



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2021

LEGISLATIVE COUNCIL

Wednesday, 8 September 2021

Legislative Council

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

SENATE VACANCY

Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [1.03 pm]: I have received a message from the Governor, Hon Kim Beazley, AC, which states —

The Governor transmits to the Legislative Council a copy of a despatch which he has received today from the Honourable the President of the Senate of the Commonwealth of Australia, notifying that a vacancy has happened in the representation of the State of Western Australia in the said Senate.

The letter is signed Hon Kim Beazley, Governor, Government House, Perth, and is dated 7 September 2021. The dispatch from the President of the Senate reads —

Vacancy in the representation of Western Australia

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I notify Your Excellency there is a vacancy in the representation of the State of Western Australia caused by the resignation of Senator Rachel Siewert on Monday, 6 September 2021.

Yours sincerely,

SCOTT RYAN

7 September 2021.

JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE

Membership Change — Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [1.05 pm]: Members, I have received some correspondence, which states —

Dear President

I wish to advise you of my resignation from the Joint Standing Committee on Child and Young People, effective immediately.

Yours Sincerely

Hon Klara Andric MLC

Member for the South Metropolitan Region

PAPERS TABLED

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

JOINT SITTING — ELECTION OF SENATOR

Standing Orders Suspension — Motion

On motion without notice by **Hon Sue Ellery (Leader of the House)**, resolved with an absolute majority —

That with reference to the message reported to the Council by the President from His Excellency the Governor, the Honourable President be requested to confer with the Honourable Madam Speaker in order to fix a day and place whereon and whereat the Legislative Council and the Legislative Assembly, sitting and voting together, shall choose a person to hold the place of the senator whose place has become vacant.

JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE

Appointment of Member — Motion

On motion without notice by **Hon Sue Ellery (Leader of the House)**, resolved —

That Hon Ayor Makur Chuot be appointed as a member of the Joint Standing Committee on the Commissioner for Children and Young People, and that the Assembly be acquainted thereof.

HOMELESSNESS — PUBLIC HOUSING*Motion*

HON DR BRAD PETTITT (South Metropolitan) [1.07 pm]: I move —

That this house —

- (1) Acknowledges that Western Australia is currently facing a housing and homelessness crisis and notes that urgent action is needed to stem the increasing priority public housing waitlist.
- (2) Calls on the government to make the most of its strong financial position to immediately address this crisis by —
 - (a) prioritising investment to significantly increase public housing stock by building fully accessible, low-carbon homes;
 - (b) immediately spot purchasing vacant homes; and
 - (c) proactively investing in and supporting innovative measures like My Home.

Last week I was pleased to give notice of this motion on social housing that the President has just read, but, as they say, a week can be a long time in politics. It is interesting that on the back of that notice of motion, on Sunday there was a pre-budget announcement by Minister Carey that made a very good start in doing much of what this motion calls for. When I was alerted to this ministerial statement on Sunday, a joke was made to me that imitation is the sincerest form of flattery, and I joked back that it was perhaps more like great minds think alike! Both this motion and the announcement by the minister reflect an important understanding that the evidence is that WA is facing a housing crisis and urgent action and funding is needed. I appreciate that it is not common for the opposition or the crossbench to use motions to congratulate the government, but much from this weekend's announcement is deserving of congratulations, and I am thankful that there has been a shift both in thinking and in funding. The measures that were announced are a move in the right direction. They are certainly a strong shift away from the measures that were employed over the last term of the McGowan government. I am thankful for the shift. There is no doubt that those on the social housing waitlist and those at risk of homelessness are also thankful for the measures. The Greens have been calling for the measures that were announced on the weekend for some time, including spot purchasing of houses, developing housing on state government-owned land and increasing the social housing stock.

The weekend's announcement was significant for a couple of reasons. It was a recognition that we have a housing crisis. There has been some reluctance to acknowledge this. We can look at the definition of what we mean when we talk about a crisis. The dictionary definition shows that it is a "crucial time or state of affairs in which a decisive change is impending". That is probably a good summary. As Minister Carey said, last weekend's announcement was the single largest investment in the state's history. That fits with the definition of a crisis and is fundamentally trying to shift the direction and the response to something like this, which is important. It is really important that we are giving housing and homelessness the serious attention they deserve.

The first part of the motion asks the house to acknowledge that Western Australia is currently facing a housing and homelessness crisis and notes that urgent action is needed to stem the increasing priority public housing waitlist. I hope that members on both sides of the aisle can support that.

I also took from the weekend's announcement that social housing is not a dirty word. In fact, if we are serious about the Housing First response to homelessness, increasing the availability of social housing must be a key part of that. I have been frustrated by some of the rhetoric in recent months that the reason we have not been doing more in social housing is because people do not want it, and certainly do not want it near them. That is not my experience. We need to be very careful about stigmatising vulnerable people in our community and framing them as unwanted outsiders. My experience is that social housing is an important part of diverse communities and something that many of our communities are keen to embrace. That was my experience in Fremantle. In fact, I had the complete opposite experience when I was working in Fremantle. Both the council and the community have been calling for new investment in social housing over the last decade. I am not blaming any side of the house, but both the Barnett and McGowan governments spent most of the last decade demolishing public housing in greater Fremantle. In fact, I tried to add up the number of units but it amounts to many hundreds, from the Burt Street block to units in Holland Street, Davis Park, Hilton and White Gum Valley. Our frustration as a community grew. We wanted that housing. We wanted more people back in the heart of the community but very few—in fact, pretty close to none—of those houses were replaced. There is a call for a lot of support for social housing out there in the community. I am pleased that we will see some of that investment. I am speaking on behalf of my old council, but I know that it will welcome that as well.

A key part of the motion relates to prioritising investment to significantly increase public housing stock. This is very much at the heart of the motion. The pre-budget announcement was a significant and worthwhile move in this direction but it falls short of meeting the demand that exists right now. As members would be aware, over 30 000 people are now on the public housing waiting list. Although the funding will make a dent, significantly more action needs to be taken if we want to make sure that people have somewhere to live. On Sunday, the minister said that the announcement will exceed the number of social housing properties delivered over the last nine years.

I am sure that is a statement of fact but it is a bit of an odd statement given that during half of those nine years, the McGowan government was in power. It demonstrates the chronic underinvestment in social housing that we have seen over the last decade. I will give some examples. Over the last 12 months, the McGowan government has built only 47 new social homes. If we continue at that rate, it will take 29 years just to get back to where we were in 2017. In 2017, 837 government-owned houses were sold on the private market, giving the government \$218 million for selling housing that was not replaced, meaning that housing was not available to those who needed it. As members are also probably aware, there has been a drop in the number of social houses; 1 350 homes have disappeared since 2017. That is a net loss. That is a key part of the crisis that we are facing now.

To make matters worse, a staggering 133 homes that are owned by the Department of Communities are sitting empty. I know that there is an increased focus on this in the budget but it is extremely frustrating. One of these houses is around the corner from my place. It is a very fine brick and tile house, which seems to have had several paint jobs over the last six months but no-one living in it. How hard is it to get somebody into a house when we have a crisis like this? This house has probably been empty for close to a year. The reason for that is certainly not apparent to me. I know that my community would welcome seeing that house filled again.

I would like to draw members' attention to the priority waitlist. By the end of July this year, the waitlist had ballooned to 3 354 applications, almost 7 000 people, at least 25 per cent of whom are disabled. That is more than double what it was in 2017. Those people are in urgent need of housing. Some of these people are suffering from family and domestic violence. They are people who need a home to reunite with their children, people who are sleeping rough on our streets or people with ongoing medical conditions. We need to make sure that we get people a home. There is no excuse for not doing this.

This issue is not just about numbers; it is about real people and their real stories. I want to share some of their stories with members because sometimes we forget that we are talking about real people in our community, the ones that we represent in this place. I want to start with a woman I was recently informed about who has acute medical conditions and has been on the priority waitlist for 28 months. She was homeless when the first wave of COVID-19 hit and was placed in emergency hotel accommodation. Since that placement ended, she has been living on and off the streets, couch surfing where she can, and has travelled as far as Geraldton in the search for somewhere safe and secure to live. Her acute medical conditions are exacerbated by the stress and anxiety she has experienced after being in that situation for so long.

Another woman, who again is on the priority waitlist, has been homeless for almost 24 months. Blind in one eye, she is in and out of hospital for medical treatment. When she is discharged from hospital, she ends up living back on the streets because there is nowhere else for her to go. Needless to say, it is very difficult for people to manage a serious medical situation when they do not have shelter and have to sleep out in the cold.

Finally, there is the well-publicised story of Sharra Roberts, who was evicted, along with her children, during the first wave of COVID-19. She was living in a relative's caravan, which was destroyed by fire. Sharra has a four-year-old daughter, who has an asthmatic condition requiring specialist care. She is in and out of hospital. As recently as June, they were staying with relatives, but there were nine people in a three-bedroom apartment. They spend their nights sleeping in a car, like many other Western Australians who find themselves in a similar situation. Last week, Sharra was placed on the priority waitlist, 17 months after being evicted. She has been told that it is likely she will have to wait another two years to be housed. These are just three of the almost 7 000 people who are homeless now. The scale of this issue is unfathomable, and my heart goes out to these people. That is exactly why I and others who are involved in the sector are saying that although there are good things in the government's latest announcement, they are not enough. To quote Anglicare's chief executive officer, Mark Glasson —

The shortage of affordable and social housing in Western Australia is at a critical stage, so anything we can do to address that is good ...

It's a great start, and we need a lot more, but we have to start somewhere ...

What we'd be calling for is a long-term commitment of this kind.

That is at the heart of this issue and it is why the investment has a long way to go. When we take a closer look at what the government has committed to, we see that it claims to have made a \$2.1 billion investment in social housing. If we take out all the measures that relate to interventions and short-term and interim accommodation, all of which are really worthwhile and important programs but are not social housing, there is a different picture. If we include the government's previous social housing commitments, the total spend over the next four years is \$1.136 billion, which equates to \$284 million a year over four years. This falls well short of the investment required to deal with the issue at hand, particularly when the sector has been calling for \$1 billion a year to address the issue of homelessness. Investment of the right scale could house every person who is currently on the waitlist; instead, the government has committed to housing around 22 per cent of those who are currently on the waitlist over a four-year period. It is no secret that the fewer people who get into social housing, the longer the waitlist and the worse the problem becomes. This understanding forms the basis of the very good Housing First Homelessness Initiative that the government has adopted, but we still need to adequately invest in this area.

That great investment is not fanciful. I will give members a couple of examples. Last year, the Victorian government announced a big build, with it spending \$5 billion over four years to build 9 300 homes. Other countries have also shown the way forward. On average, governments in Western Australia and Australia spend just over four per cent of their budget on social housing. The countries that have taken this issue seriously include the Netherlands, which spends 34 per cent; Austria, which spends 23 per cent; the United Kingdom, which spends 16 per cent; Ireland, which spends 12 per cent; and Korea, which spends almost nine per cent, which is double what is spent here. That investment gets social housing up and makes it not just a last refuge, but a proper opportunity for people to enjoy long-term, secure and affordable housing, and that is really important.

Another part of the motion calls for low-carbon and sustainable housing going forward. Yesterday, I asked a question about this in Parliament and I was pleased with the response because from now on, all new social housing will meet the seven-star Nationwide House Energy Rating Scheme, which is a good outcome. I would say that that should be the minimum. There is a real opportunity to build the next generation of housing, and I hope that this housing will still be here as we approach 2050, when we will be looking at net zero emissions. We should plan for our housing to be part of the climate solution. Houses can very much do that now if they are designed well, face the right way and have good insulation and cross-ventilation. It is not hard to ensure that houses are part of the climate solution. I encourage greater ambition in that space.

I have also been quite vocal about the need for these houses to be made fully accessible. This is really important because, as I said earlier, one-quarter of people on the priority waitlist suffer from a disability. We need to make sure that all the new social houses that are built are accessible so that we can get these people into them. I am building a small house for my father-in-law. He is certainly not in need of a wheelchair at the moment, but I am planning for much later in his life, realising that if I design it for disability access now, it will not cost any more. Of course, a retrofit is a very expensive intervention. Making sure that new builds are accessible to all is really important.

The last point I want to make concerns innovation. I used the My Home model in the motion as an example of an innovative solution to the housing crisis. The government's announcement on the weekend is really good, but a lot of the social housing it committed to will not be built until later. We need some solutions that will get people at risk of homelessness right now into housing. My Home is a really good example of this. As members might have seen in the press recently, a project is about to start in North Fremantle, comprising 18 homes for older women over the age of 55 years who are at risk of homelessness, using state government land that has no use, such as Public Transport Authority land that has sat idle for many, many decades. The project will be fully funded through a public-private partnership. Those involved include Lotterywest, the Minderoo Foundation and St John of God. It is a really amazing project. I acknowledge Michelle Blakely, the architect involved, who is really driving the project. It is a great initiative. A few more of these projects are coming onstream, and this is where the government can really assist because it owns much of the land, as do some of the church groups that we also should be working with. We need to fast-track these initiatives. We need them to happen quickly. My frustration about this project started when I was the Mayor of the City of Fremantle. It has taken almost four years to get to this point. I congratulate everyone for their patience and getting it through. The project shows what can be done and it manages some of that risk appetite that some in the public service are nervous about. These kinds of developed models are really important because they are scalable and they can be built straightaway to ensure that we address both the priority waitlist and those at risk of homelessness right now.

In summary, I will finish where I started and acknowledge the important shift and pre-budget announcement made over the weekend. It is a really important first step in the process, but there is a long way to go. The budget will provide for 3 300 new homes. There are currently 17 000-plus households—more than 30 000 people—on the waiting list. According to the 2016 census, there are 9 000 homeless people in Perth. I expect that the 2021 census will show that this number has increased. We need many more homes of diverse sizes in the heart of our community that are built sustainably and with accessibility. I hope this is something that members on both sides of the aisle agree with. We have a housing crisis in this state. The government is taking some important first steps to address that crisis, but there is much work to be done and that work needs sustained investment going forward.

HON STEVE MARTIN (Agricultural) [1.26 pm]: I rise to make a contribution to the excellent motion moved by Hon Dr Brad Pettitt. I thank him for bringing this issue to the house's attention. I am guessing that he put the motion together before Sunday's announcement, but the first paragraph of the motion is still current. It reads —

Acknowledges that Western Australia is currently facing a housing and homelessness crisis and notes that urgent action is needed ...

Urgent action is certainly needed. I thought it might be useful to give a quick history lesson to see where we have been and where we are now. Well done to the government on Sunday's announcement. Hon Dr Brad Pettitt is right; this area needed a budget response and the Minister for Housing has gone some way to provide that, and I congratulate the government. But it has taken some time and as Hon Dr Brad Pettitt mentioned, we have had four and a half years of a Labor government, so what has it been up to in that time that has led us to this crisis point?

I refer to the social housing numbers. I was surprised to learn that the government has sold 1 370 homes over the last four and a half years. The Labor Party, the party with a social conscience, has been selling homes. Given that

fact, it is no surprise that the waiting list has blown out. There are 17 000 applicants, which is approximately 30 000 Western Australians, on the waiting list. So for four and a half years, the government has been selling homes. I read in the media the Premier's response to Sunday's announcement. He said that one of the reasons for that sell-off was that some of those social houses could be described as ghettos or decrepit. I am not sure whether I will comment on that, but if that is his opinion, he has obviously held it for four and a half years. He has driven past those ghettos and decrepit homes for four and a half years, as has the Minister for Housing, without any action, and here we are today with an enormous and growing waitlist and a budget response that is good, but late. We are at the point at which the people being removed from that waitlist are being removed at the slowest rate in over a decade. Hon Dr Brad Pettitt mentioned that it takes 29 years to get to the bottom of that waitlist. That would be devastating news for the people who are on that waitlist. Some have been there for years and years.

I met a young man in Busselton who had recently been released from prison. He had been told he was on the priority housing waitlist. He was told that if it went smoothly, it might be a two-year wait. Members can imagine what his circumstances were: out of jail, trying to rebuild his life and that of his family, but he had nowhere to live. That waitlist has a human toll in Western Australia, and it is real. It is unacceptable that the Premier drove past the ghettos and the decrepit social housing for four and a half years. His government has responded now.

As a regional member, I was staggered to learn about the sell-off of Government Regional Officers' Housing. These are the homes for teachers and police. A small community cannot survive without either of those. For four and a half years, the Labor Party has been selling off that resource. Teachers have been living in caravans—not many, according to the Leader of the House, but one would be way too many. I have heard stories of teachers being booked into a motel during the week, Monday to Friday, which is when they work at school, obviously. Come Friday night, what happens? They are out: "Either drive back to Perth, bunk in with your mates or sort it out yourselves. We'll see you Monday morning; you can book back in." That is the Government Regional Officers' Housing scheme. There is an investment in that scheme, but that has over 200 homes to catch up to where it was four and a half years ago. I also welcome that investment. That needs to happen immediately.

