



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE COUNCIL

Tuesday, 28 May 2024

Legislative Council

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THE PRESIDENT (Hon Alanna Clohesy) took the chair at 1.00 pm, read prayers and acknowledged country.

BODDINGTON HOSPITAL — RESIDENTIAL CARE

Petition

HON STEVE MARTIN (Agricultural) [1.02 pm]: I present an e-petition containing 1 706 signatures couched in the following terms —

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled. We the undersigned ...

are deeply concerned about the ability of vulnerable elderly residents to remain in and receive care within our community, of which they are an important part, due to the number of suitable beds open for this purpose at Boddington Hospital. We therefore request that the Legislative Council urge the State Government to:

1. Re-open 5 beds at Boddington Hospital for the purpose of permanent residential care.
2. Open 3 beds for respite for our valued elderly citizens.

And your petitioners as in duty bound, will ever pray.

[See paper 3177.]

BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT (SEX OR GENDER CHANGES) BILL 2024

Petition

HON NICK GOIRAN (South Metropolitan) [1.03 pm]: I present an e-petition containing 8 828 signatures couched in the following terms —

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled. We the undersigned ...

1. Are deeply troubled that the Cook Labor Government are pushing legislation that will allow any male, but most alarmingly male perpetrators of violence against women, to legally change their sex to female and access female-only spaces;
2. Remind the Government that the United Nations Rapporteur on violence against women and girls has recently highlighted the potential for sexual predators to abuse such laws;
3. Call on the Government to acknowledge the vulnerability of biological females and their right to freely assemble and associate in spaces exclusively with one another should they wish to do so for safety, sport, recreation or any reason;
4. Urge the Legislative Council to refer the Births, Deaths and Marriages Registration Amendment (Sex or Gender Changes) Bill 2024 to the Standing Committee on Legislation for a public inquiry to ensure this right is protected rather than undermined or destroyed.

And your petitioners as in duty bound, will ever pray.

[See paper 3178.]

FAMILY AND DOMESTIC VIOLENCE — JENNIFER AND GRETJ PETELCZYC

Statement by Minister for Women's Interests

HON SUE ELLERY (South Metropolitan — Minister for Women's Interests) [1.04 pm]: I want to reflect on the murders of Jennifer and Gretl Petelczyc in their own home at the hands of a man looking for his estranged wife.

I grew up in Floreat. I lived on the other side of the Floreat Forum shopping centre to the Petelczyc's home on Berkeley Crescent. In my current role as Minister for Women's Interests and the previous ministerial roles I have held, I have met with hundreds of women and men working for the prevention of violence against women and many, many victim-survivors. For those people, the events of last Friday may feel overwhelming because the violence has not stopped; it feels relentless. But I want to reassure them that we will continue to look at what more we can do to stop it.

While the investigation of this act of violence against Jennifer and Gretl is ongoing, some facts have been released. Jennifer and Gretl had opened their home to a friend escaping a violent relationship, and for their kindness they were murdered by a man with a gun who felt he had the right to threaten, harm and ultimately kill women.

In the early hours of 15 December 2022, a 28-year-old man punched his young Indigenous girlfriend 40 times in the head in Perth's CBD, for which he has been sentenced to four years in jail. In October 2021, Ms Janet Dweh, of African descent, was eight months' pregnant when she was bashed to death in her Dayton home by her partner.

Violence against women does not discriminate. It can happen in any suburb to any woman. It happens in their home or workplace or when they are just walking down the street. In Australia, two in five women—that is 39 per cent of women—have experienced violence since the age of 15. On average, one woman is killed every nine days by a current or former partner.

Research has shown us that the period at which a woman who has experienced family or domestic violence is at highest risk of physical harm is after she leaves that violent relationship. It is in that period that the male perpetrator's anger is highest. The woman has removed control from him by removing herself from the environment they shared but, unfortunately, not from the danger he presents.

Men are overwhelmingly the perpetrators of violence against women and their children. That violence begins with disrespect. Not all disrespect to women leads to violence, but all violence against women begins with disrespect.

The government is considering what more it can do to stop this violence. All of us, but particularly men, have a role to play in calling out this disrespect whenever we see it, be it in our homes, workplaces, churches, sports clubs or simply on the street. Jokes about rape are not funny. A man commenting on how a woman looks and what he might like to do to her is not funny. If people observe a man speaking to his wife or partner disrespectfully, as uncomfortable and awkward as it might be to have that conversation and confront that behavior, it is not enough to rationalise not saying something on the grounds that it is not their place to comment on someone else's relationship.

As a government, as a community and as individuals, we must do better.

Finally, I would like to extend my deepest sympathies to the family and friends of all those caught up in this terrible tragedy.

PAPERS TABLED

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

ESTIMATES OF REVENUE AND EXPENDITURE

Consideration of Tabled Papers

Resumed from 16 May on the following motion moved by Hon Stephen Dawson (Minister for Emergency Services) —

That pursuant to standing order 69(1), the Legislative Council take note of tabled papers 3131A–E (2024–25 budget papers) laid upon the table of the house on Thursday, 9 May 2024.

HON TJORN SIBMA (North Metropolitan) [1.13 pm]: I rise to make what I think is my eighth contribution on the budget debate. That is by no means a record, but I think it provides sufficient perspective to assess this budget in its own individual terms and against the stated political agenda and perspectives adopted by both the McGowan and Cook Labor governments; to assess its performance in actually dealing with the realities, pressures and demands across the public sector; and to evaluate whether or not it prepares the state to meet the challenges and opportunities beyond this budget cycle and the forward estimates.

I hope this is not my last contribution to a budget debate, but it will be my last before the election. If I have learnt anything about politics in the last few years, it is to never take anything for granted. Hopefully I am back in this chamber, but not giving my ninth budget debate contribution on the back of a Labor budget. That is what I hope. We live in hope.

I intend to address this budget in both micro and macro perspectives. I will thematically focus somewhat on my portfolio responsibilities, but not entirely. My comments about Metronet will largely be saved until tomorrow's motion, so members opposite will have a reprieve. However, I will note, because it demands noting repeatedly, that a capital works program that started life as a \$2.95 billion budget commitment has, over the course of seven or eight years, ballooned by 400 per cent to now be a \$13.1 billion capital expense. As any student of rudimentary economics will appreciate, there is such a thing as an opportunity cost. There is an opportunity cost, and quite a significant one, that has come with, frankly, the obsession with and the overinvestment in Metronet over a very constrained period.

My friend Hon Dr Steve Thomas reflected upon one of the ramifications of this in his contribution to the budget debate. The overheating of the Western Australian economy has done some damage particularly to the residential home building sector. I am one of those people who built a house during that period. I had made the decision long before anybody had heard of COVID and before there was any COVID stimulus. I will very acutely condense my experiences throughout that process by saying that a very simple single-storey build that should have taken a maximum of 12 months to complete took closer to 25 months. My builder, whom I will not name, was insolvent by the end of that process. In the last 12 to 18 months, my family has been beset with tradespeople and other clients seeking payment or wanting to know how it was that I got my house built when they are still substantially out of pocket. This is absolutely no criticism of the individual in question, but that individual was operating in a market with very low capitalisation and very poor cash management protocols at a time when constraints and pressures were insurmountable. I am one of the lucky ones. I am one of the people who was able to build a house and move in my family. I am not like some of the parents of our children's friends who effectively had to move into concreted

out and unfitted-out homes and who had to run cables to generators outside to keep the power on because they could not afford to pay rent or had been evicted at short notice because they had not planned for the eventuality of their build taking longer than 24 months, particularly if they were building a two-storey home.

There has been an absolute implosion in the residential construction market. Over the course of the last three or four years, I think at least 100 construction firms have gone into receivership. The hollowing out of the civil construction sector in Western Australia is cause for grief, frankly, and I do not see any easy remedy presenting itself in the short term. Now is a moment in time to be cautionary. Beware stimulus. Beware unprogrammed, massive injections of capital into a small and brittle market like Western Australia—absolutely. There are lessons to be learnt. If we could collectively put our egos, and especially our political egos, to the side for one moment and tried to deal with situations into the future with a greater degree of rationality and caution, we would perhaps avert some of what we have gone through. However, that is not necessarily the focus of my remarks.

I wish to address the justice system and community safety in Western Australia. I want to be very clear: my intent is not to be overtly political; however, I will be by exception. The government had a very clear mantra during the last election campaign, and that was its commitment to keep Western Australia safe and strong. Obviously, that was made within the context of the COVID pandemic. However, the first order of any government, always, is to keep its people safe to the best of its ability. Are Western Australians safe? Have they reason to feel safe? Unfortunately, the statistics kept by the Western Australia Police Force suggest otherwise. On Friday, I reviewed the latest online crime statistics from the Western Australia Police Force. I will identify a number of salient ones. I refer to the summary offence categories for the 2023–24 financial year to date. Under selected offences against a person, there have been 33 458 offences, which is a 19.7 per cent increase on the five-year average. Because that is such a broad category, it can hide other stories, so I think it is worth focusing on specific categories of offence. I refer to non-family assaults. In 2017–18, the first year of the present government, 12 107 offences were recorded by WA police. In 2022–23, there were 15 700 offences. That was a 30 per cent increase in the number of non-family assaults. Those assaults involve threats from a stranger, not somebody the victim knows. Threatening behaviour offences went up 28 per cent between 2017–18 and 2022–23. In 2017–18, there were 1 254 robbery offences; in 2022–23, there were 1 801 offences. That was an increase of 44 per cent. Sexually based offending has gone up by 15 per cent over that five-year average.

I fear that these statistics will only further deteriorate. I form that view because of what the Western Australia Police Force itself forecasts in the context of this present budget. On page 409 of budget paper No 2, there is a table titled “Outcomes and Key Effectiveness Indicators”. What is measured here is the rate of offences against the person per 100 000 people, excluding family violence-related offences. In 2022–23, the actual rate of offences per 100 000 people was 960.5, which I think is one of the highest peaks we have ever experienced. That said, in 2023–24, the year coming to an end, police resourcing was such that they were budgeted to deal only with offence rates of 810 per 100 000 people—quite an inadequate resourcing. The estimated actual for 2023–24, however, is going to be 975.8 offences per 100 000 people. This is significantly worse than the last actual, and significantly outstrips the resourcing that Western Australian police received to deal with this scourge—which is what it is. Bizarrely and, I am starting to believe, insultingly, Western Australian police will be resourced in the 2024–25 budget to deal with an offence rate of 810 offences per 100 000 people, a target rate that has not been seen in perhaps five to 10 years. There is an issue here with the way that these key effectiveness indicators and outcomes tables represent every agency’s resourcing agreement. The fundamental problem here is that the metrics reported against, and the targets that agencies are expected to work towards, are a fiction. That target will not be met, but it will not be the only agency target. This is a target for community safety that will not be met in this budget. One of the depressing facets of this is not so much being in opposition, but the ability that I have now developed—certainly not one that I alone share—to effectively give a very similar kind of contribution and just substitute the numbers. The fundamental problems are still there. Last year, I read a quote in a 2012 address from the former Chief Justice of the Supreme Court, the Honourable Wayne Martin, who compared the justice model in Western Australia with a Rolls-Royce. The sting in that comparison lies in the full explanation, because he went on to say —

... there is not much point of having a Rolls Royce in the garage if you can’t afford the fuel to drive it anywhere. You can sit in it, polish it, admire it, boast about it, lend it to rich friends or hire it out to people who can afford to drive it, but you can’t use it for its basic purpose, which is to get you from A to B. We might be better off trading our Rolls Royce for a lighter more fuel efficient vehicle.

That was a pretty prescient observation about the functioning, utility and efficiency of the justice system in Western Australia. Does the justice system work for Western Australians? Does it work on the fundamental legal maxim? I again reinforce the fact that I am not a lawyer, but what is the fundamental legal maxim? One of them, the foundational one, I think, is justice delayed is justice denied.

In 2021, the Law Society of Western Australia did something that was, to a degree, I think, unusual. It was unusual in the context of expressing views about public policy issues in the wake of the enormous election victory of the McGowan Labor government.

On 17 June 2021, the president of the Law Society of Western Australia made the following observation —

This means that cases should be heard without unnecessary delay, as to do otherwise leads to great injustice for the accused person. Prolonged delays in hearing criminal matters have a severe impact on victims of crime and their families, financially and mentally. The community will not be able to trust our justice system when it is broken and in crisis.

The Law Society was seeking additional courtrooms. The president continues —

These new courtrooms are an urgent community need. The Law Society appreciates the fact that the Attorney General John Quigley recently called a crisis meeting to discuss the delays, but reinforces its call on the McGowan Government to resolve this issue swiftly, to ensure that the community is delivered a fair and just system.”

That was two years ago. That was a rearticulation, or amplification, of the formal concern that the Law Society registered in April that year. To the Attorney General’s credit, he commissioned a crisis meeting—a summit—to discuss practical measures to ameliorate the situation and assist in meeting the supply and demand problem. Sometime after that crisis meeting, \$500 000 or thereabouts was provided to the Department of Justice to undertake a feasibility report into the delivery of additional courtrooms. I may have now asked, over the course of the last two years, something in the order of a dozen, if not more, questions about the progress against that feasibility report. I have been told recently—probably on the last four occasions—words to the effect that the matter is before cabinet. That might be the case, but I had expected that in light of the enormous surpluses that have been received—not generated, but received—by this government, some action would have been taken on providing additional court space that could host criminal trials, particularly in the central business district. A range of other considerations and security implications need to be managed. That is not necessarily a complicated engineering feat or logistical task, but it has been made out to be exactly that. I know for one thing that the Attorney General is not someone who lacks energy or agency. However, in the context of this crisis, so described by the peak organisation for the profession, for a number of years he has demonstrated that he has consistently lacked attention to detail and a lack of prioritisation. I had hoped that I would not have to make this observation in the course of this budget reply speech because I thought—now naively—that something would have been done. It is now absolutely clear that any responsible government in Western Australia will have to provide at least in the order of four additional criminal trial courtrooms in the central business district over the course of the next three or four years. While it is at it, the government will have to consider some other smart adjustments to facilitate the orderly provision of justice in the justice system on a daily basis. It is all well and good to present oneself as a reforming Attorney General, and he has authored some reforms, but if the system is not working and not delivering for all Western Australians, he has been absolutely derelict in his duty.

I also wish to reflect somewhat on the health budget and the health system to some degree. I will not, however, reprise my consistent, potentially withering, attacks on the administration of the public health system in Western Australia; I will hold that over for another occasion. But I want to assess whether Western Australia will rise to the challenge of meeting future health demands and pressures as they are expressed by WA Health itself.

On page 307 of budget paper No 2, under “Significant Issues Impacting the Agency”, paragraph 4 states —

... WA Health will continue to face the challenges of growing demand for health care not only due to population growth but also the complex and increasing challenges that come with an ageing population, growing rates of chronic disease, obesity and mental illness.

I think I have heard it remarked in this chamber by Hon Dr Brian Walker that nowhere do we actually measure the wellbeing or health of the population in a budget paper. Such reports are published from time to time within the health portfolio. There are a series of reports called *The burden of disease in Western Australia*, and the most recent one is I think from 2018 or 2019. If any members want to avail themselves of the contents of those reports, they are sadly illuminating.

Mental and substance use disorders are the leading cause or total burden of disease in Western Australia, particularly in people aged between 15 and 44 years. That matter has been canvassed by other people and will continue to be canvassed by other members for a long time. The issue that I wish to address more specifically is cardiovascular disease. I speak with some personal interest. My grandfather died of a massive cardiac arrest. I nearly lost my father 15 or 16 years ago, but intervention occurred at the appropriate time and in the appropriate way. But it occurred in the appropriate way only because of developments in clinical practice, which resulted from research, in the purest sense.

The burden of cardiovascular diseases on the health system, at least in 2018, was noted as being among the fourth highest contributing disease group but responsible for the second highest fatal burden overall. Therefore, it is a significant and silent killer. It does not get the kind of attention that the panoply of cancers do, but cardiovascular disease is very, very serious. It does not get the attention that it deserves, which is not to say that other maladies are getting more attention than they deserve.

In recent times, the Western Australian Cardiovascular Research Alliance was formed, which encompasses researchers interested in heart, stroke and vascular disease research. A habit indulged by both sides of government over a number of years has been to talk about Western Australia being an engine room for research and innovation and to say that the jobs of the future are smart jobs and that we should capitalise on the genius that we have available to us. It is very well served by words. We service the issue, but we do not necessarily solve the problem. In this is absolutely no partisan bias at all, but, as a state, we have an opportunity to create Western Australia as a national leader, if not an international leader, in cardiovascular research and health care. There are a number of reasons to do this, but one of them, which certainly seizes me, is that a second wave of cardiovascular disease is headed our way.

This is from WACRA, which I will read and provide the source to Hansard —

For the first time in history, there are more obese people than underweight people in the world, creating a global time bomb of CVD. CVD includes a range of diseases such as disorders of the heart and peripheral vascular systems, kidney disorders and stroke. CVD is the leading cause of death in Western Australia and around the world. Recently we have seen death and disability from CVD increase for the first time in over 30 years.

This is because we have four new major CVD precursors—obesity, diabetes, ageing and the long term effects of COVID-19. These ‘four horsemen’ are conspiring to create a ‘second wave’ of this insidious disease. In Western Australia, about a quarter of children aged 5 to 15 are currently obese or overweight. Obesity in children leads to premature vascular disease, heart attack, stroke, heart failure, diabetes, chronic kidney disease and amputations from peripheral artery disease.

A very sensible and rigorous business case is being developed by WACRA that would provide the foundational capital to retain CVD researchers who are already in Western Australia so that we do not lose them elsewhere. It will also attract talent from elsewhere, build useful collaborations at our universities and overcome what has at the moment presented itself as an unbridgeable problem for Western Australia, which is access to an appropriate share of national medical research funding. We do not get an adequate share of funding out of the commonwealth for any research, let alone research in this area; therefore, to some degree, I think we have to create our own destiny.

I am reasonably economically rational, and on occasion, ruthless. There are never any guarantees with funding research, but there is absolutely a guarantee that if we do not do it, we will learn nothing and gain nothing, and the upside benefit will go to somebody else. In this instance, I think that would be a tragedy. I do not associate myself with any particular funding amount; suffice it to say that the order of magnitude we are talking about here falls within the variation cost of the Fremantle Traffic Bridge or of the cycle path on the Causeway. There are enormous variations in the original costings for capital works projects against their actuals. Metronet is the obvious example—I will not use something on that scale because it almost defies comprehension—but we already have enough individual projects that blow their budgets entirely. How many other opportunities go begging for want of a better direction of capital? It is the wrong organ to reference, but cardiovascular research is a no-brainer. I am not going to criticise the government over the degree to which it has funded future medical research in the budget; I think it is commendable, but frankly speaking, the amounts are minuscule and will achieve very little.

I mentioned that it is, on occasion—not always—sensible to evaluate what the budget purports to say about the direction of Western Australia and what our future opportunities may be. There is something missing from this budget that I thought might have been included. I do not mean to be utterly obtuse, but if anyone has a copy of the daily notice paper to hand, they will note that I have given notice of a motion, listed as 5, on the bicentennial anniversary celebrations. In the midst of Reconciliation Week and with what is now known as WA Day looming next Monday, I actually cannot think of a better time to use what small opportunities this anniversary will present to talk about social cohesion in Western Australia. That can be a vexed, difficult and potentially emotive kind of conversation to have, but I think it is within the gifts of this Parliament and the population of Western Australia to reflect on the last 200 years in a sensible, measured and balanced way that acknowledges the challenges, the tragedies, the achievements and some of the triumphs. Whatever we think of Western Australian history, I would have thought that there was at least some common ground for acknowledging that 200 years since the formation of Western Australia represents an important civic milestone.

Such milestones for this state have been marked on previous occasions. If you walk down Fraser Avenue in Kings Park and look at the white gums, you will see that a number of them were planted to commemorate the centenary of the foundation of Western Australia. There was also a celebration that I literally did not miss, because I was alive then, but that I missed because I had no comprehension of it, being two years old at the time—that is, WAY 79. There is an opportunity to look at the budget and acknowledge that within the next five years we will be marking this enormously significant civic milestone. We should give some consideration to how we mark it in a way that is not jingoistic, triumphal, forlorn, nor miserable but takes into account the full tapestry of human experience in Western Australia over those 200 years. Let us pull from it and then direct the parochial energies that we have as Western Australians in a useful and constructive way and in a manner that sets a shared and collective vision of what the next 200 years in Western Australia might look like.

If the New South Wales government could effectively appoint a Minister for the Olympics in 2000, I do not know why a Western Australian government could not appoint a minister for the bicentenary. I think that the bicentennial marking should be government supported, but not necessarily government led. We want eminent Western Australians, particularly Western Australians from Aboriginal cultural backgrounds and people from multicultural backgrounds, to reflect on those experiences. It would be useful, appropriate, important and enlivening to take seriously the opportunity of the bicentenary and include the entire state in the program. Who knows, President, as much as I have criticised over-expenditure in this budget's asset improvement plan and capital works, we might have a series of bicentennial projects. It is very clear already that the government is considering a range of signal projects, if only through the unusual mechanism of the resources community infrastructure initiative scheme, which was a kind of odd plan announced by the previous Premier; I remember the date it was announced on 22 November 2022. The resources sector's major companies collectively committed between \$750 million and \$1 billion to a range of future projects.

Hon Dr Steve Thomas: Were they committed or blackmailed into it?

Hon TJORN SIBMA: The paperwork is unclear on that question! Nevertheless, irrespective of its origins, is it a sensible way to go? I look at it this way. The large resources companies are prepared to invest in civic infrastructure. I believe that perhaps that program should be repurposed as the bicentennial projects fund. I would not be creating anything new, but repurposing and redirecting it, taking those animal spirits and channelling the forces of enlightened parochialism.

Hon Darren West interjected.

Hon TJORN SIBMA: We have to do it! I know that Hon Darren West is a proud Western Australian.

Hon Darren West: Very proud!

Hon TJORN SIBMA: He is very proud! If I were the minister, for example, I would appoint Hon Darren West to my board in the spirit of good bonhomie; I am very inclusive! The opportunity presents itself. With all due respect, the RCII is not Hon Roger Cook's scheme; it was Mark McGowan's scheme. It has the elements of something useful, and I think that some of the projects that have been identified are absolutely appropriate for inclusion. We absolutely need an Aboriginal cultural centre. That was one of the anchor pieces of infrastructure envisioned as part of what became Elizabeth Quay. At present, we have a master plan but not necessarily the funding for a revamp of Perth Zoo. The Perth Concert Hall is on the list, and there are two or three other things with some discrete but, as yet, unspecified regional community projects. One of the things that is missing, though, and I am very enthusiastic about putting it on the list, is the new Scitech. I have children at the age of the children now in the public gallery, and I probably visit Scitech every school holidays at least. The staff and organisation there do a fabulous job, but a fabulous job within the constraints of the existing building. Over the course of the last 10 years there have been conversations about the need for a new Scitech—what it would look like, where it would be put and how it would be run. Unfortunately, as yet these conversations have made no progress, and I am being even-handed with my criticism here. In fairness to the present government, I understand there was a view about planning a location and the development of a new Scitech facility at least as far back as 2019. I recall a media statement by Hon Dave Kelly when, I think, he was Minister for Science—not now, but when he held that responsibility. Like so much of the pre-COVID workflow and priorities of the McGowan and now Cook governments, I think it was forgotten, and I found it an odd omission when the previous Premier released his master list for his dream wish list of assets and infrastructure that might be delivered—I underscore “might” very, very heavily—through the resources community infrastructure initiative. I was enthusiastic; I thought there may have been the inclusion of, or speculation about, a new Scitech. Those children in the public gallery might be excited to visit it.

Hon Sandra Carr: They do not look that excited!

Hon TJORN SIBMA: This is exciting as it gets! I am sorry, kids; this is the best that we can do!

Several members interjected.

Hon TJORN SIBMA: It is not bad!

The PRESIDENT: Order! Members are encouraged not to engage with visitors in the public gallery, lest they breach etiquette of the chamber and a relevant standing order or two.

Hon TJORN SIBMA: Thank you very much, that is very wise guidance. I am suitably chastised, President!

There is a great opportunity here and, again, it is not one of those issues about which there needs to be an enormous political bunfight over. We often major in the minor. There are certain elements that need some solving, but they can be solved reasonably quickly. There are probably only two or three locations in the greater Perth metropolitan area that would be suitable, and they are probably around the Perth Cultural Precinct, Elizabeth Quay or perhaps at the East Perth power station—I do not know what is happening there at the moment, frankly. The site needs to be somewhere accessible, particularly to school groups and families, and it needs to be state of the art and to capture the imagination of children and young people in this state and guide them along the path of science, technology, engineering and mathematics. I think it is a golden opportunity, but, unfortunately, one that is not present in this budget.

The final aspect to this address is my forlorn hope for better governance and a better framework for decision-making, not only in cabinet, but also among the senior executive services of the public sector. Here, I will deal, again, passingly, with the matter of Metronet. When Metronet was originally proposed prior to the 2017 election, it was also conjoined in space and time with former Treasurer Hon Ben Wyatt's commitment to the establishment of a parliamentary budget office. Why are these two issues linked? Imagine what a parliamentary budget office could have done with Metronet. At the time, I recall that the former Liberal–National government's criticisms of Metronet costings were lambasted and categorised as fake news. That is probably not the kind of phrase that Hon Rita Saffioti would use now, but she certainly used it in 2016–17 to describe what the then Liberal Treasurer, Hon Dr Mike Nahan, feared would be the true cost of Metronet. Hon Dr Mike Nahan actually underestimated the cost of Metronet by \$3 billion, or thereabouts, but he was a lot closer to the actual than the minister responsible for delivering that project.

Hon Ben Wyatt was committed to establishing a parliamentary budget office until he entered government. Another of Hon Ben Wyatt's political aspirations—I certainly do not intend to be unfair to him—was the development of Westport in a serious way. I refer to Westport because it has been cast into the nether regions of budget scrutiny. Infrastructure WA has identified that Westport is likely to be the most significant piece of capital that the state develops in a long, long time. If, presently, the capital expense of Metronet is \$13 billion, what is the likely expense of Westport? Perhaps it is one of those special projects that does not require the scrutiny of Infrastructure WA, which is probably why it deserves the scrutiny of something like a parliamentary budget office.

A parliamentary budget office would save politicians and governments from themselves, and would serve as a useful break between Parliament, the legislature and the executive. I have a range of suggestions about carving out genuine parliamentary independence from the executive wing, particularly when it comes to information technology support for members of Parliament. The two should not meet, but that is something for another day. A parliamentary budget office would not be a silver bullet or an absolute guarantee, but it would be an absolutely invaluable institutional instrument in driving properly costed policy development. It would be as useful to governments as it would be to oppositions, crossbenchers, the media and the general public, and it would likely not come at enormous expense. In fact, we encounter enormous expense for not having one. At the level of sentiment, there seems to be no animus towards a parliamentary budget office but a level of fear and timidity about putting one into practice when in government. Again, I weep at the absence of a commitment in this budget to a parliamentary budget office.

It saddens me to see the state of the public sector in general in Western Australia. This is me giving a very clear warning that I am about to wrap things up. I think the Public Sector Management Act was assented to in 1994. We are now 30 years beyond that point. Society, technology, the demands on government, the level of intensity of services and the demography have changed.

I have been a public servant in the traditional sense in the commonwealth. I am not one of those reactionary anti-public sector types. We need a very strong, capable, well-skilled and well-resourced public sector. However, we need to ensure that its endeavours, priorities and activities are in concord with public expectations and meet the needs of the community. That act is begging—absolutely screaming—for an overhaul and statutory review. We need to have a very serious conversation about the state of the public sector, how it should be structured and how it should be resourced to meet the needs of at least the next 10, if not 20, years and beyond.

This is a topic I have spoken about previously. As part of the process, I would hope to see more accountability for the public sector in Western Australia. Not one politician here has any problem with the specific accountability measures as they apply to us, whether it be the annual personal interest disclosures that we make or the reporting on the use of allowances and the like. That is absolutely appropriate. We are in positions of trust and leadership at a community level and our comportment should be held at a higher than usual standard.

However, I have previously made the observation that the majority of people in this chamber do not exercise any executive responsibility, particularly when they are in the opposition or on the crossbench. They are not in government. They do not control the budget, make the decisions or task the public sector. Those at the very senior levels of the public sector who do those things do not experience anything like the level of scrutiny or accountability that we do. I do not necessarily think that that is appropriate.

I see absolutely no problem with two measures. One is a real time, or close to real time, public interest disclosure record for the senior executive service. The other is a set of publishable performance agreement key performance indicators between a minister and the chief executive officer or director general, whatever the case may be. I cannot think of easier or more low-hanging fruit than accountability, transparency and performance management measures.

There is inevitably a conversation about corruption, and it always seems to be directed at politicians. I think that is a hopelessly naive view. It was put to me at the last election to say what I thought about the future of political donations from property developers. I said, "Actually, politicians or their parties receiving donations from property developers is the least of all your possible problems." Corruption and malfeasance do not occur in Western Australia at the apex political level. It is always at the level of an executive, desk officer, project manager, infrastructure manager or procurement adviser. The people with the capacity to actually make decisions that have a financial

consequence—out of sight, largely speaking—is where the risk really resides, which is to say that is where we should direct our corruption measures to. That is not to say that the public sector is corrupt; 99.9 per cent of people do the right thing all the time.

In my closing remarks, I will say the focus on politicians is fair, but that scrutiny needs to be applied more resolutely and more evenly because I have not necessarily seen absolute stellar performance from a range of directors general. I do not have to go very far into the most recent series of published Office of the Auditor General reports to draw some conclusions. The eleventh report of the Office of the Auditor General into funding for community sport and recreation defies belief. There was no scrutiny, no accountability and no reporting metric for the expenditure of over \$250 million worth of funds. That is \$136 million on election commitments and \$125 million on the WA recovery plan. There is absolutely no assessment that the Auditor General could make in relation to why certain funding decisions were made and why certain people missed out. That is actually the state of the public sector in WA.

That was also unfortunately repeated in the allocation of the road trauma trust account. There were projects funded without scrutiny and money shifted to projects without any performance metric at all. Also, sadly, the most recent report on government campaign advertising is worth reflecting upon. If we go to the last few pages of agency responses, we will read where the Department of the Premier and Cabinet gave the most shocking, galling and defensive repudiation of an Auditor General's findings. All sense of professionalism in the public sector was lost with that comment—a comment from the lead central agency and from, more or less, the top echelon of that agency. That, to me, encapsulates something of the problem in the public sector in Western Australia after the eighth budget of the successive McGowan and Cook administrations. The calibre of senior leadership in some roles in the public sector has deteriorated to such a point that those people, without political protection, would be functionally unemployable and could not be trusted in any serious capacity. That is probably why there are a series of omissions in this budget. Nevertheless, well done on recording another surplus, which the government did not generate, and commiserations on again blowing the opportunity to establish a sound foundation for this state's future.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [2.13 pm]: I stand to make my twentieth budget reply speech. The honourable member, Hon Tjorn Sibma, is a babe in the woods, I can tell him right now. I am quite looking forward to making this contribution. I have just a few, dare I say, observations on the chamber, on the government and on where we are at as a society, and I have a few suggestions. I have loved every second of my 19 years. I am now into my twentieth year, like my good friend Hon Donna Faragher. We are both a couple of washed-up old ministers in the departure lounge!

Several members interjected.

Hon PETER COLLIER: I say that with a great deal of respect to Hon Donna Faragher, who is one of my dearest friends. I am a proud godfather to her wonderful son, Harry.

I have not been remotely disappointed. I lived for this—absolutely lived for it. When I was a little tacker, all I wanted, literally, was to be a minister in the Legislative Council—I have been a political animal all my life; I wanted to be a chalkie, as in a teacher; and I wanted to play in the Davis Cup. I got two out of the three, so I feel absolutely grateful for all the opportunities that I have had. I have loved every single minute. Anyone who does not believe me can go back and have a look at my inaugural speech, because that is exactly what I said.

