal Party does not believe in anything anymore. It will never be ready for government

Ms M.M. Quirk: What about the Marx from Mosman Park?

Mr S.A. MILLMAN: Do members remember Marx from Mosman Park? Members opposite will never be ready for government until they figure out, first, how to be in opposition and, second, what they stand for. They have completely lost the plot and the idea of what we should be doing, whereas the Labor government is the one unleashing the potential of capital. We are the ones encouraging entrepreneurialism and innovation.

We have our Medical Research Future Fund and our new innovation fund. We are looking at ways to diversify the economy. Do members know what the previous government did? It put an albatross around the neck of people looking for work by increasing TAFE fees for courses like childcare to above $10 000. When we think about how little the federal government puts into childcare, what prospective care worker is going to burden themselves with an extraordinary debt in order to make a contribution back to society? We absolutely need to remove all the impediments to people pursuing those new jobs in the caring industry, the age and disability sector, and the early childhood education sector. We need to remove the impediments and make sure that people have access to those jobs. The only way we can do that is through sound financial management, which gives us the headspace to take the necessary steps to cut the cost of education and provide access to TAFE for more and more people. But we are not just doing it in a way that improves the economy.

The DEPUTY SPEAKER: Get back to those acronyms, member!

Mr S.A. MILLMAN: I am almost done. There were scandalous suggestions made by the member for North West Central in question time today, propositions that really do not behove him. He should not be pursuing that line of argument—I do not think it reflects well on him at all—but if he wants to talk about community safety or law and order, he should look at just two things that we are doing.

Point of Order

Dr D.J. HONEY: Point of order, Deputy Speaker. Please!

The DEPUTY SPEAKER: It is okay. Thank you, Leader of the Liberal Party. I am sure that you are leading back to those acronyms, member for Mount Lawley, and to industry and technology.

Debate Resumed

Mr S.A. MILLMAN: I will bring my contribution to an end right now, Deputy Speaker. What I say is this: firstly, we are spending money in the budget to provide for boots on the ground and police on the frontline. That is material support. Secondly, we are providing the legislative support. This brave Attorney General is taking on outlaw motorcycle gangs and putting in place precisely the policy prescription that the Western Australia Police Force has asked for in order to tackle the scourge of outlaw motorcycle gangs. That is on the back of us tackling the scourge of meth in our first term, something that Hon Peter Collier says is not a priority. This is a whole picture. This Labor government understands that these things are all connected. If we take away the supply of meth, we have fewer people addicted to drugs; then, if we provide them the opportunity of going to TAFE, we give them the opportunity to find the jobs of the future.

The DEPUTY SPEAKER: Those industry and technology development jobs, yes.

Mr S.A. MILLMAN: This is the latest piece of the puzzle of a government that knows exactly how to put the right regulatory framework in place to unleash the potential of capital and to provide for the job and education opportunities of the future. That is why I have absolutely no hesitation in commending this bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman (Leader of the House)**.

House adjourned at 4.30 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

PUBLIC HOUSING — INVESTMENT

232. Dr D.J. Honey to the Minister for Housing:

For the period since the 1st January 2020, I ask:

(a) How many government homes (any housing units) have been sold;

(b) How many homes (any housing units) have been bought;

(c) How many government homes (any housing units) have been refurbished;

(d) How many government homes (any housing units) have been built; and

(e) How many additional short term crisis accommodation homes (any housing units) have been:

(i) Built;

(ii) Bought; and

(iii) Made available through other arrangements such as leasing?

Mr J.N. Carey replied:

(a)–(e) The McGowan Government is investing $2.1 billion into social housing over the next four years, which includes the recently announced record investment of $875 million as part of the 2021–22 State Budget. This is the single largest one off investment into social housing in the State's history and will provide an immediate boost to social housing.

I am advised that for the period 1 January 2020 – 31 July 2021:

705 properties have been sold, including affordable housing sales, sales to tenants and shared equity sales.

64 properties have been purchased. Further to this figure, a significant number of properties are currently under consideration or negotiation for purchase.

348 properties have been refurbished. This figure does not include void maintenance/refurbishment works.

367 properties have been built.

12 short term crisis accommodation homes have also been built.