The spot purchasing program has come under some attention in this announcement. I am not entirely sure how the spot purchasing program works, to be frank. I am reasonably certain that almost nobody in the Department of Communities does either at the moment. I assume someone will come up with an emergency, "We need a house", and bang, we charge out and buy it. We do not have to build it; we can do it in a hurry, relatively quickly. Obviously, the property market is tight at the moment so that will be difficult. In the last year of the Barnett government, hundreds of properties were spot purchased. In the last year, 14 properties were purchased under the spot purchase program. Roughly, once a month, someone got a bright idea in the Department of Communities or Housing and charged up to see the director general to say, "I found one. I've got one", and rushed out and bought it. I repeat: once a month. It is also welcomed to see some investment in the spot purchasing program.

That brings me to homelessness, which is also a part of Hon Dr Brad Pettitt's motion. The numbers are quite staggering. There has been a 60 per cent rise in homelessness since last November, which is a terrible number. If members talk to people from the welfare sector, they will tell them what that looks like. I will quote from a few of them, if I can. Circle Green Community Legal has reported a 500 per cent increase in daily calls after the rental moratorium was lifted. Many of those calls revolved around suicidal ideation, which is having a significant impact on staff. It is also having a fair impact on the individuals involved. Anglicare WA has seen demand for emergency relief and food assistance triple in 2021. There is overcrowding, people are living in cars, and women experiencing family and domestic violence have nowhere to live. They are some of the remarks from Anglicare. The Red Cross has reported that approximately 50 per cent of its client case load have been served with notices of eviction or are in rental arrears. St Vincent's has reported suicidal clients who have had thoughts of using life insurance to assist their family in keeping homes and paying off debt. Foodbank WA does an extraordinary job. If members have not visited, I absolutely suggest they do. It is a wonderful organisation; located near the airport. It provides over 6.4 million meals a year to people in need. It has seen an increase in the number of returning customers and an increase in the number of people who have never sought help before. Foodbank WA saw a 40 per cent increase after the end of the rental moratorium in March. This increased to a further 25 per cent in April. Foodbank simply cannot keep up.

I turn to the Salvos. I visited the Beacon homeless shelter in Perth's CBD. It is consistently operating at capacity, which probably would not be a surprise, but it is the way that capacity is being reached now that is the important part of this argument. The Beacon used to be a crisis facility. On a regular basis, people from the shelter would pick people off the streets, take them to the Beacon, and give them food and provide them with shelter. Now it is almost full of what would be called in that business "long-term clients"—from three months to nine months—because there is simply nowhere to go after the Beacon. There is no social housing and there is no crisis accommodation for anything longer than it offers. Instead of catering for that emergency need off the street, the Beacon is full of people who simply have nowhere to go post facilities like that. That story is common all across those sorts of facilities. The Beacon is quite clearly struggling to meet demand. One issue it raised with me, which I spoke about briefly before, is that post-incarceration clients have nowhere to go. A fair bit of its business now is dealing with that situation.

A very sad part of the homelessness story was brought to our attention very visibly outside the front of this building quite recently—56 homeless people have died in Perth and Fremantle in the past 12 months. That number was arrived at by some research done by the University of Western Australia. I attended that vigil out the front of this building and met the relatives of some of the homeless people who had died. It struck me that we should have a clearer picture; we should not be relying on UWA to give us that number. The government should know, and we should know, how big that problem is. I am guessing that 56 is an underestimate of the real number. I asked the government a question in this place about how many homeless people have died in Western Australia. We simply do not know. I do not think that is appropriate. If we are fashioning our response to this crisis, we need to know the scope of it. Fifty-six is a staggering number, but we need to get some real data about what that looks like. I thought that might be a useful task for a parliamentary committee. I know the Labor Party is in control of most of the committees and it is quite a lengthy process to get up a select committee to take on the task. If anyone is keen who sits on a committee that is not up to much at the moment, that bit of research and data would be a useful task to take on, just to give us a feel of what that really looks like.

Of the 56 homeless people who died, 28 per cent were Indigenous Western Australians. Following that vigil, there was a rally in Forrest Place to discuss the deaths of three homeless women in Forrest Place in the three weeks prior to the rally on 27 August. In the square kilometre from the train station up to where the fountain is, there had been three deaths. I met briefly with Noongar elder Vanessa Culbong who spoke of her heartbreak of that situation. She was the aunty of one those young women. I quote Vanessa —

“We bring these people into the world and we have to watch them die with no one being held accountable and no justice being given ...

Vanessa, too, is homeless. I think she has spent some time in a shelter in the city, but she is in and out of “homelessness”. The heartbreak in her voice was obvious.

The Premier has made much of keeping Western Australians safe. If a person dies every three or four weeks in Forrest Place, that is a far from safe environment. I share with Hon Dr Brad Pettitt my congratulations to the government for recognising there is a housing crisis and spending some money on it initially. I have seen the numbers; I have a quick comment on one of them. I spoke recently to Shelter WA. I know how that organisation and some of its stakeholders roll out community housing—social housing with very limited resources. I saw the Minister for Housing’s announcement that some of the money will be spent on modular homes. That might be a useful solution in regional Western Australia, but the figure to build those modular homes was five hundred and something thousand dollars per modular home—just for one. I thought back to Shelter WA’s comment that if \$500 000 was given to one provider in the not-for-profit sector, the government would get a much better bang for its buck. I wonder whether the government might spend some of that money more wisely and get a better result in regional Western Australia in particular, where housing is very tight.

I welcome the opportunity to make a contribution on this motion and I thank Hon Dr Brad Pettitt for raising it with the house.

HON NEIL THOMSON (Mining and Pastoral) [1.40 pm]: I rise to support the motion. I think any discussion on housing is vital given the current predicament. I want to reflect for a moment on an example that I am currently aware of in my home town of Broome. Without identifying the person, I have been in touch with her and it is a very tragic case. I am dealing with her situation on a regular basis and she has just updated me. She is an Aboriginal woman who is degree-qualified with a young family. I will not say how many children she has so I do not identify who she is, but she is happy for me to raise this issue because her situation is so desperate. Over the last couple of months, she has moved from one house to another to find accommodation, whether it is house-sitting or couch surfing. The other day, she sent me a very poignant photo, which was very upsetting. I know that members opposite sometimes criticise me for the comments I make about comments made in this place, but I ask them to forgive me if I come across as passionate at times. I want to speak about this case today on her behalf. The photo she sent me was of her children on a trampoline with blankets. That was their night’s accommodation. This is not someone who has deeply entrenched homeless problems. She has made a life for herself and has done very well in her education and in educating herself. She hopes for the very best for her children but she cannot find a social house in Broome at the moment. She is on the waiting list, which could take many years. We have looked on the Department of Communities’ Opening Doors housing website for a shared equity home, because this person has managed to save a small deposit, but she cannot find a home. Right now—tonight—she will be checking into short-stay accommodation for as long as she can. She currently has a storage unit for her furniture. She also has a car, which is her backup home when required. This is a real situation. In June, Broome had a vacancy rate of zero per cent. I think that has improved over the last few weeks as a few properties have come on the market. The issue is complex, but, at the heart of it is the Labor government’s failure to build homes. It is quite simple! Members opposite can sit there and smile and laugh, but they have failed to build homes over their four years of being in government.

Members can go to the Australian Bureau of Statistics website to see table 8731.0 “Building Approvals”; I will not table it because members can look at it themselves. Over the period of the Labor government, 39.2 dwellings were approved per month, and of all residential units, 52.2 were public housing. That is the data I have but I am

sure the government's department can provide members with all the data on shared equity houses, social housing and Government Regional Officers' Housing. The housing market is a continuum. I have been advised by real estate agents in Broome that GROH has been on a renting spree, so of course that creates problems for us in our community. I have seen GROH homes that have been vacant for years. Only now are they being populated with members of the public sector after years of upgrades and expenditure, and I question the value of some of that expenditure. Why were those homes not circulated through the market during the downturn and new homes built? Simply, not enough homes have been built. Under the Barnett government, going back to table 8731.0—members can look it up themselves—an average of 52.5 public homes were built per month and total dwellings, including units, was 95 per month. Let me compare and contrast the total number of places to live—let us keep it simple—over the 101-odd months of the Barnett government versus the 50-odd months of the McGowan government. It was 95 versus 52. Members can get the detail of how many houses have been sold off and replaced but that is for building approvals. That is the data I have. My contention is that the government has not built enough homes, whether they be GROH, units, affordable housing or transitional housing. Whatever the housing is, the government has simply not built enough.

I welcomed the announcement of additional expenditure on social housing. It is absolutely essential but it does not solve this person's problem tonight. I hope that we see more action across the Department of Communities, across the housing portfolio, across the GROH homes portfolio—across the lot—and we see some development so that people like this person can have a roof over their head, which is a basic human right.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Mental Health) [1.48 pm]: I rise on behalf of the government to make a contribution on the motion before us. I want to start with a comment on the contribution made by the previous speaker. Of course, Hon Neil Thomson was a senior public servant during the years of the Barnett government. What did his government do? It tried to close remote Aboriginal communities. Shame on you! The Barnett government tried to close hundreds of Aboriginal communities. It frightened people out of their communities. How dare you be hypocritical today and forget what your government did a few years ago! Don't you forget it; I won't let you forget it!

I thank Hon Dr Brad Pettitt for bringing this motion before us because it is always good to talk about homelessness in this place. It touches the lives of many Western Australians, many Australians and many people around the world. Particularly in the last 18 months with COVID-19, we have seen many challenges around the world. However, because Western Australia has been so fortunate because the government and people like Chris Dawson and the Chief Health Officer—everybody—have worked incredibly hard to keep COVID-19 out, people from around the world and around Australia have moved back to Western Australia. We have seen miners from other states and territories who used to do fly-in fly-out work move to Western Australia. For a number of years, the bottom fell out of the housing market and people did not build houses. There are a number of challenges and they have all happily congregated together. I acknowledge the contribution made by Hon Dr Brad Pettitt, in which he endorsed and acknowledged the announcement made by Hon John Carey, the Minister for Housing, on the weekend about the significant \$870 million investment in housing in this state.

I want to do a quick tick-off, because Hon Dr Brad Pettitt's motion refers to low-carbon homes. I take the opportunity to remind the honourable member that if the federal Greens had voted for the carbon pollution reduction scheme in 2009, we would not be in this situation. In fact, there would be hundreds of millions of tonnes less of carbon emissions and electricity prices would be cheaper. If only his federal colleagues at that time had supported federal Labor's carbon pollution reduction scheme. That is a shame. As Hon Sue Ellery said to me, that was one of the lowest policy moments in our country's history, and the environment has suffered ever since. Anyway, I digress for a moment.

Getting back to the main thrust of the motion at hand, I want to place a few things on the record on behalf of the minister and the government. As we have heard over the last week in particular, the government will invest \$2.1 billion in social housing over the next four years and that includes the extra \$875 million in funds announced this week. This is, as the honourable member said, the single biggest one-off investment in social housing in the state's history, and it will provide an immediate boost to social housing around the state. We do not make \$875 million budget announcements based on notices of motions lodged in the Legislative Council; this has been a long time in the making.

I was not sure whether the honourable member was suggesting that the minister said that people do not want social housing, but the minister has made the point that it is challenging in some communities because we have nimbyism; we have people who do not want social housing in their area. I disagree with that. We should have social housing everywhere. To the credit of the Minister for Transport, Hon Rita Saffioti, under the Metronet project, social housing is being built along train lines so that public transport is accessible to communities. Social housing will remain the central fabric of some of those communities, and that is important.

We are delivering 3 300 social housing homes. The honourable member's contribution today was gracious, but we are taking measures to immediately tackle the issue and increase public housing stock. Some of the things we are doing include spot purchasing, investing in alternative built forms such as modular and prefabricated homes, and

converting existing departmental stock that would otherwise have been sold into the private market into social housing. We are also ensuring that there will be a pipeline of work beyond the current construction boom to continue to provide social housing stock and support jobs in the business and construction sectors. I am acutely aware of the challenges we face from the heated construction market in delivering social housing. This record investment in social housing will deliver up to 275 new homes in regional areas by mid-2023. We are seeing a significant investment in regional renewal projects. Members would have heard the announcement yesterday about the \$20 million investment in renewal projects in three communities in Geraldton, Albany and Bunbury that have been forgotten, if I can put it that way. This will revitalise, renew, rebuild and upgrade properties in those communities. This investment will refurbish older housing properties and will include significant urban and streetscape upgrades. There will be new road punch throughs, streetscaping and other projects that will boost amenity and livability. There is \$9 million for Spalding in Geraldton, \$5 million for Withers in Bunbury and \$4 million for Spencer Park in Albany. There is also \$2 million in the budget for planning and detailed scoping across those three projects.

Looking after our social housing stock is key to ensuring that properties stay in the system for longer. In our last term, we made some very difficult decisions to demolish a large number of social homes because the investment was not there to keep them in good material condition. As someone else said, we cannot have people living in squalor; we need to make sure that these homes are livable. As part of the 2021–22 budget, we will be investing \$12.8 million to undertake detailed building assessments on the more than 10 000 aging public housing and Government Regional Officers' Housing assets that we have. That will enable the department to scope the maintenance and works and conduct forward maintenance planning, which will reduce reactive maintenance to better manage aging stock. Of course, aging stock in the city is often very different from that in the regions. Quite frankly, houses in the area where I am based in Hedland do not last as long simply because of cyclones, the weather and the heat. Houses in those areas do not last as long and it takes more investment to fix them.

I made the point that, obviously, Western Australia is one of the safest places in the world. People in Western Australia have been largely free to live normal lives over the past 18 months, unlike those in many places around the world where the situation has been different. Our economy is strong, and that has seen an increase in the number of people coming back to Western Australia, which has caused additional pressure for homes and rentals. As I said, it came on the back of a few years of suppression in the property market when reduced investor finance was available in Western Australia and around Australia.

Figures published by the Australian Bureau of Statistics at the beginning of August show that more people moved to WA than left for interstate destinations in the three months to March. That was the most in a single quarter since the start of 2012. Sydney, Melbourne, Darwin and Hobart are the only capital cities to have lost people, but Perth gained 1 554 in the March quarter. Last financial year, there were nearly 27 000 new home building approvals in Western Australia. That is a significant 87 per cent increase on the previous financial year. As these new homes come online, the supply side pressures will begin easing, with more properties in the rental market, and I think that will be welcomed by the community.

The one-in-100-year pandemic that we have been dealing with has put pressure on housing supplies right across the country, but not every applicant on the social housing waitlist is sleeping rough. Many of these applicants have a roof over their head while they are waiting for public housing. They may be in a private rental, for example, but remain eligible for public housing. Although it is not optimal for some, at least they have a roof over their head. I am advised that there is a separate register for those sleeping rough called the By-Name List, which accounts for roughly 400 to 500 people sleeping rough in Perth and Fremantle. The idea that every applicant on the public housing waitlist is out on the streets is not quite true. It is a lot more nuanced than that. The Bankwest Curtin Economics Centre report on housing affordability that was published in June this year estimates that 10 000 rental properties will return to the rental market over the next six to 12 months. This, along with our record investment in social housing across the state, will also reduce the pressure on the private rental market, which we know in turn works to reduce the number of people seeking public and social housing.

We are investing \$2.1 billion over the next four years, and that includes the \$875 million of new money in the budget before us. The Minister for Housing spoke yesterday about how this is already helping fast-track supply. A 16-apartment complex in Success was originally going to deliver only two social housing apartments. That complex has now been designated as 100 per cent social housing. Existing funding for a number of programs that is being re-prioritised and brought forward will help deliver a program of modular and prefabricated social housing builds across the state. We are investing in innovative design and materials because, as we know, bricklayers are in high demand at the moment. Again, it is another thing we have to contend with at this interesting time. Some of the innovative designs that we are funding, particularly in regional Western Australia, are using modular and prefabricated construction methods. The investment in modular and prefabrication construction will also drive job growth in those industries.