On a personal note, I made a commitment when I first started here that I would not drink alcohol in Parliament House. I have not done so to this day. If things go well, I will continue to adhere to that commitment. I have never had a day off from illness in my entire working life, and I am very grateful for that. That is not just in Parliament; that has been over my entire working life. I would like to think that I can do another year without a day off, so I am pretty good. If I do get to 20 years, much like Hon Donna Faragher in the East Metropolitan Region, I will have the honour of being the longest serving member of the North Metropolitan Region, along with Hon George Cash. That gives me a great deal of pleasure. George is a wonderful friend and I have great respect for him. If I can get through the next 11 months, not that anyone is counting —

Hon Donna Faragher: The Leader of the House is!

Hon PETER COLLIER: — I will achieve those three things.

I have a couple of reflections to make. I do not need to spend too much time on this, but I would like to. I love the Legislative Council. As I have consistently said, I love all that it stands for. I know that members opposite sometimes get frustrated with my lecturing on standards, but I make no apology for that. The Legislative Council is a different chamber, and that is why I chose it. Our bicameral system of government is affectionately referred to as the Washminster system—a combination of the Washington federal system and the Westminster system. The bicameral system of our Parliament should present an opportunity for the second house to be not a mirror image of the lower house but a house of review that forensically reviews and scrutinises legislation through the use of such things as the committee system and has a bit more, dare I say it, comradery, dialogue and cooperation between members and across the chamber, so that the legislation that comes into the Parliament is ultimately better legislation when it leaves. The Legislative Council is not just the ditto house for the Legislative Assembly. I have always said that and I stand by it. I have seen that change, particularly since 2017. I had the privilege of being the

leader of this place for four years and I loved it. I never once compromised the conventions of the chamber; I did that intentionally. That has changed somewhat. I hope that, in the years ahead, we return to the situation in which the Legislative Council is more respectful of the bicameral system of government.

I think it is dangerous for any government to have total control of both houses. I do not think it is helpful. History has shown that governments that have control of both houses inevitably fall foul of the people. Members can go back and look at the governments of Malcolm Fraser or John Howard. Have a look at our government back in 2017. We had a thumping majority, yet we did not use or abuse it; I make no apology for that. The public ultimately voted us out. COVID made things different, of course. I do not think the massive majority of the current government has been helpful. I know that members opposite will be insulted by that, but that is just how I feel. I do not think it is helpful for any government—I would say the same for us—to have total control of both houses. A direct result of that, as we have seen during this term of government, is that legislation goes through without due scrutiny. The Parliament becomes like a pithy inconvenience to the executive level of government, and that is a real shame.

I have said in the past that since 2017, we have seen members opposite be so infatuated with getting everything through that they were prepared to compromise the standards of the Parliament. I mentioned before that after the 2017 election, when the numbers were precariously balanced—the Labor Party had 14, the Greens had four, and the non-Labor parties had 18—the Leader of the House tried to get one of us to take on the presidency. I could not fathom that. The Labor Party fought all that time to get into government yet somehow it was prepared to compromise its own party. Hon Kate Doust became the President because our guys refused to take on the presidency, and she was an outstanding President; she was very good and she was not prepared to compromise the integrity of the Parliament.

We sat all night. I have said on numerous occasions that one time we sat all night debating the Duties Legislation Amendment Bill 2013. Members opposite carry on about us talking, but we sat all night for no reason on a bill that you guys supported! It was just to try to get us to buckle, but we did not.

I move to the cancelling of pairs. The government does not cancel pairs, but members opposite did. I hate to tell members—remember this—that the opposition provides the pairs, not the government. It is the opposition's right to provide pairs. Members who are here after the next election, please remember that. The government does not have the privilege of providing pairs to the opposition; the opposition does. But we were not told that. We were just told, after the government did not get its way on a piece of legislation, "Right; no pairs for this!" That was appalling. Again, it is a convention of the chamber.

I have said in this past, after we lost government in 2017, that the Standing Committee on Estimates and Financial Operations is the only committee in this place that has a non-government majority. By design and convention, a member of a non-government party becomes the chair. When we won with a thumping majority in 2013, I suggested the possibility of Hon Rick Mazza taking on the chair, but the then Leader of the Opposition did not agree with that at all. She said he was a new member coming in and I took that on board. I then agreed with Hon Ken Travers taking on that role, and he did a very good job. The same courtesy was not afforded me after the last election. When it was first put to the government, the government said no. Despite everything, even if members opposite do not like me, at least I will never ever compromise the integrity of the Parliament—ever. The only reason that we ended up winning was that we had a motion. The chamber still comprised members of the old Parliament, and Hon Nick Goiran moved a motion to establish a select committee to look at the ongoing finances of the government. That would have been established, and we would have won because we had the support of all those members. However, rather than do that, a compromise was reached. I ended up as Chair of the Standing Committee on Estimates and Financial Operations and we withdrew the motion, but we should not have had to do that. It is just one of those things.

I feel that in some instances, you just do something because it is the right thing to do by the chamber. Long after I and all members here have gone, this place will still be here. Would it not be terrible if we lost all that? We are precariously close to doing that. I hope that those members, particularly those opposite who were not here at that time, remember that, and remember the conventions of the chamber. If they ever want a reminder after May next year, get my number and by all means give me a call.

I find that the tone has improved a bit in the last year or two since I last made comments on this. For a period there, every time Hon Neil Thomson stood, some members opposite would go into overdrive with abuse no matter what he said. He would just stand to get the call, and members opposite would abuse him. Again, even though interjections are unparliamentary, they are just a part of the banter. At the same time, this just became ridiculous. Again, this place was just a ditto house for the Legislative Assembly.

I cannot believe what happened with the Standing Committee on Legislation. The Labor Party at last moved a referral of one bill to the legislation committee; this was an innocuous little bill on sports administration that we would have passed in five or 10 minutes. Of course, the government obviously felt vulnerable because it had not sent any bills to the legislation committee, and was mindful that when we were in government with a thumping majority, we sent multiple bills to the legislation committee. Again, it was a way to improve the legislation. That pithy little bill was sent to the Standing Committee on Legislation, and guess what? The committee found there was a problem with the bill and that it would have been unconstitutional. The bill was flawed because it should

have started in the Legislative Assembly. Imagine what could have happened if some of the government's other bills were sent to the legislation committee? I will not reflect on the referral motion we are debating at the moment. However, I will refer to the body language of government members when some of our members stood up to talk on the motion. Government members rolled their eyes. I have to remind members that when we were in government, most opposition members spoke on every second and third reading debate for every bill. They all stood and spoke. At the end of the debate, my very good friend Hon Samantha Rowe, who was then Whip, would move a motion to send the bill to a committee and all opposition members would start again. All I am saying is that this is the very first time in this Parliament that most of us in the opposition have had a say on a referral motion. It is something we feel strongly about. All I am saying to government members is do not think for a second that we are Nigel no-friends. This is what went on the entire time when we were in government.

Members will probably ignore this comment, but there are protocols in government, and one of them is to recognise members of the opposition publicly. That has not happened in a lot of instances in places that I have been. We lost government in 2017. I have mentioned before, because it is important to me, that I worked really hard to establish the West Perth Football Club's clubrooms. I will not go into great detail about how I fought with the then Premier and cabinet to get the funding for those clubrooms in Joondalup, in the northern suburbs. Everyone said that the club had plenty up there and that it had recently been given a bit of money to improve the clubrooms. I wore that achievement as a badge of honour. I worked for my electorate. I was a minister and the Leader of the House. The election was in March and the building was opened in April 2017. It was all but finished, but I did not get invited to the opening even as the local member, let alone someone who was a vice-patron of the football club. You do not need a political PhD to work out that that is inappropriate. On numerous occasions, particularly at an Australian Hotels Association dinner and a drinks function for the liquor industry association, three particular ministers publicly lambasted the opposition and the Liberal Party. It does not do the government's side any good at all for that to occur. It really does not. If members think that will impress those present, they need to talk to some of those who were present, because it does not. I am not talking about a little snide comment; I am talking about a tirade. That has happened on several occasions. I have mentioned that I spoke during members' statements a couple of months ago about being asked to leave a liquor industry association function because the minister wanted a question-and-answer session with the members. I sat down bemused with Geof Parry, Sarah Crawford and a few others. That just should not have happened. There are protocols in government that the government should not need to be told about.

It will be a different Parliament next time. Having said that, I have always had a good working relationship with Hon Sue Ellery. We do not see eye to eye on a lot of things and I feel very strongly about the conventions of the chamber, and I make no apology for that. As I said, I will be gone. I thought I was yesterday's man six months ago, but I will be even more of a yesterday's man in May next year. This place will still be here and I hope that some of the conventions that existed previously will be re-established.

I have a couple of very quick comments on the media. I have noticed that the role of the media has shifted significantly since I started here. It has gone completely the other way. From about 2010 or 2011, when we had the establishment of iPhones and iPads, the public out there, and particularly the younger members of the community, have used them as a vehicle for information gathering. They now rely less and less on the mainstream media, so there is almost a race to the bottom to get all the information out, including breaking news and all this sort of stuff. It is almost like a dumbing down of the mainstream media. That is not a criticism; it is an observation. We now have a situation in which the mainstream media, which used to come out once a day, changes all its online articles et cetera almost instantly. It is not just the weekly story or daily story; it is an hourly story. That has been a significant shift.

Again, this is the conservative part of me coming out—not a political conservative, just a country boy who does not like change. Things like the *Stateline* program on the ABC on a Friday night were an opportunity for a minister, for example, to go and have a five-minute interview to try to explain their information as opposed to trying to get a seven-second grab. That has gone from the ABC, and I reckon that is a travesty. We still have analysis pieces, particularly in the local print media, which are valuable and provide us an opportunity. To a large extent, they provide us with the opportunity to do opinion pieces—that is good. But, increasingly, because the public, particularly the young, rely more and more on their iPhones, that is becoming a dying art form, which is a real shame. But, generally, I have no complaints.

There was a period a couple of years ago when one particular element of mainstream media had an infatuation with some private messages from my party, including by me and some of my colleagues, and it tried to determine my destiny. That was never going to happen. If it had happened, it would have set a very dangerous precedent for media in this state and the nation. But across the board, with one obvious exception, I have to say I think the media has been pretty fair with me, and I am quite satisfied. I wish the media all the very best because it is a tough gig out there. We can see by the number of changes in the media on a fairly regular basis that it is a tough gig.

I have just one thing to say about the Corruption and Crime Commission incident. Again, I feel duty-bound to talk about this. I have made multiple speeches about this, so I will not take too much time. Members will remember that a member of our party made some comments that there were some very salacious and compromising details

on his laptop. The CCC wanted access to it, but the Parliament refused to provide access to that laptop. We made a decision on that as an opposition, and every other party in the Parliament made the decision that we were not prepared to compromise parliamentary privilege. We did that for the exact reason I have just been talking about: the conventions of this place. We did not do it to protect former colleagues. We did not do it because we were “corrupt” or “terrorists”, which we were constantly labelled by the then Premier, the Attorney General and, on several occasions, Hon Darren West. We did not do it for that reason; we did it to protect parliamentary privilege. Believe it or not, but parliamentary privilege has been around for 800 years, since the Magna Carta, yet the government wanted to eradicate it for some cheap political pointscore because somehow someone thought there was going to be something on that laptop that would get us. But I was never worried about that, ever. I was not remotely worried about it. I was worried about losing parliamentary privilege.

Some members think we should say, “It doesn’t matter. You know it’s important. If they have got this salacious stuff on the laptop, get it.” But if we ask a doctor whether he or she is prepared to forgo patient confidentiality, of course he or she will say no. Ask a lawyer whether they are prepared to forgo client confidentiality. Of course they will say no. What about members of this place? Believe me, a lot more people come to see us when we are in opposition than when we are in government. Are members prepared to compromise confidentiality when someone provides them with confidential information? I tell you what, guys; you do not have to. It is called parliamentary privilege. It is there for a reason. It ensures that the public of Western Australia and the nation are protected and do not feel scared to tell a member about some legitimate corruption or an issue with their life that they want kept quiet. They do not want to know that the Corruption and Crime Commission, half the WA Police Force and whoever else has a copy of it. It is called parliamentary privilege. I know that a lot of members opposite will disagree with me, but that is why the Liberal Party took the stand that it did. It had absolutely nothing to do with corruption, terrorism or any of the above. We were constantly labelled that but that just was not the case. It did not happen.

To finish on that point, I could not believe that this thing went on for a couple of years. Members opposite in both the other place and up here were at great pains to label us as being corrupt. The CCC finally got not the laptop, but particular contents of the laptop—the non-privileged information. By that stage it had got to the point at which there was this almighty standoff between the President, the Legislative Council and the CCC, and never the twain shall meet. We then had a bill with Hon John McKechnie’s name on it because the government was going to do it. Even though it could not do it then, it did it straight after the 2021 election. Then it all went quiet, and everyone was waiting. I did not care; the CCC got hold of the information, and I said, “This will be a big yawn.” People who knew the member involved knew it was going to be a big yawn. Then in March last year, in some flippant comment in response to a question asked by Hon Dr Steve Thomas in a Joint Standing Committee on the Corruption and Crime Commission hearing, the commissioner happened to mention that that thing was all over and finished. He did not think it was sufficiently worthy of public attention to put out a media release or make a public comment—not on your life. He said nothing. The very next day, on 17 March 2023, the CCC put out the following media release. It said —

Media statement on Operation Betelgeuse

The Corruption and Crime Commission can confirm that Operation Betelgeuse has effectively ended.

The Commission’s access to the laptop was delayed by litigation brought by the President of the Legislative Council. Following the decision of Justice Hall the Commission and Parliament entered into a protocol which allowed the Commission to examine the laptop. The protocol is working as intended.

In view of Mr Edman’s lawfully obtained comments as to the contents of the laptop, the Commission was required to investigate if his comments about unspecified other people could be substantiated.

The contents of the laptop did not reach the threshold of serious misconduct in respect of any individual.

Well, who would have guessed? This chamber went through three years of all this. Hon Kate Doust effectively lost her job for doing the dastardly thing of upholding the standards of parliamentary privilege, and then the CCC just happened to mention it. It was absolutely extraordinary that the CCC felt that it could not even let Parliament, let alone the Western Australian public, know. That was really disappointing.

Having said that, I would like to make a few comments on the police portfolio. I have enjoyed this portfolio so much; it is a wonderful portfolio. You always respect the blue uniform, but you get a deep appreciation for police as individuals. At the same time, over the last three years in particular, there have been some real issues within the Western Australia Police Force. I can say, hand on heart, that I do not think the Minister for Police appreciates how deep those concerns are. He lambasts me when I talk about there being a morale issue with WA police, yet we have hundreds of police leaving the force every year. There is something wrong. I will go through a few things.

The biggest issue is with regard to resignations. To make it perfectly clear, about 150 police officers have left the force every year, over a 30-year average. The year before last, 473 officers left; last year, there were 403. This year, well over 200 have left already, and we are not even halfway through the year. Yet every single time I raise this issue, the Minister for Police criticises me, tells me that I am undermining the police and says that it is not an issue. He says that constantly.

It reminds me very much of an education issue with a previous Labor government—outcomes-based education, or OBE. I am a former chalkie and had 23 great years in the classroom. I was very conscious of dissent within the teaching fraternity with regard to OBE. I am not talking here about the OBE that was introduced under Colin Barnett; I am talking about the purist form of it, which was introduced after Labor took power in 2001. There was an almighty outcry from virtually every sector; no-one really supported it, other than a few bureaucrats in “Silver City”. That was coupled with mass teacher shortages and problems with the Teacher Registration Board. Education was a bit of a problem in those days, when I was shadow Minister for Education. No matter how many times I raised this issue, I was ridiculed by the then Minister for Education. I liked her personally, but she just did not get it. Either she was getting really bad advice or she was ignoring the advice she was getting. Anyway, lo and behold, we won an election—I do not know how, but we did—and things changed. OBE was changed and we put some substance back into the curriculum.

In this instance, whenever I talk about issues with regard to the police force, the Minister for Police has almost laser vision in going straight for me. It means nothing to me—I have a thick skin—but it is disingenuous, because it is an insult to the police. He is not actually thinking, “Perhaps there’s an issue here.” This infatuation is extraordinary. For the first two years, hardly an answer I got back did not talk about something I had done or something that the previous government had done. I was saying, “Grow up. Mate, this is a great opportunity for you. Make the most of it. There is no need to go down the path of that juvenile stuff.” I have to say, a lot of ministers still do that, almost eight years later; they are still infatuated with the Barnett government.

Then, when I visited police stations, do members know what happened? Terry Healy, the Parliamentary Secretary to the Minister for Police, would rock up with me. In a moment I will talk about something that the police union put out, but the minister did not have enough confidence in his police for me to go and have a conversation with them. As if I am going to talk about political things in a police station! As if the police are going to start saying, “Oh, this Labor government is terrible.” Of course they are not going to do that; they are professionals. It was the same when I was shadow Minister for Education. No matter where I went in the state, I had district directors following me all over the place. They had better things to do with their time. Again, I thought that was juvenile. I found those visits to police stations extraordinary.

I remember that the Minister for Police made some comments a couple of times in the other place about how, when I go to graduations, I do not go and have a cup of tea with the graduates afterwards. I go to pretty much every police graduation, unless Parliament is sitting or something or other, but I do not get my information from graduations. I do not get my information from police stations. I get my information from the literally hundreds and hundreds of police officers and former police officers who contact me. I am not exaggerating; hundreds upon hundreds contact me, and they are not happy. As much as the Minister for Police might like to be infatuated with me, if he spent as much time focusing on his job as he spends focusing on what I am doing in the portfolio, we would find that the resignation rate would halve. He spends an extraordinary amount of time focusing on me.

At the last election, the Labor Party came out with a commitment for 950 additional police officers. I am very supportive of that; the more blue uniforms we have on the streets, the better it will be for stopping crime. I am totally supportive of it. The government had a lot of bravado on this. It was very pleased with itself after the COVID election. Of course, it had an enormous amount of power.

I will read this from *Hansard* as one of multiple instances when it did a lot of chest-beating. I asked a question about the number of police officer then vacancies in Western Australia and Hon Stephen Dawson replied, in part —

The McGowan government is delivering 950 extra police officers over four years, the single largest increase in police officer numbers.

Hon Sue Ellery: That’s great. How many?

Hon STEPHEN DAWSON: There are 950 extra. Over 400 new officers will have graduated this year.

That was great; I had no problem with that. The government could go out there and be pleased with itself. That was fine, but then it had to deliver. As we see with anything in life, if people focus on the process, the outcome will take care of itself. The government was talking about 950 officers; it just had to make sure that it had the processes in place to ensure that happened. It would not happen if it ignored what police actually wanted.

I followed this fastidiously, month in and month out. After about 12 months, I thought that something was seriously amiss. It was not just the whispers that I was getting in my ear every day; it was the actual statistics. Twelve months later, I made a chart to see how we were tracking, and the numbers were not good at all. On 30 June 2020, there were 6 637 police officers. That meant that the government needed another 950 officers—additional officers, above attrition—to meet its target of 7 587 police officers. The figures were not even close. Just a few weeks ago, there were 7 024 police officers, which is still well over 500 officers short, so it is not even close.

In addition to that, we can look at resignations. As I said, in 2020, 149 officers resigned; that number was very close to the average of 150. In 2021, the number was 243; it had jumped by almost 100. In 2022, it was 473, and in 2023, it was 403. We do not need a political PhD to work out that something is wrong here.

Here are the number of recruits. In 2021, there were 2 548 applicants and the number of graduates was 446. In 2022, there were 2 583 applicants and 446 graduates. In 2023, last year, there were 3 122 applicants, which was over 500 additional applicants, but there were only 377 graduates. It is another indication that perhaps things are not as peachy as we thought. In 2024, as I said, the attrition from resignations and retirements is almost pushing 200 officers. Again, I was not scaremongering, and I was not undermining the police; I was stating the bleeding obvious. The minister just flatly refused to listen. Then, the minister started using a line. I have found that the minister has these lines that he uses over and over again. He said that the resignations were entirely attributable to other opportunities. I did not like that because I knew it was not the case. Every time I heard that line, I knew he would make a number of serving police officers really frustrated because they felt that they did not have a voice; they felt that they did not have a minister who listened to them when they said there were more problems than just other opportunities. They felt no-one was listening to them; that was coming through loud and clear. I wrote an opinion piece in *The West Australian* on 15 November 2022, and I will just read a part of it. It reads —

In a display of gobsmacking ignorance of his portfolio, Police Minister Paul Papalia said recently the record resignations of police were “entirely attributable to the economy and other opportunities”.

This lack of understanding on the part of the minister would be amusing if it were not so serious.

The current labour force climate has placed significant pressure upon our service workers, including the police force. However, given the magnitude of the attrition rate with our police, it is quite evident that the issue is most definitely not as simplistic as being driven merely by “the economy”.

For example, there have been more than 400 resignations from the force this year with two months still to go.

This is almost double the total attrition rate in 2021 (243) and almost treble the 2020 figure (149).

Of more concern is the number of experienced police officers who have decided to look for greener pastures.

A recent comprehensive survey of its members by the police union identified some serious cultural issues that currently permeate the force.

The roar of disapproval of their current working conditions from thousands of respondents identified throughout this survey reflect exactly what I hear daily from serving officers.

While it may sound somewhat trite, the reality of the situation is that police officers feel unappreciated.

There is a genuine and entrenched view that both the Labor Government and the police hierarchy are not listening, or interested in their concerns.

I concluded by saying —

As the dark clouds of COVID rise, the failure of the Labor Government to deliver core services to the community is being exposed. While having a \$7 billion surplus might be a flattering go-to talking point for the Premier and his ministers, the truth is, those workers at the coalface that have done the hard yards during COVID are hurting.

They desperately need to feel valued and respected.

This is particularly pertinent to our police force. It would assist the situation if the Minister for Police shifted his rhetoric from “it’s entirely the economy” to “I am listening”.

I stand by that. I do not say that, in the words of the minister, to undermine police or to show I do not value them, I say it because that is what they are telling me over and over again.

The minister was saying this constantly. Again, he was either getting really bad advice, was telling an untruth or just did not get it. It must be one of those things because he kept on saying the same thing over and over again, yet the resignation rate continued to accelerate. As I said, that was the most frustrating thing. The minister went over to England and started playing in the sand in the pubs to try to attract bobbies. Members of the Western Australia Police Force were saying, “What about us? What about our concerns? Why aren’t you concerned with our issues instead of trying to attract bobbies?” I was frustrated but there was not much I could do. There is not much we can do in opposition other than voice the concerns of those who come to see us, and I can say hand on heart that I have done that consistently. I could not believe it when in February this year—we are talking just a couple of months ago—the minister dug down on his claim that the force would get 950 police officers by June.

The government is still short 600 police recruits. It only got 350 recruits in three and a half years, yet it said that it would get 600 in fewer than six months. Again, I am trying to work it out. The Minister for Police must be getting bad advice. I have been a minister; indeed, I was a minister for almost nine years. Ministers know when they get bad advice. Ministers often get bad advice, and they say, “Thanks, but no thanks.” Ultimately, ministers are the ones who are responsible. Department advisers do not have to face the public or media every day.

I refer to an article in *The West Australian* of 1 February, which reads —

Police Minister Paul Papalia says he’s “absolutely” confident an exodus of officers has slowed, allowing a recruitment push to drive up total numbers.

...

“The attrition rate has halved from what it was last year,” Mr Papalia told reporters on Thursday.

That is rubbish. The article continues —

He said the State Government would meet its pre-2021 State election promise to boost the Force by 950 officers over four years.

The number is currently 6991—down from 7012 in mid-2020.

“We’re going to grow the force by 950—it’s 15 per cent growth above attrition,” Mr Papalia said.

“So that will happen. It is happening now. It’s just a matter of getting people through the academy.

“We’re growing. Obviously, every week, almost every month, there’s a graduation.

“One thousand will be going through the academy this year.”

Mr Papalia also brushed off census results showing just 47.1 per cent of WA Police employees had recommended or would recommend their agency as a workplace, compared to almost 70 per cent for the public sector overall.

That rings alarm bells. Almost half of the police officers surveyed would not recommend their profession. The minister said, “Rubbish, we’re still going to make it. Everything’s fine here. Nothing to see here.” Talk about Nero fiddling! As I said, it was much the same as education back in 2005 and 2006. No matter how many times we have told these ministers, they flatly refuse to believe it.

The minister went into defence mode and did an opinion piece. At the end of that piece, he said —

Little wonder the police are having no trouble attracting new recruits, with more than 4280 local and overseas applicants responding to the latest recruiting campaign.

WA is one of the best places to live in the world, and the WA Police Force is keeping it that way.

Again, he was ignoring the facts. I cannot believe this. Of course, politically, this is manna from heaven because the government will not get 950 additional police officers. The only person in Western Australia who thinks that the Labor government will reach its target of 950 cops by June 2024 is Hon Paul Papalia—no-one else. Certainly, no members of the Western Australia Police Force think that.

The minister must have had an epiphany just a week later. On 12 March during a debate about law and order in the other place—the minister went to script and had a crack at me first—the minister said —

I regularly go to police graduations, where I witness good morale—exceptional morale—in the Western Australia Police Force. I am still waiting for the shadow Minister for Police to stand up at one of those functions and berate the people who are joining the police force over their bad, plummeting morale.

The minister chose to ignore the multiple resignations and that half of the force would not recommend WAPOL as a profession: “Oh no, we can’t have that.” This is compelling. The minister continued —

By 2022, there was a pent-up number of people who had intentionally delayed departure. There was another reason they delayed departure. When I became the minister in 2021, the previous minister and the Premier had promised that we would deliver better conditions for people who would be medically retired. As a consequence, we told those people who were going to be medically retired to wait until we got the legislation through. It took until 2021 to get that through; therefore, in 2022 we had those people plus people who had been waiting at least four years—we were in recession for the last year or two of the previous government. All those people who had not left in that period were considering departure. They found themselves in the best place on earth for employment opportunities. It was the strongest economy with the greatest demand for workers, and Western Australian police officers are exceptional people.

He again referred to other opportunities. That was one excuse. Later in the debate, he said —

We increasingly see younger people from a different generation who do not, as a matter of course, sign up for a career spanning 20 or more years, as the member for Darling Range and I did. People do not do that anymore. Increasingly, a greater proportion of the police force and of the workforce in general are from a younger generation who, on average, stay in a career for between five and seven years before shifting on.

We may be confronting a complete shift in the workforce dynamic.

Now it is young people and that they like to have multiple jobs. Well guess what, minister, if the job is attractive, they will stay! Stop trying to find another reason. Listen to the people at the coalface.

I will conclude with the pièce de résistance of that debate. The minister said —

As I said, I suspect that we are now in a different world in which people will not do those long careers that they used to do. The member is right in that I should do something. I should get the police to do a deep analysis of where we are at. We are not going to get to the 950 above attrition this year; we might, but not in the time frame that we hoped. That is because we had that massive impact in 2022.

That was the very first time the minister said that we are not going to get to 950 officers above attrition. He had relentlessly and unambiguously been saying “We are going to get to 950. The only reason police are leaving is for other opportunities.” He said that week in and week out. Then, a month after he stood in front of those cameras and said, “We are definitely going to get to 950”, we had an oops moment: “No, we are not.” That is what it is. It is an oops moment. The police were saying “That is not the reason we’re leaving!”

The media cottoned on to it because they had been following it as well. I will read one of many articles written at the time. It is an article by Josh Zimmerman published in *The West Australian* on 14 March, after this debate. It reads —

Police Minister Paul Papalia has blamed job-hopping millennials for his failure to deliver on an election pledge to boost the force by 950 officers by mid-2024.

During a fiery debate played out across two days in Parliament, Mr Papalia refused to accept low morale had contributed to about 1 000 police officers handing in their badges in the past two years.

Instead, Mr Papalia insisted the issue was itchy-footed younger generations who no longer committed to long-term careers in a single field.

He said Police Commissioner Col Blanch had been directed to investigate the “irreversible demographic shift” and changing attitudes towards work among generation Y and Z.

Acknowledging police resignations had skyrocketed since 2022, Mr Papalia said it was “possible and in all likelihood probably that those circumstances will not change”—potentially requiring WA Police to permanently ramp up recruitment.

“We’re in a different time,” he said. “People do not join uniformed services for 20 years anymore. This generation do five to seven years on average in a career and then they transition.

“That is a normal thing. It’s not just police, it’s right across the entire economy.”

This stuff cannot be made up. I cannot countenance how it took him so long. As I said, he is obviously getting very bad advice or he just does not get any. After what we have learned today about what happened over the weekend, I reinforce that. The minister is obviously getting extremely bad advice or he does not get any. He needs to do a bit of backtracking on that issue.

I then asked the minister a question after he made those comments in the Parliament about whether the attrition rate was still based on 29 officers. I asked a question 18 months earlier about what the expected officer attrition rate was. It was 29 a month. That was what their projection was. I asked —

I refer the minister to the response to question without notice 20, asked on Tuesday, 14 February 2023.

- (1) Does Western Australia Police Force retain a projection that 29 officers a month will retire from the force, from all forms of attrition, to June 2024?
- (2) If no to (1), what is the new projection of retirements each month?

The response was —

- (1)–(2) The Minister for Police has requested the Commissioner of Police prepare a report analysing all factors affecting police recruiting and retention rates impacting all Australian jurisdictions, and model achievement of the 950 above-attrition number as well as advise on future recruiting requirements, noting the current operating environment.

He has asked for a report on why there are all these resignations at five minutes to midnight. We are just a couple of months out from 30 June 2024, when the target of 950 police officers is to be reached, and the Minister for Police is asking for a report to find out why we are losing all these cops. Sorry, I have been telling the minister for the last three years. It was not just me; it was the union too. Everyone associated with policing in Western Australia has been telling the minister, and he has flatly refused to listen. Right up until February this year, the minister was saying that everything was peachy and we would get there. Now, they are doing a review to find out why cops are leaving. As I said, you cannot make this stuff up. This is incompetence—sheer incompetence. Again, the minister is getting very bad advice or just does not get it. That is extraordinary. I leave my final comments about the police with an article by the President of the Western Australian Police Union. I could not have said it better myself. The article, “*Give cops power to choose*” by Paul Gale in *The West Australian* on 1 April 2024 pretty much says everything I have been saying for the last 20 minutes. It states —

I have the privilege of attending police graduation ceremonies. It is a proud moment for all graduates, and for me also as I remember my own, 36 years ago. It takes courage and resilience to put the service of your community above yourself, but that is exactly what police officers do.

At the graduation ceremonies, Commissioner Col Blanch and Police Minister ... address the newly graduated recruits. The Commissioner talks about on-the-job learning, the quality of the instructors in getting recruits to this point, witnessing, and experiencing good and bad things, and finally, being welcomed to the blue family.

The minister says words to the effect of: “it is no small thing that you do, to give up the indulgence of private life; run toward danger when others run away to protect the community”. He acknowledges their commitment and thanks them all on behalf of the State Government and the people of WA for stepping up that day and for the role they will perform in the future.

Policing is 24/7. It does not offer the luxuries of working from home or remote work. It is service the community expects to be present. So, what is required to extend the working life of a police officer? For a start, wages to keep up with cost of living and inflation, better shift allowances to incentivise the unsociable and intrusive hours and better resourcing from WA Police and the State Government. But that’s not it. I have just scraped the tip of the iceberg.

In 2020, the State Government promised WA that the police force would be bolstered by 950 extra officers above normal attrition by this year. As of today, WA Police are about 500 officers short of that target.

At the end of June, there were 6845 sworn officers. At the time, WAPU estimated WA Police would need a net gain of 892 sworn officers over the following 12 months if the McGowan/Cook Governments’ promise of 950 additional officers was going to be met by June this year.