I want to touch on energy and environment for a moment. One of the key objectives of the social housing economic recovery package has been to implement sustainability measures within the home to reduce the associated energy costs and environmental footprint. All refurbishments and new dwellings constructed through SHERP must include energy and water efficient appliances, fixtures and fittings. As Hon Dr Brad Pettitt found out in response to his

question yesterday—was it yesterday; it all melds into one?—the state is committed to ensuring that all social housing new builds designed from August this year will achieve a minimum seven-star Nationwide House Energy Rating Scheme rating where feasible, with the exception of climate zones 1 and 2, where the *Design brief: Northwest regional social housing* is required to be followed. There is \$92.8 million in SHERP community housing grants that were announced at the end of August, which are for community housing providers or local governments to apply for—up to \$5 million for new builds and for refurbishment of existing properties. That will, hopefully, achieve the minimum seven-star NatHERS rating, which the honourable member mentioned in his contribution today. Accessibility is also important and I make the point that not every person with a disability needs to have a particular house. Not every person with a disability has mobility issues so we need to make sure we are building for the cohort that needs the house, noting of course that some do.

I want to acknowledge the social housing sector and the agencies that are providing quality services at the moment, including in my own portfolio of mental health and drug and alcohol, to people in need on a daily basis. I was pleased to hear the comments from Deb Zanella, the CEO of Ruah Community Services, a pretty good agency that delivers key services in our community. In response to Minister Carey's announcement on the weekend, she said —

...from a Ruah perspective, we are really delighted.

...I think we actually should take a moment and say this is a really great investment...

...the government's been listening to the sector; it's been doing its own analysis and it has produced something that will actually begin to shift the dial ...

Deb was on the radio on, I think, Monday morning. She gave us only a nine out of 10, so that means there is room for improvement, but that is good acknowledgement of the work Minister Carey in particular has put into this package.

Other applicants have also been in contact with government to acknowledge the contribution. Louise Giolitto from the Western Australian Council of Social Service put out a press release in which she said —

“WACOSS warmly welcomes the announcement of the extra \$875 million for social housing in this year's State Budget to deliver better outcomes for some of the most at-risk people in our community,”

That was a media release issued by WACOSS on 6 September, earlier this week.

We are also investing in Government Regional Officers' Housing in regional Western Australia. The McGowan government's management of the state's finances has allowed us to stop the GROH sales program, which was instituted by the previous government. The previous government had a policy of selling off GRO housing. In this 2020–21 financial year, we increased GROH stock by 2.6 per cent, adding about another 129 properties in the regions. We have spent over \$100 million in the last financial year on GRO housing and, as I said, we are spending \$12.8 million to carry out building assessments on more than 10 000 ageing properties and GRO houses around the state.

As at 30 June 2021 there was a total of 5 040 GROH properties across the state, so that is an increase. We are also exploring all options to fast-track delivery of GRO housing where it is needed. That again includes modular and prefabricated houses, which will open the door for new and quicker opportunities. One of the measures we have put in place in recent months was a change to the policy settings, which will make it easier to transfer assets between GRO and public housing. This will make better use of underutilised government-owned properties around the state. We recently announced six underutilised GROH properties in the town of Collie, which will undergo major refurbishments and be made available as public housing to meet current needs in that town at the time.

I want to briefly—20 minutes goes very fast—acknowledge Minister Simone McGurk, who today has announced funding for a new Common Ground facility in Mandurah. It is fair to say—I am certainly happy to say it—that we inherited a homelessness system that was a mess. It was operating on year-by-year contracts, which were renewed only at the last minute. Little or no direction was given to improving the system and supporting the people in our community. To her credit, Minister McGurk has driven change and reform in her portfolios. We consulted across communities, service providers and peak bodies. That work has led to the *All paths lead to a home: Western Australia's 10-year strategy on homelessness 2020–2030* that has been built from evidence-based research and consultation across Western Australia. Two new Common Ground facilities will be built, one in Perth and one in Mandurah. They will provide permanent supportive housing for adults who have experienced chronic homelessness or who are low-income earners. The model is based on a housing-first approach where people experiencing homelessness or rough sleeping are placed in housing as a first priority with wraparound services provided to them. It is not as simple as just giving someone a house, of course. Some people who have not lived in a house for many years, or previously or not by themselves, need that extra level of support. Housing First is about giving people shelter and a home and placing wraparound services around them. That, too, is important.

There will be two Common Ground facilities, one in East Perth, for which there is \$45.5 million in the budget and the new one that was announced today in Mandurah. Altogether, that will see 112 self-contained units constructed that will have communal areas, onsite support services and commercial space at the site. An announcement has also been made about the design and development of an online homelessness services portal that will make it easier for people experiencing homelessness to access help and support. Recently there was, of course, the \$14.3 million

investment in the establishment of Boorloo Bidee Mia, the new accommodation services for rough sleepers on Wellington Street in the Perth central district, which is being run by Wungening Aboriginal Corporation and has other partners such as Noongar Mia Mia, to make sure we are delivering culturally appropriate services.

I could talk on this all day. Certainly 20 minutes is not a long time. I congratulate the member on bringing this forward today. It is important. I think his colleagues probably set the trap in that every motion they brought forward was a crisis, a crisis, a crisis. We probably always responded by saying that we were not supporting it. However, I appreciate Hon Dr Brad Pettitt bringing his motion forward today. It is important that we all talk about homelessness and I look forward to hearing from other members.

HON KATE DOUST (South Metropolitan) [2.07 pm]: Thank you, Acting President. I want to add some words. I thank Hon Dr Brad Pettitt for raising this motion today. I particularly want to talk about the final point of his motion. I will not comment on what has been said about previous efforts by former governments or lack of effort. I think our minister has dealt with that. I particularly want to focus on issues around My Home. Like Hon Dr Brad Pettitt, I want to put on the public record my congratulations to Michelle Blakeley. She has done an outstanding job pushing along this issue and working with all tiers of government to get these projects off the ground—no mean feat. She was very excited about the announcement made on 27 August in Fremantle. On that day we were at a forum on women’s homelessness at the Karrakatta Club, where there were more than 100 women and 19 organisations represented talking about these issues. Michelle was very excited, but was not able to tell us why, that she was heading off to Fremantle for the announcement in the afternoon. People were very pleased for her. The idea of having, I think, 18 dwellings on site is very exciting.

I first met with Michelle some time last year in Victoria Park. As members would be aware, she has also been working on a similar type of housing project for women over 55 on the corner of Berwick and Kent Streets. This is obviously not as big a project. I think there will be five modular homes put in that location. It is a great location in terms of access to public transport, facilities, retail and other services. That location was a bit of a challenge. I do not know what the dilemmas were in Fremantle, but initially she had problems getting the project moving. There were issues with a tiny sliver of the land that was not owned by the state government. I think it was owned by the local government. Ultimately, it took some time, but she has only just been able to resolve the issue in the last month or two and is hoping the project will get off the ground.

Having been out to Welshpool where these modular homes are built and then in one of them, they are basically a studio. They are fully sustainable, they have solar panels, they have double-glazed windows and they have water sustainability. They will be in a cluster-type arrangement, which potentially builds on good community. For a lot of these women coming out of homelessness, the idea of having other women around them and being able to have that community is a real plus. I certainly hope that Michelle is able to continue her work in that space. The idea that it is a public–private partnership is also very appealing. She has been very successful in getting not just state governments, local governments and senior corporate entities involved, but also church groups. The member referred to the Sisters of St John of God, and I am really pleased they are engaged in that space. I am pretty sure that Michelle has had discussions with other groups in the community. As she has moved around and talked about this issue, she has been able to inspire other groups. The Karrakatta Club is working with its membership, and these groups are coming up with feedback from the forum to see whether they can engage with government to see what they can do to provide assistance. Soroptimist International, which is another women’s organisation, is also doing some work in that space. It has identified at least one potential location in South Perth for a building that could be repurposed for women over the age of 55. I know Hon Dr Brad Pettitt will be interested in that now he is member for South Metropolitan Region. There is some interesting work happening.

This is a real challenge. One of the members across the way said that perhaps we should have an inquiry through the Parliament to look at homelessness. The issue of homelessness for women over the age of 55 is an interesting challenge, and I must say that it is not something that previous governments have really focused on. Homelessness and solutions to it have traditionally been around men, because men were much more visible. We used to see them more on the streets. Sadly, we are starting to see more women on the streets. A lot of the short-term facilities were in place for men. There has been a shift. In recent times, Saint Bart’s has repurposed and refitted some of its space to accommodate women in the short-term, and other organisations have done similar things. I am sure that Saint Pat’s in Fremantle has been working in that space as well. But there is a real challenge there.

The issue is for women who have to deal with homelessness for the first time, which may have come about because of a breakdown in their marriage. There was a very good example on ABC 7.30 about a week ago. A woman was interviewed whose 30-plus year marriage, which she thought had been a happy marriage, all came apart. She was heading into retirement and found that after the family home had been disposed of, even though she thought she would have enough to buy a property, that was not the case. Then, she could not get a home loan and ended up having to work for another 10 years beyond her retirement. After she had completed that, she found that she did not have the income to afford rent. She lived in New South Wales, and at the end of the day she was fortunate enough to be placed in public housing specifically for women of her age group, and she has been there for a time. There are issues that come out of a marital breakup. The woman may not have been an income earner, so she does not have income when she comes out of the marriage. She may not have access to her partner’s superannuation.

Superannuation was a big issue discussed at a forum I attended on 27 August. Hon Mia Davies was also part of that forum. It was very interesting to hear the perspective of regional issues of homelessness for women in that age demographic. Superannuation was identified as a significant issue for women over 55 when there has been a marital breakup. They do not have access to their partner's superannuation or in some cases there is not full and frank disclosure about their partner's superannuation amounts. I think back to a couple of my former colleagues from this place whose marriages broke up. They had to split their superannuation up much earlier with their male partner. It meant they had to continue on in the workforce much longer. Although superannuation is a federal issue, it is something we need to have a discussion about to see what we can do to enable some change in that space. The key issue is around access.

The other problem for a lot of women over 55 is that it is the first time they have lost a home or access to it. It could be due to that first example of the marital breakup, or it could be through a loss of job, loss of income, mental health issues or disconnection from family. Quite often in the past, when a woman lost access to a home, she may have gone to stay with another family member, but that is not always the case these days. The world has changed. Sadly, we do not necessarily embrace all of our family members, so that avenue is not always open to these women.

There are a range of issues. We have already mentioned today the number of Indigenous women who have been homeless. There are women coming out of prisons, sole parents and low-income earners. There is a raft of reasons why these things happen. But these women do not always want to talk about it. They do not always want to seek the assistance that they need to step back into an environment that is safe and secure for them. The minister has already referred to Common Ground, which in the short term provides a safe place, a safe haven, and wraparound services, which is fantastic, but the My Home option provides a much longer term placement for these women, and I think that is where we need to head for a lot of them, or all of them ultimately. Everyone needs to have their own home, their own space and their own security. They need their own place where they can plan for the future. One of the key issues for My Home, which I know Michelle Blakely has been very keen on, is making sure that women have longevity in these homes, so not just saying that it is four weeks, months or even a year, but 10 or 15 years or longer. That is a real challenge. The concepts behind My Home, Common Ground and lots of other models around the world are all good and worthy of exploration. I am thankful for and acknowledge the initial announcements that the state government has made over the last couple of weeks. There was the announcement made by Hon Simone McGurk about the Lotterywest funding for My Home. I hope there is more of that to come down the track. I acknowledge the announcements on the weekend from Hon John Carey and the announcement today in Mandurah for the Common Ground facility.

Minister, I hope that at some point in the South Metropolitan Region we might also seek to have that type of facility. Sadly, we see an increase of women on the streets in parts of my electorate. It is quite heartbreaking, because it is really difficult to find places for them. As members, we all have to deal with these issues. One example that comes to mind is a woman who had lived in a public house in Manning pretty much for 50 years. She, her husband and her family were the first tenants. In fact, her family expanded and grew in that home. She had an interesting story; within a week of her husband dying, she was given notice by the department that she had to move out because her name was not on the lease. If we think about it, for a lot of women in their 50s and 60s and older, it is a generational thing. If they were married, their husband's name was on the lease or the power bill or the phone bill or any of those other things. If their husband passed away, they had real difficulty trying to change the details or maintain their space in that home. This woman came to us because she was given a week to move. She had been in that house for 50 years. She was the primary income earner because, sadly, her husband had alcohol and drug issues. To keep the family going, she worked as a cook in an establishment for most of their married life. Her name had never been on the lease. We had a huge battle with the department to keep that woman in her home. We won eventually, but the department came back and said, "Let's move you." Things get complicated.

It is not just about finding places for people to live; we need to look at the reasons they get to that point and try to break down the silos and try to get better communication across departments so they can work together—not just state and federal departments but certainly local governments too.

Michelle Blakeley experienced issues in Victoria Park and possibly Fremantle when dealing with various agencies and different tiers of government. I know she had planning issues in Victoria Park. Perhaps some sort of consideration needs to be given to the regulations around the establishment of these types of facilities and arrangements so that people do not constantly have to deal with red tape. Four years seems to be an outrageous length of time to put in place a fantastic opportunity in that area to alleviate a long-term homelessness issue and to provide a safe and secure home for these women. Sadly, these will be ongoing issues.

Members may have travelled, not in recent times but prior to COVID. I do not know whether they looked around the areas they visited but I can clearly recall my last trip to Canada and the US a few years ago and seeing a number of women on the streets. Basically, their lives were in shopping trolleys, or they had their kids with them. The older they got, the harder it got. I do not want us to be like that. I think the state government is doing everything it possibly can in the circumstances to find the dollars and look at being innovative with different types of projects. I say to members opposite who are new to this place that I know it seems to be very difficult sometimes. Everything seems to begin from the time they are elected and sometimes they do not always know the history. Those of us who have been around for quite a while know some of that history and the difficulties we have had in dealing with other governments and

trying to get these changes up or trying to get housing for people who are coming out of homelessness. It has not always been easy. These things do not happen overnight. Whatever their criticism of this government has been about the movement in that space, it is not about just dropping money and it happens. These things happen over an extended period; they build up. I do not know whether any government has been perfect in how it has managed the issue, but I acknowledge the significant dollar drop that has happened over the last week or so. We look forward to tomorrow's budget to see what else will be articulated; I do not know whether there will be any more funding.

I turn to one of the issues in my electorate that I have been very keen about for the last 20 years. The government put a significant amount of money into Brownlie Towers in Bentley, which had about 300 units, both single and double bedroom. It was a high rise that was constructed in the 1970s. Back in Geoff Gallop's day, about \$20 million was poured into it to try to rejuvenate it and make it safer. It was able to continue for a period of time. In the last term, it was decided that it was no longer viable and it was demolished. We have a huge parcel of land there. A lot of work was done during the previous government by former Minister Tinley to get that project moving, along with the local government. Again, I think there has probably been a bit of red tape and reticence about that project over an extended period. I see that as being an exciting rejuvenation of that area. I know that significant amounts of social housing will go into that mix. Some people were very attached to that area. I made comments earlier about the opportunity to have something built. That area would be a great location, given its proximity to public transport and all the facilities.

I come back to the comment made by Hon Dr Brad Pettitt about a reluctance of some people to have public housing or houses for homeless people in their area. I dealt with that fairly recently. I identified a patch of former public housing land in my electorate. I remember starting discussions with the former Minister for Housing in the last term about this opportunity. I thought the "My Home" project would be a brilliant opportunity for this particular parcel of land in my electorate as it was such a great location. It got such a pushback from the local community that I was really shocked. It did not matter that we were talking about women over the age of 50; those people just did not want social housing in their backyard. The key disappointment for me was that this whole suburb erupted even though it was a social housing suburb when it was first constructed. That just shows the shift. When people move in and build different houses, their attitudes change. I was really disappointed because I thought that putting this type of housing into that part of the electorate might have resolved a whole lot of other issues. Not only would it fix the problem for these women and give them permanent housing, but it might also resolve some other problems. But the pushback was so bad that when I had to deal with the local candidate for that seat, I said, "You go to this meeting because if I go, it will set things on fire." There are some real challenges in that space, particularly for women over 55, in finding them safe, secure and permanent homes, close to all the services they need, which would enable them to get their lives either back on track or moving forward.

It can be a sliding door moment for any of us. I look around at a lot of my friends. I am in that age group. We all think that 59 is the real 30, but I tell you what, it is really not! One of my girlfriends had a stroke several weeks ago. She has only a few days of sick leave left. We really worry about that sliding door moment—it could happen to anyone. I thank the government for the work it is doing in this space. There is a lot more to do but there are bigger, broader issues that we should discuss, such as how we can get to the point of preventing women from becoming homeless or making sure that if they are in that situation, with all the stresses attached to it, we can provide the best care and the best facilities so they can get on with their lives.

HON SOPHIA MOERMOND (South West) [2.27 pm]: I thank Hon Dr Brad Pettitt for moving his motion. I also thank the McGowan government for its funding and action in this area. The words of Hon Kate Doust very much resonated with me. I have a girlfriend, also in her mid-50s, who has worked hard. She is fiercely independent. She became unwell and was not able to access her superannuation. She was not poor enough to access social housing but also not well enough to keep working and pay rent. She has a dog and a cat, and she ended up homeless. When we talk about these sorts of social issues and the contributing factors that affect women in that age group, systemic and institutionalised sexism is definitely a part of that. Younger women are less affected by that. Certainly in my age group, I can see that quite a few of my female friends are only a few pay packets away from homelessness. That is not due to them being lazy or not working; it is simply due to them not having the access to resources that men in their age group have had.

There are three really distinct phases of social housing and dysfunction in society. The first phase is a mum and her children. Children need a stable home; they need that stability. They need a safe home and access to resources, such as food, child care and schooling to make sure that their social skills develop well and are on point. The second stage is when they do not have that safety and those resources. They may start acting out when they go to school or they may wag school and have more problematic behaviours simply because they lack the stability in their life that a long-term home provides. The third phase is crisis management. In that phase, we see people going off the rails and becoming involved in criminal behaviours. It is also when drug addiction may become an issue. That is where a lot of the money is spent at the moment. If we want to prevent all that, it would be wise to invest money at the beginning of the lives of those children. That would allow the opportunity for women to escape domestic violence and children to be well cared for in a stable and safe environment. Not only would we save money, we would also reduce human suffering, and that really is the most important point. If we provide that early safe care and safe housing, we will a happier and healthier population.

HON PIERRE YANG (North Metropolitan) [2.31 pm]: I, too, like the Minister for Mental Health, Hon Stephen Dawson, thank Hon Dr Brad Pettitt for moving this motion. Homelessness is a very important issue. It has been an important issue for me since I came to this place. I have spoken about this issue more than one or two dozen times. As Hon Dan Caddy mentioned yesterday during his member's statement, I have been participating in the Vinnies CEO Sleepout since I came to this place in 2017. I hasten to put on the record my thanks to the members who have donated to this fundraiser, which saw us, collectively, raise around \$30 000 over five years. This year I was not able to join the rest of the participants because of our late night sittings. I got to Optus Stadium at about 3.30 in the morning. The door was shut. The gentleman guarding the gate said, "You can't get in" to which I replied, "That's fine." I went home and parked my car in front of the street. I did not want to open the gate and wake up my wife and kids. I slept in my car for four hours before going into my home.

It is important to look at the situation before the McGowan Labor government took office in 2017. I wish to remind members that in the 2016–17 financial year, the Barnett Liberal–National government invested \$86 million to address homeless issues and provide services for those who were homeless. As we have heard over the weekend, the McGowan Labor government is boosting its funding to \$875 million, which is more than 11 times more in a mere four years. This is a great achievement and all Western Australians should be very proud of this government for making the best interests of our fellow citizens who are doing it tough one of its top priorities.

In 2011, the then Minister for Police, Rob Johnson, was asked a question by Hon Bill Johnston about the Commonwealth Heads of Government Meeting and homeless people in the city. The general public was to be locked out of the city for three days. I refer to a WAtoday article of 14 April 2011—I am reading from my laptop so I hope no-one will ask me to table it—which states what Hon Rob Johnson's reply was in Parliament. It reads —

“Well, they would have to sleep somewhere else for the night, won't they? I'll give them a tent and a cushion—what a stupid question.”

That was the attitude of a minister of the Crown in the Liberal government, which was in alliance with the National Party, some 10 years ago. The attitude of this government is a great turnaround for the people of Western Australia, especially those who are experiencing homelessness and sleeping rough. Very soon after we came to office, we announced our 10-year homelessness strategy. I had a conversation with Hon Simon McGurk about this strategy. She is a passionate advocate for people who are sleeping rough. We have been working tirelessly to find strategies and money to support services for people in Western Australia who are experiencing homelessness. I also remind members that in 2019, the federal Liberal–National government cut funding for Western Australia. On 10 May 2018, in response to the federal government's decision to cut funding, I said the following in *Hansard* —

On that note, WA stands to lose a huge amount. The Liberal–National government has not only got its priorities wrong, but also shown great contempt to the people of Western Australia. The state of Western Australia and the Commonwealth of Australia have had a national partnership agreement on remote housing for the past 10 years. The commonwealth has similar agreements with other states and the Northern Territory. According to the WA–commonwealth agreement, the commonwealth provided \$36 million in the 2016–17 financial year and \$178 million during the last financial year. That money was spent on capital items such as new houses, refurbishments, employment and education housing, and also on reform items such as property and tenancy management, Indigenous employment, Indigenous participation, Indigenous business engagement and Indigenous home ownership. This agreement will expire at the end of next month.

I remind members that I made that statement in May 2018, with the agreement ending in June 2018. I also said —

It is extremely disappointing that the federal budget has not provided any funding in the coming financial year—not a single dollar.

It is disappointing that the federal government did not assist the people of Western Australia. The former Barnett government left us with a mess on the issue of homelessness. Instead of spending money on singing toilets and plastic cows, which is what the former Barnett government did, we have invested money on things that matter to people. Hon Neil Thomson may have a smile on his face; I am sure he is passionately agreeing with me.

I also want to talk about veterans and homelessness. I made a speech some time during the last term of Parliament about veterans experiencing homelessness at a much higher rate than many other groups in our communities. I want to put on the record that it is important that we support people and we look at people's needs. I am proud that the government has put in so much money; in fact, \$2.1 billion will be in the budget for the next four years. I repeat: \$2.1 billion for the people of Western Australia. That huge amount will be used to support so many of our fellow Western Australians. I am extremely proud of that, but, unfortunately, some members here want to politicise this issue. It is disappointing that members opposite—not crossbench members—said that the work started when they were elected. That is not the case, honourable members. As Hon Kate Doust also outlined, the issue of homelessness has been with us for a very long time.

I also want to quote Hon Colin Holt, a former member of this place whom I deeply respect. He was a very sensible member. He was a great contributor to the democracy of Western Australia.

Hon Darren West: We miss him.

Hon PIERRE YANG: We do miss him, sincerely.

On 16 September 2020, Hon Colin Holt said —

I think what it highlights to me is that there is no silver bullet for homelessness ...

He is right, there is no silver bullet. Members may want to look at his wise words and reflect on what they said today. Hopefully, one day they will be able to give us some more sensible and reasonable contributions. That will be a good thing for democracy in this state.

I again want to thank all members who have contributed. I want to thank Hon Dr Brad Pettitt for bringing this motion to the house. Even though I will not be able to support it, I think it is a very important issue. I am pleased, in fact proud, that the McGowan Labor government is looking at addressing this issue.

HON WILSON TUCKER (Mining and Pastoral) [2.42 pm]: I rise to support this excellent motion brought forward by Hon Dr Brad Pettitt. I would like to take this opportunity to acknowledge and congratulate the McGowan government on its recent \$875 million public housing announcement. However, I will be interested to see how much of this spend will be allocated to regional WA and what the wait time will be for these public houses, considering we are in the middle of a skills shortage and, meanwhile, as has been pointed out, there is a 3 000-plus social housing waitlist. I am hopeful that the upcoming budget week will be a good opportunity to get into the details.

I recently met with several advocacy groups in this space, one of which was Shelter WA, which has been calling for years for 5 000 public homes to be built. That is in contrast to the previous Labor government's commitment of 260 public houses over the next 10 years. In my opinion, this recent announcement by the Labor government is an admission that we are in the middle of a housing crisis. Deaths have occurred due to the government's inaction over the last four years.

I was recently in Kalgoorlie and met with residents and community groups to gain an understanding of the housing issues facing the region and the town. The main issue raised with me was the shortage of housing. Kalgoorlie plans to expand to 40 000 residents; it is currently sitting at 30 000. The 2021 census data will probably bring it to about the 33 000 mark. There are plenty of jobs in Kalgoorlie because commodities are booming, but there is nowhere to put people. Housing availability in Kalgoorlie sits at less than one per cent right now.

Last week, I asked a question in Parliament on the state of 32 Government Regional Officers' Housing properties in Kalgoorlie. The response was that some of these properties have been vacant for up to 10 years. The *Kalgoorlie Miner* ran an article on this, and the Minister for Housing was forced to respond. The housing minister said that he is planning to reallocate unused GROH properties to public houses. I certainly plan to continue this line of questioning on the state of these houses. I heard firsthand testimony when I was in Kalgoorlie on the state of some of these properties. When people who were moving into these houses for the first time opened the front door, they were greeted by the sight of dead cockroaches on the ground; the homes also had roof tiles missing and broken windows. It is unfortunate that these properties are in this dilapidated state. I believe that the government needs to take a smarter approach with its current housing stock. As it plays catch-up with the public housing waitlist, it will be some time before new properties come on board. I note the comments from the housing minister that the department is taking a smarter approach. I think that is good. I congratulate the government on this recent announcement; it is a step in the right direction.

HON SANDRA CARR (Agricultural) [2.46 pm]: I rise to speak on the motion moved by Hon Dr Brad Pettitt and thank him for the opportunity to speak on homelessness and housing. We are all aware that there is a housing crisis in this nation. It is affecting the whole country and, indeed, other parts of the world. Western Australia has certainly not been immune to those circumstances. It is a complex situation impacted by a variety of factors, many of which could never have been accurately predicted. The circumstances under which someone might find themselves homeless are also, as Hon Kate Doust pointed out, quite unpredictable. She referred to that sliding door moment. I was not going to speak on that subject, but it reminded me of my own sliding door moment. It allows me to touch on some other circumstances that can impact people and the concept of homelessness.

I found myself homeless when I was aged in my early 30s. I had a suitcase of things in my car. My daughter and I slept in the car on the side of the road. An initiative in Geraldton that raises money for homeless people who sleep in their car involves the whole community gathering on the field to sleep in their car. I have never been able to bring myself to participate in that. It is a little too real for me because of my memory of that time. People find themselves homeless for a whole range of reasons. I was educated and I thought that my life was on track, but the situation I found myself in was one of fleeing an environment. Although I was lucky that I could finally make my way to the other side of the country to live with family, by current categories I was still a homeless person—I did not have an income, I did not have a roof over my head, I did not have any possessions, and I had two children to raise.

Although I was really fortunate in that I managed to claw my way back and find myself a home—I am very fortunate now to own a home—I remain deeply resentful that this happened to me. I remain deeply resentful every time I look at my superannuation. Hon Kate Doust touched on the idea of older women finding themselves homeless and unable to access superannuation or not having superannuation. I can tell members that as a sole parent, not by choice, I often found myself having to step out of the workforce or participate only part time in the workforce. A man of the

same age with the same experience and skills as I have has much more superannuation than I have and will retire with much more money than I will. I find that deeply unfair. It is another condition that impacts women, although I do not necessarily agree that it impacts only older women. I think it impacts women more often than we realise. Having experienced it myself, I really struggled to seek help and support because people do not want to talk about. It is embarrassing.

Homelessness and housing are really complex issues. Homelessness can arise at all sorts of times and moments throughout someone's life, and they cannot necessarily anticipate that. The issue of homelessness is being rigorously addressed by the McGowan government. I am really pleased by the size and scope of the recent announcement made by our Minister for Housing, John Carey. I think 3 300 new social housing properties is an excellent start. Hon Dr Brad Pettitt referred to it as a "good start", which I think is an understatement. We are talking about a record social housing investment of 275 new regional homes by 2023, \$875 million to boost social housing, and a state budget that will invest \$2.1 billion into social housing over four years. I am not sure what sort of financials Hon Dr Brad Pettitt is used to handling, but I am not sure I would describe that sort of money as a "good start". I think it is a very significant, rigorous and substantive contribution to addressing social housing. I think 3 300 social homes is an excellent endeavour made by the McGowan government and it is one I am really pleased that Minister John Carey was able to secure for us.

I also note that the two members across the room who rose to support Hon Dr Brad Pettitt's motion—a Greens member—were Hon Steve Martin and Hon Neil Thomson. Hon Steve Martin referred to the Labor Party as a party of social conscience. Indeed, I agree that we are a party with a strong social conscience. We have a conscience and I find it quite peculiar that Hon Steve Martin would choose to use a word like "conscience" in the current context of the Liberal Party. I point out to Hon Steve Martin that it was Hon Nick Goiran who wrote, according to my notes, "As for the Greens—they are the very reason I'm in this game. #greensfakehumans." That is the Liberal Party's attitude towards the Greens. I would think considerably deeply about aligning himself with a party that does not necessarily respect the outcomes he is hoping to achieve for the community.

I would now like to focus on the regional contribution of the announcement. I live in the regions; the regions are in my remit and I am responsible for them. The new announcement includes \$9 million for Spalding, a suburb in Geraldton that has had a lot of media attention of late; \$5 million for Withers in Bunbury; and \$4 million for Spencer Park in Albany, along with another \$2 million for overall planning and detailed scoping.

There was a significant housing issue to be addressed in my home region. It was keenly felt by people in Geraldton and the surrounding areas. It was exacerbated by the fact that we had a cyclone in the region so a lot of people's homes were destroyed or deemed uninhabitable. Those people also had to find alternative accommodation in the region and that certainly exacerbated and complicated the situation in our area as people were looking in other areas to find accommodation. Some houses are boarded up and have been left empty for quite some time, but those houses are not necessarily all state housing homes. The \$9 million that has been dedicated to the Spalding precinct is a direct outcome of the hard work, and the dedicated, consistent and measured advocacy of the new member for Geraldton, Lara Dalton. She has been the catalyst for this announcement in Geraldton and I know that the Geraldton community is incredibly grateful for her dogged determination to see a positive outcome for that community. The money that has been announced has been informed by what is called the Spalding revitalisation plan. It was developed by the City of Greater Geraldton and Department of Communities quite some time ago and had significant input from the community. The plan provides more than just housing. It looks at the overall community and what we want for the community. It looks at other things that need to happen alongside housing. It is contributing work that creates a community that is more inclusive, more accessible and safer for the whole community. It is not just about providing housing.

The key word with social housing is "social". We need to do more than just put roofs over people's heads. It needs to be strategic. It needs to be thought out. It needs to be planned. These things take a bit of time. If we rush them and just whack up a house here or there, then we create a situation like there was in Spalding where streets were dead ends, which created clusters of issues and problems. The announcement by Minister Carey has sought to address that, so I am incredibly grateful for that. I am also grateful to Hon Dr Brad Pettitt for bringing up the issues of housing and homelessness. Unfortunately, I do not support the motion but I certainly support us having a social conscience.

HON JAMES HAYWARD (South West) [2.55 pm]: I rise to support this motion. I want to talk a little bit about Withers, a suburb in Bunbury. I have previously spoken about it in this place. Withers was built using the Radburn system, which I think I have explained before. It was very popular, probably around the 1970s, to build back-to-front suburbs that were based on an English village. Members would have seen them in South Hedland, Wundowie, Withers in Bunbury, Crestwood in Thornlie and Karawara, and I think Spalding was built the same way. It was a good idea at the start but, over time, these suburbs turned into a complete nightmare—an endless rabbit warren of dead ends that enabled the bad guys to access everybody's houses through a central system of public open space between the houses. They could get in there and pinch anything they liked. If the police wanted to come and catch them, they would be stuck in a cul-de-sac and they would run around but the police had to drive five kilometres. It was no good. We had major troubles in Bunbury and the only way we were able to get a real lid on crime there was to ask the police to bring down its mounted division. The mounted division came down and I think stayed for two weeks. It was an amazing operation. All of a sudden, the people who were doing the wrong thing discovered that

they could not outrun police horses and police were very quickly able to make a number of arrests. These are some of the complications that have happened. I do not know which government built these suburbs; it was probably different governments over time. They had the best intentions in what they were doing but, ultimately, the product was not suitable for Australia or fit for purpose.

When I was elected to Bunbury city council in 2013, one of my first jobs was to chair the Withers advisory committee. The Withers advisory committee was made up by the city council with a view to trying to permanently fix the problems that this suburb faced, including antisocial behaviour and crime. There was an absolutely massive saturation of social housing. In one street where there were 14 homes, 10 of them were social housing homes. With such a build-up of people, we find that the potential for social housing homes does not necessarily bring the best outcome. In other suburbs, where the concentration of social housing is not so high, we find that it works better because even if people in social housing have other social challenges, often the suburb helps to bring them up, as people are brought up by a village. Those suburbs tend to be far more successful than the suburbs with highly concentrated clusters of social housing. Withers, by the way, is a magnificent suburb very close to the beach between the hospital and Hay Park, which is Bunbury's biggest open space for sport, and it is near Preston Beach and Yalgorup National Park. It is a fantastic location. In fact, I think it will be a very enviable place for people to invest in into the future.