The minister recently said he visited every policing district across the State and reported that officers are very “happy in the service”. Unfortunately, officers are all too aware of the backlash if they breach police regulations by speaking out to a member of parliament.

Police officers are leaving in droves, and if one reason could be stapled to the issue, it would be low morale. Officers are being given the bare minimum, and being asked to achieve the same as if the force were at full strength.

Hear, Hear! I did not write that. The man who is the president of the police union and represents thousands of police officers wrote that. He wrote exactly what I have been saying for the last three years! Yet, somehow, the minister knows everything. The article continues —

We are over 500 officers short of the Government’s promised full time strength expected by June 2024, but then you add in the officers who are on career breaks, long-term sick leave, secondment to other sectors and the result is a bleeding force trying to do the best they can.

WAPU recently handed down its log of claims for the Police Officer Industrial Agreement 2024. We are calling on six items to be addressed, the main ones being: salary, shift allowances and minimum staffing levels. Police officers have suffered a cut to real wages over many years and retention remains a persistent challenge for the WA Police Force, with high workloads cited as a significant factor driving members to leave the force. The inability to accurately measure workload exacerbates this issue, leaving officers feeling overwhelmed and undervalued.

The low morale of our police officers is a combination of many factors, but lack of compensatory acknowledgement from this Government is the worst one.

It is imperative our officers are genuinely listened to, and immediate action is taken by the State Government and WA Police Force. A failure to do so will lead to a disseminated force; this cannot happen for the sake of the community of WA.

I just hope that the minister starts to listen. I do not know how many more people will have to tell him before he gets his head out of the sand and realises that there is an issue with the WA Police Force. I have enormous respect for the police. As I have said, I love this portfolio immensely. I am very frustrated by the fact that we now have record resignations. I do not like the fact that our officers in blue are leaving in droves and that they feel disillusioned. I do not like the impact this is having on crime, particularly in the regions. That is pivotal. I urge the minister to give some consideration to perhaps changing his advisers in Dumas House. I think he needs to do that. He cannot be doing this of his own accord; he must be taking advice, as he did today, by the sound of things. He needs to change his advisers. I say this sincerely: I do not want our police officers to resign in droves because of low morale; I want them to stay in their roles and to live a life of empowerment and have a career that gives them fulfilment. They are not getting that at the moment.

I will be releasing a series of policies on police, even though I will not be around to take those policies into action. Those policies will address a lot of the issues I have raised today with regard to the police. The one area I would like to spend a little time on is one that is absolutely primary in WA policing at the moment—that is, the fact that multiple serving and former police officers are suffering terribly at the hands of post-traumatic stress disorder and feel ignored by the minister and the government. Again, I am not making a political point here; I am saying this because I am speaking on behalf of those officers and former officers. I have got to know a number of them very well. I meet with them regularly. I have met with their psychologists. I have made a real attempt to learn more about PTSD. I visited a clinic just last month and it was fascinating to hear about the new techniques to try to assist those officers. In the interim, they are fighting with the Insurance Commission of Western Australia, the government, the minister and the minister’s office because they feel completely and absolutely disillusioned. They do not feel

that this government has their back. They put in the hard yards, but, quite frankly, they are being ignored. The statistics do not lie. In 2019, 77 police officers accessed mental health support; two years ago, over 3 600 police officers accessed mental health support. That number will increase substantially. We live in an increasingly complex society, both in Western Australia and nationally. The meth demon is causing massive issues. Domestic violence is out of control. First responders have to deal with those issues on a day-to-day basis. It is compelling stuff because it should not be this way. I am trying to find out what more the government could do so that I can at least go to the next election with a suite of policies to assist those officers. At the same time, if we do not get across the line, I want to be able to say to the government, “These are good policies; perhaps you can match them.”

Members will know that I spent the better part of multiple members’ statements and motions in 2021 on Soldiers and Sirens. That group needed a million dollars over four years to operate. Soldiers and Sirens assists both serving and former first responders with PTSD with coping strategies. The government could not find, in its billions of dollars of surplus, \$1 million for Soldiers and Sirens. I said to the government, “Find me one person, one police officer.” The police themselves, in estimates, admitted it is a good organisation, yet the government could not find \$1 million—\$250 000 a year—for it. Instead, it is operating on the smell of an oily rag. A lot of it was voluntary. The issue is so big and so large that we cannot ignore it.

It used to bug me that every time I asked a question, I would get these ridiculous political comments from the minister all the time. In May 2023, I asked how many psychologists are within the police and was told it was nine. Then I asked how many of the nine psychologists are employed full-time. The answer was —

The McGowan Labor government has increased the number of psychologists by 73 per cent, compared with the Barnett Liberal–National government in 2016, with all being full time, unlike the part-time arrangements that were in place under the previous government.

Rubbish! That is garbage. I had asked a previous question, on 7 September 2021 —

Where are the 10 psychologists and one psychologists located and are they all full-time employees of the Western Australia Police Force?

I received the response that —

The following are located in the Perth metropolitan area: four full-time psychologists, two part-time psychologists, and one contracted part-time psychiatrist. Four full-time psychologist positions are being recruited.

They were not part-time! It does not even need to be mentioned. As I said, I was the minister for nine years. When the questions come in, they go off to the department at 11 o’clock for a response. The department feeds it back and it goes to the minister’s office. It is the minister’s office that politicises it, not the department. The Western Australia Police Force is phenomenally professional. It came back and gave the response.

Then we have the minister’s staff yet again putting their political hands on it. He needs to change his staff in there, he really does. He is demeaning WAPOL. Not only that, it is a complete disservice to those officers who are really suffering from post-traumatic stress disorder. We cannot ignore this cohort of officers and former officers. Lives are being lost and ignored. They feel completely disempowered. They feel like the government is treating them as second-class citizens.

I will read this article from WAtoday , because again, it is not just me. The police union feels very strongly about this. Its 2023 conference was entirely on mental health support. I loved it. I went to it and spoke at it. I meet with the union very regularly, plus the multiple officers who speak with me. The article, published on 27 November 2023 is titled, “Shocking PTSD rates causing mass police exodus: union” and states —

The prevalence of post-traumatic stress disorder in the WA police force is contributing to record numbers of officers quitting, the WA Police Union said on day one of its annual conference on Monday.

President Paul Gale opened the two-day event by saying the emotional and mental toll on officers was bigger than ever before, which had led to the union partnering with the PTSD Research Foundation of WA to develop a research study which seeks to establish the prevalence of the condition in this state.

While the study is ongoing, other statistics show police officers are almost three times more likely to have PTSD than the general public, and are more likely to suffer from the condition than those in the armed forces.

“Our officers are regularly encountering high-stress incidents, traumatic events, and emotional challenges,” Gale said.

“It becomes crucial to recognise and address the toll these experiences can take on our mental wellbeing.”

Gale said record numbers of officers resigned from WA Police in 2022–23.

He said 417 officers resigned, and 99 officers retired in the 12 months to June 30.

“This resulted in the worst attrition rate for sworn officers since 1969–70,” he said.

“The rate of sworn officers to population in 2022–23 was also the lowest in 10 years. More importantly, this rate has generally been declining over the past 30 years.”

But Police Minister Paul Papalia, who attended alongside Police Commissioner Col Blanch, said recruitment was also “at record numbers”.

“There are 1600 Western Australians who have applied to join the Western Australian police force right now,” he said.

Yet again, the Minister for Police just does not get it. He is standing there and the union is telling him that PTSD is a major issue and that is why a lot of officers are leaving, and his response is, “No, we have got all these recruitments.” It is all well and good to have all these new recruits coming in, but what if they are coming in one door and going straight out the other? What is the point of that? If the government wants to close the back door, it should nurture them while they are there and, if they contract post-traumatic stress disorder, support them on their way out by giving them the support they desperately need, because at the moment they feel alienated.

I have been dealing with a former officer for a long time and have grown very fond of him. He is a very good, sincere and honest person. He does not have a political motive, but he feels completely and absolutely alienated. Sometimes I feel inadequate. I do. I do not feel qualified to help him. I have met with his psychologist and other groups that have tried to assist him. He feels alienated by the government, and he is one of many. I have asked him to put his story into words, as I have with a lot of them, and it is absolutely compelling. He took some time to do it. I said, “There are no issues, mate. Take as long as you like. I just want you to put into words how you feel.” I did not for once say “Get stuck in the Labor government”, or “Get stuck into the minister.” There was none of that. I want to help him. Quite frankly, he is not a voice in the wilderness. That officer is not struggling in isolation. I will read part of this document and then I would like the support of the house to table the full document. It is not overtly political at all; it just explains how he is feeling. I will read just part of it. My first question was —

1. What are your views of the overall culture within WAPF?

Toxic and broken culture within WAPOL lacking psychological safety

...

Lack of transparency and integrity in selection and promotion processes

...

Failure to enforce tenure policy and staff retention issues

...

Micromanagement and intrusive supervision by the executive

I have given the headlines. It is a very comprehensive document. It continues —

2. When did you begin to feel disillusioned with your role?

I started becoming disillusioned with WAPF when I was about 5- or 6-years in (2001 to 2002).

3. What contributed to your disillusionment?

I realised early on that self-agenda was prioritised over community and WAPOL staff needs when decisions were made, mostly by incompetent managers who had no idea how to lead.

4. Did you express your frustrations with anyone within WAPF?

Yes. Multiple times.

5. If yes to (4), what support was provided for you?

I wasn't provided with any support. It is commonplace to sit in the office at WAPF as everyone discusses the culture and current state of WAPF being toxic. It is widespread.

I have discussed this multiple times with higher ranking officers, including commissioned officers who know and acknowledge the issues but are unwilling to do anything about it as they know what will happen if they speak out. Basically, they just have the ‘play the game’ mentality and advise you how long it is until they retire. You need to remember how Gold State superannuation works and what people will do to protect their own interests.

6. In what ways could the support mechanisms within WAPF be improved for officers such as yourself?

Prevention & Response support mechanisms

Duty of care and recognition of mental health issues within the WAPF:

The WAPF and WA Govt need to address this topic with the welfare of officers the priority. PTSD and other mental health issues are prevalent within law enforcement staff, this fact is well known but nothing has been done. Legislation and policy need to be renewed with officer and former officer wellbeing made priority. The WAPF has a responsibility to provide a psychologically safe environment and put procedures and policy in place to minimise or reduce mental health issues within its staff. Prevention is better than a cure.

With regard to the issue of what ways the support mechanisms from WA Police Force could be improved, he said —

Assessment & monitoring throughout the employee lifecycle:

...

Independent and qualified Health & Welfare Unit:

...

More effective Medical Retirement policy and practice:

...

Update Workers Compensation & Injury Management Act:

...

Insurance Commission of WA (ICWA) to deliver on its purpose of ‘empowering people in their treatment:

...

Health & medical program: effective end-to-end case management and reporting processes:

...

Government needs to remember its purpose and align its culture, programs and focus with this: to serve the community and welfare of its people. How is it doing this for those who serve the community?

Introduce self-managed funds:

...

Compensation needs to be reviewed and brought into alignment with current corporate standards.

Mental health framework:

...

There are many mental health frameworks in existence that WAPF and the WA Govt can refer to develop their own. The Australian Defence Force has a well developed program that assists current and former serving members with access to treatments that are well known and developing as well as post separation payments that aren't a pittance and don't include staff entitlements that have been earned by the staff. I am led to believe the Australian Federal Police have an advanced mental health framework as well as other state jurisdictions. The WAPF and WA Govt need to acknowledge these failures and commit to address them, refer to these programs and become leaders in officer mental health welfare.

...

7. From your experience, what is the general level of morale within WAPF?

Morale is/was the lowest I have ever seen and with what is going on internally and all the experienced officers leaving, this response speaks for itself. I still speak to serving officers who tell me this is still the case. A large percentage of officers are unhappy in the job for several reasons such as conditions, long hours, inflexible and unfriendly rostering, workloads, unreasonable expectations, micromanagement, culture, bullying, tenure policies, promotional processes etc.

...

8. If you had the capacity, what strategies would you implement to improve the culture within WAPF?

In addition to the Prevention & Response support mechanisms (6.0)

Transparent, inclusive and fair promotional processes and mentor policy. There are lots of current practices that allow internal bias and manipulation of mechanisms, and everyone should have the opportunity to be mentored. Other Government departments utilise the services of an independent party for selection processes to ensure fairness.

This is very true. It continues —

9. Are there other issues that you would like to raise?

What is the culture WAPF want to create to attract and retain those who are the lawful guardians and protectors of our community?

Culture doesn't happen by chance, it happens by design. And if culture is ‘the way things get done’ around here - including what gets condoned and what we turn a blind eye to—what are we telling WAPF staff is valued most and what behaviours are rewarded.

If the WAPF executive have nothing to hide, they would have nothing to fear in wanting to take a stand and better the psychological safety & culture of WAPF.

The current executive is not providing a safe working environment that promotes inclusiveness and instead are driving and encouraging the current culture and practices. All culture begins with the people in charge. WAPF is broken and so are the staff and the executive are not being held to account and I can't see it changing anytime soon. You must want to change behaviour and the appetite isn't there. Surely the COP and executive are performance managed and accountable?

He goes on and says —

ICWA and the former Police officer medical scheme is based on outdated, vague and system serving legislation that does more harm than good. It does not assist the former Police officer at all, it encourages the former Police officer to stop using them. Instead of assisting. All medical monitoring and provision of treatments need to be handled by an independent body that prioritises officer welfare over finances. As it currently stands, my welfare is not supported by WAPF or ICWA in anyway.

The current system concerns me as it lacks empathy and understanding and serves itself.

If WAPF looked after its officers properly by implementing standards both through monitoring and identifying staff issues and effectively assisting in these issues, less officers would be on sick leave and leaving the WAPF. WAPF fails to value its staff and staff retention.

I am very grateful that that former officer took the time to put his thoughts into words. They are compelling. The whole document—that is only part of it, of course—is very measured. It is not based on emotion. It is based on his own experiences. It is based on his own disillusionment. As I said, he is not one voice in the wilderness. This officer speaks the way multiple officers speak. The messages that this former officer expresses to me, through that submission, are compelling. I say to the government: please, do not ignore these officers, or we will have more of them take their lives. They are suffering. A lot of them are suffering in silence, and they need a voice. I can do a minimum amount. Anything I can do, I am trying to do. I feel completely inadequate in what I can do. I say to not just the minister, but also the government: please, assist these officers. With that said, I have a full copy of that document and I seek leave to table it.

[Leave granted. See paper [3179](#).]

Hon PETER COLLIER: I have made multiple speeches about corrective services, so I will not bore everyone with the same rhetoric, but some things need to be said. Corrective services has quite frankly been a disaster for this government for a host of reasons—most notably of course, because the whole management at the top is gone. Rather than look at the minister, it has been napalmed because things were not going well. I want to make a few comments about the former minister, Hon Bill Johnston.

Hon Kate Doust: He is a good bloke, is he not?

Hon PETER COLLIER: He is, and I am about to say some nice things about him.

There is an amazing thing in this profession, in that we can be a politician or a member of Parliament. We can of course be both, because sometimes we need to be a politician and we need to try to get the political angle through, and that sometimes occurs in debate. But on other occasions, we need to be a member of Parliament, and that brings with it the kudos that this house provides and the whole logic of the conventions that I talked about earlier. We should not compromise the conventions of the house. We should treat our opponents as opponents, not the enemy. We are not the enemy; we are the opposition, and believe it or not, in every system or area in which there is a combative exchange, there needs to be an opposition. Why would there be games of football and tennis without an opposition? They are not the enemy; they help us to get better. I coached for many years on the tennis tour and never ever focused on the outcome. You will not find an elite athlete on the face of the earth who does. They just focus on getting better and use their opponents to get better, to help improve them. I do not get that from Hon Paul Papalia and several other ministers. Some of the other ministers continue to be infatuated with us and the former government because they still treat us like the enemy.

I have to be honest: Bill Johnston is not like that. We have sparred on a number of occasions over the years in the energy and corrective services portfolios, but he would never deliver an answer to a question laden with political rhetoric like some of the nonsense I get from other ministers, particularly Hon Paul Papalia. I remember that when all the issues were taking place at unit 18 and Banksia Hill, I requested and was offered a visit immediately. I got to Banksia Hill with no ministerial advisers in sight—no-one to babysit me. I had three and a half hours there. They took me around everywhere and talked openly and freely. It was a great opportunity for me to ask how it was going and whether they were looking more at rehabilitation as opposed to the punitive approach. They showed me some programs that they were trying to introduce et cetera. It was very valuable.

I was really disappointed when there was a ministerial change, and then Bill Johnston made the decision to retire. I wish him all the best. I respect Bill Johnston because he can distinguish between the politician and the member of Parliament. For that I am grateful. But, there have been major issues with the corrective services portfolio,

particularly over the last year or so. I am getting multiple complaints from staff at prisons in Broome, Bunbury and Kalgoorlie et cetera. I tabled a petition in this chamber just a month ago about officers complaining about sexual harassment and bullying. It is quite prolific. Again, they are not voices in the wilderness; they are everywhere. The fact that there has been so much change at the top reinforces that fact. With that in mind, the government needs to look at the corrective services portfolio. It is very easy to just ignore prisons; they are not a vote-winner, governments cannot win, so it does not really matter. They do not care. But there are still officers there, and if we do not get corrective services right, let us not forget that those prisoners ultimately leave jail. If they are not rehabilitated, they will reoffend, and most prisoners will reoffend. This is particularly pertinent to juvenile justice. That is a massive issue. If we are getting it wrong at the top—and we evidently are, because of the changes—that is going to be a problem.

The biggest stain on this government is juvenile justice. I have made multiple speeches on this and I stand by every word I say. I have people texting me to say, “I didn’t know you were a poster boy for the left”. No; I am quite consistent on this. I am an educator, first and foremost. I was born an educator, and I think you have to do the best you can to get the best out of every child that you possibly can—even those, dare I say it, recalcitrant kids; those likeable rogues. They all have strengths, and it is our job, as adults in the community and particularly as legislators, to assist them in that process. If we do not, we will make them angrier, more frustrated and more recalcitrant and they will come out of prison worse than when they went in.

I have copped a lot of flak over this on my side of politics—that I am wrong or that I am not a conservative. I am not a conservative; I am a small-L liberal, and I say that proudly. I am a conservative economically, but a small-L liberal socially. That is the good part about being part of the Liberal Party. I say that proudly. I can tell members right now that when I leave here, I am going to get involved in Aboriginal affairs and do more for early intervention. But the government is doing it so wrong on unit 18. I cannot believe that I am here advocating for the juveniles in unit 18. I know that I upset some of my own parliamentary colleagues and some other members of the Liberal Party, but I will live with that because I know I am right.

When I was Minister for Education, I banned the cane. Believe it or not, we were still caning kids in the twenty-first century. Not only that: someone else was smacking your child. Go back to the Dark Ages! I could not believe it. Again, I copped it for that, but I did not care. It was the right thing to do. Did I hear any complaints from members opposite? Of course not; I would hope they would agree with that. I could not believe that anyone could think that caning was a good idea.

Why is it any different with unit 18? We had a situation with multiple riots, staff issues and constant lockdowns at Banksia Hill Detention Centre and we have not learnt from the 1991 Royal Commission into Aboriginal Deaths in Custody, more than 30 years ago. I will read part of that; members opposite should listen to this, and see if they think we have improved. I refer to recommendation 62 of the final report —

That governments and Aboriginal organisations recognise that the problems affecting Aboriginal juveniles are so widespread and have such potentially disastrous repercussions for the future that there is an urgent need for governments and Aboriginal organisations to negotiate together to devise strategies designed to reduce the rate at which Aboriginal juveniles are involved in the welfare and criminal justice systems and, in particular, to reduce the rate at which Aboriginal juveniles are separated from their families and communities, whether by being declared to be in need of care, detained, imprisoned or otherwise.

That was in 1991; that royal commission report was handed down 30 years ago.

That said, we now have a Labor government—the bastion of the workers and the marginalised—that thinks it is appropriate to put juveniles in an adult cell for 24 hours a day. That is what it has done. Let us have a look at what the Inspector of Custodial Services said in one of multiple reports—this one from May 2023—with regard to Banksia Hill Detention Centre and unit 18. It states —

The experience for young people in custody has deteriorated since our last full inspection of Banksia Hill in 2020. This is despite the opening of Unit 18 at Casuarina Prison as a circuit-breaker initiative. Ongoing lockdowns and decreased time out of cell has increased the ‘temperature’ within both facilities, leading to regular critical incidents such as staff assaults, roof ascents and riotous behaviour.

Lockdowns have also negatively impacted mental health. The rates of self-harm and attempted suicides have remained high since we inspected the Intensive Support Unit at Banksia Hill in December 2021. However, mental health care services were stretched. The mental health team were managing up to 30 young people on the At-Risk Management System on any given day, limiting the availability of offence-specific counselling for rehabilitative purposes.

...

Staff at Banksia Hill and Unit 18 were burnt out, demoralised and felt unsafe. Staff reported feeling more stressed and having a poorer quality of working life in comparison to our previous inspection. And, many were suffering the impacts of trauma and compassion fatigue. Still, many remained optimistic, displayed courage and resilience, and were learning to do more with less.

Further on, he says —

It cannot be denied that in conducting this inspection, we found an emergency. Every element of Banksia Hill was failing, often through no fault of its own or the efforts of staff. But, on most days, the centre was insufficiently staffed to ensure the safe and secure management of, and service delivery to, the young people placed there.

The irony was then, and is now, that the commitment to the current staffing model (the 1:8 custodial staff-to-young people ratio and 12-hour shifts) appears so inflexible that it further risks the safety and security of the centre with continued lockdowns. It is a self-perpetuating cycle. Providing safety for young people when there are not enough staff means more time locked in cell. This isolation increases the young people's anxieties, anger and frustration and some respond negatively towards themselves, others, and infrastructure/property. Staff must respond, which often leads to more or longer lockdowns. And the cycle repeats.

Ultimately, this inspection found young people, staff, and a physical environment in acute crisis.

I could not have said it better myself, Inspector of Custodial Services.

We should go back to what we want to achieve in juvenile justice. A lot of these juveniles have fetal alcohol spectrum disorder or neurological issues, so they come in with that legacy of defeat. In a lot of instances, they have been physically, mentally and sexually abused from the time they were born. Of course, they will struggle in a mainstream school or in the community. Do we honestly think that putting them in a cell for 24 hours—yes, they have been in the cells for 24 hours; I have that from an estimates hearing—will assist them? Do we honestly think that is the case? How have we progressed since the 1991 Royal Commission into Aboriginal Deaths in Custody? We have not progressed; we have got worse. It reached a pinnacle when the former Premier and the then minister were out there saying that they are terrorists, rapists and murderers. The Premier used exactly those words; he called these kids terrorists, rapists and murderers. They took the cameras in to have a look after the demonstrations and the riots: “Look how terrible this is! We have to lock them away!”

Then, of course, we had this disgraceful photograph on the front of *The West Australian* on Thursday, 11 May 2023, of a 16-year-old Aboriginal juvenile on the roof of Banksia Hill with a gun to her head. That image went global. That is disgraceful. Does anyone honestly think that will improve the quality of life or resilience of that young lady? Does anyone honestly think that is the case? It will not. That was a low point for this government.

It was absolutely inevitable that it would end in tears. I asked multiple questions and made multiple speeches about this, as did Hon Dr Brad Pettitt. I kept saying, “Please, stop this thing. Close unit 18 or we will lose lives.” I said it every time I faced the cameras. Guess what? For the very first time in Western Australian history, a young man lost his life in a juvenile detention centre in Western Australia. That young man was Cleveland Dodd. May you rest in peace, mate. The government was warned and warned. Cleveland Dodd hung in his cell for 13 minutes. Cleveland Dodd should not have been in that cell. The government was warned, and it was just passed off. I cannot believe that somehow the government just passed this off.

The minister kept saying that I was defending those juveniles, saying I wanted to put up demountables. That is absolute garbage. I want to make one thing absolutely clear here: I never have and never will endorse the behaviour or illegal actions of the juveniles who went to Banksia Hill Detention Centre. We can do something to modify their behaviour, but do we honestly think that putting them into a cell for 22, 23 or 24 hours a day will make them less angry? Do we honestly think it will make them resilient? Do we honestly think that when they come out, they will say, “This is great, I have had my time in unit for 18 three months, I’m going to go to school every day now and I am going to get straight As”? Of course they will not say that. The experience will make them angrier, and that is exactly what is happening. One in four juveniles who leave Banksia Hill will go straight to an adult jail. That is working well, is it not? I got that figure from a government answer to my question. We are really, really modifying their behaviour! We are not modifying their behaviour. The government is setting them up for failure in life. Not only that, the government has set up a system in which more juveniles will take their lives.

I hated having to face the cameras that day. I did not revert to political spin. I asked how society had got to the point of it being acceptable for a young man to hang himself.

I really, really grieve for that young man. I met his family; I have met multiple families of juveniles at unit 18 Banksia Hill. They hated having their children being called terrorists or rapists by the Premier. The former government injected seriously more money into those CARE schools, particularly Corridors College in Midland. I used to visit the students there all the time because I loved them; I loved working with those kids. A lot of those kids went to juvenile justice, but then they were doing meaningful programs in the CARE schools. I opened the Midland Learning Academy to try to assist with the public sector kids in that area. It is all well and good to look after kids with a white picket fence and mum, dad and a dog, but those kids do not have that luxury. Those kids are lucky to get a meal a day. More often than not, they have nowhere to live. Yet, we think that taking them off the streets and chucking them into a cell for 22 or 23 hours a day will reform their behaviour and make them more resilient and less angry.

I have to say that this really bugs me. I still grieve for Cleveland. His death cannot be in vain. It has to be used as a symbol to make us do things better—we have to get this thing better. The only way we can even get close to doing anything about that is by closing unit 18. I acknowledge that there have been some improvements in the pastoral care and the support at Banksia Hill, but every day unit 18 is open is another day on which it is likely that one of those juveniles will take their life. This has come under this Labor government.

I have one more thing to say, and I will conclude on this. As everyone knows, there was the inquest into Cleveland Dodd's passing. If members have not read the evidence that was presented to the inquest, I strongly recommend that they do, and that they get the information from the inquest and give it to the corrective services minister. It was compelling. I quote the analysis from Cason Ho on the ABC in an article entitled "Cleveland Dodd inquest shines spotlight on 'inhumane' conditions inside Unit 18 'war zone'" published on 13 April 2024. It reads —

Behind cement walls and metal doors, children are locked away for more than 20 hours a day.

Sometimes they're let out for an hour. Sometimes, for that hour, all they can do is walk up and down prison corridors.

These children live in inhumane and unlawful conditions, and it is all happening in Western Australia.

A coronial inquest into the death of Cleveland Dodd, the state's first recorded death in youth custody, has given the public a first hand account inside the notorious Unit 18.

But they are children.

Children kept in a section of a maximum security adult prison.

In July 2022, shortly after Unit 18 was gazetted, then-Corrective Services Commissioner Mike Reynolds described it as a "short-term youth detention centre" ...

The coroner's court has heard otherwise.

The "cohort of high-risk male detainees" put in Unit 18 are virtually all at risk of self-harming or suicide, a nurse told the inquest.

Yet, over and over, the inquest heard from the people working inside that it just wasn't possible to ensure their safety.

It wasn't possible to ensure people like Cleveland didn't hurt themselves.

"It would seem that Unit 18 and what it was designed for, is not what it was used for," Coroner Urquhart said.

Preventable, avoidable and a tragedy.

Those were the words Cleveland's mother Nadene Dodd continually heard being used to describe her son's death.

Inhumane, war zone and a leaky boat destined to sink. Those were the words used to describe Unit 18, by the people who worked inside it.

The inquest heard staff were put in senior roles at the last minute, without enough training or preparation.

In the past, the state government has been at pains to make clear that Unit 18 was a youth detention wing, and not an adult prison.

Now the inquest has heard that distinction meant Unit 18 did not have access to any of the necessary facilities the adult prisoners had.

No mental health team, no intensive supervision units, and no dedicated medical space.

But that's where the government decided to send our most troubled youth.

There have been countless reports of horror stories of Unit 18. Now, for the first time, there are faces that come with those stories.

The face of a man who spent most of a 12-hour shift restraining one detainee up to 15 times to stop them from taking their own life.

The face of a woman who arrived at her first shift, without any training, to a baptism of fire. Literally, the facility was on fire.

Those are just some of the stories the inquest has heard so far. But, the Coroner has more in his sights.

"The metaphorical closed door ... has already been breached," Coroner Philip Urquhart told the inquest.

"And I expect it to be opened even further when this inquest commences again."

What a sad, sad state of affairs that we can allow this to happen in this state. The standard you walk past is the standard you accept. I am not prepared to walk past it. Every day that I have breath in my body, and I have the opportunity in this place, I will stand and defend Cleveland. I call on the government to close unit 18 because every moment that it is open is a moment that another young juvenile is likely to take his life, and that is just disgraceful.

I will make a few concluding comments. The final area that I will comment on directly relates to an issue that has consumed the nation over recent months—that is, the prevalence of domestic violence. As a community we simply must do better to eradicate this insidious crime. I will comment on one particular case in which the victim of the crime paid the ultimate price by losing her life. To date, in the eyes of the law no-one is responsible for her death. She was a daughter, a sister, an aunty and a friend. She was joyfully anticipating the birth of her first child. She was a woman. Tragically, all that was taken from her on 7 December 2007 when she was murdered in her home. Members will be familiar with this woman due to the significant profile that her death attracted. On 16 May 2023, a petition was tabled in the Legislative Council by Hon Martin Aldridge calling for the case into her murder to be reopened. The name of this woman is Stacey Thorne.

Having read a report compiled by Cottman Investigative Services into Stacey's murder, and having spoken with her sister Hayley, I feel duty bound to comment on her murder. If I do not and I remain silent, I will be accepting a standard that I walk past. I am not prepared to accept that standard—Stacey deserves more. For the benefit of members, I will provide a precis of the Cottman report. I strongly recommend that all members take the time to read the entire report; it makes for compelling reading. According to my notes —

Stacey Thorne was stabbed to death in her Boddington home in December 2007.

Local man Scott Austic, who was expecting a baby with Stacey, was quickly arrested after police claimed to have found a blood-stained cigarette packet at his house, a blood-stained knife near his house and can of bourbon and coke outside Stacey's home that had his DNA on it.

Mr Austic was sentenced to life in jail after being convicted in April 2009. He lost his appeal in June 2010.

In 2018 Attorney General John Quigley was petitioned to send the case back to the court of appeal. Also that year a Channel 7 documentary suggested that key evidence—the cigarette packet, knife and bourbon can—had been planted by police.

In July 2019 the second appeal began.

In May 2020 the court of appeal ordered a retrial, which began in October of that year. In November 2020 a jury found Mr Austic not guilty.

The Thorne family engaged Robyn Cottman, former police officer turned private detective.

Cottman compiled an investigation report which was referenced in the CCC report (tabled in May 2023) into allegations police had framed Mr Austic.

The CCC described as sound the methods used by companies contracted by Cottman to enhance photographs and construct 3 dimensional recreations of crime scenes.

It should be noted that one of the detectives who worked on the case has left WAPOL and now works for Cottman Investigative Services.

The Cottman report has never been made public.

On May 17 it will be a year since Scott Austic received his \$1.6 million compensation package from the WA Government.

One year after the State drew a line under the debacle, Stacey Thorne's killer remains at large and her family is still searching for answers 17 years after she died.

It's against that backdrop that the findings of the Cottman report should be known so that the public is aware there are investigative avenues yet to be pursued by police.

The report examines 6 areas of controversy in the case; the three pieces of evidence that the defence successfully argued may have been planted: the cigarette packet at Mr Austic's house; the bourbon can near Ms Thorne's house; and the knife found in a field between those two properties.