Inevitably, there were real issues. In 2013, I was tasked with the job of chairing a committee to try to solve some of the problems. We worked very closely with Housing and others to try to find a solution. Over about three years, we put in closed-circuit television cameras, closed off some alleyways and put in some footpaths. We did the best we could at a local government level with about \$1.5 million. We did some of these things to help, and they made a big difference early on. We also engaged a company to do a proper plan of what the suburb could look like—I think UDLA was the name of the business. It did some consultation and came up with this fantastic idea to bulldoze most of the suburb, reconnect some roads so that they worked better together and completely redevelop the suburb. We published the plan in about 2016. All we needed next was the government to fund the project so that the work could get underway, because obviously it was quite expensive; there is a lot of headworks involved in knocking down old buildings.

One of the things that the state did pretty well straightaway was to move people out of the suburb, with a view to trying to transition it, so there were some empty houses there. We had the plan and we did that work and then the election was held in 2017. The now local member, Don Punch, made a big deal of Withers as a very important suburb, as he rightly should have, as did we; I think we committed about \$15 million to get the work done. Since then, we have just heard crickets—until the announcement on the weekend, which is very, very welcome. Finally, the bulldozers will get started and we will see some of that transitional change.

This motion is about saying that we understand that it takes the government a long time to do some of these things, but the reality is that whatever it is doing on that side needs to be the highest priority. It is fantastic that this money is being spent; it is a significant amount. Over the previous four and a half years, there has been very little priority in this space. That is the reality. We certainly welcome it now. It is terrific that those things are happening. There is a lot of work to do. I could talk more about homelessness, but I just wanted to give that one example of things that are in train but that sometimes take a long time. We need to use the energy of the state government to focus in and make sure that these things happen far more quickly.

These are the challenges for all of us. I really appreciated Hon Kate Doust talking about the absolute nonsense of the situation in which someone can live in a house for 50 years but then a bureaucrat can say that they have to get out in a week. That is the challenge we all have. It does not matter which side of politics we are on; they are some of the dramas that people in our communities are experiencing and we need to work together to do things better.

I commend the motion. I thank the McGowan government for its announcement about its investment. I encourage it to do more in this space because a lot more needs to be done.

The ACTING PRESIDENT (Hon Dr Sally Talbot): Members, you will be aware that the temporary order provides for the mover of the motion to speak in reply for five minutes. There are five minutes and 10 seconds left. I am inclined to give the call to the mover of the motion in reply.

HON DR BRAD PETTITT (South Metropolitan) [3.03 pm] — in reply: First, I thank each and every member who has contributed to the motion. It was a really worthwhile discussion about social housing, homelessness and disadvantage in our community. I thought it highlighted how much we have in common across the chamber in that we want to deal with this issue. In moving this motion, I had hoped that it would get support from both sides of the aisle, so I am disappointed that it will not. I appreciate that the word “crisis” may have thrown some people, but I reiterate that the definition in the *Merriam–Webster Dictionary* says that it is a time when a difficult or important decision must be made and a crucial time or state of affairs when a decisive decision is impending. I feel that a government that has just made the biggest commitment ever to social housing probably should acknowledge that there is, as Hon Sandra Carr said, a crisis all around Australia. When a government is acting on it, it is nothing to be embarrassed about. Acknowledging that things need to change is the very first step. In many ways, I thought that we actually agreed on all parts of the motion.

Some really important points were highlighted, and I will go through some of them very quickly. Hon Steve Martin made a range of good points. One point that I failed to mention, as I did not know this, is that 28 per cent of the 56 people we know of who died on our streets were First Nations people. That is a reminder of the human face of this issue. We always need to go back to the point that this is about people and, ultimately, saving people's lives. As Hon Neil Thomson said, a key part of that is building more houses. At the heart of this issue is the fact that we are not building enough homes across the state, especially in regional areas. Hon Stephen Dawson made many good points. I feel like I should get into a debate about the carbon pollution reduction scheme, but the truth of the matter is that we did an emissions reduction fund of some kind under Gillard, which worked very well until Tony Abbott dismantled it. But that is a whole different debate for another time.

The Metronet housing project is really important. It is a really good initiative. I flag to the chamber that interestingly—this is something that we need to drill down into—it is not available to the communities around existing train stations, which I think is quite odd. Metronet is about the whole system; it is not just about new train stations. Making sure that we have social housing near existing train stations and activity centres is really important.

I know there has been a bit of an excuse around COVID and housing. It is important to point out that I do not think that that is necessarily a defence. It is true that domestic migration to this country went up by 3 475 people in 2020, but international migration dropped by about 13 000 people in the same period. Overall, both domestic and international migration has probably declined.

Hon Stephen Dawson: I do not want to delay you, but the other point I made is that the banks stopped lending for 18 months, so we are in this quandary.

Hon Dr BRAD PETTITT: That is a fair point. For those who could not hear the interjection, it was about some of the lending characteristics. It is a complex issue. What I think came out in the debate is that a lack of both private and social housing has been built by consecutive governments over time and it has led to what I think can legitimately be called a crisis. As I have said in this chamber, I am very pleased about the pre-budget announcement about those first steps, which I think are very good.

I really appreciated Hon Kate Doust and Hon Sophia Moermond speaking about the disproportionate impact of homelessness on older women. It has come out very strongly. I realise I have 12 seconds left. That went very quickly. I apologise for not mentioning everybody else who contributed. I think this has been a really good discussion and I hope it is the start of more of it.

Division

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

Ayes (12)

Hon Martin Aldridge	Hon Nick Goiran	Hon Sophia Moermond	Hon Wilson Tucker
Hon Peter Collier	Hon James Hayward	Hon Tjorn Sibma	Hon Dr Brian Walker
Hon Donna Faragher	Hon Steve Martin	Hon Neil Thomson	Hon Dr Brad Pettitt (<i>Teller</i>)

Noes (19)

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

Question thus negated.

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Recommendations 1 to 38 — Adoption — Motion

Resumed from 7 September on the following motion moved by Hon Dan Caddy —

That recommendations 1 to 38 contained in the sixty-fourth report of the Standing Committee on Procedure and Privileges, *Review of the standing orders*, be adopted and agreed to.

HON MARTIN ALDRIDGE (Agricultural) [3.13 pm]: I rise to continue the brief introductory remarks I commenced last evening about the motion in relation to the Standing Committee on Procedure and Privileges. I think last evening I was setting out some of the time line involved. At this point, I want to recognise the significant work done by committee members but more so the staff of the standing committee. Immense time pressures were placed on this committee and this review. We are ever grateful to these individuals for their work, as I think the Leader of the House also recognised, throughout our winter recess. While many other members had time to reacquaint themselves with their electorate and their family during the school holidays, this committee continued its work and its business in order to meet the time frame insisted upon by the Legislative Council.

I made some remarks yesterday on the sixty-fifth report. I do not want to dwell on this matter but I think the sixty-fifth report shows that we should not do a rush job. We should not do a rush job on 38 broad-ranging recommendations with some as significant as recommendations 5 to 8, which will change the fabric of this chamber, I think once and for all. We will be the first upper house chamber in Australia to have and use a standing order of this nature—something I will talk about a little later. Before I move on from the sixth-fifth report, I will make this comment because I think it is something we should examine at another time. It is interesting that the sixty-fourth report was tabled in this place on the same day that Hon Dan Caddy moved that recommendations 1 to 38 contained in the sixth-fourth report be adopted and agreed. That is the motion before the Council today. Fast forward to Tuesday this week when the standing committee tabled out of session the sixth-fifth report with the President. The sixth-fifth report amends three of the recommendations that are the substance of the motion by Hon Dan Caddy that we are now dealing with. I find that quite peculiar. I find it strange that a member would move a motion that we are now debating but subsequent to that a further report of the standing committee, in effect, amends the substance of that motion. As I said, I think it is an issue for another day. Because this will be a very time-limited debate, there are many other issues we should focus on but I do not want to pass without putting on the record that I find it quite interesting that on the first sitting day after this report is tabled, this is the highest priority for the Labor government. The second priority for the government is the Children and Community Services Amendment Bill 2021, which, according to the second reading speech —

... provides Western Australia's legislative framework for the protection and care of children, the employment of children, the provision of social services, the provision of financial and other assistance and other matters concerning the wellbeing of children, other individuals, families and communities.

It relates to the Royal Commission into Institutional Responses to Child Sexual Abuse. That is the government's second priority. As Hon Nick Goiran said in the debate yesterday, this is all transpiring in National Child Protection Week. That is something that should be placed on the record in terms of where this government's priorities sit; that is, the Children and Community Services Amendment Bill 2021 is a lower priority to this government than the standing orders of this chamber.

I will make my contribution about each chapter. As members will see, the report contains seven chapters and I will work through them methodically. Before I move on I want to talk a little bit about the process by which the inquiry was conducted, which is canvassed in chapter 1 of the report. Members will see that a number of submissions have been received and appended to this report. Members will also see that Hon Dr Steve Thomas, the Leader of the Opposition, in his letter of 2 July 2021, sought some understanding from the committee about matters that it will examine to allow a more targeted submission to be made to it. Of course, the only information made public to members throughout the inquiry was the terms of reference that were agreed in the referral motion to the standing committee. That makes it very difficult for members to make a relevant submission to a committee on the entire standing order book in a very limited time frame, keeping in mind that the committee did not even ask for submissions until about a month after the motion passed. It was a very limited time frame and it was on every standing order. I draw members' attention to paragraph 1.12, "Approach to recommendations", that states —

Given the number of recommendations for change, the Committee is of the view that recommendations should not come into effect immediately after adoption. This will allow the Legislative Council's staff time to prepare a reprint of the Standing Orders, update template chamber documents and update advice on the impact of the changes and interpretation of the Standing Orders as amended.

Recommendation 1 states —

That recommendations 2 to 8, 13 to 17 and 19 to 38 come into effect on the first sitting day of the week following their adoption.

I will make this point at recommendation 1: again, this is consistent with everything we have seen in this inquiry—a very short time frame indeed. These recommendations may not be adopted until some time on Thursday evening or even Friday morning. That may be the case, but according to recommendation 1, they will be in full effect and force on the first sitting day of the week following their adoption, which will be next Tuesday, if that is the case. I again ask members: what is the need for speed? That has not been explained in any of the contributions that I have heard thus far.

I turn to chapter 2 of the report and particularly paragraph 2.8, which states —

In the last 20 years the Council has shifted from numerous late night, open-ended sittings to a more structured sitting day with automatic adjournments, earlier commencement times and earlier finish times. A sitting calendar specifies the days of sitting each calendar year. This has ensured greater certainty for Members and helped the Council's hours become more family-friendly.

Members who were not here in previous Parliaments may not be aware that when I first became a member of this place, we used to sit late on Tuesday and Wednesday nights. There was a motion, I think, moved by Hon Robyn McSweeney that we should reconsider these times and move towards more family-friendly operating times. When I read Hon Sue Ellery's submission at page 98 of the report, it is interesting that she has advocated for a return to Wednesday evening sittings as the most logical choice to her. I find that interesting. We even heard this yesterday. We often like to spout the line about being more family friendly, being more inclusive or making sure we do not

disadvantage younger members of Parliament who have young children. We do not make them sit through the school holidays considering an unreasonable time frame for an inquiry report. But our actions are often different from our words. Members who in opposition once advocated for a more family-friendly environment in this place advocate for longer sitting hours when in government.

At recommendation 2 of the report, members will see that the dinner break will be reduced on a Tuesday evening by 30 minutes, from 6.00 pm to 7.00 pm. Members will also see the abolition of the recess on Wednesday and Thursday for an afternoon tea break at recommendation 3—probably more controversial. I pause here to make some comments about what I think are practical implications related to recommendation 3. To some extent they have been laid out in the report. I must say that this is something I have changed my mind on over time. When I first arrived at this place, I thought it rather odd that we break for afternoon tea. After having served almost nine years here, my view is much more informed than it was when I started in 2013. There are three issues that members ought to contemplate with respect to recommendation 3, and two of them are canvassed in the report. Paragraph 2.22 of the report talks about the impact that the abolition of an afternoon tea recess will have on the ability for ministers and parliamentary secretaries to respond to parliamentary questions. Members would be aware that there are fewer ministers and representative parliamentary secretaries in this place than there are in the other place, so those members have a greater responsibility to answer questions on behalf of other members. In fact, it is more often the case that they are answering a question on behalf of another person than they are on their own behalf. The report says —

... that it is a matter for the Government to control its parliamentary agenda so as not to result in a Minister at the table being less able to be prepared for Questions Without Notice at 4:30pm each day.

My response is that that is easier said than done. Members will observe over time that ministers or parliamentary secretaries, particularly when they are engaged at the table in the Committee of the Whole House stage immediately prior to question time on a Wednesday and Thursday, will stand when asked a question and apologise because they have been at the table until 4.30 pm and they have not had a chance to review the questions that have been provided and an answer will be provided to the question subsequently. That may happen after question time, it might happen the following day or even the day after that. The only practical solution I can see for the government to control its parliamentary agenda to avoid this happening is that if a minister or parliamentary secretary is detained at the table immediately prior to question time, the bill will need to be reported to the house and we then need to go on to another order of the day at an appropriate time to allow them to review the questions and draft answers they have been provided with so they can discharge their functions to this house in an important 30 minutes of each day when we scrutinise and hold the government to account through questions without notice. I cannot see that ever happening, and that is why I do not have great faith that the government will control its parliamentary agenda so that does not occur.

Paragraph 2.23 talks about the conducting of parliamentary committees, and I think other members have already observed that it is not uncommon for parliamentary committees to conduct short, sharp meetings during the 15-minute recess on a Wednesday or Thursday. They may well do that at other times as well—during dinner or other recesses of the house, for example. The remedy to this problem can be found in recommendation 4. Members will see that there is to be a new mechanism for the scheduling of meetings, particularly during a suspension or adjournment of the Council. In the interests of time, I will not read the recommended standing order, but I must say that this will not be a preferred outcome. When the house is sitting, during its ordinary course of business, a member's first priority is the house. There should be rare and exceptional occasions in which a committee should be authorised to meet. I know that occurred in the last Parliament when the Standing Committee on Legislation was authorised to meet during a sitting of the house to consider a bill. I want to put on the record that I think this is an imperfect solution to the problem. I am happy to see with what regularity amended standing order 169 is used. That is why there is an important function of reporting to the house, not only for us to understand which committees are meeting during these suspensions or adjournments, but also what impact they may have on the business before the house. We should keep in mind that some members in this house, whether they be opposition members or, indeed, parliamentary secretaries in charge of a bill, who are also members of a parliamentary committee, may have a competing demand on their time. That is a person in charge of or who needs to respond to a bill or another matter before the house as well as having a responsibility to the committee that may well be transacting business concurrently.

I will make one last point on this issue. I draw members' attention to paragraph 7.8 of the report, which states —

The Committee has given some consideration to the timing of the various types of business in the Council and, in particular, whether the Council would benefit from moving some types of business to different times or days. For example, the Committee considered the merits of moving Non-Government Business and Private Members' Business to the time immediately prior to Questions without Notice on a Thursday, in an attempt to ameliorate any potential issues created through its recommendation to dispense with the afternoon tea suspension.

It is my preference that we find a practical solution to these problems before proceeding with recommendation 3. I think it will have an impact on the house's important scrutiny function, particularly during questions without notice, if we proceed forthwith because I do not have confidence that the government will change ministers or members who are sitting at the table and allow them to prepare for question time. I do not think that will ever occur.

My third point, which, in the order of priorities, is probably just a passing observation, is that I see value in members from across the chamber coming together and saying hello to one another in a non-adversarial environment for 15 minutes two days a week. I think that builds relationships, respect for one another and understanding of each other's personal circumstances. That value is overlooked in the sole desire to find more time for the government.

I turn to chapter 3 of the report. I already made some comments about chapter 3 when responding to an amendment moved by the Leader of the Opposition to, in effect, park recommendations 5 to 8 for now. The question that is now before us, on the insistence of every government member, is that we either have to agree to all recommendations 1 to 38 or oppose all recommendations 1 to 38. That is the only question that we will be asked: it is either all of them or none of them.

I asked a series of questions yesterday. We are now back to the substantive motion and, unfortunately, I have not had a reply to any of my questions from those members supporting chapter 3 and recommendations 5 to 8. Because of the process that we have adopted, I know that Hon Dan Caddy does not have an opportunity to speak again but Hon Kyle McGinn and other members of the government do. I asked my questions in the hope that they would be answered before we have to either agree to everything or nothing. Why should these recommendations apply only to government bills? I draw members' attention to the *Daily Notice Paper* of Wednesday, 8 September 2021. Order of the day 17 is the Misuse of Drugs Amendment Bill 2021, standing in the name of Hon Dr Brian Walker. The second reading debate was adjourned on Thursday, 3 June 2021. Why should Hon Dr Brian Walker not have the ability to declare his bill urgent? We all know what the government does when a private member brings on a bill; it makes sure that every single one of its members speaks for the total allocated time so it never comes to a vote. It sounds to me like filibustering. Why should Hon Dr Brian Walker not have the opportunity that the government wants its members to be able to utilise?

Can the declaration that a bill be urgent have retrospective application? Can a minister or a parliamentary secretary apply a limited time or no time? How will the government ensure that its guillotine will not disadvantage individual members? If we were in Committee of the Whole, we are allocated two hours to debate a 250-clause bill, and a member has some really important amendments to clause 237 that they want the chamber's agreement on, through no fault of their own, they will never get to argue the point on clause 237 because the government's guillotine is coming. Notwithstanding that, we have a special protection for ministers and parliamentary secretaries to not be interrupted and ensure that they have a right of reply to the second reading debate.

How will bills be dealt with during the cognate debate under standing order 127? How will a bill that has been referred to a committee under standing order 128 that is also an urgent bill be treated? Will we still be able to refer a bill to a committee once it has been declared urgent? How will an urgent bill interact with a bill that is also declared under the COVID-19 temporary orders, or is it one or the other? I have a new question, so Hon Kyle McGinn should get ready for his 45 minutes. What happens if a declaration is made during the Committee of the Whole stage? Members should keep in mind that there is no time to work through these questions, unless all the answers are available today, because if this motion passes next week, next Tuesday it will be the law of the Legislative Council. All of these questions will need answers.

During the debate, we heard on numerous occasions that this is nothing new. We are not reinventing the wheel; we are simply following New South Wales, Victoria and the Senate. We are not trying to change or do anything different from anybody else. Hon Dan Caddy said—I am quoting from the uncorrected *Hansard* —

I make the point, as outlined at paragraph 3.43 of the report, that an urgent bills process forms part of the standing orders in other jurisdictions. It exists in both New South Wales and Victoria. Paragraph 3.44 states that as far back as 1926, the Australian Senate adopted new standing orders that put speaking limits on bills.

Hon Kyle McGinn interjected.

Hon DAN CADDY: Yes, 1926, Hon Kyle McGinn. It is not without precedent. It is not as though this committee has chosen to do something that is completely out of the realms of possibility.

I fast forward, continuing with the uncorrected *Hansard* of Sue Ellery —

Regarding the urgent bill process, it is important to note that we are not inventing the wheel here. We are not inventing something new. There are versions of an urgent bill process in place in the New South Wales Legislative Council and in Victoria.

Members, do not be misinformed by those views. In the course of the debate yesterday, I read the standing orders of the New South Wales and Victorian Legislative Councils, and they cannot be compared in any sense with what stands before you in recommendations 5 to 8. For the assistance of members, I seek leave to table a copy of those relevant standing orders.

[Leave granted. See paper [532](#).]

Hon MARTIN ALDRIDGE: In the course of yesterday's debate about these recommendations, the Leader of the House tried to assure members about the way in which she would use these new powers. Of course, it will not

always be the Leader of the House who will use these new powers because any minister or parliamentary secretary will be able to exercise these powers. It may well not be the Leader of the House at the table who has lost her temper and is angry with the opposition about how long it has taken to answer their difficult questions. It may not be the Leader of the House.

Hon Stephen Dawson interjected.

Hon MARTIN ALDRIDGE: It could be the Deputy Leader of the House! Quoting from yesterday's uncorrected *Hansard*, Hon Sue Ellery said —

It could be a threat from someone like Clive Palmer, but it could be some other circumstance. From time to time there have been particular matters related to terrorism, —

That sounds very serious, members —

for example, about which we might need to consider particular provisions. It could be anything. Those are the two examples that I could see occurring.

Clive Palmer and terrorism are the two examples that the government provided for the need for an urgent bills process. If this was a matter of terrorism and a matter of us needing to legislate urgently because a matter of significant state security needed addressing, why does the report not provide a solution to standing order 121, which is the means by which a bill can be introduced into the Council on motion with notice? Why does it not deal with standing order 125, which requires that a bill introduced into the Legislative Council stand adjourned for two weeks? Why does it not deal with an amended bill under standing order 137 not being able to proceed forthwith to the adoption of the report? Why does it not provide a solution to standing order 140, which requires that an amended bill cannot be considered for third reading until the day following? If this is a matter of terrorism and state security, the government will have to suspend standing orders—four of them, potentially—to deal with its urgent terrorism bill. We all know that this is not about terrorism because in the course of the debate last evening—I quote again from the uncorrected *Hansard*—the Leader of the House said —

I have been here for 20 years. I have been on that side. I have seen the way the system can be gamed. I have to say, there is one person in the chamber who is the grand master of gaming the system, who uses time and does not follow requests, polite though they are, and certainly does not follow directions from his own side when he is asked to. That is in no small part why we find ourselves in this position tonight. We want to get on with our legislation.

Members, that is not my assessment; those are the words of the Leader of the House. This is not about Clive Palmer or terrorism; it is about shutting down members of the opposition and reducing the level of scrutiny in the Legislative Council. New South Wales and Victoria do not have an urgent bills process like this, and I challenge any member to show me where there is an operative provision in a standing order in a legislature in Australia that is used for these purposes.

I now move to chapter 4, which, interestingly, following from chapter 3, permanently adopts two temporary orders that have been trialled. Unlike chapter 3, which is “We’re going to try something that Australia has never tried and we’re going to do it permanently”, we are now dealing with the refinement of two temporary orders in motions on notice and the consideration of committee reports. Members will know that the temporary order for motions on notice was reinstated at the beginning of this Parliament, but two amendments have been recommended to the house in recommendation 9 of this report. They are to allow for the roster to be amended when additional sitting weeks are added to the sitting schedule and a new provision, which I think is a sensible one, to remove notices of motion after 12 months. That will not stop a member from moving the notice of motion again the day after a motion has been removed from the notice paper under this new order, but it will simply keep the notice paper in an orderly manner. Members will know—I think the Leader of the Opposition remarked on this—that in previous Parliaments there has been a race to the bottom of how many notices of motion members can list on a notice paper under the motions on notice system.

With respect to the consideration of committee reports, which can be found in recommendations 13 through to 17, members will see that the temporary order that was in operation in the last Parliament has been recommended for adoption, with some amendment—that is, debate on each report is to be limited to four hours or 240 minutes, but by motion that period can be extended. That will allow for what I hope will be a reasonable time frame to consider most reports. When we have a report of significance, this will allow the chamber to choose, via a motion, to examine that report for a longer period. We return to unlimited periods of 10-minute contributions by speakers. These two examples are good examples of us having trialled something by putting it into practice, examining how it has operated and making appropriate amendments before recommending them for permanent change. There is significant value in the work that our committees do. Some of our most important work happens in our committees and, in some instances, limiting the consideration of a report to just one hour is grossly insufficient. I draw members’ attention to the sixty-first report of the Standing Committee on Procedure and Privileges, as well as a number of other reports of that standing committee, which, I think, are worthy of much greater interrogation than they were afforded.

I now move to chapter 5, which is titled “Modernisation”. The two items in this chapter are caring for infants and e-petitions. E-petitions are not without some history and controversy. As members have already talked about, a 2015 inquiry supported a trial of e-petitions, but it should be recognised—I think it is reflected in this report—that at the time, the Standing Committee on Environment and Public Affairs did not support the recommendation of the Standing Committee on Procedure and Privileges. Hon Tjorn Sibma made the point yesterday that if we were not in such a rush, we would probably have time for that standing committee to meet and form a view of its own, which would be useful in this debate. For all I know the committee may not have even met, so we probably will not ever know the view of the Standing Committee on Environment and Public Affairs because we have a need for speed.

There has been some discussion about the risks of e-petitions. Some of those risks already exist in paper petitions. There is some advantage in taking control of our petitions process. To some extent, we have outsourced it or we have allowed it to be outsourced to organisations such as change.org and Do Gooder. I spoke recently about the number of e-petitions I received via Do Gooder about the Public Health Amendment (Safe Access Zones) Bill 2021. I read some of them in. I had not had a chance to interrogate them. One of the comments made in the standard response was that there needs to be greater reform of Western Australia’s abortion laws, which are outdated. Anyway, since that bill has been considered, I wrote back to all of those people and asked them to elaborate on their concerns. That was probably two weeks ago. I have not had a single response from those petitioners about that point. I am not saying that that point may not be relevant; I am saying this is the problem of Parliament not keeping up with change in this respect. Of course, this is going to be one of those recommendations that is delayed for implementation because we need to make sure that the platforms that sit behind an e-petitions process are modern, functional and secure in order to compete with some of the other types of available e-petition processes. I remind members that this is a trial and I hope that it will address and disprove some of the concerns.

The other issue, which I will touch on briefly, is caring for infants. This will effectively make a recommendation to alter the definition of “strangers” found in schedule 3 of the standing orders. That will bring “strangers” in line with the President’s ruling earlier this year.

In chapter 6, there are a number of minor and technical amendments. I am not going to dwell on them because they are just that—minor and technical. I will point out a couple. We will, sensibly, extend the ability for a chair to speak on the tabling of a report from three to five minutes. That modest increase will allow a chair to present a report to this chamber in a better and more informed fashion. We will remove the unlimited speaking times, under standing order 103, in respect of statements by ministers and parliamentary secretaries; limiting them also to five minutes.

That then takes us to chapter 7 of the report. Members will see that a number of matters in some respects are more significant and will take longer periods, but I think will require greater levels of consultation. If we think about the consultation that members would have received from the standing committee in respect of this report, it was effectively limited to asking members to make a submission about anything or everything in the standing orders. To me, that does not deliver the best outcome in terms of canvassing members’ views. A minority report of Hon Tjorn Sibma and I to the sixty-second report recommended some alternative approaches around canvassing members’ individual and collective views; actually telling them, “This is something that we have under active consideration; what do you think about it?” That is why chapter 7 may prove useful to members and, ultimately, the committee, as it might consider in due course “other matters” contained in chapter 7.

As I said at the beginning of my contribution, the question before us is to agree to everything or to agree to nothing. That is unfortunate because there is much in this report that I agree with. However, significant aspects of this report will, as I said yesterday, if passed in their current form, make the Legislative Assembly from this day forth and forever more the house of review in the Parliament of Western Australia. For those reasons, I cannot support the question before the chair, unless the government takes a breath and understands that there may be differing views on differing recommendations and that it would be a better outcome for the Legislative Council if those questions were considered separately. I do not suspect that will occur because this government is in a rush. We are not quite sure where it is rushing to or from, but we know that it wants this through as quickly as possible. It is even more important than the protection of children in Western Australia.

HON PETER COLLIER (North Metropolitan) [3.55 pm]: I stand to make some comments on this motion as well. I can say at the outset that I endorse the comments made by Hon Martin Aldridge that the haste with which this motion has proceeded through the chamber is a cause for concern. Hon Martin Aldridge made some very valid points with regard to that, and that is the fundamental aim of where I will go with the comments that I make in my contribution.

I am really disappointed, as I said in a contribution yesterday, that we have to deal with these recommendations en masse. I have to deal with 38 recommendations in 45 minutes. Quite frankly, I simply do not have sufficient time to do that. I would not in a million years—I never have and never will—abuse the procedures of Parliament in dealing with legislation or dealing with motions, but in this instance there are a number of recommendations that I would have liked to have commented on but I simply do not have the time. Fundamentally, the issue I am going to deal with is the urgency provisions under recommendations 5 to 8. I am still perplexed about why the government is in such a rush, and I said this yesterday. There is very much a “trust me” mentality that exists with the Leader of the

House with regard to this motion; that is, this is the way it is done and this is the way it will continue to be done, which is not the case. All we want to know legitimately, as non-government parties—everyone who is not in the Australian Labor Party—is why there is such a rush. There is simply no reason that this motion needs to be dealt with and expedited the way it has been—none whatsoever. It should have been done, and could have been done, the way it has always been done in the past—through consensus and the goodwill of the chamber. But that is not the case in this instance.

I listened to the comments of the Leader of the House yesterday to try to fathom exactly why we have to rush this through. I will draw upon a couple of comments that she made yesterday in the chamber. According to the uncorrected *Hansard*, she said —

I have been here for 20 years. I have been on that side. I have seen the way the system can be gamed. I have to say, there is one person in the chamber who is the grand master of gaming the system, who uses time and does not follow requests, polite though they are, and certainly does not follow directions from his own side when he is asked to. That is in no small part why we find ourselves in this position tonight. We want to get on with our legislation. We do not want to have to extend hours and sit here longer. We want to be able to do our business in a sensible fashion in the hours that are allocated to us.

I will repeat one component of that comment. The Leader of the House said —

That is in no small part why we find ourselves in this position tonight.

That was because of one person; that person is unnamed. Later in the day, the Leader of the House said —

If the proposition is, “Folks, you need to be scared, the sky is going to fall down because Ellery is going to come in and declare every single bill urgent”, that is not going to happen. But if members want me to go further and write that into the provisions of the bill, that is not going to happen either, because I have seen too many times a certain element on the other side of the chamber game the system right up to the end point and show a complete inability to apply any discipline or time management to how we deal with bills. That is why this legislation is before us now.

I repeat: “That is why this legislation is before us now.” We are expediting this motion, right now, apparently because of one person on this side of the chamber. They are the words of the Leader of the House—no-one else. We are changing the standing orders of the Legislative Council of Western Australia because of one person. It is not because of years of inactivity or inefficiency, or because there is consensus across the chamber, which has always been the case in the past to change the standing orders if there needs to be a change, refinement or improvement. We are doing it because of the perception of the Leader of the House that one person on this side of the chamber is responsible for it. Again, they were not my words but those of the Leader of the House. That is why this legislation is before us. Make no bones about it; there is absolutely no other reason we are doing it. We are doing it because, apparently, one person on this side of the chamber is responsible.

With all due respect, if that is going to be the mantle members opposite are going to lay on to make significant changes to the standing orders of the Legislative Council of Western Australia, as I said yesterday, that will be on their heads. They will be changing the standing orders because of one person. We already have precedent for naming a person in a bill. John McKechnie is the first person named in a bill in Western Australia or Australia. The house ruled on that, so he now has the unenviable reputation of being the only person in Western Australia to have a bill with his name in it. Thus we could change this motion to name the unnamed person on this side of the chamber. We could do that to give clarity, because it is already in *Hansard* forever. That is why we are here right now. Make no bones about it. It is not because of precedent or because there is great inefficiency, but apparently because of one person.

I have noticed a lot of rewriting of history, particularly since the Labor Party has been on the government side of the chamber. Apparently, the terrible Tories on this side of the chamber have spent an inordinate amount of time filibustering and delaying legislation. I have said it over and over again, and I will keep on saying it ad infinitum; walk a mile in my shoes from 2013 to 2017. Day in and day out, I had to sit over there and listen to each and every member of the opposition make three-quarter hour speeches. When they got to the end, the Whip would stand up to move an amendment or move to go to a committee and we would all start again. I will give a few examples to reinforce this fact. The second reading speech debate on the Perth Market (Disposal) Bill went for seven hours and 23 minutes. The Criminal Code was debated for eight hours and 35 minutes. Referral to committee on the Perth market bill went for six hours and three minutes, after the opposition had already spent seven hours on it. In total, 12 hours and 23 minutes were spent on the Criminal Code bill, then the opposition spent another five hours and 52 minutes on its referral to a committee. A motion to suspend standing orders took one hour and 35 minutes. The opposition took 33 minutes to debate sitting hours. This was the stark reality of the situation. This is what I had to put up with. Members, do not forget—Hon Stephen Dawson will remember this well. I had only just taken over as Leader of the House when members opposite tried to stare me down. The night before we rose for the winter break, former member Hon Ken Travers stood up and made a second reading speech that went for over six hours. Was it a contentious bill? No, it was not; it was a duties bill that the opposition supported. At 12.30 in the morning, when we thought we might

actually get somewhere and everyone had finished their contributions to the second reading debate, the opposition moved to send it to committee. At 3.30 in the morning, I sat in the committee chair. I was there until 6.30 in the morning when the then Leader of the Opposition, Hon Sue Ellery, said, “This is terrible. It’s an occupational health and safety issue. What’s going to happen?” I said, “It’s very easy; just pass a bill that you support!” We had an hour and a half off for breakfast. When we came back, the opposition tapped the mat and, at 10.00 o’clock, we all went home. With all due respect, the self-righteous attitude of members opposite in talking about someone on this side of the chamber who apparently is responsible for this new standing order is the height of hypocrisy. That was not the first time. I had to endure exactly the same process bill after bill after bill. That adds a little bit of clarity for everybody.