THE REPORT

Motive:

There is strong evidence to support the person of interest's (POI) possible motive to kill Stacey—not wanting her to have the baby. This was clearly stated in text messages from the POI prior to the offence. No other motive could be found for any other person. It was NOT a random attack.

No forced entry:

This is a critical point as Stacey was very security conscious therefore the offender had access to her unit. There were no lights on anywhere inside.

Stacey was believed to be asleep in her bed when the attack occurred therefore the offender knew the layout of the unit, where she would be and able to find his way in the dark.

Clothing:

The remnants of burnt clothing located in the fireplace at Hotham St were unable to be confirmed as that worn by the POI in the CCTV hotel footage by the prosecution at the time of the trial.

The POI had lied to detectives as to what he was wearing on the night. The defence raised further doubt claiming it was not a Redback Beer T-shirt due to the lack of red stripe, and at one point suggested the police had burnt the evidence themselves.

We have significant evidence to demonstrate that the burnt remnants found in the POI's fireplace was the same Redback Beer T-Shirt as seen in the CCTV image earlier at the Boddington hotel.

Further analysis of the t-shirt in the CCTV footage and remnants found show it is a Red Back Beer/ Matilda Bay Brewing T-shirt.

Cigarette Packet:

The presence of Stacey's DNA on the cigarette packet located on the back veranda of the POI's home. The cigarette packet contained four stains, one of which contained Stacey's DNA.

The defence argue the two photos in question were taken on different days—one showing no cigarette packet and the second showing it clearly.

The cigarette packet was never in question at the first trial and appeal. In fact, original defence lawyers claimed the accused had transferred Stacey's DNA to the cigarette packet after he returned home from having sex with her and had a cigarette out the back.

The photos do not clearly show every item on that table. It cannot be definitively stated that the cigarette pack was not on the table in the photographs and video taken on the 13th December 2007.

3D imaging of the table shows the cigarette pack could have been in a number of locations on the table not visible in the earlier forensic photos. One such location, under the flap of the tablecloth, matches up with Detective Bragg's recollection of where he first found it.

A number of items have been moved, indicating different items were being examined in the course of the search.

Police procedures states: *If a police officer picks up or moves an item which becomes an exhibit, the item should not be returned to its original location when it is photographed because that would involve 'a police officer posing the object as if it were photographed in situ'. Police officers are not supposed to 'recreate' a scene.*

Therefore, the cigarette packet was NOT an item of interest when first picked up to be examined. Once the 'red stains' were noticed it then became significant and a possible exhibit. It could not therefore be placed back where it was, but instead was placed in a clear position where it could be examined further.

After expert forensic review of the photos of the table there is a white rectangular item with blue markings which is unidentified and unaccounted for behind the pink stubby holder. Forensic review has ruled out the item being the ear plugs as claimed by the defence.

Can in the street:

The white Jim Beam can located about 20m from the boundary of the deceased's unit across the road which contained fingerprints and DNA from the POI. This was alleged to have been planted by police.

The can is significant as it has a unique batch number stamp which was the same as the cans bought home by the POI's flat mate at 9.30pm on the night of the murder.

This means the POI has gone home after his consensual sex with the deceased, grabbed a can bought by his flat mate, and returned to the deceased's unit.

The can could only have been deposited 20m from the deceased's home upon the POI returning to the unit for a second time.

The photo taken at 08:33 am Monday 10th of December 2007, when forensically enhanced, clearly shows the can in situ:

The defence desperately wanted to remove this piece of evidence, hence the allegations of the 'planting of evidence' statements starting with the cigarette packet and twisted to include the can as well.

Knife location:

The paddock had been searched on the 11th of December 2007 by SES volunteers. Nothing of interest was found.

The following day Detectives conducted a 'walk through' of the paddock in order to 'familiarise' themselves with the possible route the POI may have taken to return home. Approximately 20m in from the road the knife was sighted.

The defence argued the knife was 'planted' in the paddock by police after the SES search.

There are a few issues in relation to the SES search of the paddock.

There were no visible footprints or signs the ground had been disturbed where the knife was located.

The SES search was a line search starting at Hill Street and moving to the POI's back boundary (and beyond). The knife was located in a small triangular area off to the north of where the line search was conducted.

The SES volunteers did not fan out to cover this triangle of land. Therefore, the area where the knife was located was not searched by the SES.

Amongst other findings is the presence of Stacey's DNA on the thongs worn by the POI on the night she was killed. Also, the fact the thongs were damp indicates they had been washed.

The POI when questioned thought they had "mud on them". Being summer, this would not be correct.

Originally when asked about cuts on his hand the POI said he "got them at work". Later he told police he "cut his hand whilst making a chicken sandwich".

The presence of Stacey's blood on the base of the Jim Beam can found on the kitchen bench in the POI's home and the POI's DNA on the mouth of that can.

Recommendations of the Report:

A number of significant exhibits were not tested to confirm the presence of human blood being the thongs, cigarette packet and the knife.

A knife wound expert to review findings as Professor Shephard's evidence appears inaccurate in regard to bruising around wounds and wound depth.

Blood expert to comment on drying time of blood on hands and transfer.

Conclusion:

There is no other evidence which indicates any another person was involved nor is there the ability to identify someone else with a motive to commit this offence.

If the knife, cigarette packet and thongs are re-tested and it is confirmed to be human blood containing Stacey's DNA combined with the enhanced photo of the can in the street and an independent knife wound expert's opinion then the circumstantial and scientific evidence would be compelling.

If this evidence is linked with a strong motive, no forced entry, no lights on, victim asleep in her bed and potential of the deceased blood found at the POI's house it would be difficult to consider any other possible offender was involved.

To conclude, given the outcomes of the trials into Stacey's murder, this report will be uncomfortable reading for the judiciary, However, that is not a reason to walk away. In fact, in an increasingly complex and imperfect world, it provides more validation to further investigate this tragic event. If not, Stacey's life would be worthless, and I am not prepared for that to remain the default position.

Both the Commissioner of Police and the cold case squad of the Western Australia Police Force have a copy of the report, mindful that the Corruption and Crime Commission investigation into allegations of police misconduct resolved that there was insufficient evidence to proceed to charges being laid. I am confident that both the commissioner and the Western Australia Police Force will give the report the time and respect that it so richly deserves. One of the most compelling issues to emerge from the report is that police mishandled the investigation into Stacey's death. Although I am sure that this will not be that case, I genuinely hope that this fact does not dissuade them from reopening the investigation.

The fact remains that the judicial system in Western Australia was originally convinced that the person of interest was guilty of Stacey's murder. The same judiciary was later convinced that he was not guilty. This fact alone shows that our judicial system is fallible. We must not walk away from this issue or our judicial system, our laws, our national commitment to confronting domestic violence stand for nothing. It will be just empty rhetoric. Stacey deserves more than that. We owe it to her, as a tragic victim, to ensure that the truth is paramount. Having said that, I strongly urge members to read the full report. I seek leave of the house to table the report.

[Leave granted. See paper [3180](#).]

Hon PETER COLLIER: Having concluded my coverage of that final issue, I thank members for their tolerance and forbearance over the last couple of hours. As it is my last speech on the budget, I wanted to bring down the

government. I am not sure that I have done that—certainly not today—but I will use every waking hour between now and May next year trying to do that. I have absolutely loved my time in this chamber and I still have another year to go. I will wake up every single day with a commitment to being the best that I can be both within and outside the chamber, mindful that when I do finish, the best is yet to come.

Debate adjourned, on motion by **Hon Peter Foster**.

FIREARMS BILL 2024

Discharge of Order and Referral to Standing Committee on Legislation — Motion

Resumed from 16 May on the following motion moved by Hon Peter Collier (Leader of the Opposition) —

That the Firearms Bill 2024 be discharged and referred to the Standing Committee on Legislation for consideration and report by no later than 13 August 2024.

HON WILSON TUCKER (Mining and Pastoral) [4.05 pm]: Before we were rudely interrupted by the break, I was expressing my view that I supported the motion to refer the Firearms Bill to the Standing Committee on Legislation. Tragically, we recently saw the impact of firearm-related crime in the community, and I think that adds credence to the argument that this very important bill should be referred to the legislation committee. Firearms are a very impactful and wide-reaching topic in the community. The onus is on the government to provide a legitimate reason that the bill should not be referred to the committee. We will hear from the minister shortly, after my remarks. I eagerly await a legitimate reason for the bill not to be referred, but I still hold out some hope that it will be referred.

Another compelling reason to refer this bill to the committee are the 32 000 signatures on the e-petition that was tabled in this place, asking for the referral of the Firearms Bill. I believe it is the largest e-petition that we have seen in this place to date. I know that those on the other side are at times quite pessimistic about or dismissive of e-petitions in general and prefer the more antiquated paper-based petitions, although I am not sure why. Be that as it may, it is a legitimate way for Western Australian residents to express their opinion and raise topics that they care about. We have seen that reflected in the very large e-petition that was presented to this place. I think the government's position is disingenuous and dismissive of the tens of thousands of people who took the time to express their view and ask this chamber to refer the bill to the very hardworking legislation committee.

The Firearms Bill is a comprehensive rewrite of the Firearms Act and it will affect a large number of people. We have heard some statistics on the number of firearms in the community. The Premier and, I believe, the Minister for Police, recently said that there are 360 000 firearms in the community and 90 000 licensed firearm owners. That puts the average ownership of guns at about four per person. Four guns per person seems like quite a lot, and I think that was the whole point of that statistic. The Sporting Shooters' Association of Australia WA has taken a more nuanced view on the number of firearms in the community. This is not comprehensive—it surveyed its members and received a lot of testimonial feedback—but its view is a little more nuanced than the blanket 360 000 number that we have received to date.

The Sporting Shooters' Association believes that about 80 000 guns, or antique weapons, are held by collectors, and about 83 000 weapons are held by gun stores. If we detract 160 000 from 360 000, we are left with about 200 000 weapons, which is far removed from the 360 000 blanket figure provided by the Premier and the Minister for Police. I—and I know other members—have asked questions about the categories and the breakdown of the licensed firearms in the community. That information has not been forthcoming. The WA branch of the Sporting Shooters Association of Australia has taken the view—potentially when we look at the 360 000 or 200 000 numbers—that that has been inflated to a degree with the double counting of weapons. If a weapon is licensed to multiple firearm owners, it is counted twice. If we remove those, and antique weapons and guns in gun stores from that 200 000, it then drops to a number that I do not think anyone knows and the government has not provided. However, the number of guns floating around the community is certainly a lot less than that fear-inducing number of 360 000 that keeps getting trumpeted by the Premier and the police minister.

Regardless of the number of firearms, there is consensus on the number of firearm owners. Around 90 000 WA residents are firearm owners. We know that a large number of those firearm owners are farmers and people who live in regional Western Australia. They have a legitimate reason to use those weapons, and would be affected in a very essential way by this legislation. Looking at this petition with 32 000-strong signatures, I can imagine that a large number of those people who took the time to sign it are farmers who have expressed their view to this government to take a bit more of backstep, and take its time to properly review this important piece of legislation. This obviously rings alarm bells with its similarities to the Aboriginal Cultural Heritage Bill. I am not going to tell the government how to do its job here. We are coming to an election and we have a disgruntled group of people who were not heard the first time around. They had a few things to say about Aboriginal cultural heritage, which were not listened to, and they have now expressed their view and desire for the government to listen to them again. I am not here to tell the government how to its job, but there is an election coming and it has a golden opportunity to listen to the farmers and regional Western Australia coming into the election.

I recently heard some, I would say, disingenuous comments by the police minister about this legislation and the bill being referred to the legislation committee. There was a press conference quite recently at which the police minister mentioned that he was going to send the bill to the legislation committee. We know the bill has gone to the Standing Committee on Uniform Legislation and Statutes Review, but the police minister did not send that bill across. It is automatically referred to the Standing Committee on Uniform Legislation and Statutes Review. The police minister has not done anything here. I think that nuance was lost at that press conference, but if the police minister wanted to be more ingenuous with those comments, then this is the golden opportunity to actually send it off to the more comprehensive, hardworking committee on legislation. We know, today, in this term of Parliament, the only bill that has been referred to the legislation committee so far is the Sports and Entertainment Trust Bill 2023. I take the sort of cynical view—I am sure this is shared by quite a few members—that the reason it was sent there was to take some of the wind out of the sails of the argument that the legislation committee had not actually done anything this term; which was true.

We saw the impact the legislation committee can have when it is actually given a bill and something to do. It was given the 59-page Sports and Entertainment Trust Bill 2023, and did its job. I think the committee did a good job. The bill was referred back to the Legislative Assembly—the other place—and comments attributed to the Minister for Sport and Recreation during the bill's second passage were —

... I acknowledge the work of the Standing Committee on Legislation in the other place for its inquiry into the Sports and Entertainment Trust Bill 2023, and I thank the committee for its work.

Those positive comments are attributed to the work done by the committee. The committee is made up of very capable members whom I am sure would be very willing to sink their teeth into and spend their time on this much more comprehensive bill. That committee found a number of issues with the Sports and Entertainment Trust Bill that were acted upon. That was a 59-page bill and we now have in front of us a 236-page bill. If issues were found with a 59-page bill, we can only imagine some of the potential issues and pitfalls that could be presented as part of a much more comprehensive bill that is wider reaching and more impactful than the Sports and Entertainment Trust Bill. That gives credence to the work the legislation committee is capable of. It is desperately in need of something to do and this is a golden opportunity.

I will get into the statistics. I have more questions to ask and a few more things to say as the second reading debate continues. We have heard a number of reasons from members on the other side about why bills have not been referred to the Standing Committee on Legislation. I think some of them are legitimate. As we come to the end of the year, there have been time considerations on passing legislation, and therefore some of the dates and timing of the bills would get thrown out of whack. However, I have not seen anything in this legislation that would be affected if the committee were to put on the handbrake and take the time to go through the bill and look at it more closely. I have not seen anything like that. As I said, I think the onus is on the government to give a legitimate reason for why the bill should not be referred. I hold out hope that it will be. In the case that it is not, I look forward to hearing a very good and compelling reason why this important legislation cannot be referred to the legislation committee.

HON STEVE MARTIN (Agricultural) [4.17 pm]: I rise to support the motion moved by Hon Peter Collier —

That the Firearms Bill 2024 be discharged and referred to the Standing Committee on Legislation for consideration and report by no later than 13 August 2024.

I want to start by echoing the comments made by the Leader of the House in her ministerial statement earlier today and pass on my condolences to the families of Jennifer and Gretl Petelczyc and everyone who knew them on the awful circumstances that occurred over the last few days. As members might imagine, I carefully considered what my brief contribution would be on this referral motion considering those tragic and horrendous events.

I think it is appropriate for this place to refer this very extensive piece of legislation to the Standing Committee on Legislation. Members have made various points about why that should occur. I will reiterate a few of those and mention a few others that I have thought about. I think it is correct to say that I am the first licensed firearm owner in this chamber to make a contribution to the Firearms Bill. I do not think that gives me any particular insight into this legislation. I think we all have a role to play in reviewing the Firearms Bill. I am a licensed firearm owner and until recently I was also a member of the legislation committee. It is a very small group of people within that Venn diagram.

Sadly, my time on the legislation committee was during the first two years of this term, and we did not meet. I was excited by the prospect of being on the committee when I joined Parliament and was allocated the role. This is the house of review, and, like Hon Peter Collier, I looked forward to playing a role in this place on that task. I thought being on the legislation committee would be an outstanding opportunity for me to look forensically at the bills that come before us. In my two years, I never got that opportunity. In probably June or July last year, I got a call from my father saying, "I've spotted you in the media. Apparently, you're getting paid a lot of money and you're sitting on your 'whatsaname' doing absolutely nothing." I thought that was a fairly poor reflection of my first two years in the Parliament, but he was actually referring to media commentary around members of the committee being paid to serve on it but not actually doing any work.

Shortly after that, I was replaced on the committee, and it has now done one important piece of work. I think that the committee's forty-ninth report is a very important reason why we should refer the Firearms Bill 2024 to the legislation committee. It is all the evidence we need.

Obviously, no piece of legislation is perfect and no bill is perfect. We know that, and I am sure the government knows that. On the one occasion a fairly simple, straightforward piece of legislation was referred to the Standing Committee on Legislation, it produced its forty-ninth report, *Sports and Entertainment Trust Bill 2023*. Recommendation 2 is tucked in at the back of the executive summary. It states —

Due to the appropriation measure in clause 56, the Sports and Entertainment Trust Bill 2023 be withdrawn from the Legislative Council and re-introduced into the Legislative Assembly.

A fairly major mistake was picked up quite quickly and quite simply, and the bill was made a lot better. Given the nature of what we are dealing with in the Firearms Bill, which is a complete rewrite of a 50-year-old act, it is appropriate that the legislation committee has a good look at it and gets back to us by the middle of August.

There is another reason it would be appropriate to refer the bill to the legislation committee. I attended the two briefings offered by the department and the Minister for Police. They were good briefings, and we certainly appreciated that level of interrogation of the bill before it got to us. During the online briefings that I and a significant number of members of Parliament plus staff attended, I got a smallish window to ask a few questions. As members in this place are aware, we get plenty of emails and correspondence on this topic. We meet people who want to know the impact that the bill will have on them. I raised two brief points at the briefing about which I sought clarification.

One point was around the property letter system, which I agree needs to be looked at. There is a significant rewrite of the property letter mechanism in the bill, but I came at it from the point of the person who would actually be signing property letters, not getting them. As a landowner or as a farmer, I could be in a position to sign property letters if that is what I choose to do. The clause in the bill refers to “property”. I inquired of the advisers: “What do you mean by property? Do you mean the title? Do you mean the owner or someone who leases the property? What particular structure are we talking about? Is it a family partnership? Are we talking about a limited company? Are we talking about a trust or a single occupant?” I could see the police desperately trying to scramble together an answer, but they were not sure what the references in the bill to property meant. This was at the first briefing. The advice to me was that in my set of circumstances, with the complicated ownership structure of my family farm, which includes a limited company, trusts, partnerships and a trading partnership, it might be best if I applied for a business licence, not a primary producer licence. If the farming licence is not aimed at me, I am not actually sure who it is aimed at.

I do not blame the police for giving me that quite confusing answer, but that was the answer I received. I could not then talk to other farmers who were also raising those issues, and it was not clear to me that the police knew which licence was best for me.

Another issue that I attempted to raise, which I am almost certain will be catered for in the regulations, was around the important issue of storage. If all the gun safes at the moment are not what will be termed “adequate storage”, will we start from scratch? There was no answer, because all that detail is in the regulations. They are just two small examples. The important task of the Standing Committee on Legislation would be to see whether the bill will have the desired outcomes that were expressed by the minister in the second reading speech and explanatory memorandum. Will it make our streets safer? That needs some work from the committee.

Given the tragic events of the last few days, we now have another reason why referral to the legislation committee is very appropriate. We have known through the progression of this bill through the other place that it was not perfect. The government has made some small amendments and we are now hearing from the Minister for Police that further significant amendments might be required. We are at the start of the Legislative Council process, but it has gone through the Legislative Assembly and according to media reports, the minister and the Premier are looking at strengthening, toughening, changing and amending some significant parts of this legislation because of those awful events. I would have thought it was an ideal opportunity to send this bill to the legislation committee.

We do not know what those amendments will be. We have not seen them, as far as I am aware. I am sure there have been some behind-the-chair conversations, but we have not seen any proposed amendments. I am hoping we will see them soon if they are coming our way. That would be an opportunity for the legislation committee to seek adequate feedback and consultation from not just licensed firearm owners, farmers or recreational shooters, but also the entire Western Australian community about some of these significant proposed changes that the Minister for Police has referred to in the last day or two.

Given some of the missteps around complicated legislation, like the Aboriginal Cultural Heritage Bill 2021 that was apparently perfect and lasted five weeks, it is important that the government consults on this very important legislation, particularly considering the events of the last three days. We need to get this right. The government needs to get this right and the legislation committee would play a significant role in that task if given the opportunity.

Division

Question put and a division taken, the Acting President (Hon Sandra Carr) casting her vote with the noes, with the following result —

Ayes (11)

Hon Martin Aldridge	Hon Louise Kingston	Hon Tjorn Sibma	Hon Dr Brian Walker
Hon Peter Collier	Hon Steve Martin	Hon Neil Thomson	Hon Colin de Grussa (<i>Teller</i>)
Hon Nick Goiran	Hon Sophia Moermond	Hon Wilson Tucker	

Noes (17)

Hon Klara Andric	Hon Sue Ellery	Hon Shelley Payne	Hon Pierre Yang
Hon Dan Caddy	Hon Lorna Harper	Hon Martin Pritchard	Hon Peter Foster (<i>Teller</i>)
Hon Sandra Carr	Hon Jackie Jarvis	Hon Samantha Rowe	
Hon Stephen Dawson	Hon Ayor Makur Chuot	Hon Matthew Swinbourn	
Hon Kate Doust	Hon Kyle McGinn	Hon Darren West	

Pairs

Hon Donna Faragher	Hon Dr Sally Talbot
Hon Dr Steve Thomas	Hon Stephen Pratt
Hon Ben Dawkins	Hon Rosie Sahanna

Question thus negated.

QUESTIONS WITHOUT NOTICE**FIREARMS — LICENCE HOLDERS****548. Hon PETER COLLIER to the minister representing the Minister for Police:**

- (1) How many applications have there been for additional gun licences from existing gun licence holders since 7 May 2024?
- (2) How many applications have there been for gun licences from prospective new gun owners since 7 May 2024?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. I have been advised the following.

The Western Australia Police Force advises that it is not possible to provide an answer within the required timeframes. A response will be provided to the honourable member tomorrow.

KNIFE CRIME — STOP-AND-SEARCH LAWS**549. Hon PETER COLLIER to the minister representing the Minister for Police:**

I refer the minister to the Labor government's proposed stop-and-search laws to crack down on knife crimes.

- (1) How many deaths attributed to knife crimes have occurred in Western Australia in —
 - (i) 2020;
 - (ii) 2021;
 - (iii) 2022;
 - (iv) 2023; and
 - (v) 2024 to date?
- (2) How many injuries attributed to knife crimes have occurred in Western Australia in —
 - (i) 2020;
 - (ii) 2021;
 - (iii) 2022;
 - (iv) 2023; and
 - (v) 2024 to date?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. I have been advised —

- (1)–(2) The Western Australia Police Force advises that it is not possible to provide an answer to the honourable member's questions, as the number of deaths and injuries involving a knife would rely on manual interrogation of each incident to determine if the homicide or injuries were knife related.

SOUTH COAST MARINE PARK — CONSULTATION

550. Hon COLIN de GRUSSA to the parliamentary secretary representing the Minister for Fisheries:

I refer to the consultation process for the proposed amendments to the *South coast line and fish trap managed fishery management plan 2020*.

- (1) Why was the current submission timeframe of 20 May to 14 June 2024 selected, given that it coincides with the public submission period for the south coast marine parks, which closes on 16 June 2024?
- (2) In selecting the submission period for the proposed amendments, was any consideration given to the mental health of professional fishers who will be affected by both the proposed marine parks and any amendments to the managed fishery?
- (3) Will the minister delay the submission period for the managed fishery?

Hon KYLE McGINN replied:

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

- (1)–(3) The Department of Primary Industries and Regional Development frequently consults with fishers on management proposals. The consultation paper was released for a standard four-week period, which is independent of the extended four-month public consultation process being run by the Department of Biodiversity, Conservation and Attractions on the indicative management plans for the proposed south coast marine park. DPIRD has extended the consultation period by four weeks, following feedback from commercial licence holders.

FIREARMS ACT — SEIZURES

551. Hon TJORN SIBMA to the minister representing the Minister for Police:

I refer to the Firearms Act 1973. On how many occasions since 2017 has the Western Australia Police Force exercised powers available under section 24(2) of the act? It reads as follows —

A member of the Police Force may seize and take possession of any firearm, major firearm part, prohibited firearm accessory or ammunition that is in the possession of a person, whether or not the person is licensed or otherwise authorised to possess it if, in the opinion of the member of the Police Force —

- (a) possession of it by that person may result in harm being suffered by any person; or
- (b) that person is not at the time a fit and proper person to be in possession of it.

Hon STEPHEN DAWSON replied:

The Western Australia Police Force advises that it is not possible to provide an answer within the required timeframe. The answer says that the honourable member may wish to place the question on notice; however, given we are dealing with this bill at the moment, I will seek to get him an answer as expeditiously as possible,

COMMUNITIES — FINANCIAL COUNSELLING SERVICES — SERVICE AGREEMENTS

552. Hon DONNA FARAGHER to the minister representing the Minister for Community Services:

I refer to service providers that are currently funded by the Department of Communities to provide financial counselling services across Western Australia and have service agreements that are due to cease on 30 June 2024.

- (1) For each service provider that receives funding, will the minister provide a breakdown of the total amount of funding allocated in 2023–24?
- (2) Can the minister advise whether new service agreements for the 2024–25 financial year have been signed?
- (3) If yes to (2), how much funding will each service provider receive in 2024–25, and when does their new service agreement expire?
- (4) If no to (2), when will the new agreements be finalised?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Community Services.

The Department of Communities advises the following.

- (1) This information is current as at 31 March 2023 and has been provided in tabular form.

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

[Leave granted for the following material to be incorporated.]

	Service Provider	Service Name and Location	FY 2023–24 by service
1	Anglicare WA	Great Southern District Financial Counselling Services	\$707,705
		Metropolitan Financial Counselling Service – Perth South East	\$1,276,695
		Metropolitan Financial Counselling Service – Perth South West	\$836,768
		South West District Financial Counselling Services	\$808,806
2	Broome Community Information Resource Centre and Learning Exchange Incorporated	Broome CIRCLE Financial Counselling Service	\$241,293
3	Centrecare Inc	Goldfields Financial Counselling Service	\$442,146
4	CFSS WA Ltd	Carnarvon Financial Counselling Service	\$202,201
5	Escare Inc	Escare Esperance Financial Counselling Service	\$221,072
6	Jungarni-Jutiya Indigenous Corporation	Ngarrkalem Baarmard Financial Counselling Service – Halls Creek	\$234,555
7	Kimberley Community Legal Services Inc	Financial Counselling Services – Kununurra	\$234,555
8	Marra Worra Worra Aboriginal Corporation	Fitzroy Financial Counselling Service	\$131,565
9	Narrogin Community Support Association Inc	Narrogin Financial Counselling Service	\$136,197
10	Ngunga Group Womens Aboriginal Corporation	Derby Financial Counselling Information and Support Service	\$92,560
11	Pilbara Community Legal Service Incorporated	Hedland Financial Counselling Service	\$234,555
		Karratha Financial Counselling Service	\$234,555
		Newman Financial Counselling Service	\$234,555
		Roeboume Financial Counselling Service	\$234,555
12	Regional Alliance West Incorporated	Geraldton Financial Counselling Service	\$202,201
13	Share & Care Community Services Group Incorporated	Share and Care Wheatbelt Financial Counselling Services	\$404,402
14	The Roman Catholic Bishop of Geraldton Centacare Family Services	Exmouth Financial Counselling Service	\$131,656
15	The Uniting Church in Australia Property Trust (WA)	Mandurah/Peel Financial Counselling Service	\$242,640
16	Uniting WA	Metropolitan Financial Counselling Service – Perth Inner	\$261,931
		Metropolitan Financial Counselling Service – Perth North East	\$636,335
		Metropolitan Financial Counselling Service – Perth North West	\$1,152,065

- (2) No.
- (3) Not applicable.
- (4) Service agreement extensions are expected to be finalised prior to 30 June 2024.

SOUTHERN SEAWATER DESALINATION PLANT

553. Hon Dr STEVE THOMAS to the parliamentary secretary representing the Minister for Water:

I refer to the parliamentary secretary's answers to my questions without notice 379 and 426, asked about the lack of renewable energy used in the southern seawater desalination plant.

- (1) Was the Environmental Protection Authority's approval of the SSDP contingent on the plant running on renewables or the purchase of carbon offset credits for any non-renewable energy purchases as per section 11 of the approval?
- (2) Does Water Corporation's *Southern seawater desalination plant: Compliance assessment report 14 April 2022–13 April 2023* acknowledge the noncompliance with this approval requirement on page 26?
- (3) What is the projected cost of purchasing carbon offset credits to meet the existing shortfall of all non-renewable purchases of the plant since the plant was approved in 2009?
- (4) What is the government's plan to make the plant compliant, including the purchase of all outstanding carbon credits required?

Hon MATTHEW SWINBOURN replied:

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

- (1) Yes.
- (2) Yes.
- (3) Water Corporation continues to review options for the achievement of its greenhouse gas emission requirements at the lowest cost. Water Corporation has implemented a plan, approved by the Department of Water and Environmental Regulation, that outlines how compliance will be met, including how any legacy deficits will be fully redressed.
- (4) Water Corporation continues to consider all options, including acquiring land for providing Australian carbon credit units and offsets.

NATIVE TITLE — COMPENSATION DETERMINATIONS

554. Hon NEIL THOMSON to the Leader of the House representing the Premier:

- (1) How many compensation determinations has the government reached under native title since 2017?
- (2) For (1), what are these and what are their values?

Hon SUE ELLERY replied:

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

- (1) Since 2017, the Western Australian government has entered into four agreements that are in full and final settlement of native title compensation.
- (2) The agreements are the South West Native Title Settlement, the Yamatji Nation Indigenous Land Use Agreement—I am apologising to everybody who I will cause offence to—the Tjiwarl Palyakuwa Indigenous Land Use Agreement, and the Gibson Desert Nature Reserve Compensation and Lurrtjurrululu Palakitjalu Settlement Agreement. All four agreements are publicly available in full on the Western Australian government's website, including details of monetary components.

We do not like to refer the member to a website. I did not pick up that last line, so I will make a monetary component available for the member.

BULL CREEK TRAIN STATION — ELECTRIC ADVERTISING BILLBOARD

555. Hon SOPHIA MOERMOND to the minister representing the Minister for Transport:

I refer to the electric billboard on the Bull Creek train station overpass along the Kwinana Freeway, noting the minister's previous consideration to turn off electric advertising billboards on two main roads in Perth after having deemed them too distracting for drivers.

- (1) Does the minister view the electric billboard on the Bull Creek station overpass as hazardous to traffic safety?
- (2) What is the stance from Main Roads on electric advertising reasonably capable of being seen from a highway or main road?
- (3) How much revenue does the government receive per year from the Bull Creek station electric billboard?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) Main Roads adheres to relevant policies and legislation when determining the most suitable and appropriate locations for the installation of any roadside advertising, prioritising road safety. Main Roads' *Policy and application guidelines for advertising signs* include several criteria to ensure high level of safety for road users is maintained, driver distraction is minimised and that the cognitive demands placed on a driver are controlled. In October 2016, an independent consultant concluded that the electronic billboard at Bull Creek Station was acceptable from a safety perspective.

HOUSING SUPPLY UNIT

556. Hon WILSON TUCKER to the minister representing the Treasurer:

I refer to the housing supply unit, announced on 17 October 2023.

- (1) How many full-time equivalents are employed within the unit?
- (2) Do any positions within the unit remain unfilled; and, if so, what positions?
- (3) What is the corporate overhead of the unit?
- (4) What policies has the unit produced to date?

Hon STEPHEN DAWSON replied:

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

- (1)–(4) The housing supply unit is a directorate in the Department of Treasury, with eight FTE positions. This represents 2.6 per cent of Treasury’s approved 304 FTEs for 2024–25, with the unit accounting for a similar percentage of corporate overheads. The unit is working to boost housing supply and affordability in Western Australia, including coordinating the state’s endorsed approach to participating in the Housing Australia Future Fund facility and the National Housing Accord facility’s first round of funding.