In addition, whenever Labor Party members in government do not get their own way, they have no problem whatsoever trashing conventions and the standing orders of this place. Remember, as I mentioned yesterday, that this chamber operates on two premises: firstly, the conventions of the chamber, and secondly, the standing orders. It operates very effectively in most instances. It is much more harmonious than the tribalism in the other place. Generally, things are worked out behind the chair. We always come to an amicable resolution. Even if we have to sit all night because of some juvenile attempt to get us to acquiesce on a bill that the opposition supports, we usually get to a point at which we all agree. That will not happen now. The rules have completely changed. Particularly if this motion passes, we will not have a bicameral system of government in which valid scrutiny of legislation will be adhered to in this chamber. At a whim, a minister will move an emergency component of the bill and bulldoze it through the upper house. That is exactly what is going to happen. Any attempts to scrutinise a bill through members of the Standing Committee on Legislation—who are, in the words of Dire Straits, getting money for nothing—are long gone because the legislation committee will not deal with any bills in this forty-first Parliament. The government will not be able to shunt a bill off to the legislation committee. I can see it happening now; if there is remotely a situation of dispute over a bill or debate goes for a few hours longer than the leader wanted, this urgency motion will be moved. We saw it, as I have mentioned over and over again, with the age-old convention of pairs. It has been around since the bicameral system of government has existed. It is an agreement behind the chair between the parties that, if one member is away, a member of the other party will agree not to vote on a division. That was not the case in the fortieth Parliament when the Leader of the House decided to cancel pairs when the numbers were so close on the gold tax, which the government did not have a mandate for. Pairs were cancelled; they went completely out the window. In the fortieth Parliament, the numbers were so close that the Leader of the House tried to palm off the presidency to someone from this side to change the numbers, thereby usurping the extraordinary credibility of Hon Kate Doust. Fortunately, because no-one on this side of the chamber went weak at the knees, the government was forced into appointing Hon Kate Doust into that position. It is a position I would have nominated Hon Kate Doust for had the Labor Party nominated someone on this side of the chamber, which there was talk of at the time. She did a magnificent job. How was she rewarded for doing a magnificent job in adhering to the principles and conventions of the Legislative Council? She was sacked. Why? Was she inefficient and ineffective? No, she was not. She was extraordinarily efficient, extraordinarily effective and extraordinarily professional, and she respected the Legislative Council. And because of that, she was cut down.

Another convention is that we always agreed behind the chair to determine what bills we would get through by the end of the year. I have been through this so many times that I do not need to go through it again. We were provided with a list of 18 bills at the end of last year. There was all this talk that we would not sit and that we would not get all these bills through. No; we said that we would agree to a list of bills, but the government had to tell us which bills it wanted to get through. What did the government do? It tapped the mat, went home and then went out and bleated that it was the terrible opposition that refused to get those bills through. Rubbish! It is mentioned in the report. That is inaccurate. I will go through that in a moment.

Let us park that for the moment. The conventions themselves have been trashed. Is nothing sacred for members opposite with the Legislative Council? I know it sounds really, really self-righteous but I do not apologise for it. When I finish my term, I know in my heart of hearts that I will never, ever have compromised the conventions or standing orders of the Legislative Council—ever. Even though from 2008, when I was a minister, and then when I was Leader of the House, we had numerous opportunities because the opposition had 22 of the 36 members, we never once did it.

Now we are in this position and I do not quite know why. I do not know what the rush is. What is the haste? If someone makes a decision in haste, more often than not they live with regret about that decision. That happens with everything in life. If the government makes a decision in haste, it will be creating a precedent for the Legislative Council for decades to come, and it is all apparently because of one person on this side of the chamber. They were the words of the Leader of the House.

Let us have a look at recommendations 5 to 8, which I am particularly concerned about, and the justification of the committee for that necessity. The committee refers to the use of the gag and the suspension of standing orders to implement time management. Paragraph 3.21 states —

The longstanding convention of the Council is that debate is not gagged through the use of a closure motion pursuant to Standing Order 54.

Paragraph 3.25 states —

It has not been the practice of the Council in the past to suspend Standing Orders to place limits on the consideration of a Bill, other than ordering that the Council will sit until a Bill passes.

That is true. I think we have always prided ourselves on that. On occasions over the years when it would have been very helpful to have utilised that capacity, we just did not do it, and I think we should wear that as a badge of honour.

I talked about one of the other points raised by the committee in chapter 3. Paragraph 3.5 states —

The Committee has identified a number of factors that it views to have contributed to the slow passage of legislation in the Council. These factors contributed to 39 Government Bills remaining on the Notice Paper prior to the Council proroguing for the State Election in March 2021.

That is actually wrong. I can tell members opposite that a plethora of those 39 bills were innocuous and they could have been passed in an hour had the Leader of the Government spoken to all the other party leaders and me. We told the Leader of the Government that in numerous party meetings: “Just give us a list of those you want to get through.” There were so many that were just innocuous, five-minute bills. This is what is done at the end of every parliamentary session. I am telling members now that of those 39 bills, at least 15 or 20 could have been passed by the end of the year if the government had done something about it. In any parliamentary system, regardless of the processes, there will always be bills that do not get passed in one term of government. The same thing happened to us at the end of both 2013 and 2016. We are not “Nigel no friends” in that space. That is exactly the way it is. From that perspective, I just cannot see the logic behind the committee’s recommendations 5 to 8. They have no merit.

Let us look at the precedent. What other mechanisms are used in other jurisdictions? Paragraph 3.43, under the heading “Urgent bills processes”, states —

An urgent Bills process forms part of the Standing Orders in the New South Wales and Victorian Legislative Councils. The effect of these provisions is not to truncate debate, but rather to permit urgent Bills to pass through all stages immediately or at any stage during any sitting.

I could talk for 15 or 20 minutes on that issue, as I could with the Senate, but I will not because Hon Marty Aldridge has already done that. He has tabled those standing orders, so I do not need to repeat the comments that he has already made. Suffice to say, there is no merit behind that justification. There is no comparison. Make no bones about it, everyone here; we are setting a precedent that, dare I say it, is unprecedented. “Unprecedented” is a term that has been used constantly globally as a result of COVID-19, and this is most definitely in that ballpark. This is unprecedented. The government is creating something that has not been done before.

Debate interrupted, pursuant to standing orders.

[Continued on page 3555.]

Sitting suspended from 4.15 to 4.30 pm

QUESTIONS WITHOUT NOTICE

WELLINGTON DAM — RECREATION ACTIVITIES

649. Hon Dr STEVE THOMAS to the Leader of the House representing the Minister for Transport:

- (1) Is the use of Wellington Dam by powerboats and jet skis considered a high-risk activity?
- (2) What safety protocols has the Department of Transport imposed on the use of powerboats and jet skis on Wellington Dam?
- (3) What engagement has the Department of Transport had with Collie Visitors Centre to address these complaints?
- (4) What is deemed the safe water level for skiing activities on Wellington Dam and how is this monitored and enforced?
- (5) What real-time oversight and compliance regime has DOT applied to the inspection of water-based activities on Wellington Dam and will the minister table that regime; and, if not, why not?

Hon SUE ELLERY replied:

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

- (1)–(5) In 2014, the Department of Transport implemented a number of gazettes under the Navigable Water Regulations 1958 to manage aquatic use on Wellington Dam. DOT undertakes regular visits to Wellington Dam to monitor compliance.

DOT has requested that the visitor’s centre contact DOT to discuss the marine noncompliance reporting form process.

DOT is advised of water levels across inland dams on a weekly basis by the Water Corporation. If the minimum level is achieved, DOT amends its website to advise which ski areas have sufficient depth.

CORONAVIRUS — SKILLED AGRICULTURAL WORKERS —
BLADIN VILLAGE, NORTHERN TERRITORY

650. Hon Dr STEVE THOMAS to the Minister for Agriculture and Food:

My question is entirely without notice. I refer to the skills shortage impacting the agricultural sector that has to manage record harvests, and the multiple approaches to the government by very concerned stakeholders, in particular the grains industry.

- (1) Has the minister provided the Premier with a formal proposal to submit to the Prime Minister and national cabinet for the consideration of Bladin Village as a quarantine hub; and, if so, when?
- (2) If no to (1), why not?

Hon ALANNAH MacTIERNAN replied:

- (1)–(2) I thank the member for the question and I will start by saying, number one, read section 51 of the Constitution and the member will see that this is a federal responsibility. We have been desperately trying to work with the federal government to get a proposal up at Bladin Village.

Hon Dr Steve Thomas: So, you've submitted a proposal?

Hon ALANNAH MacTIERNAN: Hold on; I have certainly been speaking to the Premier about it. The Premier has spoken to the Northern Territory minister about this. We have been attempting to see how we might set this up, and one of the complicating factors is that the commonwealth is apparently, we have discovered, working on getting Bladin Village set up. Some companies were saying to us that it is really difficult to do this because the federal government has asked them to make some submissions on this. The federal government —

Hon Dr Steve Thomas: Have you made a submission?

Hon ALANNAH MacTIERNAN: It is really very difficult for us to set this up without the support of the commonwealth government. What we need —

Hon Dr Steve Thomas: Have you asked them to set it up?

Hon ALANNAH MacTIERNAN: Absolutely! We have asked over and over again, "Please, can we work together? Can you accept your constitutional responsibility? We'll meet you halfway. We'll work together. We'll organise the charter flights. We will get the people there, as we do with the Seasonal Worker Programme under which we have brought in over 1 500, probably getting closer to 1 600, people to Western Australia." Minister Littleproud's response is, "I'll sign the visas." That is the end of his preparedness to work in conjunction with us. "I'll sign the visas; you get it all sorted." We need more than that.

Hon Dr Steve Thomas: So, have you put a submission in?

Hon ALANNAH MacTIERNAN: I have spoken to the Premier about it. The Premier has spoken to the Chief Minister of the Northern Territory. We are not getting any straight answers out of the federal government. It tells us to go and look at Bladin Village, and when we do, the private providers tell us that the commonwealth is having these other discussions. We say to Littleproud, "Can't we work together? Can't we front-end load it? Can't we put it on a month before you're proposing to set this up?" It does not want to work; it just wants to play politics on this.

CARINE SENIOR HIGH SCHOOL — PARKING BAYS

651. Hon TJORN SIBMA to the Minister for Education and Training:

The question is dated yesterday.

I refer to a Facebook post of 4 September by the member for Carine that announced that "an additional 85 parking bays will now be part of the McGowan government's \$32 million re-development of Carine Senior High School." Incidentally, that is my old school.

- (1) How many parking bays were included in the original re-development plan?
- (2) When was the decision made to retrospectively incorporate the additional 85 parking bays into the redevelopment?
- (3) Will these additional bays be temporary or permanent?
- (4) Where precisely will the parking bays be located, and upon whose land?
- (5) How many of these bays will be allocated to teachers and staff compared with students?
- (6) By when will the full number of additional bays be delivered?
- (7) At what cost will they be delivered?

Hon SUE ELLERY replied:

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

- (1)–(7) I have been working with the member for Carine to address concerns about student parking around Carine Senior High School. Additional bays will be available by the commencement of term 1, 2022, and are located on the south west corner of the Carine Senior High School site, off Silica Street.

At my request, the Department of Education has been working with the City of Stirling to discuss creating extra embayments in surrounding roads where appropriate and to determine whether signage can be installed in the local streets. The department has offered to contribute to the cost of the embayments.

COMMUNITIES — CHILDREN WITH HARMFUL SEXUAL BEHAVIOURS —
RESIDENTIAL CARE — REVIEW

652. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Child Protection:

I refer to the review by the Commissioner for Children and Young People of the Department of Communities' policies, practices and services regarding children with harmful sexual behaviours living in residential care.

- (1) On what date did the minister agree to the terms of reference for this review?
- (2) Has a report on the review been finalised?
- (3) If yes to (2), will the minister table a copy of the review report?
- (4) If no to (2) or (3), when will the review report be publicly available?

Hon SAMANTHA ROWE replied:

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

- (1) It was 6 November 2020.
- (2) No.
- (3) Not applicable.
- (4) Under section 49 of the Commissioner for Children and Young People Act 2006, the commissioner is required to table a copy of the report before each house of Parliament within 21 days of the finalisation of the report.

ADVOCATE FOR CHILDREN IN CARE

653. Hon DONNA FARAGHER to the parliamentary secretary representing the Minister for Child Protection:

I refer to the Advocate for Children in Care.

- (1) How many advocates are currently employed by the department to undertake this role?
- (2) What amount of funding has been allocated to the Advocate for Children in Care for the following years —
 - (a) 2018–19;
 - (b) 2019–20; and
 - (c) 2020–21?

Hon SAMANTHA ROWE replied:

I thank the member for some notice of the question and provide the following answer on behalf of the Minister for Child Protection.

- (1) One.
- (2) (a) \$171 271;
- (b) \$160 063; and
- (c) \$166 159.

POLICE — DISPATCH TASKS AND RESPONSE TIMES

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

- (1) What was the response time target for priority 1, 2, 3 and 4 grades of service of eligible computer-aided dispatch jobs for the metropolitan region in 2015–16?
- (2) What was the grade of service figure for priority 1, 2 and 3 CAD jobs for the metropolitan region in 2015–16?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) This information is available within the *WA police annual report 2016*, tabled in this house as Legislative Council tabled paper 4683.

ELECTRIC VEHICLES — CHARGING STATIONS

655. Hon Dr BRAD PETTITT to the minister representing the Minister for Energy:

I refer to the media announcement on Tuesday, 17 August, headed “WA accelerates towards longest EV fast charging network”.

- (1) Did the state government apply for funding from round 1 of the commonwealth government’s future fuels fund to extend the proposed electric vehicle fast charging network?
- (2) If yes to (1), was the funding application successful?
- (3) If yes to (2), how many additional charging stations will be installed, and where will this extra electric vehicle fast-charging infrastructure be located?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

- (1) Yes. The government sought funding from round 1 of the commonwealth government’s future fuels fund. Round 1 considered urban areas only, with a funding allocation of \$1.6 million for the greater Perth region.
- (2) No.
- (3) Not applicable. However, the member may wish to refer to the Australian Renewable Energy Agency website for details of successful applications. The member may also wish to contact the Minister for Climate Action, who is responsible for the WA government’s electric vehicle strategy.

CORONAVIRUS — POLICE — G2G PASS

656. Hon WILSON TUCKER to the minister representing the Minister for Police:

I refer to the publicised case of an Adelaide nurse, Ms Hannah John, who was denied entry to Western Australia despite having accepted a job at Kalgoorlie Health Campus at a time when the state is experiencing a healthcare worker shortage. I note that since publication of Ms John’s experience with the G2G application, she was contacted by representatives of the Western Australia Police Force and the government and her application has now been approved.

- (1) Have any errors or deficiencies been identified that caused Ms John’s experience; and, if so, what were they?
- (2) How many other G2G applicants have experienced the same errors or deficiencies?
- (3) How are these errors or deficiencies being addressed?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) The WA Police Force advises that it does not disclose private information about individual G2G PASS applications. All applicants are encouraged to provide sufficient relevant information to enable a full assessment of their circumstances to be undertaken and an informed decision made in relation to their G2G PASS. The Western Australia Police Force regularly reviews and assists travellers to provide relevant information to support their G2G PASS applications. Statistics are not maintained in this regard.

SCHOOLS — DRUG EDUCATION

657. Hon SOPHIA MOERMOND to the Minister for Education and Training:

I refer the minister to recommendation 15 from tabled paper 507.

- (1) Does the department review the effectiveness of school-based drug education and whether the existing curriculum is achieving its intended outcomes?
- (2) If not, why not?

Hon SUE ELLERY replied:

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

- (1) The Department of Education delivers school-based drug education programs in collaboration with the non-government school sector. These programs are evidence based and informed by research. The effectiveness of these programs is assessed on a regular basis.
- (2) Not applicable.

If the honourable member would like a briefing from the Department of Education on the programs that are offered, I would be happy to arrange that.

CORONAVIRUS — HOTEL QUARANTINE

658. Hon MARTIN ALDRIDGE to the minister representing the Minister for Health:

I refer to Western Australia's hotel quarantine arrangements.

- (1) How many international arrivals entered WA's hotel quarantine system for each of the last three months?
- (2) Of the international arrivals identified in (1), were any over and above WA's international flight cap; and, if so, will the minister please provide detail?
- (3) How many interstate arrivals entered WA's hotel quarantine system for each of the last three months?
- (4) Of the 2 500 interstate arrivals from NSW in the week prior to it being reclassified as "extreme risk", how many of these entered the hotel quarantine system?