CANNABIS — LEGALISATION

557. Hon Dr BRIAN WALKER to the minister representing the Minister for Police:

My question is to the minister representing the Minister for Youth. I refer the minister to data released late last month in the United States by academics at the University of Montana, San Diego State University and the University of Texas, which clearly shows that there is no correlation between the legalisation of cannabis and an increase in teenage use.

- (1) Will the government consider this scientific data going forward?
- (2) If not, what concerns does the Cook government have in the area of youth use that have not been addressed by these academic studies from highly reputable institutions?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The question was redirected to the Minister for Police, so I provide an answer on behalf of the Minister for Police.

- (1)–(2) As the honourable member has been previously advised, there are no current plans to make changes to the existing laws in place regarding cannabis possession and use in Western Australia.

“DEBT MONSTER”

558. Hon MARTIN ALDRIDGE to the minister representing the Treasurer:

I refer to the Treasurer’s keen interest in the “debt monster” in the lead-up to the 2017 state election noting total public sector net debt was \$32 billion at 30 June 2017, and the Treasurer’s first budget forecast for total public sector net debt to reach \$41 billion in 2027–28.

- (1) Has the Treasurer considered the return of the “debt monster” in light of skyrocketing net debt under her leadership?
- (2) Does the Treasurer currently have in her possession the “debt monster” or know of its whereabouts?
- (3) Was the “debt monster” funded by resources appropriated to the then Labor Leader of the Opposition?
- (4) Does the Treasurer stand by her comments as shadow Minister for Finance that skyrocketing debt will consume the state’s cash for generations?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer is provided on behalf of the Treasurer.

- (1)–(4) Under the Liberals and Nationals, net debt rose by almost \$29 billion, from \$5.6 billion to \$34.3 billion. Under Labor, net debt has fallen from \$34.3 billion to a forecast \$28.6 billion this financial year. This is more than \$15 billion less than what was projected by the Liberals and Nationals, and \$5.7 billion less than what Labor inherited. The honourable member will be happy to know that the “debt monster” is well and truly asleep. It will only wake up if the Liberals and Nationals, who let it roam freely and grow wildly, are elected to government!

FIREARMS — BUYBACK PROGRAM

559. Hon LOUISE KINGSTON to the minister representing the Minister for Police:

I refer to the minister’s response to question without notice 319 regarding how many firearms had been voluntarily surrendered to the Western Australia Police Force.

- (1) Will the minister provide an update on how many firearms have been voluntarily surrendered to date?
- (2) How much of the allocated \$64.3 million has been expended to date?
- (3) Were any of these firearms surrendered pursuant to section 33B of the Firearms Act 1973, “Amnesty for things surrendered to Commissioner”?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The Western Australia Police Force advises the following.

- (1) As of 27 May 2024, there were 12 024.

- (2) As of 24 May 2024, the amount was \$4 441 849.
- (3) No.

CHILDREN IN CARE — WHEREABOUTS UNKNOWN

560. Hon NICK GOIRAN to the minister representing the Minister for Child Protection:

I refer to the answer to my question without notice 513 of 15 May 2024.

- (1) Has the child recorded as unaccounted for—not in contact been found?
- (2) For how many days has the whereabouts of the child been unknown?
- (3) How many days after they were first unaccounted for did the department report the child to WA Police as a missing person?
- (4) How many children who are in the care of the CEO have their whereabouts currently recorded as —
 - (a) unaccounted for—in contact;
 - (b) unaccounted for—not in contact; and
 - (c) missing?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Child Protection. The Department of Communities advises that as of 28 May 2024 —

- (1) Yes.
- (2) One day.
- (3) Not applicable.
- (4) (a) There is one.
(b) There is one.
(c) There are nil children missing.

NARROGIN–KULIN TIER 3 RAIL LINE

561. Hon STEVE MARTIN to the minister representing the Minister for Transport:

I refer to the minister’s media comments of May 2022 that \$72 million of the Agricultural Supply Chain Improvements fund would be spent on recommissioning the tier 3 Narrogin–Kulin rail line.

- (1) How many kilometres of the Narrogin–Kulin line have been recommissioned?
- (2) How much of the ASCI fund was allocated to the Narrogin–Kulin line in the recent budget?
- (3) Will the minister release the business case into the recommissioning of the Narrogin–Kulin line?
- (4) What was the cost of the business case?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. I provide this answer on behalf of the Minister for Transport.

- (1)–(4) Work in relation to the potential reactivation of selected tier 3 rail lines has been completed and is currently being considered by government.

POLICE — TEMPORARY HOLDINGS

562. Hon PETER COLLIER to the minister representing the Minister for Police:

- (1) How many police officers are currently in temporary holdings?
- (2) How many police officers were in temporary holdings on 1 January 2024?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. The Western Australia Police Force advises the following.

- (1) There were 167 as of 16 May 2024.
- (2) There were 147 as of 1 January 2024.

AVIAN INFLUENZA

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

I refer to the detection of the H9N2 strain of Avian influenza at a chicken farm in the south west of Western Australia and the cases of the H7N3 strain found in Victoria.

- (1) Can the minister please outline what measures are being taken by the Department of Primary Industries and Regional Development as a result of the H9N2 detection?
- (2) Can the minister please outline what biosecurity safeguards are being implemented to protect Western Australian chicken and egg producers from the H7N3 strain?
- (3) How many FTEs, and from which agencies, are assigned to the measures in (1) and (2)?

Hon JACKIE JARVIS replied:

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

- (1) Low pathogenic strains of avian influenza, such as H9N2, found at one south west farm are known to occur in wild bird populations in Australia and occasionally infect poultry. The Department of Primary Industries and Regional Development has been working with the affected poultry operation and the Department of Health to manage the detection on the property and reduce the likelihood of spread. This has included regulatory movement controls and implementation of additional biosecurity measures to reduce the risk of new introduction from wild birds.
- (2) The detection of high pathogenic avian influenza H7N3 in Victoria is significantly different from the detection of the low pathogenic avian influenza H9N2 in WA. DPIRD has reviewed the measures implemented as part of the response strategy to contain and eradicate the disease in the affected jurisdiction and considers the Victorian response arrangements, including housing orders, quarantines, destruction and disposal of infected animals on infected properties and widespread surveillance, appropriate to minimise the risk of spread from the control areas to WA.
- (3) The response to avian influenza in the south west has included a small incident management team led by the WA Chief Veterinary Officer, with staff across policy, operational, epidemiology and laboratory roles contributing to an effective response.

STUDENT ASSISTANCE PAYMENT

564. Hon TJORN SIBMA to the Leader of the House representing the Minister for Education:

I refer to the WA student assistance payment.

- (1) Is data concerning the payment being shared with government members?
- (2) If yes, what specific information is being shared and how is it being shared?

Hon SUE ELLERY replied:

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

- (1)–(2) Members are regularly updated on how this Labor government is delivering cost-of-living support to all communities, households, small businesses and families across Western Australia, which is something the Liberal and National Parties do not support.

EDITH COWAN UNIVERSITY MT LAWLEY SITE — REDEVELOPMENT

565. Hon DONNA FARAGHER to the minister representing the Minister for Lands:

I refer to the answer provided to question without notice 378 asked on 7 May 2024 regarding the planning for the Edith Cowan University Mt Lawley site and a community survey distributed to properties within an approximate radius of 1.5 kilometres from the site.

Can the minister advise how many surveys were returned from the following parties —

- (a) residents; and
- (b) businesses?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Lands.

There were 312 responses received.

- (a) There were 265 from residents.
- (b) There were 47 from businesses.

WA COLLEGE OF AGRICULTURE — HARVEY

566. Hon Dr STEVE THOMAS to the Leader of the House representing the Minister for Education:

I refer to the WA College of Agriculture Harvey campus.

- (1) Is there a plan to reduce the amount of livestock at the college to save costs; and, if so, by what amount and in what areas?
- (2) What is the cost for students to agist their own horses at the school and what changes have been made to that cost this year?
- (3) How have those changes been justified?
- (4) What proportion of charges applied by the school for the following areas are taken by the Department of Education and not spent locally at the school —
 - (a) boarding fees;
 - (b) agistment fees; and
 - (c) farm operations?

Hon SUE ELLERY replied:

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

The information was not available in the time required. An answer will be provided on the last sitting day of this week.

INSURANCE DUTY — HIGH-RISK PROPERTIES

567. Hon NEIL THOMSON to the Minister for Finance:

I refer to stamp duty paid on insurance in WA.

- (1) Does the government collect data on the location of stamp duty paid on property insurance?
- (2) If yes (1), what percentage of stamp duty paid to the state is derived from policies on property north of the twenty-sixth parallel?
- (3) If no to (1), given premiums are significantly more expensive in high-risk areas, why not?

Hon SUE ELLERY replied:

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

- (1) No.
- (2) Not applicable.
- (3) Insurance duty is assessed at 10 per cent of the aggregate value of premiums paid for general insurance policies that are declared to RevenueWA by a general insurer. Requiring general insurers to collect and declare additional data about the type or location of the insured property may lead to higher compliance costs for insurers.

DOMESTIC VIOLENCE ORDERS — BREACHES

568. Hon SOPHIA MOERMOND to the minister representing the Minister for Police:

I refer to news that throughout 2024 to date, there have been over 200 000 breaches of domestic violence orders across Queensland.

- (1) How many breaches of domestic violence orders have there been thus far in 2024 in WA?
- (2) How many breaches occurred throughout 2023?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The Western Australia Police Force advises the following —

- (1) As at 27 May there have been 4 727 breaches of family violence restraining orders and 1 721 breaches of police orders.
- (2) There have been 10 296 breaches of family violence restraining orders and 3 753 breaches of police orders.

METRONET — ADVERTISING

569. Hon WILSON TUCKER to the minister representing the Minister for Transport:

I refer to the Metronet project.

- (1) What has been the total expenditure on campaign advertising?
- (2) What has been the expenditure for each broadcast medium?

(3) What has been the expenditure for celebrity or influencer endorsements?

Hon STEPHEN DAWSON replied:

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

I advise that the information requested cannot be provided in the required timeframe. I ask the honourable member to please place this question on notice. The member may want to put some “years” in the question; the member does not say which years he is looking for. It could be a long time, so the more succinct the member makes the question, the better the answer he will get.

BUILDERS’ SUPPORT FACILITY — NO-INTEREST LOAN SCHEME

570. Hon Dr BRIAN WALKER to the minister representing the Treasurer:

I thank the Treasurer for her response to my question of 7 May 2024 in which she confirmed that applications for builders’ support facility loans were being “progressed through the streamlined approvals process”.

- (1) How many no-interest loans have been approved since that time?
- (2) How many applications are still to be processed?
- (3) Have any been declined to date; and, if so, how many and on what grounds?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) Since the honourable member’s last question, a further eight applications have been approved, with \$1.29 million of loans approved to complete 22 properties. It brings the total number of approved applications for the builders’ support facility to 13, with \$2 million of loans approved to complete 34 properties. The remaining 30 loan applications have all commenced the assessment process.

FIREARMS — STORAGE COMPLIANCE

571. Hon MARTIN ALDRIDGE to the minister representing the Minister for Police:

I refer to the control of firearms in Western Australia.

- (1) How many firearms licence holders amended their storage location in 2023?
- (2) Of those identified in (1), how many were subject to an in-person inspection by WA police?
- (3) How many random in-person firearm storage inspections did WA police conduct in 2023?
- (4) Of those identified in (3), how many were compliant for the safe storage of firearms?

Hon STEPHEN DAWSON replied:

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

The Western Australia Police Force advises that it is not possible to provide an answer within the required timeframes. The answer states the honourable member may wish to place the question on notice, but I will undertake to see if I can get the member an answer quicker than that.

WANNEROO RACEWAY — SUPERCARS CHAMPIONSHIP

572. Hon LOUISE KINGSTON to the minister representing the Minister for Tourism:

I refer to this week’s round of the Repco Supercars Championship held at Wanneroo Raceway and the WA government’s partnership with the event.

- (1) When will the current partnership end?
- (2) Is the WA government committed to continuing this partnership and ensuring Wanneroo Raceway remains on the supercars calendar?

Hon STEPHEN DAWSON replied:

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

Honourable member, I have seen and signed off on the answer. It is not in my folder, so I will ask the staff to send it in and I will provide it to the member at the end of question time.

PERTH HILLS GROUNDWATER EXTRACTION — COCA-COLA

573. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Water:

I refer to the recent revelations that Coca-Cola has been accessing underground water for free for decades in the City of Armadale.

- (1) Is the minister aware that the City of Armadale claims it has no role in regulating water extraction or monitoring how much water is taken and refers questions back to the minister’s department?

- (2) Who is monitoring how much water is being extracted from aquifers in the City of Armadale?
- (3) What are the three sites from which groundwater is being extracted for bottled water?
- (4) Will the minister table the briefing note and documents she received associated with her meeting with the company on 6 May 2024?
- (5) When is the next meeting with the company scheduled to occur?

Hon MATTHEW SWINBOURN replied:

I thank the honourable member for some notice of the question. I provide the following answer on behalf of the Minister for Water.

- (1) The minister is aware of comments by the City of Armadale that, in 1997, the former Liberal minister Graham Kierath granted approval to increase the number of truckloads of groundwater extracted each week from 15 Irymple Road, and in doing so restricted the city from monitoring groundwater extraction from the property under its planning approval.
- (2) There are both licensed and unlicensed water users in the City of Armadale. Licensed water users under the Rights in Water and Irrigation Act 1914 are monitored by the Department of Water and Environmental Regulation. Unlicensed water users are responsible for monitoring their own groundwater take.
- (3) In unproclaimed groundwater areas in the City of Armadale, there are two sites: 15 Irymple Road, Karragullen, and 786 Albany Highway, Bedfordale.
- (4) No specific briefing notes or documents were received for the meeting with the company on 6 May 2024.
- (5) The Department of Water and Environmental Regulation is meeting with Coca-Cola on a regular basis.

PUBLIC HOUSING — WAITLIST

574. Hon STEVE MARTIN to the minister representing the Minister for Housing:

I refer to question without notice 507 asked by Hon Dr Brad Pettitt and question without notice 402 asked by me, both of which asked for the number of individuals on the public housing waitlist but did not receive a response.

Will the minister please provide the figures for the number of individuals requested in the questions referenced above?

Hon JACKIE JARVIS replied:

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

Please refer to Legislative Council question without notice 289.

POLICE — MEDICAL RETIREMENTS

575. Hon PETER COLLIER to the minister representing the Minister for Police:

- (1) How many police medical retirements were there in 2023?
- (2) How many officers are currently identified as being in medical transition to retirement?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. The Western Australia Police Force advises the following.

- (1) There were 23 cases finalised in the 2023 calendar year.
- (2) There are 49 cases awaiting finalisation. Please note that some of these cases are potentially ongoing from a previous year.

RESOURCES COMMUNITY INVESTMENT INITIATIVE

576. Hon TJORN SIBMA to the Leader of the House representing the Premier:

I refer to the resources community investment initiative announced by the former Premier on 22 November 2022.

- (1) Has there been any change to the initial pipeline of projects; and, if so, can the Leader of the House please provide details?
- (2) What is the indicative priority and/or timeline of delivery for the projects?

Hon SUE ELLERY replied:

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

- (1) No.
- (2) Projects are at differing stages of planning and delivery. Questions relating to the current status of each project should be directed to the relevant portfolio.

CASUAL TEACHER POOL

577. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Education:

How many teachers are currently registered on the Department of Education's casual teacher pool?

Hon SUE ELLERY replied:

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

The Department of Education does not have a pool for casual teachers; the department has a centrally managed casual staff seeker tool. As at 16 May 2024, 5 169 teachers were registered as "active" within this tool. "Active" means that the casual applicant has registered for casual work and is available to work. Many schools also have their own supply of relief teachers in addition to being able to access teachers via the tool.

INDIGENOUS CULTURAL HERITAGE — DEFINITION

578. Hon NEIL THOMSON to the Leader of the House representing the Minister for Aboriginal Affairs:

I refer to the federal government's report *Dhawura Ngilan: A vision for Aboriginal and Torres Strait Islander heritage in Australia* and specifically the chapter headed "Best Practice Standards: Basic structures", which found —

... for the 'prohibition of harm unless authorised' model to be effective there must be a comprehensive definition of ICH.

Does the minister consider the current legislation has a comprehensive definition of "indigenous cultural heritage"?

Hon SUE ELLERY replied:

The member is asking for the minister's opinion. The question is out of order under standing order 105(1)(b).

The PRESIDENT: The President has not actually ruled that the question is out of order, but I note that it is likely that it does seek an opinion. I suggest that the member consider the phrasing of his questions.

GINGIN GROUNDWATER ALLOCATION PLAN

579. Hon MARTIN ALDRIDGE to the parliamentary secretary representing the Minister for Water:

I refer to the *Gingin groundwater allocation plan*.

- (1) Did the Department of Water and Environmental Regulation consider, in 2020, the need to replace the plan; and, if so, what was the consideration and decision made?
- (2) Noting the plan anticipated evaluation statements at least every three years, how many statements have been published and can they please be tabled?
- (3) What groundwater monitoring is occurring in the plan area and are those observations published; and, if not, why not?
- (4) Can the parliamentary secretary please table the most recent briefing note received by the minister in relation to the plan?

Hon MATTHEW SWINBOURN replied:

Thank you —

Hon Sue Ellery: President.

Hon MATTHEW SWINBOURN: President. That is it. I was going to say Premier again; my brain is not working very well today, so please bear with me.

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

- (1)–(4) The 2022 *Gnangara groundwater allocation plan* confirmed the Department of Water and Environmental Regulation would review and replace the *Gingin groundwater allocation plan* and *Gingin surface water allocation plan* with a new *Gingin water allocation plan*, combining the management of groundwater and surface water resources.

The first evaluation statement is currently being finalised by the Department of Water and Environmental Regulation.

Groundwater monitoring is occurring, as detailed in the *Gingin groundwater allocation plan*. Monitoring data is publicly available through the Department of Water and Environmental Regulation's water information reporting tool, which is available online.

QUESTIONS ON NOTICE 2014, 2015 AND 2020

Papers Tabled

Papers relating to answers to questions on notice were tabled by **Hon Sue Ellery (Leader of the House)** and **Hon Jackie Jarvis (Minister for Agriculture and Food)**.

**POLICE — GUN OWNERSHIP MAP
EAST PERTH TERMINAL — *INDIAN PACIFIC*
WANNEROO RACEWAY — SUPERCARS CHAMPIONSHIP**

Questions without Notice 531, 536 and 545 — Answers

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.05 pm]: I would like to provide answers to Hon Tjorn Sibma's question without notice 536 asked on 16 May and Hon Louise Kingston's questions without notice 531 and 545 also dated 16 May. The numbers that I have and the numbers that were lodged are very different, so I ask that they all be incorporated into *Hansard* so that all the answers are available.

[Leave granted for the following material to be incorporated.]

Question without notice 536 —

Answer

With respect to the de-identified maps provided to *The West Australian* by the Western Australia Police Force in 2022, the WA Police Force advise:

- (1) Licensing and Registry System
- (2) Yes. Categories - A, B, C, D, E and H.
- (3) Licensing Enforcement Division
- (4) Once in 2013, 2017, 2018 and 2019
- (5) The audits related to the following
 - (a) Firearm Controls.
 - (b) Information Systems- Application Control Audits- Firearm Management System.
 - (c) Performance Audit – Firearms Controls.
 - (d) Reliability of Reporting – Licensing and Registry Firearms System.

Question without notice 531 —

- (1)–(4) Journey Beyond are planning to change the Indian Pacific's timetable, so it would arrive and depart on the same day (Saturday). The Public Transport Authority are currently liaising with Journey Beyond on how this will operate.

Question without notice 545 —

Answer

- (1)–(2) The State Government has been a key partner of Supercars for over a decade, and have a committed partnership through until 2025. The Government will assess future partnership proposals on their merit against event funding criteria.

BUSHFIRES — LAKE MUIR AND MYALGELUP LAGOON

Question on Notice 1966 — Correction of Answer

HON DARREN WEST (Agricultural — Parliamentary Secretary) [5.06 pm]: On behalf of the Minister for Environment, I provide a correction to an answer provided to Hon Dr Brad Pettitt's question on notice 1966, answered on 7 May 2024. The answer provided contained an error. The answer to question (a) should read 2023, not 2024. The question to be noted is —

- (a) when did the Myalgelup Lagoon fire, adjacent to Lake Muir, first ignite;

The correct answer is —

- (a) The fire (Donnelly Fire 8) was first ignited on 2 December 2023.

I table the entire answer to question on notice and apologise to the house for the error.

[See paper [3184](#).]

FIREARMS BILL 2024

Second Reading

Resumed from 14 May.

HON DR STEVE THOMAS (South West) [5.07 pm]: The Firearms Bill 2024 is a significant piece of legislation on an issue that has been made even more poignant with the events that happened over the last week or so. I will come back to that in more detail, but I will say of the events that occurred on Friday that it was another evil and violent man who perpetrated another evil and violent act. Somehow, we have to get the message through that violence is not the answer. Violence is never the answer. That does not mean I support the legislation before the house, and I want to go through some detail to explain why. Members will probably get sick of me this year talking about the philosophy of the various sides of politics. It is interesting that when speaking in public, occasionally members will be asked what it means to be a member of the right wing or the left wing of the Liberal Party, Labor Party or

my good friends in the Nationals WA; I am not always sure whether they are left or right, but we will come to that in the fullness of time. We are often asked what it actually means. I have said these remarks in the house before and I want to reinforce them because it explains my position.

I did not give a speech on the motion to refer the bill to the Standing Committee on Legislation. I did not do that for a couple reasons. Firstly, the government had indicated that it would not support the referral motion and therefore the motion was bound to fail. I did not see the point in arguing for something that was never going to be achieved. Secondly, I found myself in the position of thinking, “If I argue passionately for the bill to go to the legislation committee and that did not happen—which was the only possible outcome—would it change my position on the bill?” The answer is emphatically no. There are reasons why I do not support the bill. I support good control of firearms and the licensing process, but I did not see the point of entering this argument because my position on supporting or opposing this legislation will not change and the outcome will not change. I will oppose this legislation for a number of reasons, which I will outline in a minute.

I wanted to start with the definition of what it means to be left wing and right wing, because I think it underpins the two different approaches that we see on this and a number of other issues. The fact that the Labor Party presented this legislation and will push it through Parliament does not upset or anger me because it simply reflects, in my view, what it means to be a member of the Labor Party and the left wing. What we should get back to much more than we do is this debate of ideas. We need to stop being afraid to put forward philosophical positions that represent both our own opinion and the people who reflect our side of politics. This is how I explain it. I am a member of the right wing. In fact, from my perspective and my side of politics, I am probably a member of the far-right wing. When I used to sit in that chair over there, in the corner, I used to say a person could not get any further in the right wing than me, and that may well be the case.

What does it mean to be a member of the right wing? I explain it this way, and I keep doing so. If a person is a member of the right side of politics—that is, the right wing, not the correct side necessarily, although I might believe so—they believe, in my view, in individual responsibility, individual freedom and individual rights. If a person belongs on the left wing of politics, they believe in collective freedom, collective responsibility and collective rights. To be honest, that is the most simple version of the difference between the two sides of politics that I can give.

How does that play out in legislative debate? How does that play out on the proposed gun laws before the house today? We all agree, I think, that gun violence is horrendous and that the perpetrators of gun violence perpetrate evil acts. However, I blame the perpetrator, not the tool. If I believe in individual freedoms, rights and responsibilities, I describe the role of government as supporting someone if they are doing the right thing. If a person is a sensible responsible gun owner, in this case, it is not the role of government to make their life vastly more difficult than it is currently. A person should be expected to do the right thing. A gun owner should be expected to use and store their firearms safely, and not misuse them or make them easy to steal. Those are all the things that we would expect from a responsible gun owner. A person should be expected to do those things. In my view, if a person fails to do those things, they should be held adequately responsible. Ultimately, if a person misuses firearms—as happens—they need to be held fiercely responsible for their actions. I apply that same rule to domestic violence, to be honest, because the reality is that it is basically impossible to legislate normality, common sense and compliance. Laws are put in place and people are expected to comply. I will come back to that in a bit more detail in a while, too. My expectation is that people who do not do that need to be properly held to account.

Is it possible to prevent all acts of violence up to and including murder and the sort of violence we have seen recently? No; it is not. Why is that? It is because the villain of the piece is actually human and human nature, so it is not possible to prevent all these acts from occurring. We need to do our best to prevent the ones that we can prevent, but it is not possible to prevent them all. Evil people will conduct themselves and they will do evil things. It does not really matter how often we put up the personal responsibility argument, there will always be people who will refuse to comply and who do not believe that the laws apply to them. That is not just a group of people who want to be gun owners, for example; there are plenty of people out there who think that the rules should not apply to them.

If I am sitting out there and I believe in individual responsibility and properly holding people to account for their actions, I also believe in individual reward, and there we get the economics part. I agree that those people who work hard should get the bulk of the reward for that work. If one is on the left-hand end, out to the communists, one believes that everybody’s work should be shared equally amongst the entire populace. This is fairly basic political stuff. It is amazing how often people do not think about what their political position actually is. It is amazing how often somebody gets asked what it means to be left wing or right wing and they cannot explain it. I have seen members of Parliament be completely unable to explain what they stand for. This is what it means to me. Right wing means individual freedom, individual responsibility and individual reward. On the left wing—I understand this—the Labor Party would, by nature, bring forward the kind of legislation that is currently before the house today. Left wing means communal responsibility, communal reward and not individual rights but community rights.

It is no wonder we are having this debate, and it is a really healthy debate. It is a positive debate to see the two sides of politics debate these issues. That does not mean that I believe the Labor Party is right—I do not. We should have more of these left-wing, right-wing debates. I am really keen to see us throw some more of this in there. I am

not frustrated that the Labor Party has presented this piece of legislation. I think there are huge problems with it. We could have made it better. There could have been improvements to this legislation if the government had worked cooperatively with the opposition. Ultimately, it will get through, and it will get through unamended because the government has all the numbers, and it reflects the philosophical position of the left wing; it reflects the Labor Party. That is fine, but it does not mean that it actually works.

We have seen a number of significant trends around violence. It is interesting that nobody can come up with a really simple solution for it. I firmly believe that both sides of politics have a genuine intent and genuine commitment to reducing the rates of domestic violence and violence against women. It is an absolute scourge. It is a plague upon the community. I do not know that it is worse than it used to be. For those of us who are perhaps getting on a bit—I am not looking at anybody, Hon Martin Pritchard—we have had these debates for a very long time. Is it worse than it used to be? I am not convinced it is, but the fact that it is still there is problematic. But domestic violence in itself deserves just a few minutes of conversation.

In my view, the focus on domestic violence for a very long period has been far too lightweight. Governments, whether state or federal, are far too interested in throwing money into advertising campaigns that look really good, but I suspect have very little impact. Members might remember that not that long ago there was a campaign titled “Violence Against Women, Australia Says No”. The ads were fantastic. They were glossy. They were slick. That campaign won awards all around the world. It was a world-renowned campaign against violence towards women. The question is: what difference did it make? Everybody is talking about government advertising at the moment. That was a big one; a lot of money was put into it. Did it make a difference? The answer is probably not. I suspect because the people —

Hon Martin Pritchard: What about the Slip! Slop! Slap! campaign or the anti-smoking campaign? They were educational. It took a long while, but they had an effect.

Hon Dr STEVE THOMAS: Other ones have been more successful, but I am only going on the measurement. Slip! Slop! Slap! came in pretty easily, as did Norm’s get up and exercise, “Life. Be in it” campaign—all those. I am not sure that that one has been all that successful. The anti-smoking campaign has probably been more successful, but I suspect that massively increasing the tax on tobacco has been more successful than the advertising campaign.

Hon Wilson Tucker: “Where the bloody hell are you?”

Hon Dr STEVE THOMAS: Let us not go to Lara Bingle, thank you, honourable member. That is one step too far.

Advertising campaigns are all well and good, because they make people think that governments are doing something without necessarily having to provide any achievement. I think they fail partly because they do not focus on holding people properly to account. The people who think that violence is okay are not going to be impacted by an ad that asks them to not be violent, just as people in this room, all of whom I have enormous respect for, would probably go, “Yes, I believe in that. I understand that, and I think that is right. I believe that violence against women is a terrible thing.” But do members know what? The target market is not sitting in this room. The target market needs to be the group of people who think that violence against women and children is okay. How we get to that group of people is something completely different and that is very hard. How we get people who do not want to change to change is a very tough task. I think Labor, Liberals and the Nationals all vehemently agree that action should occur and everybody tries their absolute best to try to fix some of these things, but because we are trying to impact human nature and behaviour, it is almost impossible.

It is particularly impossible if we take the left-wing view of it, which is communal responsibility. If society is responsible for domestic violence for example, and we have to apply a societal fix to it, I think we are doomed before we start. It cannot be fixed that way. The only way this will be fixed is to demand personal responsibility so that everybody knows that they are personally responsible. I know that comes from a right-wing philosophy and I do not think we see enough of that, because we do not see the right wing come forward often enough and say that personal responsibility is critical, particularly in areas such as domestic violence. We need a far greater focus on holding people personally to account for their actions. That used to be what conservatives called the old law-and-order debate. It was not always well thought through, but we can see it come through. We should hold people responsible for their actions and their behaviour.

I like the fact that yesterday one of the Labor ministers went out to the press—it might have been the Minister for Environment—and called him an evil fellow. I nodded along in agreement. I do not often agree with the Minister for Environment, so there you go.

Hon Darren West: An evil coward.

Hon Dr STEVE THOMAS: An evil coward. Thank you, that is what it was. Personal responsibility. It must have been a right-wing fillip, but that is what we need to see. We need to see people held personally to account for their actions. When someone finds themselves in a position that they do not like—I do not care whether it is that their marriage has broken up—a lot of that will be their responsibility. Before anybody asks, yes, I have had a failed marriage; I am on my second. I speak from experience with this. I have been through that process. In fact, I was

a registered firearm owner during that process and any violence in any form would have been as abhorrent to me then as it is now, because it is a personal choice. It is a position to take. If someone has considered that violence towards women and children is okay, that is a personal position they take that they should be held to account for.

One of the other issues with campaigns on domestic violence is that it is very hard to target one component of violence. In my view, violence is always wrong. It is always the worst choice. Just occasionally, we use it when we do not see any other option, although not in the case of relationships. I will use the example of smacking children. I used smacking on very rare occasions, and it was because I could not come up with a better strategy at the time. That was my failure, not theirs. People say, “We got belted as kids and it didn’t impact us.” I usually ask those people to take a good, hard, long look at themselves, because it probably did, but that is a different argument. That happens because I was not good enough to come up with a better answer. On the rare occasions that I used smacking of children, it was my failure, and I still regret every occasion. It was a failure of my capacity to do things in an alternative way. It was my failure, but isolating one particular set of violence is very tough. The hard bit is that if you start to have a different judgement of violence based on who the victim is, it is very hard to sell that, because the person who is violent towards their spouse is often violent towards everybody. Not always; some keep it hidden and just target their spouse, but they obviously have some significant violence issues, so it is very tough. It is a tough campaign to do that.

I wanted to put some of those things on the table. When people find themselves in prison, it is my view that they are generally there because of their choices. I am on the right wing, so I talk about personal responsibility. They are there because of their personal decisions. They have been held to account. It is not society’s fault that they are in there. Society should not have to change so that they can be released. Whether they are juveniles or adults, it is not society’s job to change to suit them. It is not the prison’s job to change to suit them. The first step in all these things is personal responsibility. Taking responsibility means behaving in a way that is acceptable to the wider community. Rules are put in place for a reason. It is when we start to believe that we are above those rules that we get into significant trouble. People think the law does not apply to them for all sorts of reasons: “The law doesn’t apply to us; therefore, it doesn’t count.” There is nothing more horrendous to good order than the assumption that the law does not apply, or that the law should be shifted, or that it is the fault of the law, the community or society that people are in prison or are breaking the law. How about a bit of personal responsibility as part of that?

Personal responsibility means holding to account those people who do the wrong thing, but because I am on the right wing of politics, in my view it also means that people who do the right thing should face minimum impingement. The problem with the Firearms Bill is that it continues the government’s vilification of legitimate gun ownership and legitimate gun owners—all those people who do the right thing. There are 90 000 gun owners out there and I imagine that eighty-nine-thousand-and-something of them are all trying to do the right thing. Once again, because of this left-wing position, they will face more criticism, more obstacles and more hurdles from a government for whom collective responsibility is the driving force. It is left-wing versus right-wing. I am on the right; I think government should minimise its control and impact on people’s lives. The left wing generally thinks that government should be far more controlling. We disagree on that philosophy and policy, but I can tell members that in conversations with police officers, both serving and retired, I have not yet found one who has said, “Legitimate gun ownership is a bad thing that should be banned.” The police have a far more legitimate reason than everybody else to support this legislation. It would be far easier for the police to do their job if they were the only people who had firearms. I get that. I mean, that is a very tough job. It is a miserable job. A lot of the time, they are going into dangerous situations. Members in this house probably do not have a lot of interactions with the police, apart from positive interactions. I get the occasional random breath test as I drive. I pass a really nice officer down at Bridgetown all the time. He always gets me for a random breath test at some point. Peter and I have a lovely chat, and I go on my way. I spend a lot of time on the road. It is a tough job. I understand, from a police perspective, that fewer guns out there means that police are more likely to be the only people who are armed. Maybe there are police officers who believe that there should be no privately owned firearms. Maybe they exist. Maybe there are members of the force who think that they should be the only people carrying firearms, but the reality is that I have not met one yet. For the most part, the police officers I have spoken to believe that there is a legitimate place for firearm ownership.

I have to say that the portrayal of honest, legitimate firearm licensees as a danger to the community is a disgraceful manipulation, and I do not like it. Yes; there are bad firearm owners. There are bad car owners. There are bad landowners. There are bad, evil and violent people of all sorts, but the portrayal of all private firearm owners as bad and a threat to the community is a terrible outcome. I actually agree with the Minister for Police on some of these things. He is a long-term left-winger, but I can agree with some of his positions on some of the issues. However, the vilification of legal firearm ownership is a disgrace, and it is not just the Minister for Police who is doing this. He is taking advantage of it—I get it—but I think that the media coverage of this issue has been equally unfortunate. I understand that the Labor Party’s agenda on this is a left-wing agenda—that is fine—but it appears to me that we have some pretty hard left-wing areas of the media also jumping on board. I thought that having on a newspaper page a whole pile of bullet holes indicating where guns are in the suburbs of Perth was an absolute vilification of legal gun ownership and legal gun owners in this state. It said, “You should be afraid. Have a look

at this. All these guns are out there, and you should be afraid.” The government has, to some degree, backed that up, as far as I am aware. I cannot imagine that those photographs and mock-ups went from the police to the media without some sort of tacit approval from the government.

I tell members this: be very cautious about a government or a communicator that is trying to make people afraid. Human beings are most dangerous when we are afraid. Deliberately trying to instil fear is a problem; really weird and crazy stuff happens when the community is afraid. Instilling fear of legitimate, sensible gun owners trying to do the right thing is a terrible look, in my view. I would have thought that we could have had a sensible conversation about improvements to the Firearms Act that did not involve trying to instil fear into the community, but that is where we have got to. That is the standard of the debate we have had. I am more than happy to have a conversation about legitimate firearm ownership. There are things that should be improved and should be better.

Some things have improved. Members will remember that this is not my first rodeo—pronounced roh-day-oh if I was American. I have spoken on gun laws before and I have told this story before about my first application for a firearms licence—not the first time I bought a firearm because that was in Queensland. We think this is the wild west but Queensland is the wild west. A long time ago a person did not have to be 18 years of age to buy firearms in Queensland; it was a bit of an open slather. That was a long, long time ago. My first application for a firearms licence in Western Australia was as a veterinarian. I put in an application to euthanise large animals—horses and cattle—which are animals that are hard to get to in a safe manner. I have told stories about some of the dangers of veterinary practice on large animals. I was told that I could not have a licence to euthanise sick and dying animals. A person had to get two letters to say that they were going to shoot perfectly healthy kangaroos on somebody else’s property, so I did—I got two letters. They were legitimate letters from farmers who I worked for as a veterinarian, but I did not shoot kangaroos on their properties. I used the firearm that I eventually bought to euthanise sick and dying animals. I understand that that has changed; it took a while. In fact, it came out of the recommendations of the very important document that I want to get to in a bit, the *Review of the Firearms Act 1973 (WA): Project 105 final report* by the Law Reform Commission of Western Australia, which came out in 2016. It finally recognised, probably 25 years too late, that euthanasia of animals was probably a legitimate reason to have a firearms licence. The law does not always get it right. The Law Reform Commission report is critically important. In fact, it is so important that I pulled out this quote from the minister’s second reading speech. It says —

The need for reform is driven by the recommendations from the Law Reform Commission of Western Australia’s 2016 report titled *Review of the Firearms Act 1973 (WA)* ... that identified the 1973 act as lacking clarity and no longer being fit for purpose.

That review of the Firearms Act 1973 is that report. I hope everybody has had a chance to browse the report because it is fairly big. I suspect that when members get into their second reading contributions and we get into the details of the bill, we will be interested in the report because there are a lot of very important components of the issues around the bill that the government forgot about, and it does not necessarily take its guidance from the Law Reform Commission’s report. That is a problem because the emotional drive to make the community scared of properly licensed and cooperative firearm owners has meant that common sense has been left behind. I thought this part of the report I am about to read is really interesting. This is in the foreword on page 9. I was going to read one paragraph, but I will read two. I will have to give this bit to Hansard so they know where I found it. It reads —

Firearms have continued to be at the forefront of community attention, particularly as a result of reports of tragic mass shootings elsewhere in the world as well as reports of criminal activities in our own backyard. Scarcely a day goes past without firearms being mentioned in daily news bulletins. These events have driven a push for legislative change. At a national level, the Commonwealth continue to drive discussions on a new National Firearms Agreement, possibly with harsher trafficking laws and a further nationwide general amnesty to remove unlawfully held firearms from circulation. Victoria and Tasmania have recently amended their Firearms Acts, and last year the South Australian Firearms Act was completely re-written.

This is the bit I originally intended to read —

Notwithstanding the tragic events highlighted in the media, the Commission has taken great care not to overreact. An often repeated theme of the submissions made to the Commission was that the Firearms Legislation is for the administration and regulation of the lawfully held firearms whereas many of the news reports concern unlawfully held firearms. The Commission agrees; the vast majority of firearms users in Western Australia are law-abiding and the Commission certainly has no intention of recommending legislative change that could make it more difficult for firearms users to abide by the law while having no practical purpose to meet the objects of the Firearms Act.

That is right at the start, in the foreword of the report. The Law Reform Commission of Western Australia said that it was not its intent to attack lawful, well-meaning and cooperative firearm owners. That strongly worded intent has been completely neglected by the government and the Firearms Bill 2024.

One of the issues with this bill, as it has been with most large government bills, is that it is very hard to debate it when we do not have all the pieces. There has been a horrible trend recently whereby the government says,

“We’ll put the principles in, and the detail will come when we get to the regulations some time down the track.” That has not necessarily worked all that well. As the opposition, we have probably not been good enough at saying, “That’s not acceptable. Stop asking us to accept half the information that we need to determine whether this is a good thing.” A lot of stuff in this bill will be determined by the regulatory process and we have no idea whether that will be workable. We do not know whether it will be another attack on legitimate honest firearms owners. At one point, the government will have to work out whether it believes that recreational shooting is a legitimate pastime. Is it trying to get rid of all recreational shooting? Is that the ultimate target? If the government believes that no registered and well-meaning firearms owners can be trusted and that there is no role for recreational shooting in any form, whether it is sports shooting, target shooting, clay shooting or pest reduction shooting—that every gun in the community is a threat—let us at least be honest enough to have that conversation. If the government believes in recreational shooting as a pastime, a part of the conversation we have to have is: how do we maximise the safety but minimise the impost on the good firearms owners out there? Most importantly, how do we ensure that we do not demonise them? That is, effectively, what the government has been doing. I am not necessarily referring to individual members in the chamber, but the government’s agenda has been to demonise that group of 90 000 or so people. A lot of them are very nice people. Funnily enough, I know of a few police officers who go recreational shooting—not with their police-issued weapons, of course, but plenty of police officers are recreational firearms users. Are they not to be trusted? The government’s intent is to not trust people as a part of that process.

I will run out of time during my second reading address. I will slip in a few of the statements from the report because the government has relied on this report. As was stated in the second reading speech, this is the report that is driving the legislation before us today. I would love to spend some time talking about the potential assessment of mental acuity, because that is very difficult. The problem is that a lot of that will be in the regulations. What sort of testing will be proposed? We will not see that until we see the regulations. We do not know what the regulations will look like. What will the regulations around storage look like? Will every firearm owner have to use a different storage model? Here is a little tip; there is not a house in Australia that cannot be broken into and there is not a firearms cabinet in Australia, including those in police stations, that, with the right equipment, cannot be broken into. Absolute security does not exist. We know that. When people lock up their house, for the most part, they are keeping the honest people out because the people who are practised are going to get in anyway. It is not going to prevent firearms thefts.

What new requirements are going to run around? What is the mental health test? What requirements are going to be in place for storage? Is the government ultimately going to require security services like alarms in every house and room in which there is a firearms storage unit? How do we judge all of those things? Saying “Trust us. We will put something together in regulations. You just need to trust us” is a terrible trend that the government has got into.

I thought this was interesting. It is on page 55 of the report. I am definitely going to run out of time. Let us remember that in the minister’s second reading speech, he said that the need for the report was driven by the recommendations from the Law Reform Commission of Western Australia’s report, titled *Review of the Firearms Act 1973 (WA): Project 105 final report*. Page 55 contains recommendation 54. It states —

There should be no upper limit on the number of firearms a single Firearm Licence holder may possess.

If the minister is driven by the Law Reform Commission’s review, the first cab off the rank is ultimately chucked out the window. We might have to get to this in the clause 1 debate. I suspect other members will deal with the Law Reform Commission’s review in some detail. I could have spent my entire 45 minutes just reading in recommendations, sections and chapters from it. It said that there should not be a limit.

I think there ultimately does become a sort of practical limit. That is not the bit in the firearms legislation that I am actually most concerned about. I would have thought that generally speaking, a limit of five and a limit of 10 on farms and pastoral stations is probably not unreasonable. People can potentially apply to have extras and that. I am not so concerned about the fact that exists. However, this driving force that is in place fell at the first hurdle because it is not following the recommendations of the Law Reform Commission. In my view, the government is attempting to provide a political outcome using fear. That is not entirely the government’s fault; I think it is being aided and abetted.

For those evil men—even though they are not the entirety, they are the vast majority—who perpetrate evil acts, whether they have 10 or five firearms does not matter because one is probably enough. For those evil men who perpetrate evil acts, if they had no firearms, I suspect the majority of them would perpetrate evil acts with something else.

Apparently I am not the only person who thinks that. I thought this was a really interesting comment. It has been made public today. I am happy to quote it in. It is from Ariel Bombara, who presumably was one of the intended victims of the Floreat shooting on Friday night.

Hon Martin Aldridge: I think she was the daughter of the gentleman—daughter of the offender.

Hon Dr STEVE THOMAS: That is right.

Hon Sue Ellery: Be careful.

Hon Dr STEVE THOMAS: I am being careful.

There is every chance that they were both intended to be victims. I do not think this man had a line drawn in the level of evil that he would perpetrate. She stated —

The gun reforms being discussed currently are an important step ...

I think there are important steps within them. She continues —

... but it is my unwavering belief that even without his guns my father would have committed a horrific act of violence which likely would have claimed lives.

I agree. I think that is probably right. The man who believes that he has the right to use violence—in this case, the ultimate violence—is unlikely to be dissuaded on the basis that he has or has not got a firearm because there are too many other opportunities.

We are now talking about the plague of knife violence across Australia, which has occurred in Western Australia as it has everywhere else. I do not imagine anybody is proposing that we licence someone to have a knife because then every chef I know is in trouble. There should be a commonsense approach to this.

I come back to my original point. We must hold the person properly to account, whether the weapon was a firearm, a knife, a club or any other tool that can be used for a violent act. We must hold the perpetrator properly accountable. If we want to make a genuine difference to domestic violence—I think this incident was absolutely mistargeted family and domestic violence—rather than have advertising campaigns, our approach should be twofold. First off, genuinely hold evil and violent men to account for their evil and violent actions and their evil and violent beliefs. Secondly, put all the money put from advertising into refuge and escape. Provide a safe place for women and families to go when they need to get out. Most police officers I speak to say the biggest issue they have is the victims have nowhere to go, and they end up going into a violent circumstance. When they go back, the case falls apart because the victim is suddenly then re-exposed to the same violence. In my view, if we want to make it better, we need to invest heavily in alternative safe accommodation. That should be the focus to fix some of these issues. I think it is the only way to make a significant difference.

I wish I had more time speak on this. This is something that I think is incredibly important. There are some bits of this bill that are not too bad, but there is too much in this bill that is unexplained or not good enough for me to be able to support the bill, so I will be opposing the bill. I would love the government to go away and come back and have some genuine negotiations and let us help put together a bill that will deal with the issues without vilifying and demonising legitimate and honest gun owners. I think there are ways to make it better. I just do not think the government and its version of it is the right way. I could not bring myself to undermine the individual freedom of the people in that way.

HON LOUISE KINGSTON (South West) [5.52 pm]: I rise as the lead speaker for the National Party and to oppose the bill. Firstly, I would like to open my remarks by extending—this is going to be tough—my deepest sympathies to everyone who has been affected by the terrible tragedy that occurred on the weekend. The situation highlights the absolute failing of the bill before us because we now know that even the new bill would not have stopped this from happening. This is a very good reason to oppose the bill. I have proposed 20 amendments to this bill because it is absolutely and utterly unworkable. We have been working with the firearms group now for a number of months and have formulated many problems with the bill. It is very sad that the situation on the weekend happened. We also opposed the bill in the Legislative Assembly, and that is why we are also opposing it in this house. As Hon Dr Steve Thomas just raised, it is completely against the recommendations of the Law Reform Commission of Western Australia and the National Firearms Agreement. There is no reason to persecute law-abiding firearm owners, as Hon Dr Steve Thomas and others have raised. The first issue I want to raise is the map that was published in the newspaper. That was a breach of privacy and an absolute insult to every law-abiding firearm owner. As Hon Dr Steve Thomas said, the only reason it was published was to instil fear and insinuate that firearms are not needed. However, we know that every firearm purchased must meet the genuine need test to be licensed. This is all a result of centralisation. A lot of people who previously would have lived in regional areas and undertaken the same activities that they undertake now have been centralised, and they now live in a city. Just because people live in a city does not mean that they do not travel to regional areas and undertake activities that require a firearm. A lot of these are recreational activities that bring economic benefits and vibrancy to regional areas that have been decimated by centralisation. They also serve a really important purpose through vermin control and teaching young people how to use a firearm responsibly. We will need to replace the people who undertake those activities when they get older and no longer do it. We have to think about this very carefully because those requirements in regional areas are only going to grow. The fewer people we have in regional areas, the greater the requirement will be for people to come from other areas to provide assistance with some of those things. That is our reason for opposing the bill.

As I have already raised, this draconian law will set arbitrary limits with no evidence. Every firearm owner must pass a test of genuine need. By vilifying firearm owners and making out that every firearm owner is potentially a criminal is incredibly wrong. This bill will impede the liberties of Western Australians to the point that it will consider someone's views, opinions and attitudes. Clause 150 outlines matters for consideration when determining whether a person is fit and proper. What exactly will that mean? How will that be interpreted and applied? That is a really serious concern.

As we know, the concerns of the community have been completely and utterly ignored. The 32 234 signatures on that petition have been completely ignored. All they wanted was a fairer process. All they wanted was for the problems with this bill to be acknowledged and fixed before it is forced on them and they literally cannot comply. As Hon Dr Steve Thomas and others have said, we do not yet know what will be in many of the regulations. Many aspects of this bill are ambiguous and broad, and I will touch on some of those things as I continue through my speech. Firearm owners were not directly consulted during the development of the bill. Of course, the referral to the legislation committee has also been rejected. I cannot understand that.

Hon Sue Ellery: Don't reflect on a decision of the house.

Hon Darren West: You can't.

Hon LOUISE KINGSTON: I apologise.

The bill targets law-abiding firearm owners and will restrict their current rights in an attempt to target criminals, who do not work within the law. Every incident of a criminal nature that involves a firearm is done illegally. That needs to be raised over and over again. Law-abiding licensed firearm owners are not the problem; the problem is the illegal activities of criminals. We have laws for that. People are prosecuted for that. Persecuting law-abiding firearm owners will not make an ounce of difference to those situations. As others have mentioned, we have seen escalating rates of crime in our community. The \$64.3 million put aside for people to hand in their firearms could have been much better spent on preventing crime and understanding why people commit crime.

Sitting suspended from 6.00 to 7.00 pm

Hon LOUISE KINGSTON: Before we broke for dinner, I was talking about how the Firearms Bill 2024 will impede the liberties of Western Australians. Clause 150 states that a person's views, opinions and attitudes will be considered when deciding whether they are a fit and proper person. Under the bill, how will the consideration of a person's views, opinions and attitudes be reconciled with the principle of freedom of speech, ensuring that lawful expression is not unduly penalised in the assessment process? In assessing a person's repute and integrity, what measures will be taken to ensure that the evidence considered is concrete and observable, rather than based on hearsay or unfounded allegations? Will the bill provide clear definitions or examples of the types of behaviour or conduct that could negatively impact an individual's assessment as a fit and proper person to hold a firearms licence, in order to prevent ambiguity and ensure fairness in the application process?

Based on the tabled petition with 32 234 signatures, we know that the people were ignored. The government maintains its record of ignoring community concerns. We know that the community was not directly consulted during the development of the bill, which I will go through in just a minute. This bill has the same markings as the Aboriginal Cultural Heritage Bill 2021, which, as we know, was an epic fail. It targets law-abiding firearms owners and restricts their rights in an attempt to target criminals, who do not work within the law, which I was talking about before we went to dinner. The evidence is lacking. I asked the following question on notice on 15 November 2023 to the Minister for Emergency Services representing the Minister for Police —

I refer to the Government's proposed plan to further restrict law-abiding firearm licence holders, and I ask:

- (a) if the key objective is public safety, in the most recent data available how many firearms related offences were committed using licensed firearms;
- (b) how many firearms related offences were committed using unlicensed firearms;
- (c) is there any visible trend over recent years; and
- (d) if yes to (c), what is the trend?

The answer was —

- (a)–(d) As was recommended by the Review of the Firearms Act 1973 (WA) Law Reform Commission report of October 2016, the *Firearms Act 1973 (WA)* has been rewritten from the ground up with a statement as to the purpose of the Firearms Legislation that confirms:

- (a) The primary principle is the need to ensure public safety —

Members will not get any argument from this side on that. The answer continued —

- (b) The possession and use of firearms is a privilege that is always conditional on the need to ensure public safety; and
- (c) Public safety can be improved by requiring strict controls on the possession, use, dealing and manufacturing of firearms and requiring the safe and secure storage and carriage of firearms.

In 2023, the Western Australia Police Force advise that there were 517 incidents involving firearms this represents a 14% increase on recorded incidents involving a firearm ...

However, the Western Australia Police Force could not provide us with information which of those were conducted using illegal firearms.

I will go back to the lack of consultation with firearms owners. The government cherry-picked organisations to consult with and left individuals out of the discussions. The answer to my question without notice 1343 listed the different organisations the government engaged with.

The question was —

I refer to the Minister for Police's foreword in the consultation paper *Reform of firearms laws in Western Australia* and the minister's comment that 100 separate engagements with stakeholder groups took place.

- (1) Will the minister table a full list of these 100 separate engagements?
- (2) If not, why not?

The answer provided later was —

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

I table the list of engagements, which is a de-identified list of separate engagement without names and personal details.

There were 16 public consultation sessions conducted in Albany, Kalgoorlie, Carnarvon, Geraldton, Broome, Karratha, Kununurra, Hillarys, Guildford, Bunbury, Busselton, Northam, Narrogin, Rockingham, and two in Cannington. The list of stakeholder groups who attended the meetings are the Mental Health Commission; the Pastoralists and Graziers Association; the West Australian Pistol Association; the West Australian Rifle Association; the Western Australian Clay Target Association; the Gun Control Lobby, Injury Matters, the Western Australian Council of Social Service and neuroscientist Dr Charles Watson; the Alannah and Madeline Foundation; the Western Australia Airsoft and Gel blaster club; clubs and ranges; the Department of Justice; an individual dealer and professional shooter; the Department of Energy, Mines, Industry Regulation; Perth Airport; the Australian Federal Police, the Australian Border Force; Arms and Armourers; WAPA; WARA; WACTA; the Western Australian Farmers Federation; the Pastoralists and Graziers Association and the Western Australian Farmers Federation; the Pastoralists and Graziers Association; the Department of Fire and Emergency Services; the Consultative Working Group; a primary producer/recreational hunting shooter; the WA Museum; the Collectors, Arms and Armourers Society; Perth Zoo, the Sporting Shooters Association of Western Australia and the West Australian Firearms Traders Association; the PGA; SSAA WA and WAFTA; the Alannah and Madeline Foundation; Safe Central storage business; Safe Central storage business; SSAA WA and WAFTA; the Consultative Working Group; the Director of Public Prosecutions; Airsoft; SSAA WA; the Health Assessment Working Group; a dealers' meeting; a dealers' meeting; the Department of Primary Industries and Regional Development; HAWG; a dealers' meeting; the Department of Biodiversity, Conservation and Attractions; a dealers' meeting; a dealers' meeting; HAWG; DPIRD; DBCA; a dealers' meeting; a dealers' meeting; a dealers' meeting; a HAWG meeting; a meeting with dealers and clubs; the PGA; a HAWG meeting; Conservation Australia; Conservation Australia; SSAA WA; WAFCA; WAFCA; Conservation Australia; WAFCA; the PGA; a dealer; WAFCA; WAFCA; WAFCA; TAFE; WAFCA; WAFCA; WAFCA; WAFCA; Screenwest and the Department of Jobs, Tourism, Science and Innovation; the PGA; WAFCA; a dealers' meeting; Injury Matters and the Alannah and Madeline Foundation; WAFCA; WAFCA; DPIRD; and WAFCA.

We know that that the government consulted with that list of organisations. We also know from that and from other questions that the government did not directly consult with firearms licence holders. There was no direct postage or contact, yet the government was able to write to everyone about the digital licensing and sent multiple text messages, despite not consulting with the 90 000 licensed firearms owners. We received multiple communications from firearms owners after the consultation period had closed that they did not even know it was open despite our attempts to tell as many people as we could. There were 12 000 people who signed a petition to extend the consultation period, which was also ignored. Many people also contacted our office—I am sure that is the same with other members on this side—to say that they would not be putting in a submission because they thought that they would be persecuted. That is quite concerning.

I will now read out a letter from a constituent who is a champion sporting shooter. She contacted me after her father had read and forwarded to her an article in *The West Australian* titled "New Nationals State MP Louise Kingston tells Parliament the 1978 end of Albany whaling was based on a 'lie'". It reads —

What caught my eye, particularly about the headline, is the statement that the whaling industry was finished based on a lie. I feel that Minister Papalia is currently placing further restrictions based on this same premise.

As some background, I am a competition clay target shooter. I compete at both state, national, and international competitions and have done for a number of years. Competing internationally means that I have to gain the appropriate clearances from the country I am visiting to import my firearm. I have held both the title of Ladies State Champion of Sporting Clays Western Australia (SCWA) and

Ladies Aggregate State Champion for 2020 and 2021 As well as my own success, my husband was the 2020 Overall Aggregate State Champion and the 2023 A Grade State Champion. I have competed in the Sporting Clays Australia (SCA) National Championship since 2017 and my husband has competed in this event annually since 2007. In the 2020 and 2021 seasons, we both qualified to be State Representatives, however, we unfortunately could not compete at these events due to COVID-19 restrictions. In addition to our national success, we have both traveled to San Antonio, Texas and competed in the USA National Sporting Clays Association National Championships. I competed in the 2018, 2019, and 2022 events and my husband competed in the 2017, 2018, 2019, and 2022 events, as well. In addition to our competition achievements, we are both registered coaches for SCWA, with part of this training focused on the safe handling and use of firearms.

In terms of employment, I am a Farm Management Consultant ... in the Agricultural Industry ... (a leading farm consultancy firm in Western Australia and New South Wales) and my husband is an Agricultural Machinery Salesman ... From our professions, you can see that we are involved in the agricultural industry but we are not farmers.

While these factors may make it seem as though I won't have any trouble with the legislation that they are trying to introduce, what I have not ... mentioned is that I am neurodivergent, with diagnosed ADHD and anxiety disorders. My conditions are well managed through psychiatrist appointments, regular check-ins with my GP, medication, and focusing on the overall balance of my life, including work, home, social, and sports. The medication that I take daily is a form of antidepressant/anti-anxiety medication called a Selective Serotonin Reuptake Inhibitor (SSRI) and a slow-release stimulant medication.

The legislation that is currently being drafted has me very concerned. Reading both the working paper that was released for comment on Monday ... as well as the FAQ section of the WA Police website, has netted some changes that have made me very nervous.

Section 4, labeled Firearm Authority Requirements and Restrictions, has a section focused on the Health Requirements of a firearm licensee. It is featured on page 28 and mislabelled as 1.1.4. This section details that medical assessments based on a person's physical and mental health will be applied and that "a person who does not meet the firearm authority health standards may not be considered a fit and proper person to hold a firearm authority." This statement is deeply concerning to me as they have not released what the standards are to include. When I was initially diagnosed with ADHD in September of 2020 my life was very chaotic. I was on the verge of losing my job because of chronic executive dysfunction and I was almost certain I had early-onset Alzheimer's because of how frequently I misplaced basic ... items. I could lose my mobile phone up to 15 times a day in my own house, this is not normal and was causing distress because of how concerned I was that I had early onset Alzheimer's. I have described this diagnosis and subsequent management of it as life-changing in the best way possible. At the time, my husband voiced his concern that including medication in my management plan could lead to my firearms license being cancelled and my firearms confiscated. I did not think this should be a concern as a person with a diagnosed and managed mental health condition should be preferable firearm owner over a person who is undiagnosed, unmanaged, and unmedicated for mental health disorders. ...

Further to the information contained within the working paper, the FAQ section of the website states that my medical conditions and medications are going to need to be registered with my firearms license ... As you are aware, the State Government and West Australian newspaper "doxed" all firearm owners in 2022 by publishing a map featuring the location of legal firearm owners and whether they are licensed for long arms or handguns. The state government has long since claimed that people would be unable to specifically identify the location of the houses with firearms, however, when you do not reside within a population centre it is extremely easy to determine the location of the firearms. As I live regionally, there is a fair distance between myself and my neighbours. Within the maps published by The West, the road I live on is approximately 18km in length, on the maps published by The West it was comprised of 8 blue dots. There are a total of ten houses on my road. Working on a statistics-based analysis, a person who wishes to obtain a firearm without going through the correct process has an 80% chance of success in selecting a house to obtain one from on the road where I live. Those odds are pretty good.

Based on the above incident, I am incredibly nervous about my medical and medication information being held by firearms licensing, especially since my medication is already registered with the state government and my medical conditions and medications are registered with the Department of Transport. The action of releasing the location of firearms owners lead to a considerable amount of stress for myself and my husband as I predominantly work from home and he travels for work, regularly travelling through areas of low or no phone reception. Within two days of the article being published, offenders broke into a house not far ... of where I live and attempted to break into their gun safe. As methamphetamine abuse is rife within regional Western Australia, there was a genuine concern about the potential for a home invasion based on the publication of these maps.

She goes on to outline more concerns and also some information about crime. The letter continues —

“Over the past five years 1,769 firearms have been stolen in Western Australia, amounting to an average of one firearm going missing every day.”

What Minister Papalia failed to mention with this statement is that his figures included three incidents targeting firearms dealers ...

That is pertinent to what Hon Wilson Tucker raised before about the actual number of firearms owned by registered firearms owners, because about 200 000 are contained at dealers. The letter continues —

The above crimes were all considered to be “highly organised” and involved multiple parties and netted the criminal enterprises a total of ... 500 firearms. Removing this number from the total, this leaves 1,269 firearms stolen within that same ... period, averaging at ... 5 per week over five years. While this number may still seem large, it is worth comparing it to the firearms stolen from 2011 through to 2016 ...

...

From July 2011 through to June 2016, 2,550 firearms were stolen in the state of Western Australia, with there being no media reports of gun shop burglaries being found. Based on the overall figure of 1,769 firearms stolen in the 2017–2022 period, there was a decrease in firearm thefts of 781 individual firearms.

With the exclusion of the firearm shop burglaries, this difference increased to 1,281 individual firearm thefts ... a reduction of half the number of firearms stolen in a five-year period.

Police Minister Paul Papalia was quoted in the article titled *WA gun laws: McGowan Government to rewrite State's legislation as shocking data reveals extent of ownership* in The West Australian newspaper dated March 22 as saying;

“One observation I would make is you’d have to think there’s a lot of those 349,000 firearms out there just sitting around not being used, waiting to be stolen by some criminal who can use them as an illegal firearm.”

I was unable to obtain statistics for individual years for the full period of analysis (2011–2022). Comparing the figures provided above from Statista with the crime involving firearms from the ABS, it can be noted that there is no correlation between the number of firearms stolen and the number of crimes committed using a firearm. When looking at this information, it would seem that Minister Papalia’s “observation” is merely that, a thought that he has neglected to support with evidence.

In order to present a reasonably “fair” visual representation, I have placed the firearm shop burglary figures into their respective categories (2016–2017 for the March 2017 theft and 2019–20 for the September and November 2019 thefts) and then distributed the remaining figures evenly between the categories starting at 2017–18.

I have a graph that I seek leave to table.

[Leave granted. See paper [3185](#).]

Hon LOUISE KINGSTON: It shows a decrease in firearm thefts across Western Australia. Aside from that —

The DEPUTY PRESIDENT: Member, you need to provide the document.

Hon LOUISE KINGSTON: I am still reading from it.

The DEPUTY PRESIDENT: The document has been tabled, so perhaps a copy can be brought back to you quickly.

Hon LOUISE KINGSTON: That is okay. The second graph shows a marked increase in crime in Western Australia, so there has been a decrease in firearm offences and an increase in crime.

Another constituent has guns for competition that are worth around \$5 000 to \$6 000, so he will not relinquish them for only \$500. His question is: if the reforms go through and become law, will these guns be confiscated? I think that is a very valid question that needs to be answered. If they are confiscated, will he receive proper compensation for his losses? He is a member of a local shooting club and also holds executive roles at a district level, all voluntary. It is not possible for children under the age of 18 to hold a firearms licence, so historically adults have purchased additional guns for their children to compete at local and state levels. That is what his children have done, successfully. He also made the point that if these reforms become law and the number of firearms is limited, parents will not be able to purchase guns for their junior competitors to use in competitions. This will basically end junior shooting competitions.

To go back to the last story about the sporting shooter, that was how she started when she was very young, learning how to shoot on her parents’ property.

Hon Sandra Carr: Member, how many guns is a sporting shooter allowed to hold? Don’t look at your sheet. How many guns are they allowed to have?

Hon LOUISE KINGSTON: What is the relevance of the question?

Hon Sandra Carr: Can you tell me how many guns?

Hon LOUISE KINGSTON: I do not see the relevance. I am not even going to answer it.

Hon Sandra Carr: It is relevant, because —

The DEPUTY PRESIDENT: Order, members! Order. Everybody gets a maximum of 45 minutes to speak to the bill, and this is Hon Louise Kingston's turn.

Hon LOUISE KINGSTON: Thank you. I am reading from a statement, so it has absolutely no relevance.

Historically, adults have purchased additional guns for their children, as I said. This will basically end junior shooting competitions; that is to be considered. He pointed out that all these clubs operate on the goodwill of volunteers and all the executive positions are held by volunteers. They are incorporated bodies and they follow all the rules and regulations as required. If these reforms become law, it will be a requirement of each club to report additional information to the Commissioner of Police. He suggested that this information could be about the types of rifles and guns and how many they have et cetera. This will put undue stress on the volunteers, who would then be required to collate this information, record it and send it to the Commissioner of Police. The constituent's question is: What will happen if these volunteers make a mistake? Will they be liable in the eyes of the law? Will there be penalties for them or their clubs? In the face of this fear, he believes many will simply leave the clubs. The time and effort required by these volunteers would render their positions untenable. I know of that personally from my involvement with speedway over the years and the increase in the often-unjustified requirement of filling in reams and reams of paperwork that have absolutely no value whatsoever, apart from ticking a box and giving somebody in a department a job. That is a real concern for some of the clubs that we have been speaking to.

The other one we got was from a business owner who was seeking clarification about the future of his business because a lot of the information will be in the regulations. He had had some meetings with the Western Australia Police Force and correspondence from the minister's office, and then he was told by WA police that no further information or advice would be given. He was left in a state of totally and utterly not knowing what to do with his business. As has been repeated many times in the media, we know that the bill went to the Standing Committee on Uniform Legislation and Statutes Review. That was an embarrassing outcome for the government. The committee continuously identified the continued erosion of WA Parliament sovereignty through Henry VIII clauses and regulation-making powers. The committee's report said that six clauses would erode the WA Parliament's sovereignty and lawmaking powers: clauses 5, 17(4), 53(4), 89(2), 402(2) and 419(3). The report referred to 113 specific regulation-making powers and one general regulation-making power. The minister failed to justify why these regulation-making powers are so open-ended and ambiguous.

I move on to disqualifying offences. Despite the importance of public safety, it is uncertain whether every offence included in the Criminal Code makes a person ineligible to be licensed. The open-ended regulation-making power means that the regulations can prescribe a disqualifying offence. The minister provided some examples in his response to the committee, but he failed to address why he needed the flexibility to include them in the regulations.

I move on to the health standards, which I just raised in the correspondence from the sporting shooter, as well. We have heard many times that it will be similar to the HR health standards and check systems, but despite this, the health standards have not been finalised. Again, they will be referred to in the regulation-making powers. The minister's responses did not clarify why the bill did not provide for the health standards. The tabled document I have here goes through them. It says —

SUBJECT: FIREARMS ACT REFORM—MANDATORY HEALTH ASSESSMENT

BACKGROUND:

In February 2022, Cabinet approval was received and a project for the redraft of the *Firearms Act 1973* (the Act) commenced, with the paramount principle of ensuring public safety through the responsible and legitimate ownership of firearms. It is proposed the new legislation pass Parliament and be enacted in late 2024.

The legislation will enable the introduction of mandatory Health Assessment by all new applicants, authorised persons and existing firearm licence holders.

CURRENT STATUS

The health assessment is one of the many new legislative changes to promote public safety, to ensure that all firearm licence holders can safely operate and possess a firearm(s).

Overall Approach

On implementation of the Initial Health Assessment:

- Every original applicant will be required to undertake a health assessment.
- Existing Licence holders who reach 80 years of age will be required to undertake a health assessment.

- All existing Licence holders will be required to undertake a health assessment within the period defined during transition, options to transition detailed in next section.
- All *Authorised Person(s)* both new and existing.
- Noting the Commissioner has a level of discretion within the Legislation to mutually recognise other prescribed health assessments for other occupational or recreational purposes, where the health assessment is no older than 12 months from the date of the firearms application and/or renewal date.

This is where the problem arises. The document continues —

Current Numbers

- Approximately 90,000 existing firearm licence holders.
- Approximately 300 licence applications per month, this includes original and additional.
- Approximately 7,000 to 8,000 firearm licence renewals per month.
- Currently the majority of licences are renewed annually. Proposed changes will provision options of one, three- or five-year renewal periods.

I will not read them all out, but there were three options to transition, the least of which meant that there would be 1 500 of these health assessments required per month. Someone living in regional Western Australia cannot get a doctor's appointment in under six weeks just for their basic situation, so this is absolutely unworkable. There is not a chance that we will be able to manage this increase in requirements in regional Western Australia, and I would imagine in the city as well.

The general information is interesting. It says —

The medical practitioner is not a decision maker in relations to a person's suitability to be granted or retain their firearm licence.

I find that incredibly distressing in that a medical practitioner is expected to fill in the form but is not the person who makes the decision, being the trained person, about whether the licensed firearm owner will retain their licence. The document continues —

The intent is the completed health assessment form provides information for consideration by the Commissioner of Police (the Regulator) in the overall picture of a person's fit and proper status to obtain or retain a licence.

Remembering, of course, that it is not outlined in the bill, it is only outlined in the regulations, so that can be changed at any stage —

The health assessments are similar in nature to other prescribed occupational and/or recreational health assessments. As firearm licences are considered recreational/occupational, similar to heavy haulage drivers or recreational pilots, there is no Medicare rebate for these assessments ...

So that is another cost for licensed firearms owners who have met all the requirements needed. Another question is how the costs would be managed. If there is no Medicare rebate, it means that it is up to every medical practitioner to set their own fee. The document continues —

The health assessments have been streamlined and as such may be able to fit within the normal timing for consultation appointments by medical practitioners. Further, the health assessments have been designed to make them suitable for telehealth consultations.

I tell members right now that that will never happen because I know from having to do them for Speedway that it is a separate appointment and it is shockingly expensive, and, as I said, there will be no Medicare rebate. That will be hugely problematic. The document then says —

The cost associated with the medical practitioner's appointment to carry out a health assessment will be determined by individual practices. As stated above, they will not be eligible for Medicare rebate. A Health Assessment Medical Practitioner's Guidance Sheet has also been developed ...

That literally says that those firearms owners, and there are lots of people out there struggling with the cost of living, could be squeezed out of their legitimate occupation or recreational pursuit just by that one statement.

The document goes on to say —

The Act allows the Commissioner to direct a firearm licence holder to undertake a health assessment as to their fit and proper status at a medical practitioner of their choice. This currently is assessed by the Regulator in a holistic fashion using the Licence Consideration Group Meeting. In addition, if further clarification is required the Regulator can further request the individual to attend either a specialist or a designated medical practitioner to obtain specific information.

It will be cost upon cost upon cost. The section is really interesting. The paper states —

The Health Services Act 2016, Mental Health Act 2014 and the proposed changes within the Firearms legislation, provides a significant level of protection for any medical practitioner from criminal, civil or disciplinary proceedings connected to any disclosure matters related to those Acts. If medical practitioners still have concerns in relation to indemnity coverage, it would be prudent for them to contact their own medical defence organisation to seek clarification.

I do not know about other members, but if I were a doctor, I certainly would be concerned about that. Under the heading “Legislation”, the paper further states —

- The draft Bill enables the Commissioner to require evidence that the holder of a licence or applicant meets firearm authority health standards.
- The power will enable the Commissioner to receive evidence that the person has been examined and found not to have any physical or mental conditions that could reasonably result in the person not being able to meet the health standards.

Remembering, of course, that what I just read states that a medical practitioner is not a decision-maker. That is very confusing. It continues —

- The examination can be by a medical practitioner of the person’s or the Commissioner’s choosing.

Once again, when we are talking about costs and a medical practitioner of the commissioner’s choosing, that cost could be unlimited. It continues —

- A failure to comply with a requirement of the Commissioner under this section within the period allowed by the Commissioner is sufficient grounds for the Commissioner to be satisfied that the person fails to meet firearm authority health standards and for that reason is not a fit and proper person.

If a person cannot comply and does not see a medical practitioner of the commissioner’s choosing—for example, they might live in regional WA and are unable to travel to the city to see the medical practitioner because of work—how will that be managed in terms of a bit of leniency? This section is in total and utter conflict with the one to which I referred earlier about medical practitioners seeking advice from their medical defence organisation if they still have concerns. The paper states —

- There are full protections from criminal, civil or disciplinary action against any medical practitioner who provides information regarding an applicant or licence holder, whether that information relates to a health assessment or from some other interaction.

Those two paragraphs are in complete conflict with one another. The medical assessments that will be required needs to be clarified.

The objective of the bill is to reduce the number of firearms in the community. We already know that the dual-use provision contradicts this. Clause 29 is headed “Firearm to which Individual Licence applies”. Limiting the use of a firearm to just one licence would mean that they would have to double up. The government now has an amendment on the supplementary notice paper because it realised that that provision could increase the number of firearms in the community. If this bill is about public safety, that should have been considered before that clause was put together. As I mentioned previously, there have been 517 firearms-related incidents, but the Western Australia Police Force cannot provide an answer as to whether they were legally or illegally obtained firearms. As I have said before, any act of criminality is just that; it is a criminal act. Of course, licensed firearms owners by virtue do not fall into that category, but with the draconian measures contained in this bill, they are being treated like criminals.

Today we heard from Hon Tjorn Sibma’s contribution to the budget debate that violent crime across all areas has increased on average by 30 per cent. This includes non-family assaults, robbery, sexually based offences and others.

I will now refer to my question 1752 that I read out previously about the objective of public safety and the fact that 11 of the 13 questions I asked of the Minister for Police could not be answered due to operational requirements. We are looking at a massively big bill that will make changes to this legislation and there is no surety that it can even be managed by the Western Australia Police Force, which is concerning. I have received a number of emails to that effect during this time with concerns about that as well.

In conjunction with the answer to 1752, the WA police data hardly supports the justification of the bill either. There were 43 824 assaults in 2022–23, and according to police data, only 95 of those were homicides. This is another table that is similar to the one that I tabled previously showing the increase in Western Australian offences per financial year. We can see that in 2023, there has been a marked upswing in offences, and we know that only 517 of those involved firearms. In 2023–24, there were 43 919 offences, of which, only 517 were firearms related. For public safety, we have to ask if there needs to be a focus on the actual criminal element out there that are perpetrating these crimes.

I raised a question today about the \$64.3 million for the buyback scheme and the answer gave me some figures. As of 27 May, there have only been 12 024 firearms surrendered. The minister actually said that he was hoping for 100 000. It is a long way short of that. By closing it off on August 31, I cannot see how that figure will be met. So far as of 24 May, of that \$64.3 million, only \$4 441 849 has been spent. No illegal firearms have been handed in whatsoever. I would say that is a fairly good indication that this bill will not result in better community safety. If we take the \$4 441 849 out of the \$64.3 million that has been expended so far, that could have been spent on actually keeping people safer in the community.

We are targeting law-abiding firearms owners instead of the actual criminals. The bill does not even recognise offences committed outside of Australia, which I have proposed an amendment for to improve public safety. A question has to be asked about how that was missed during the drafting of the bill.

We have proposed an amendment to clause 5. How does the bill ensure that the definition of a related thing does not inadvertently encompass accessories like carry straps or recoil pads? Can the bill provide a clearer distinction between major firearm parts and common shooting accessories to prevent over-regulation? What criteria are used to classify an item as a prohibited accessory under the broad category of “related things”? How will the bill’s definition of “related thing” affect hobbyist and sport shooters who manufacture their own shooting accessories for personal use? Is there a specific list of criteria that defines what constitutes firearm technology under the bill to avoid confusion among lawful firearms owners and manufacturers?

Given the inclusion of “programmed firearm manufacturing device” in the definition of “firearm technology”, how will the bill address the use of common digital fabrication tools that are not exclusively used for firearms? Will the bill provide guidance on what constitutes authorised accessories to clearly identify what is permissible for manufacture and use by licensed firearm owners? How does the bill plan to regulate the dissemination of digital or electronic firearm technology without infringing on educational or professional development within the firearms industry? Does the bill intend to offer exemptions or clarifications for the use of computer-aided manufacturing and computer numerical control devices by licensed professionals in the firearm industry to prevent undue restrictions?

Then the bill goes on to ammunition. Any other thing as prescribed by the regulations is far too broad. What things will be prescribed in the regulations? At what point does the material or component become ammunition, primed or unprimed? Missing from that clause is “without lawful excuse”. The question is the difference between a prescribed paintball pellet and a paintball pellet. The word “prescribed” is used once only in the definition of ammunition. That is from the firearms authority health standards letter regarding assessment recommendations.

The issues in the bill start as early as the definitions. The lack of clarity around ammunition and the finding of guilt are all serious concerns for licensed firearm owners who genuinely try to do the right thing and to be lawful, but the bill is just so broad and so confusing that the fear is that they will break the law without even realising it. The penalties are significantly increased, which is definitely wanted for illegal activities, but what for unwitting breaches by lawful firearm owners?

Recommendation 54 of the Law Reform Commission of Western Australia *Review of the Firearms Act 1973 (WA): Project 105 final report*, as Hon Dr Steve Thomas raised earlier, was that there should be no upper limit on individual firearm licence holders because they already have to prove a genuine need for that firearm. There will be a significant amount of unwitting effect on this, and I already raised the one about young children learning the safe handling of a firearm to then go on and take up that occupation later or be a sporting shooter. Why is that genuine reason not adequate enough? Why does there have to be a cap on firearms? Based on what Hon Wilson Tucker said earlier on those skewed amounts, the potential is that there will be a far greater number of firearms in the community. It is obvious that it is not going to do what it is supposed to do. As we have talked about, clause 29 will prevent people from being able to use a firearm for multiple purposes. That means that if somebody has three firearms now, they will need to have six to do the same things.

How will that reduce the number of firearms? It will not. As we know, the government has realised the mistake that was made and has proposed an amendment. How many more amendments will we see in the coming days or weeks? The minimum activity requirements for individual licences do not define the fact that this will not apply to hunting. That has not been amended. We will propose an amendment to ensure that the law is clear and defined.

I refer to business licences. The minimum activity requirement for trade licences under clause 90 is an attack on small businesses in regional and remote areas. This requirement will be in the regulations, so we do not yet know what the minimum level of business activity will be. The government, through this bill, is essentially trying to improve public safety, but if these businesses in regional and remote areas close down, firearm owners will have to travel hundreds, if not thousands, more kilometres to access those services. That cannot possibly be considered safe. A lot of those business are multifaceted. They may sell a packet of ammunition only once a week. That needs to be considered in terms of how this will be managed going forward. If there is only one business with a trade licence in a 360-kilometre radius, it is going to cause an enormous number of problems if that business cannot meet the minimum trading amounts that it will be subjected to. Again, we do not yet know what those minimum amounts will be because they will be in the regulations.

We were told in the briefings that “primary producers” would be as defined by tax ruling 97/11. This will erode the Western Australian Parliament’s sovereignty by referring parts of the bill to findings endorsed by the federal Parliament, leaving a commonwealth commissioner to make decisions on behalf of the Western Australian Parliament. My colleague Hon Colin de Grussa will elaborate on this in his contribution to the second reading debate.

I move on to storage requirements. Clause 308 conflicts with clause 129. Clause 308 states that if two or more people are in possession of a firearm, possession lies with the person with immediate or most recent possession. However, clause 129 states that both the licensee and the responsible person will be guilty of a licensee offence. How that will be managed for a breach of storage requirements needs to be clarified.

In conclusion, the bill will fail to meet its key objectives of improving public safety and reducing the number of firearms in the community. The bill contradicts the Law Reform Commission of Western Australia report by creating an impost on licence holders and restricting the number of firearms a licensee will be able to hold. The minister has failed to demonstrate how the bill will increase public safety. The amendment to the cap is welcome, as we believe that the government has finally accepted that it would increase the number of firearms in the community. What worries me in all this is the focus on law-abiding firearm owners. Both Hon Tjorn Sibma and Hon Peter Collier highlighted the rising crime rate and lack of resources provided to fight it.

HON DR BRIAN WALKER (East Metropolitan) [7.53 pm]: We are debating the second reading of the Firearms Bill 2024. Like others, I recognise the terrible events of Friday. I also recognise the impact it had on me, because it forced me to rewrite my whole speech, and properly so, because it highlighted a foundational reason for this bill in the first place.

The Firearms Bill 2024 is, of course, essential and I think no-one would disagree with that. When we are dealing with weapons that can easily cause death and destruction at a distance, having weapons freely available to people who should not be in possession of them is a matter of national concern. We only have to look to—I could call them our cousins—the Americans’ benighted approach to firearms and the terrible toll it is taking on their lives and indeed society. We do not want that. The whole point and aim of this bill surely has to be community safety. I doubt anyone will disagree with that. If we can all agree that this is an essential, necessary bill, let us look at it in some detail.

Here we are looking at the implementation of the revisions written by the Law Reform Commission of Western Australia in 2016, when it reviewed the Firearms Act, which of course was well past its sell-by date. It has to be noted that of the 143 recommendations, the general public probably knows nothing about it apart from the general agreement. The shooting community absolutely agrees with the list of recommendations from the Law Reform Commission and would be very happy to see these conditions approved. We can all agree that for community safety, implementing the recommendations—a very sensible approach—would be an ideal step. Yet, from those very same people, we find a massive disagreement. I have been through these recommendations, and I find that the generous understanding is that 93 per cent of the recommendations here will eventually be implemented. I think 93 per cent is very well done. How can it be, I ask members, that on the one hand we agree with the implementation of all the recommendations here, but the shooting population—the ones who will be affected directly by this bill—are to a large extent opposed to it?

I do not know whether everyone is opposed, but from the hundreds of emails and communications, and the personal connection, I have had with the various shooting communities, there is almost uniform disagreement with this. How is that possible? If one has been implemented to a higher degree, how is it that, all of a sudden, the community is not in agreement? There has to be some reason, does there not? Here we have a lack of congruity. Something is not working. It is interesting that one side of the house is ignoring that. They say that the bill is fine and everyone else’s opinion is wrong because the government has done exactly what the Law Reform Commission said—without listening to what has been said. On the other hand, I heard from a very trustworthy, eminently respectable minister here that consultation had been thorough and exceptional. I would like to believe that. I would also like to believe the same of the Aboriginal Cultural Heritage Bill, when the same argument was made. On this side we said that that is not what we are hearing. We were told, “No, the consultation was nigh on perfect.” Members, it was not, was it? The same argument is made here. I listened to what people in the shooting community said. They said: “They came one day, and they did not consult. They told us what was going to happen, and the following morning, the printed bill came out. They had no intention of listening to our thoughts.” The bill had been written and the consultation was actually—let us call it what it was—a sham. It fulfilled the obligation to “consult”, but it was typically misleading.

I have come across this time and again. When I was working in Newman, some nurses came by to talk to the doctors there. They said, “We have come here to talk about closing the gap.” I said, “Closing the gap? Interesting. See that door there?” I pointed to the main door and said, “Which gap are you talking about?” They said, “We have a fresh one here.” Anyone can come through that door. There are no barriers whatsoever. The problem is that often the medicine we are offering is not accepted. For example, people going to hospital would not want to stay for the IV antibiotics because of the ghosts of the family who have been left behind. The patients would rather be out in the back garden. Our concept was to build an Aboriginal healing garden out the back, which, of

course, the government was not going to do. I said to the girls, “Is it possible that the consultation you’ve done with Indigenous elders here has been you at the whiteboard asking for their opinions and you writing down what you agree with, but you not writing on the whiteboard what they don’t agree with? Could that be the consultation you’re talking about—imposing ideas by white middle-class politicians from Canberra onto the Indigenous Martu people? Is that really what we are looking at here?” I am sad to say that the those two very nice nurses ran in confusion because that is exactly what had happened.

Obviously, people are disagreeing with the government on this bill and saying there was no consultation, and I am inclined to believe them. I am inclined to believe that the people who said there was no adequate consultation are correct. There was no adequate consultation. The government has said it consulted well and that this is the best bill. I would like to believe that. Trust us, the government says. As a member of the public as well as a politician, my concept of trusting the government has long since gone back in the days of fairytales when I was in by parents’ bedroom listening to bedtime tales. I am not prepared to take on trust anything that I cannot verify myself.

The general population is governed by fear. Fear is a great way of getting people to agree. People are afraid of the terrible tragedy that occurred on Friday. We could also say that on the same day someone was killed with a knife. Someone else was beaten up, I think with a blow to the head, at a petrol station and is intensive care. That person may not survive. It was a one-punch coward punch. We had a number of deaths from violence, but we are all focused on this very big case. Therefore, the population quite rightly feels unsafe. I have no problem with that. Of course we feel unsafe; therefore, we are asking for protection. That is very understandable. I share that point of view because when people ask me what I want to achieve with my work here in Parliament, I tell them that I want to help create a society that is safe for my children and grandchildren. I will say that again. I will share with everyone here that I want a society that is safe for my children and grandchildren. Safety first, then comfort and then perhaps we can look at getting trust organised.

We can agree, can we not, that safety is the first principle to aim for? We might agree that fears have been raised. Whenever fears are raised, I have a very cynical mind. If fears are being raised, the question is: who is manipulating it to achieve what? It is like the famous picture of the rich man with all the cookies, a worker opposite him with two cookies and an immigrant, with the rich man saying, “Be careful of the immigrant. He wants your cookies.” It creates a fear that the cookies have to be protected. The rich man has a big pile and the worker’s two cookies are at risk because the fear has been raised that the immigrant will take his two cookies. That is standard politics. I am sure that it works in every office: “If you don’t do what I say, you will lose your job.” We might therefore agree that if fear is raised, we need more legislation. Over the last 30 years, I wonder how much legislation has been created in this very chamber. We can ask ourselves and the public who may be watching this: After the last 30 years, are you actually feeling safer now? Has the level of violence reduced? Are fewer people incarcerated in prison because of violent crime? Has domestic violence decreased? After 30 years of legislation to keep our community safe, how much has it actually done to benefit the people whom we represent? We have had 30 years of lawmaking, more regulation and more laws. We should be in a safer situation. This should be a better life. I put it to members that that is not the case. If it is the case that we are not better off than we were 30 years ago from a violence and societal disruption point of view, then we need to deal with the underlying problems—do we not?—because we have failed in our duties as legislators. If we are not seeing an improvement in our society, the question really is: why is that?

I will focus now on firearms for the time being because it could be a very wideranging conversation, could it not? Members know that my life story has been pretty interesting. One of my earliest memories was sitting outside our house in Malaya, as it was then. I think I was grinding leaves with a stone to make soup. In through the front gates of our villa came a big green vehicle with a large white circle and a large red cross in the middle of it on its side. I had not seen one before. I went toddling off to see what was happening. There was a large commotion upstairs, and there I find my father had been carried, and my parents’ bed was covered in blood. My father lay there very much the worse for wear, with a large bleeding lesion on his side. My mother was standing there—quiet. Her face was drawn. I see her face to this day—silent. Her eyes were not at rest; they were concerned. My father’s side was ripped out with a shotgun blast. Fortunately, he had jumped to the side as the terrorists had come around the tree with the shotgun. The blast had not ripped out his centre; it had ripped out his side. The week before, his manager had not been so lucky. He was, in fact, killed. But my father survived.

My first memories of course were of weapons being much higher above my head. They would be leaned against a table when the soldiers, Gurkhas and Australian and British soldiers, came in. They would place their weapons against a table, have a cup of tea or a beer, and wander off again as they went on patrol to search for the communist guerrillas. That was my childhood. I am sure others here have had similar experiences of being exposed to violence. We were aimed at by terrorists. People would shoot at us, but I had no knowledge of that. As children, we were kept safe—apart from our father almost being killed. Plenty of other children of my age at the time did not have such a fortunate experience. I lived through terrorism as a child. Others here have had similar experiences. I think of the Bosnian war and other experiences. Of course, those experiences are far too common. My experience was very, very minor compared with what other people have experienced, but I have personal experience of the dangers of weapons.

Another experience I had was being a part of the Territorial Army. A colleague here is a serving officer still in the reserves. I was not actually on a front line, but I was trained to use a self-loading 7.62 millimetre rifle, and machine guns, too, for that matter. As I was wandering over the hills of Norway, I was given the machine gun to carry. I loved that job. With our weapons, we aimed at targets of images of growling humans who were attacking us with their weapons at the ready. That is what we were shooting at when we learnt how to shoot and kill humans. That was, again, one of my vivid memories of learning how to take part in urban warfare. In those times, of course, we had the conflict in Northern Ireland, where we were trained how to look after ourselves, how to clear houses and how to deal with terrorists shooting at us. It was very tough training. I recall one summer as we were taking leave in a British army town, it was a warm day and we were heading off to swim. The squad was happy together. We were probably going to have a beer later. It was a very pleasant day. As we were wandering in a kind of loose group down the high street, a car backfired. Instantly, every single one of the squad was crouching in the open doorway holding an imaginary self-loading rifle at the ready, pointing our imaginary weapons in different directions as we were preparing to defend ourselves against incoming terrorists. It was instant, because we were expecting at that moment and had learnt that there could be a shot coming. Bang! We responded immediately. I have had it from both sides, both as a victim and as someone who was prepared to get out there, to hold a weapon and do something about the terrorists. It cannot be said that I am unaware of the power of weapons. What I am saying by this is that when I am talking to this legislation, I am talking from a position of some experience, not as much as others—I can point across the chamber to my colleague and indeed to the serving police officers in this chamber—but I am not talking theory. I have learnt how to kill.

With that said, I mentioned earlier about the issues regarding the legislation we are putting through now. We are not any better than we were 30 years ago. In fact, I put it that we are worse off. We need to have a close look at the root causes. This bill does not address the root causes. Let me put it to members this way: if violence is now increasing in our society as a form of communication or miscommunication, and our difficulties are responded to with violence, whether it be domestic violence or casual violence in Northbridge or discomfort in a pub when someone does not like someone—all kinds of ails—simply creating more laws to punish people who are being violent will not work. What are we doing now? There are people who think it a reasonable idea to take a knife with them into a shopping centre. Who on earth in their right minds would want to take a weapon into a shopping centre? But it happens. Have we addressed that thinking? We have not. Does this bill address that thinking? It does not. It gives us legislation, in which I think we will find flaws during the Committee of the Whole House stage, but the bill does not with the fundamental root causes, does it?

We need to explain this. I can explain this as a doctor or as a citizen. As a doctor, I have been looking at the root causes of domestic violence, because this horrible case on Friday was a case of domestic violence. Are we comfortable with this? No, we are not. What are we doing about it? We are putting laws in place that will close the stable door after the horse has bolted. When people rock up to deal with a case, either injury or indeed death with domestic violence, it is after the event. When people are found guilty of domestic violence, they are then released back out to allow themselves to do the same thing.

I cannot mention his name, because it is improper to name names of people who may be imprisoned or freed, but I recall someone who had an issue with his wife. He was violent; he was beating her. He was arrested and put into prison because he had violated his wife with violence in the home. It was intolerable. He ended up in prison and was then released. The first thing he did was arm himself with a knife, find his way to his ex-wife, beat her, stab her and kill her, and then he ended up back in prison. I interviewed him because I was the doctor receiving him in prison. He had a placid smile on his face—unbelievable—because he had felt justification in assuaging his loss of pride by killing a woman who simply wanted to be free of this terrible situation. That placid smile of feeling “I have done the righteous thing; I did a good thing” cannot be fixed. There is no cure for that. There is no prevention for that. It breaks your heart to see it, but this is what we are dealing with in society. The Firearms Bill 2024 is a well-meaning attempt to assuage some of those problems, but it will not address them. Is it sufficient? We can argue that a lot of this bill is actually good legislation—I admit that—but it does not actually meet the needs of the people.

We need to look at causes. How can we reduce the causes? Speaking as a doctor, I would say we need to improve the psychosocial situation to stop people feeling the need to exercise violence as a solution for their problems. It is no fun for our thin blue line to be exposed to this day after day, trying to fix these problems after they have happened, when the underlying problems remain unaddressed. It is like doing the same thing again and again; it is like groundhog day. We are just repeating things and asking, “What are we doing here? How can we fix this? Am I actually wasting my time? Am I losing my sanity by trying to fix a problem that no-one else cares about? Here is yet another call. Someone else is hurt, beaten or lying, dying.” They do their best to save their lives, but they fail. How are they going to feel about that, when the underlying problems are not being addressed?

The citizens who experience this are in fear because it might happen to them. Their house might be attacked. They might be the ones who suddenly find themselves being assaulted in their own home, as we saw a short while ago in the case of that lady and her husband who were badly beaten in their own home by thugs who thought it was quite okay to go into their house, beat them senseless, and steal their property and all their worldly goods. You ask yourself, “What are we doing? What are we doing as politicians? How are we helping to fix this problem?”

I assume that each one of us in this chamber would have a deep interest in, and an abiding concern to find, the solutions to these problems. I will not criticise either side, but I will say that both sides are yet to find an appropriate solution. This bill is not that solution.

The fear we have is not just about firearms; it is also the knives, as in the case of the shopping centre in New South Wales. How are we going to deal with that? We heard earlier Hon Peter Collier's concerns about the number of police leaving the force every year. Why? I cannot mention names, but the police I deal with, as a doctor, are telling me about the PTSD they suffer and the pressures they are under, dealing with these things on a daily basis. One of my friends who is a police officer is actually dealing with childhood sexual abuse. How can you manage your own mental health when you are dealing with these vile events on a regular basis? How many people do you actually have to pick up off the street and see that they have died? I have not had much experience of that, but when people die in my arms after a motor vehicle accident, I am actually okay with that because it is within my area of control; I have done my best. I am not sure how the police deal with that. I recall vividly seeing a friend of mine who, after a failed relationship, killed himself after a high-speed chase by driving into a tree without wearing a seatbelt. The only way I recognised him was by his jaw. How much of that can you see before you finally crack?

Perhaps that is one reason we have an issue with a demoralised police force. Perhaps that is one reason those resignations are happening. I would also encourage people to perhaps consider that the police are being moved to other areas of far less importance, such as chasing a couple of cannabis plants, when they could be looking after more important things. I am yet to find a police officer who thinks that is a high-priority task. We are asking our police to do many things, but the important job of managing the wellbeing of our community is not guaranteed because they are being run so ragged doing unnecessary things. I beg that we consider how we might better organise this. If we do not do that, we will see even more problems among the police force, and we cannot allow that to happen. It is heartbreaking. We must deal with this if for no other reason than to look after those who look after us.

Does this bill suffice? To a point, it does, but more work is needed. I was disappointed that the referral was refused, but I accept that. It does not surprise me. If we are going to assume that legislation coming through is perfectly good, then the delay of sending it to the Standing Committee on Legislation is probably unnecessary.

Hon Darren West: You cannot reflect on the decision of the house.

Hon Dr BRIAN WALKER: Indeed, I cannot. I cannot point out my distress that we have not thoroughly examined the bill as we should.

Hon Darren West: You are reflecting on a decision of the house.

Hon Dr BRIAN WALKER: Well, I will reflect even more and say that it was a poor decision, but there we are. The consultation was the old story of trust, as I said before, like the Aboriginal cultural heritage law.

Now we come to the policy of the bill itself. I said that 93 per cent of the recommendations had been included, which is a good sign. Why, then, are so many people unhappy? I have yet to find a shooter who actually agrees with this bill. The general thrust is good, but—the devil being in the detail, of course—the general detail leaves them complaining.

Hon Darren West: There are many. In fact, I think there is a majority.

Hon Dr BRIAN WALKER: I will take the member's word for it. It is not the experience that I have, but I hear what he says.

The question here is: who actually wrote this? If just this had come through, that would be fine. It is not related just to what is in the very sensible recommendations of the Law Reform Commission of Western Australia's review. I wonder who wrote the instructions for this bill. When I asked the Parliamentary Counsel's Office for some information, it was apparent to me that this was not its language. Someone somewhere gave the instructions for this bill to be written, and the information I have is that large parts of the bill were written by the Western Australia Police Force, which might explain the mismatch between the Law Reform Commission and the policy of the bill. I shall ask about that during the Committee of the Whole House stage, but there certainly is a mismatch.

I attended the briefing, and I have to thank the Western Australia Police Force for it. It is true that I am coming into my fourth year in Parliament, and this is the only briefing I have attended at which I felt physical anger. Generally, when I get a briefing, I hear the facts coming at me. It is explained, and I am quite happy to hear that. At this briefing, the first thing that happened was the Minister for Police came in, very arrogantly said, basically, "Take it or leave it. I do not care what you think," and stomped off. The ones who were giving the briefing, those who remained, were exactly the same. In fact, I was quite disgusted by that because there was absolutely zero interest in being anything other than commanding and demanding, and informing us, "This is what you're going to get, and there's nothing to change in it. This is the way it is. Take it or leave it. Stick with it." I found it very arrogant. It also matches what was said to me in the many hearings I have had with members of the shooting community. They said that the information they got and the consultation they had was just a cover for a bill that had been written in advance. It was given to them on a plate: "This is the way it's going to be. Whatever you say, we're not going to

listen to you.” They were being dictated to, and that is not acceptable. If someone is going to communicate or consult, they should at least listen to what is being said. No; this did not happen at all. When it comes to the question of trust, I look at this and think that I do not actually have the trust for that.

On the one hand, we have the communication, the narrative. The narrative that the government is putting out is clearly one of fear. For example, there is the idea that “We will keep you safe. The weapons have to come off the streets.” I wonder about “off the streets”—10 000 weapons off the streets. Even today, *The West Australian* says that the weapons will be taken off the streets. If anyone has had a licensed weapon in their possession, they would first of all have to have had a gun safe. The gun safe would have to have been shown to be fixed to the floor so it would not be removable, although, as Hon Dr Steve Thomas pointed out, nothing is ever secure. Without that truth and an inspection by the police, a person does not get a licence to own a weapon. The legal firearms owners have to abide by very strict conditions or, failing that, they have the weapons removed. The concept that we will have taken 10 000 weapons off legal firearm owners, that they will be off the streets, is polemic. It is fear-raising polemic designed to make firearm owners appear like criminals.

What is the point of this? Does the government want to equate firearms owners with criminals? Is that the point? Is the point that the government wants to remove firearms from the community entirely as the only way to keep us safe from firearms? Is that really what the government wants? That is the narrative that the government is putting out. If that is the case, at least be honest about it. I believe that the police minister said that the safest thing would be to remove all firearms from the public; it was spoken about. Maybe that is taking things just a bit too far and the government will not quite mention that, but I think that is certainly the thrust of this legislation. So, in fact, the real intent of it is to have no firearms at all.

I did a number of searches because when I asked questions, it was difficult to get actual facts. From 2021 to 2024, gun-related crimes in Western Australia have shown fluctuations. In that time of two and a half years, there was a total of 350 gun-related incidents—this is approximate, just my figures from research. That would raise the concerns of any citizen, would it not? When we look at the 350 gun-related incidents in more detail, we find that of those, 85 were committed by offenders on bail who were permitted to retain weapons on their premises. Another 70 of those 350 were offenders with known mental health illnesses. People in both of those categories should have had their weapons removed if the 1973 legislation had been followed as written—correct me if I am wrong. Of the residual 195 incidents, the perpetrators of which were not on bail and did not have mental health illnesses, about 130 were committed by known criminals who were not fit and proper persons to have a firearms licence. If the 1973 legislation had been applied appropriately, there would have been 65 cases from 2021 to 2024, or 18 per cent of the previous total.

I saw that terrible catastrophe on Friday. Once again, the police had been asked, begged, three times to remove the weapons from a man who was possibly violent, and nothing was done. The usual response follows: we will hold an investigation. That is after the event, with two bodies lying on the floor and the perpetrator going I do not know where—I do not really care. That would have been entirely preventable had we obeyed the laws written in 1973. What will this law do that is different? Will the police be any better at following the law with this legislation than they were then? I think precedent would show us no. Why? Because the police are engaged elsewhere doing so many tasks, some of which are completely useless, such as—I will mention it again—chasing after a plant, which is more important than keeping people safe from guns.

Of those 65 incidents, quite a large number were suicides. We can look at other deaths as well. In that same period, there were 75 firearm deaths—homicides, suicides and accidental shootings. Suicides accounted for a significant proportion of those deaths. In the same period, 55 people were killed by knives and 90 people—not 75—were killed with non-knife, non-gun violence. In that same period, there were 480 road traffic deaths. Where is the balance? Where is the focus?

I have not even begun to discuss whether we have addressed the needs of the population by addressing what the criminals are doing. No, the government’s focus has entirely been on the already law-abiding firearms owners who legally own their guns. As for the criminals, do members remember the map that was released? We were assured that publishing it was completely safe. The week following the release of that map, I sat with someone as they used their computer and the map to extract, after a few very clever steps, a book of the names and addresses of the firearms owners on that map, stratified by hand weapons and long weapons. Now there is a shopping list for criminals of where they can steal those weapons. That is where criminals get their weapons, is it not? Criminals steal weapons from law-abiding firearms owners, abetted by the actions of the Minister for Police who allowed the release of data that could be accessed, identified and used as a future shopping list. He then had the temerity to tell the public and Parliament, “No, you can’t do that.” If anyone doubts the veracity of that, I would be very happy to organise a meeting with someone who could use the existing information and produce the very same handbook that I have seen.

I am being asked to trust the veracity of someone who has been less than truthful with the presence of the map, who is quite happy to tell us that 10 000 weapons have been removed from the streets when obviously that is lie, who is quite happy to illegally use a 50-calibre weapon on land deemed unsuitable by defence forces, and who

praised the police for identifying a weapons cache that was hidden under a chair in a basement but forgot to tell us that this had been reported as a safe place for weapons by a lawful firearms owner. The minister put it out there that the police had discovered a cache of hidden weapons and removed them off the streets, and now we are safer because of this discovery. This comes from someone who should be the paragon of virtue and the paragon of truth. The person responsible for this legislation said, “It is the best legislation that we can possibly offer our state”, but I would tell members to their faces that I disagree with that. The law needs to be followed.

This is an attempt at useful, essential legislation, but it is not right. It is not the correct legislation for our state. In fact, we now have police officers writing legislation for parliamentary counsel to put into proper form. They are writing legislation that reflects the mindset of English police from an English society and transferring it to Australian citizens in an Australian context. I put it to members that a good idea for England is being transferred improperly to Australia. I am not cool with that. I want laws for Australians, Australian society and Australian conditions that meet our needs, not those of Yorkshire. We can talk a lot about this, but members can sense my concern because what I am seeing here is an attempt at very good legislation, but it misses the underlying need to address how our society can be healthier, safer and more productive, with people who are able to thrive and flourish in a safe society. This law fails on that count.

HON NICK GOIRAN (South Metropolitan) [8.35 pm]: I rise as we consider the second reading of the Firearms Bill 2024. It is perhaps a good place to start to remember that Western Australia has a statute book. That statute book could be considered the equivalent of a library. Parliament is being asked to insert a new book, this gigantic Firearms Bill 2024, into the library of the laws—the statute book of Western Australia. Although every proposed law put before this chamber for inclusion in our statute book—our library of laws—warrants scrutiny, some proposed laws warrant special scrutiny.

There are several criteria that can be used to triage which bills warrant scrutiny and which bills warrant special scrutiny. For the purposes of our consideration of this gigantic bill, I would like to offer two examples of such criteria. The first is the voices of Western Australian voters and residents and the second is what I would describe as the “hazard rating” inherent within the proposed law. I will begin with the first of those two criteria: the voices of Western Australian voters and residents. It is a historical fact that on 7 May this year, the following e-petition was tabled and signed by a record-breaking number of Western Australian residents. It reads as follows —

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled. We the undersigned ...

1. Support law-abiding owners of firearms in Western Australia; 2. Call on the Government to prioritise its taxpayer funded resources towards those who possess and use unlicensed firearms; 3. Have significant concerns about multiple provisions in the Firearms Bill 2024; 4. Are dismayed that after all the talk and promises of consultation, the Bill is currently with a parliamentary committee whose restricted terms of reference prohibit it from conducting a full public inquiry; 5. Urge the Legislative Council to refer the Bill to the Standing Committee on Legislation for a full public inquiry into the policy of the Bill to assess its impact on the rights and liberties of law-abiding Western Australians and its efficacy at tackling those with a history of showing disregard for the laws of our State.

And your petitioners as in duty bound, will ever pray.

It is also a historical fact that a week later on 14 May 2024, the Leader of the Opposition, my good friend Hon Peter Collier, moved that the bill be referred to the Standing Committee on Legislation for a public inquiry. It is also a further historical fact that on that same day, Hon Stephen Dawson said in reply, “I rise to indicate that the government will not be supporting the referral motion.” It is also a well-known, albeit regrettable, fact that the Western Australian Labor government has the majority of members in both houses of Parliament. It should be self-evident that the reason we are debating the second reading of this bill at this time is because it has not been referred to the standing committee.

As a consequence of that, it falls to this chamber to do the best it can with its limited time and resources to in part fulfil the desire of that record-breaking number of petitioners. I say “in part” because the petitioners sought a full public inquiry. This would enable public submissions and hearings—that is, public consultation. That will not be happening. However, what can happen is some special scrutiny. It is my submission to members this evening that we as a chamber should facilitate that out of respect for the voices of this record-breaking number of Western Australians.

I turn to the second proposed criterion. It is my view that the more inherently dangerous the subject matter of the law is, the more worthy it is of special scrutiny. I would describe this as the hazard rating level of a proposed law. In this case, we need to look no further than the genesis of this bill. Members will be aware that the bill’s genesis is found in the 105th project undertaken by the Law Reform Commission of Western Australia. In its final report in October 2016, on page 14, the Law Reform Commission stated —

The Commission takes the view that the primary aim of firearms regulation is to prevent the harm that firearms may cause as dangerous items.

It should be a point of political bipartisanship to concur with the points implicitly made by the Law Reform Commission that firearms are dangerous items, that it is the role of lawmakers to reasonably prevent harm that dangerous items may cause, and that a form of regulation is necessary as a consequence of these two points.

In light of this, there should be no doubt in the mind of the diligent lawmaker that the subject matter of this proposed law is inherently dangerous and, therefore, warrants a high hazard rating worthy of special scrutiny. What should be the subject of this special scrutiny undertaken in part by this chamber? Make no mistake; this is a gigantic bill with 241 pages and 492 clauses drafted across 17 parts. We will scrutinise those parts when we move into the next phase of the bill's progression that is the Committee of the Whole House process. In the meantime, during this second reading debate, the opportunity should not be lost to provide special scrutiny to what the WA Labor government has said about these so-called reforms and what it is actually doing in this gigantic bill. Here we need to look no further than the second reading speeches of the Minister for Police in the other place and his representative in this house when addressing three issues—firstly, the Law Reform Commission recommendations; secondly, the reporting on national and local incidents; and thirdly, the level of stated consultation.

I begin with the Law Reform Commission recommendations. One of the most prevalent concerns raised by the voices of Western Australians about this gigantic bill has been the government's response to the Law Reform Commission's recommendations. This could not be more apparent than when we attempt to reconcile the comments of the chairman of the Law Reform Commission of Western Australia and the comments of the police minister. In the foreword to the Law Reform Commission's final report, its chairman, Dr David Cox, stated —

Notwithstanding the tragic events highlighted in the media, the Commission has taken great care not to overreact. An often repeated theme of the submissions made to the Commission was that the Firearms Legislation is for the administration and regulation of the lawfully held firearms whereas many of the news reports concern unlawfully held firearms. The Commission agrees; the vast majority of firearms users in Western Australia are law-abiding and the Commission certainly has no intention of recommending legislative change that could make it more difficult for firearms users to abide by the law while having no practical purpose to meet the objects of the Firearms Act.

How do these comments sit when placed next to the comments of the Minister for Police and his representative in this chamber in their respective second reading speeches? They stated the following —

The need for reform is driven by the recommendations from the Law Reform Commission of Western Australia's 2016 report titled *Review of the Firearms Act 1973 (WA): Project 105 final report* that identified the 1973 act as lacking clarity and no longer being fit for purpose.

They went on to say —

It will also implement, or exceed, the majority of recommendations arising from the Law Reform Commission's report.

Debate adjourned, pursuant to standing orders.

FAMILY AND DOMESTIC VIOLENCE — FIREARMS BILL 2024

Statement

HON SANDRA CARR (Agricultural) [8.45 pm]: I rise tonight to share an experience I had on the weekend when I got to visit an event put together by the Cooroo Community Resource Centre with some funding secured from the Women's Grants for a Stronger Future program under the Department of Communities. The event was put together by the fantastic staff of the Cooroo CRC and was about educating and supporting women who run businesses and also about wellbeing, wellness and how to focus on people taking care of themselves. The keynote speaker was Simone O'Brien, who came over from Victoria specifically to speak to this group. She is a diminutive woman, a really great speaker and a survivor of family and domestic violence. She shared an incredible story.

She also spoke to me quite early on about her horror at the events that had taken place in Western Australia. I must admit that I would like to share my horror at the way in which that specific event has been used in this chamber today. I heard a number of statements uttered by a range of people, who all talked about family and domestic violence in ways that were fundamentally incorrect. I heard Hon Dr Steve Thomas refer to perpetrators of domestic violence as these "evil people" in the world. They are not. They probably sit right next to us in our everyday lives. They are everyday people who appear to be living everyday lives and who will convince us that they are nice people.

Members also described family and domestic violence as physical acts that we can see. That is not correct. Coercive control, financial abuse, the monitoring of someone's every move and behaviour—there are many ways to inflict harm on people. Trust me: perpetrators know them and are expert at hiding them. People probably talk to one of them every single day and think they are a good bloke. I cannot tell members how many times we hear that. We need only pick up a newspaper and it will describe a perpetrator as a fine, upstanding man. I listened in Parliament today to someone talk about the two bodies—the two bodies! They were two women—a young

woman and a mother—not two bodies. I heard someone else in the chamber refer to the attacker, the person who is alleged to have shot those two women, as “the gentleman”. This sort of language is used around these things to mitigate it, defend it or utilise it to attack something. That event has nothing to do with this legislation; this bill was proposed and drafted long before the events of last week. These awful events are not an opportunity for members opposite to politicise them and talk about domestic violence as though they understand how it happens or what happens.

I can also tell members some things about gun owners and domestic violence. Everyone has been talking about law-abiding gun owners. I can tell members that my ex-partner was a law-abiding gun owner, and he still is today. He was a law-abiding gun owner when he shot my dog. Those behaviours happen in homes all the time. I know another survivor of family and domestic violence. When she and her partner were in conflict or “having issues”, as someone in the chamber described it, he would get the gun out and clean it in the lounge room as a way to threaten her. The woman knew what was being communicated to her.

It is an absolute nonsense to talk about law-abiding gun owners because they all are until they are not. It does not make any sense. I have heard many nonsensical expressions, but the most fundamentally incorrect ones are comments about what family and domestic violence is or who commits it. It is a lot of men in a lot of environments. The number of people I have spoken to recently who are dealing with those issues is horrifying. I know we do not want to know or talk about them, but when we do talk about them, people use it for their own purposes to try to achieve an end or make a point. It is not about that. Yes, there are other ways we can look after people other than removing guns from the street. There are lots of things that we can do, but please do not use domestic violence as an opportunity to criticise these laws. Attack the legislation and talk about the problems within it if there are any, but please do not use these horrific, awful crimes to help make an argument about these things. Please do not pretend that everyone who has a gun is doing the right thing. I know people who do not lock their guns up, carry their guns in the car, or let other people and unlicensed gun users use their guns. I have shot guns myself. I am not afraid of them unless someone has used it to shoot my dog to try to intimidate me; that is scary.

I want to talk about Simone O’Brien, who was an incredibly brave woman in a terrifying situation. She is doing some work today to educate people about what domestic violence is and recognising red flags. She has been working in schools, and also with perpetrators of violence. She is talking to the perpetrators of violence—and yes, they are predominantly men. I know people would like to talk about other groups, but it is predominantly males. It is male attitudes, the language we use, and all the subtle ways that we endorse and allow it. It is the subtle ways that we excuse behaviour because they are a good bloke and they did other good things, or they were not all bad. It is the subtle ways that we endorse the behaviours and allow them.

This is probably a similar story to the one that Simone shared. I will not give members all the gruesome details because I think you should ask someone for permission before sharing their story, but Simone suffered a terrible beating that resulted in her children being asked to go and say goodbye to their mother. She lost the vision in her eye. She had several operations to reconstruct what was a shattered skull, which is held together by screws. She was apparently quite unrecognisable following the beating. Against all odds, she survived. To my absolute surprise, she is willing to go out and talk to people. She lost the sight in one of her eyes and has had to learn to use her body again, but she ended up running a New York marathon. She is an incredibly inspiring woman. She is running a program to encourage people to work with her, which was the point of me getting up today—aside from making a plea to everyone to please not use domestic violence to make an argument.

It is not a convenient argument; it is an ugly reality in all of our everyday lives. I do not agree with Hon Dr Steve Thomas’ comment about how it is personal responsibility. It is a whole-community responsibility and if that makes me a communist, so be it! I do not think it does. If we do not all take responsibility for the words we use, the behaviours we endorse, the things that we say and the arguments that we use because they are convenient, then the problem will continue, and we are part of the problem.

Simone is working with people. She will speak to groups and school students. She has observed and had direct feedback from people she has spoken with about the ways that they have impacted their families and what got them to change, or seek changes for, their behaviours. As members of Parliament, one of the things that we can do is encourage spending on perpetrator prevention programs. There are programs operating in communities all across the state. The ones that genuinely engage with males are really important. As I am sure a doctor in the room might agree, prevention is way better than a cure.

I see the gun legislation as part of the prevention. It is about looking at the ownership and thinking about personal responsibility and the proliferation of guns in the community and how far we want to allow that to continue. I also think it is about personal responsibility for people and the comments they allow to happen around them and not excusing the behaviour of people around them. That is why I felt compelled to stand up today to talk about not excusing poorly informed comments about family and domestic violence. I refer to a comment I used to make to my school students when they had an opinion about something. I told them that they are not entitled to their opinion if it is not based on research and fact.

BODDINGTON HOSPITAL — RESIDENTIAL CARE*Statement*

HON STEVE MARTIN (Agricultural) [8.55 pm]: Earlier today, I presented a petition. Liz Nairn from Boddington was the principal petitioner of the document that I tabled. I would like to tell the house a little about Liz and her story this evening. I met Liz a couple of months ago. I am sure members have met people similar to Liz. She is the light of the town. She does an amazing amount of volunteer work for the Boddington community, which is a small town of approximately 1 700 people. Interestingly, we had about 1 700 petitioners on the e-petition. I realise they are not all from Boddington, but they certainly latched onto the issue that Liz is most dedicated to getting a result for, which is the provision of aged-care facilities for the people in the Boddington community so that they can spend their last years in the town that often they have spent their entire lives in.

I spent 10 years on the board of a little aged-care facility in the neighbouring town of Narrogin—it is more than 100 kays away. That is a wonderful facility with 50 beds surrounded by independent living units. That facility just snuck by. It just kept the wolves from the door to keep that wonderful facility open. That is how a privately run aged-care facility needs to be run in regional Western Australia, but Boddington is not large enough, so Liz wants to use some of the beds at Boddington Hospital for aged care, which I think is completely sensible. That is a common model in places like Wagin and other small country towns where there are not enough people for an aged-care facility. Liz put her heart and soul into getting this petition off the ground.

She was up until about 10 o'clock last night putting a letter together to highlight the impact of this on her community. I would very much like to read that letter into the record this evening. It reads —

Hi Steve,

To be honest I feel totally over whelmed to speak truth about the real life stories of the now elderly and frail residents of Boddington and districts, and the extremely disappointing lack of respite and/or care options at our local Boddington hospital.

I have lived and nursed here for an expanse of 42 years, and I know the history as I know the people.

We have always looked after the elderly since the hospital was first built by the locals in 1957. In the last 3 years that is not the case.

Will I begin with the lady whose husband of 60+ years, (her taking immaculate care of him 24/7,) was refused a mere one weeks respite care when they desperately needed it, even when beds were empty at the local hospital, he now sent away, over 200km round trip to another facility, whilst she needed care. They had never been separated before. He to die of a broken heart 4 days later. She now too frail to drive the distance even to be with him at the end. And all because we could not look after him here.

What about the nurse that cooked the cakes to buy the bricks that fundraised the building of the hospital back in the 50's? Who worked in the hospital as a nurse herself, only to be told that there was now no room for her husband to be cared for. He would have to look elsewhere. Brookton is a good option. That's only a 200km round trip. But you don't drive any more, so you voluntarily put your own able body in a nursing home to be with your loved one. Well you have been married 67 years. And being separated is not an option ... And there are empty beds at the local hospital.

Or the Carer who dedicated her life to looking after others at our hospital, often going extra miles to look after other people in her own time at her own expense. Now needing care herself and after years of her worn out husband needing respite and care, to be told, sorry, there are no beds available for you, go elsewhere and let someone, somewhere else, take care of you. Only 260km round trip for your elderly husband who can only afford to put fuel in the car once a week. This husband NOW SLEEPS IN HIS CAR (and does so every Friday night now) so that he can maximise the time spent with his wife to see her two days a week instead of one. Oh and he is elderly too ...

Or maybe I can tell you of many elderly who actually can't drive any more.

So when your loved one of 60 or 70 years of married life cannot be cared for in your local hospital, they have to move.

Oh and you won't be able to visit, sorry, you can't drive any more.

Or for those fortunate few who still are able to drive the long distances to see their loved ones, at the very least a 200 km round trip, ... 600Km if your loved one has to go to Albany to be cared for if the other nursing homes are full, which is often the case ... but they can no longer afford the hyper-inflated fuel prices charged in our mining town ... so you GO WITHOUT FOOD to PUT FUEL in your car.

And let us not forget our indigenous elders, I have personally known some that have passed on in towns totally foreign to them. They BELONG HERE.

Today, even, we have an indigenous elder, disabled, unable to come back to his country town ... it's 2024, we have a very ... well equipped hospital with very well trained nurses in our community, (staffing levels that have not decreased), with tons of nicely kept empty beds, definitely not for the elderly.

What about if you live to be 100 and have looked after yourself all your life? No, no beds at the local hospital. Sorry, we can't look after you, ... go to Perth.

Or if you are younger, say 94? and lived here all of your life? Still no beds. How would you like to be moved along to a land of strangers? Some people would rather die I am told.

Time does not permit me to keep going with stories. I have more than I wish I knew.

We have a moral responsibility to stand up and speak for these people who cannot be heard.

Can you hear them?

I hope and pray that this is enough to stir the hearts and minds of those in a privileged position to make choices that others can't.

Thank you from the 2845 people who have signed to support this cause, Kind Regards, Liz Nairn

House adjourned at 9.01 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

ENVIRONMENT — BURRUP TEMPORARY RESERVE 70/6697

2013. Hon Dr Brad Pettitt to the Parliamentary Secretary to the Minister for Environment:

I refer to the media statement *Significant milestone for protection of Murujuga country*, on 29 February 2024, and I ask:

- (a) will the temporary reserve number 70/6697 and its industrial purpose over the Burrup land area still exist if World Heritage is granted over this area;
- (b) was the Minister aware of the existence of temporary reserve number 70/6697 prior to issuing their press release on 29 February 2024; and
- (c) if no to (b), why not?

Hon Darren West replied:

- (a) Yes.
- (b) Yes.
- (c) Not applicable.

HOSPITALS — BABY REMOVALS

2014. Hon Dr Brad Pettitt to the minister representing the Minister for Child Protection:

- (1) How many babies were removed from their mother in hospital after birth, aggregated by hospital, in:
 - (a) 2018–19;
 - (b) 2019–20;
 - (c) 2020–21;
 - (d) 2021–22;
 - (e) 2022–23; and
 - (f) 2023–24 to date?
- (2) How many mothers in (1), respectively, were experiencing homelessness?
- (3) How many mothers in (1), respectively, were in risky housing circumstances, such as a household where family and domestic violence is present?

Hon Jackie Jarvis replied:

The Department of Communities (Communities) advises:

- (1) The below data represents children who entered provisional protection and care within seven days of their birth and includes circumstances where the mother may have already been discharged from the hospital at the time their infant was brought into care.

Communities and the Department of Health work collaboratively with families, their networks and support services to increase safety for infants pre and post birth. King Edward Hospital supported the piloting and statewide roll out of the Pre-Birth Planning Program initiated in 2019 which has seen a significant reduction in infants entering provisional protection and care at birth.

[See tabled paper no [3182](#).]

- (2)–(3) Communities fulfills its statutory requirements in the *Children and Community Services Act* (2004) (the Act) by making recommendations to the Children’s Court of Western Australia when an investigation has determined that a child is in need of care and protection due to suffering harm, or being likely to suffer harm, as a result of physical, emotional, and/or sexual abuse and/or neglect.

A variety of living arrangements may be reflected in a Child Safety Investigation as ‘homelessness’. An individual can still have access to a variety of safe accommodation options, and still be recorded as ‘homeless’ despite having access to accommodation through family and friends, transitional accommodation services, and short-term accommodation options.

Where it is identified that a family or individual may be at risk of homelessness, Communities provides multiple points of support, such as priority referrals for the public housing waitlist, transitional accommodation and supports to access private rental housing.

Homelessness is not an abuse or neglect type, for which the Department could make a recommendation for provisional protection and care; therefore, an infant cannot be taken into the protection and care of the CEO under the sole basis of homelessness.

Within the Act exposure to family and domestic violence is included under definition of Emotional Abuse. It is unclear what the member is referring to in regard to “risky housing circumstances”. Where there are concerns relating to Family Domestic Violence during a Child Safety Investigation, safety planning and appropriate referrals occur, including referrals to refuge where an individual is consenting.

[See tabled paper no [3182](#).]

CHILD PROTECTION — CASE MANAGERS

2015. Hon Dr Brad Pettitt to the minister representing the Minister for Child Protection:

I refer to the tragic death of the 10-year-old First Nations boy, while under the care of the Department of Communities, and media reports that the family has had “26 different case managers since their son was taken into care”, and I ask:

- (a) how many case managers were assigned to this family;
- (b) in reference to (a), over what time period;
- (c) for each of the Department of Communities Child Protection offices in Metropolitan Perth, please provide to the end of each month, or nearest reporting date, for the current financial year to date, the following:
 - (i) the vacancy data, in full-time equivalent (FTE) and as a percentage of total allocation, for all roles; and
 - (ii) the vacancy data, in FTE and as a percentage of total allocation, for case carrying roles; and
- (d) for each of the Department of Communities Child Protection offices in regional Western Australia, please provide to the end of each month, or nearest reporting date, for the current financial year to date, the following:
 - (i) the vacancy data, in FTE and as a percentage of total allocation, for all roles; and
 - (ii) the vacancy data, in FTE and as a percentage of total allocation, for case carrying roles?

Hon Jackie Jarvis replied:

The Department of Communities (Communities) advises:

- (a)–(b) In keeping with the intent of the *Children and Community Services Act 2004*, Communities does not comment on individual cases.
- (c)–(d) [See tabled paper no [3183](#).]

The Child Protection FTE has increased since 2017. Workforce challenges in the Child Protection profession are experienced across Australia, with workforce a national priority area in Safe and Supported; The National Framework for Protecting Australia’s Children (2021–2031). Communities is progressing a range of initiatives to attract and retain staff. This includes targeted recruitment campaigns, social work placements and regional talent registers.

CHILDREN IN CARE — SUICIDE ATTEMPTS AND SELF-HARM

2016. Hon Dr Brad Pettitt to the minister representing the Minister for Child Protection:

I refer to all children under the Department of Communities’ care, and I ask, will the Minister please provide the following information for each of the last five financial years, respectively, aggregated by age:

- (a) the number of self harm attempts;
- (b) the number of attempted suicides; and
- (c) the number of suicides?

Hon Jackie Jarvis replied:

The Department of Communities (Communities) advises:

- (a)–(b) Communities takes all incidents of self-harm seriously. Local and individualised responses are actioned as a matter of priority; these may include safety planning, district psychologist consultations, and appropriate referrals or admissions for specialised intervention and/or support.
- (c) The Coroners Court of Western Australia is responsible for determining the cause of death of any child or young person in care. In the last five financial years, the Coroner has reported zero suicides relating to children or young people in the care of the CEO.

KIDS HELPLINE

2017. Hon Donna Faragher to the minister representing the Minister for Community Services:

I refer to the Kids Helpline counselling service for young people aged five to 25 years, and the Department of Communities, and I ask:

- (a) in 2023, what was the total number of contacts made to the Kids Helpline service, from children and young people in Western Australia, via the following methods:
- (i) telephone;
 - (ii) email; and
 - (iii) webchat?

Hon Jackie Jarvis replied:

The following data has been provided by the service provider Yourtown to the Department of Communities (Communities):

- (a) (i)–(iii)

Type of Contact	Number of Contacts
Telephone	11,536
Email	1,433
Webchat	14,092
Total	27,061

Yourtown has advised Communities that since March 2022, the organisation no longer automatically records location data from their telephony system. As a result, the organisation extrapolates contact data based on state proportionality of recorded calls. As of the end of 2023, a total of 6.95% of all known contacts are recorded as coming from Western Australia. Yourtown acknowledges that there is a margin of error with this approach as it is an estimate.

ABORIGINAL AFFAIRS — NYALPA PIRNIKU NATIVE TITLE CLAIM

2018. Hon Nick Goiran to the Leader of the House representing the Minister for Aboriginal Affairs:

I refer to the Nyalpa Pirniku Native Title Claim, and I ask:

- (a) when was the claim authorised;
- (b) who authorised the claim;
- (c) was there an authorisation meeting;
- (d) when was the claim determined;
- (e) when was the claim registered;
- (f) have any complaints been received about this claim including, but not limited to, the process which led to its registration;
- (g) if yes to (f), how many; and
- (h) if yes to (f), were those complaints sustained or dismissed, or do they remain under investigation?

Hon Sue Ellery replied:

- (a) The claim was first authorised on 23 January 2019. An amended claim was authorised on 28 July 2021.
- (b) The Nyalpa Pirniku claim group authorised both the claim and the amended claim.
- (c) Yes.
- (d) 31 October 2023.
- (e) 15 May 2019.
- (f) Yes.
- (g) Six.
- (h) The complaints were noted and did not require further action.

PUBLIC SCHOOLS — TEACHERS — RESIGNATIONS AND RETIREMENTS

2019. Hon Donna Faragher to the Leader of the House representing the Minister for Education:

I refer to teachers employed in public schools in Western Australia, and I ask:

- (a) how many teachers resigned from positions at government schools in 2023; and
- (b) how many teachers retired from positions at government schools in 2023?

Hon Sue Ellery replied:

- (a) 1,263.
- (b) 632.

SCHOOLS — PSYCHOLOGISTS

2020. Hon Donna Faragher to the Leader of the House representing the Minister for Education:

I refer to the Department of Education's School Psychology Service, and I ask:

- (a) what is the current ratio of appointed school psychologists to students in both primary and secondary government schools; and
- (b) will the Minister provide a breakdown, by service, of the number of psychologists employed by the Department in other service areas outside of support provided directly in schools?

Hon Sue Ellery replied:

- (a) A ratio does not provide a valid representation of the support available to students by school psychologists as the school psychology service is flexible and responsive, and support to particular schools changes over time.
 - (b) For the pay period ending 11 April 2024, the school psychologist FTE employed by the Department of Education was 475.7 FTE. Just over 5% (23.9 FTE) are currently employed in teams at Statewide Services that provide specialised services and support to schools. [See tabled paper no 3181] for a breakdown of the scope of practice and key functions.
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