Hon STEPHEN DAWSON replied:

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

I have been advised that further time is required to answer this question. The information will be provided to the honourable member tomorrow, 9 September.

ALBANY HEALTH CAMPUS — BED CAPACITY

659. Hon JAMES HAYWARD to the minister representing the Minister for Health:

I refer to Albany Health Campus.

- (1) On how many days in the past month were patients treated in corridors due to a lack of beds?
- (2) On how many days in the past month have clinical nurse staff been seconded to the emergency department for registered nurse duties?
- (3) Does the management of Albany Health Campus consider treating patients in corridors to be safe for staff and patients?
- (4) Is the minister confident that staff at Albany Health Campus are provided with a safe working environment?

Hon STEPHEN DAWSON replied:

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

- (1) Patients who attend the Albany Health Campus emergency department are assessed and treated, after which they are either discharged, transferred or admitted to the Albany hospital inpatient ward. Patients may wait in the emergency department until a bed is available on the wards and are monitored and cared for by medical and nursing staff.
- (2) No nurses have been seconded to the emergency department. When the Albany Health Campus emergency department or any part of the hospital is busy with unwell patients, there are hospital-rostered supernumerary nurses who will go to the emergency department from within the hospital to assist as required. Staff from other areas are deployed regularly to areas to address clinical need.
- (3) Albany Health Campus management follows occupational health and safety guidelines to ensure the environment is safe for patients and staff.
- (4) The WA Country Health Service has a safety management system in place to ensure a safe working environment for staff, which includes identification, reporting and management of safety risks and hazards in the workplace.

The PRESIDENT: I call Hon Neil Simpson.

LAVERTON HOSPITAL — UPGRADE

660. Hon NEIL THOMSON to the minister representing the Minister for Health:

I refer to planned works and construction start times for the new Laverton Hospital in the northern goldfields.

- (1) Can the minister confirm whether design and plans of the new Laverton Hospital in the northern goldfields have been finalised?
- (2) If the design phase has been completed, has the tender document been advertised for the project to be tendered?
- (3) If the design phase and tender document draft have not been finalised, can the minister please update the house as to what stage this long-awaited project is at, and an expected time frame, commencement date and completion date?

The PRESIDENT: My apologies, honourable member. I think I called you the wrong family name; I know your name is Thomson! I am not sure why the other one came out.

Hon STEPHEN DAWSON replied:

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

- (1) The design plans are not yet finalised for the new Laverton Hospital.
- (2) Not applicable.
- (3) The Laverton Hospital redevelopment project is currently in the detailed design stages of planning. The tender for the project is currently anticipated to be released in the second quarter of 2022, and practical completion is currently anticipated for the last quarter of 2023.

POLICE — STAFF

661. Hon STEVE MARTIN to the minister representing the Minister for Police:

I refer to the police numbers in Western Australia.

- (1) What is the active number of police officers in Western Australia as of August 31, 2021?
- (2) What is the authorised strength of Western Australia Police Force?
- (3) What is the current actual and authorised strength of Geraldton Police Station?

Hon STEPHEN DAWSON replied:

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

- (1) The Western Australia Police Force advises that the number of sworn officers is 7 354, including 7 004 police officers.
- (2) It is 7 211.
- (3) For operational reasons, police strength is not provided below district or equivalent level.

MUJA POWER STATION — STAFF

662. Hon Dr STEVE THOMAS to the minister representing the Minister for Energy:

I refer to the financial years 2016–17, 2017–18, 2018–19, 2019–20 and 2020–21. How many staff in the following categories were or are employed on a casual, part-time, full-time or in a consultancy capacity at Muja power station for each of those years: executive and senior management, middle management and all tiers of management positions; trades foremen, tradespeople and apprentices; and contactors and consultants?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. I have to say that we thought long and hard about this and whether we should try to provide this information at least by tomorrow or in a subsequent week. Looking at the detail of what has been asked and thinking about the capacity for any agency to answer questions of that nature in that detail over so many years in the space of four or five hours, it really defies belief that an intelligent person like the Leader of the Opposition would seriously contemplate that that could be done.

The Minister for Energy advises that it is simply not possible to provide the information requested in the time required and asks the member to put the question on notice.

SOUTH COAST MARINE PARK — REVIEW

663. Hon TJORN SIBMA to the minister representing the Minister for Environment:

I ask this question on behalf of Hon Colin de Grussa, who is away on urgent parliamentary business.

I refer to the report *A review of the south coast marine environment and proposed areas for state marine reservation between Albany and Eucla, Western Australia*, by Carijoa Marine Consulting, dated June 2021, which was undertaken as part of the proposed south coast marine park.

- (1) Does the minister acknowledge that the review identified an absence of comprehensive biodiversity information?
- (2) Will the minister commit to undertake the additional research recommended in the review, as set out in chapter 8, “Gaps relevant to marine park planning along the south coast”, prior to the formulation of the marine park zoning scheme?
- (3) If no to (2), why not?

Hon STEPHEN DAWSON replied:

I thank Hon Colin de Grussa for the question. The following answer is provided on behalf of the Minister for Environment.

- (1) Yes.

- (2) Gaps in information required to formulate the marine park boundary and zoning scheme will be addressed during the planning process. The marine park management plan will direct research priorities to inform adaptive management of the park.
- (3) Not applicable.

CHILDREN IN CARE — WHEREABOUTS UNKNOWN

664. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Child Protection:

I refer to children in the care of the CEO of the Department of Communities. How many children are in the care of the CEO whose whereabouts are currently unknown?

Hon SAMANTHA ROWE replied:

I thank the member for some notice of the question and provide the following answer on behalf of the Minister for Child Protection.

As at 31 August 2021, there were 11 children in the care of the chief executive officer of the Department of Communities whose whereabouts and/or living arrangements were recorded as unknown. In a small number of cases, children in care will choose to leave placements to assert their own choices about where they will live. When a person has chosen to live with people or family in an arrangement that has not been endorsed by Communities, and has been located by the caseworker, an assessment of that placement is arranged as a matter of priority. Young people living in unknown arrangements are still in the care of the chief executive officer. Whilst their location is unknown, or the young person is unwilling to disclose their location, they may still be in contact with their caseworker or other safety networks that keep contact with them, such as through social media or attendance at school. Their safety and wellbeing is monitored by their caseworker and they are able to access the same supports.

HOVEA FALLS — PEDESTRIAN BRIDGE

665. Hon DONNA FARAGHER to the minister representing the Minister for Environment:

I refer to the answer given to question without notice 1238 asked on 24 October 2019, which stated that the Hovea Falls pedestrian bridge that was removed would be replaced in the second half of 2020.

- (1) Does it remain the government's intention to replace the previous bridge; and, if yes, will the minister outline the new project time frame and table the proposed design?
- (2) If no to (1), why not?

Hon STEPHEN DAWSON replied:

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

- (1) No.
- (2) It is the government's intention to replace the bridge with a universally accessible viewing platform in the next 12 to 18 months, subject to approvals. Visitors are still able to access the northern side of Jane Brook via a walk trail that is signposted.

POLICE — MENTAL HEALTH SUPPORT SERVICES

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

I refer the minister to his response to question without notice 591 asked on Wednesday, 1 September.

- (1) How many officers accessed the employee assistance program's external counselling service in 2017, 2018, 2019, 2020 and 2021 to date?
- (2) How many officers did a wellbeing review in 2017, 2018, 2019, 2020 and 2021 to date?

Hon STEPHEN DAWSON replied:

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

Western Australia Police Force advises that a response to this question cannot be provided within the required time frame. The honourable member may wish to place the question on notice.

GOVERNMENT REGIONAL OFFICERS' HOUSING — KALGOORLIE

667. Hon WILSON TUCKER to the minister representing the Minister for Housing:

I thank the minister for his answer to my question without notice 615 asked on 2 September, which revealed that some Government Regional Officers' Housing properties in Kalgoorlie have been empty for as long as 10 years. I note the comments attributed to the minister in the *Kalgoorlie Miner* on 7 September that the Department of Communities is assessing six long-term vacant GROH properties in Kalgoorlie for refurbishment and transfer to public housing.

- (1) When did the assessment of these six properties begin and when will it be completed?

- (2) Which agency were each of these six properties allocated to?
- (3) Why have these six properties remained vacant for so long, given the shortage of housing in Kalgoorlie?

Hon SUE ELLERY replied:

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

- (1)–(3) Upon appointment to the ministry, the Minister for Housing requested that the Department of Communities conduct an assessment of all vacant properties, including ageing Government Regional Officers' Housing stock. The six Kalgoorlie properties were previously allocated to the Department of Education, the Department of Biodiversity, Conservation and Attractions, and PathWest. GROH properties may be vacant for a number of reasons, including an attractive private rental market in which public sector employees seek private housing rather than GROH; aged stock; being poorly located in the district/town; and awaiting refurbishment or earmarked for redevelopment.

CORONAVIRUS — HOTEL QUARANTINE — STAFF

668. Hon MARTIN ALDRIDGE to the minister representing the Minister for Health:

I refer to the media release from 9 April titled "Independent review strengthens hotel quarantine regime" and the recommendation to restrict hotel quarantine workers from holding secondary employment.

- (1) On how many occasions has the Department of Health investigated hotel quarantine workers holding secondary employment since 9 April?
- (2) For each occasion, what was the finding of the investigation?
- (3) Is the Department of Health aware of any hotel quarantine workers currently working in secondary employment?
- (4) If yes to (3), can the minister please provide details of why an exemption was granted to permit secondary employment?

Hon STEPHEN DAWSON replied:

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

- (1) Three times.
- (2) One case was not substantiated. In the other two cases, the employer had terminated the contract for those individuals prior to completion of the Department of Health's investigation.
- (3) No.
- (4) Not applicable.

HOSPITALS — REGIONS — STAFF

669. Hon JAMES HAYWARD to the minister representing the Minister for Health:

I refer to staffing at regional hospitals.

- (1) Is the minister aware of any requests for additional staff from the Geraldton, Manjimup, Margaret River, Busselton, Albany and/or Bunbury hospitals?
- (2) If yes to (1), how many additional staff were requested by each location?
- (3) How many shifts were dropped or not covered at each of the locations listed in (1) in —
 - (a) May;
 - (b) June;
 - (c) July; and
 - (d) August?

Hon STEPHEN DAWSON replied:

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

In my copy, part (3) states —

- (a) May 2021
- (b) June 2021
- (c) July 2021
- (d) August 2021.

That is different from the question the member asked.

Nonetheless, it is not possible to provide the requested information in the time required and I therefore ask the honourable member to place this question on notice.

CORONAVIRUS — VENTILATORS

670. Hon STEVE MARTIN to the minister representing the Minister for Health:

I refer to the state government's preparations for COVID-19.

- (1) Have any additional ventilators been purchased?
- (2) If yes to (1), how much did each cost, when were they purchased and which hospitals were they allocated to?
- (3) How many ventilators does the Department of Health have in total across all its hospitals and health campuses?
- (4) Of those referred to in (3), how many are located at metropolitan and country locations?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following information has been provided on behalf of the Minister for Health.

I have been advised that further time is required to answer this question. The information will be provided to the member tomorrow, 9 September 2021.

GOVERNMENT BUILDINGS — CLADDING — FIRE RISK

671. Hon Dr STEVE THOMAS to the minister representing the Minister for Commerce:

I refer to the Department of Mines, Industry Regulation and Safety's Building and Energy division coordinating Western Australia's statewide cladding audit.

- (1) Do any government buildings still have high-risk combustible cladding?
- (2) If yes to (1), which buildings still have high-risk combustible cladding attached?
- (3) If yes to (1), when does the government anticipate that all combustible cladding will be removed from these buildings?

Hon ALANNAH MacTIERNAN replied:

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

- (1) Yes.
- (2)–(3) I ask that the member place his question on notice to allow time for a complete and accurate answer to this complex issue.

WATER AND ENVIRONMENTAL REGULATION — SPECIAL ADVISER

672. Hon TJORN SIBMA to the minister representing the Minister for Environment:

I refer again to the creation of the position of special adviser, regulatory reform, within the Department of Water and Environmental Regulation and the appointment of an individual to that role without a merit selection process.

- (1) Noting the reluctance of the minister to table the key performance indicators relevant to this position when previously asked, is there a job description form or similar document detailing the roles and responsibilities of the incumbent?
- (2) If yes, can the minister please table that form?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) The special adviser, regulatory reform, is a CEO who has been transferred to the performance of other functions under section 50 of the Public Sector Management Act 1994. People employed under section 50 of the act can be deployed by the Public Sector Commissioner to functions or projects as needed. The special adviser regulatory reform at the Department of Water and Environmental Regulation was created to lead the implementation phase of the Streamline WA approvals reform project. The Public Sector Commissioner approved the move of the employee from the Department of Treasury to Water and Environmental Regulation. This occurred as DWER was given responsibility for the implementation phase of the Streamline WA approvals reform initiative.

AQUACULTURE — EMPLOYMENT

673. Hon JAMES HAYWARD to the parliamentary secretary representing the Minister for Fisheries:

I ask this question on behalf of Hon Colin de Grussa who is away on urgent parliamentary business. I refer to the government's *Aquaculture development plan for Western Australia* dated November 2020, and the stated projected increases in direct and indirect aquaculture-based employment from an estimated 280 jobs to almost 6 000 jobs.

- (1) How many of these projected jobs are related to the midwest aquaculture development zone?
- (2) How many of these projected jobs are related to the Albany aquaculture development zone?

- (3) Who calculated the projected job increases?
- (4) What methodology was used to calculate the projected increases, and under what assumptions?
- (5) Please table the breakdown of projected geographic locations for these jobs.

Hon KYLE MCGINN replied:

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

- (1) It is an estimated 1 440 direct jobs.
- (2) It is an estimated 258 direct jobs.
- (3) It was the Department of Primary Industries and Regional Development.
- (4) Job projections draw on publications on economic impact of aquaculture in Tasmania and South Australia using production systems similar to those likely to be used in Western Australia. The figures assume production at full capacity that it could take 12 to 15 years for full production to be achieved and use a multiplier for indirect jobs.
- (5) Refer to the table below. I seek leave to have the response incorporated into *Hansard*.

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

Area	Established direct jobs at full capacity	Established indirect jobs at full capacity
Mid West	1440	3600
Albany	258	645

**ENVIRONMENT — LAND CLEARING
CORONAVIRUS — GERALDTON HEALTH CAMPUS**

Questions on Notice 227 and 231 — Answer Advice

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Mental Health) [5.02 pm]: Pursuant to standing order 108(2), I wish to inform the house that the answer to question on notice 227 asked by Hon Colin de Grussa on 10 August to me, the Minister for Mental Health representing the Minister for Environment, will be provided tomorrow, 9 September 2021. The answer to question on notice 231 asked by Hon Martin Aldridge on 10 August 2021, to me, the Minister for Mental Health representing the Minister for Health, will be provided on 16 September 2021.

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Recommendations 1 to 38 — Adoption — Motion

Resumed from an earlier stage of the sitting.

HON PETER COLLIER (North Metropolitan) [5.03 pm]: Prior to the break for question time, I was going through the sixty-fourth report and outlining the justifications that were provided in the report for the urgency motion—that is, the majority justifications for the urgency motion. I found that in fact they were wanting; the justifications were not valid. The report talked about the excess of bills that had not been dealt with at the end of the parliamentary session, which was not valid—I went through all of that—and the fact that the gag and suspension of standing orders is not used as a justification for introducing an urgency bill, also present in other jurisdictions. Unfortunately, the precedent that was used by the majority on that committee was not valid. The report then talks about the urgency motion and an urgent bills clause to be incorporated into the standing orders. It makes a comparison with the COVID-19 temporary order. Paragraph 3.38 states —

The Council has recently had a form of time management in place with the adoption of the COVID-19 Temporary Order. This Temporary Order abridges the usual periods between readings of the Bill and following consultation with party leaders permits a Minister to set a maximum time limit for each stage of a Bill.

It then goes on a little later and states at paragraph 3.53 —

In developing a recommendation for an urgent Bills process a majority of the Committee was guided by the success of the COVID-19 Temporary Order in providing adequate opportunities for scrutiny while ensuring the timely passage of urgent bills. The practice of having a maximum time for debate on a particular stage is well understood by the Council and has an administrative ease that could not be achieved under terms used in the 1993 Sessional Order.

Then it talks briefly about the process under paragraph 3.54 and states —

Under the Committee majority's proposed process, a Minister may declare that a Bill is an urgent Bill at any time after a Bill's second reading. The Minister may then move without notice to propose maximum time limits to apply to each stage of the Bill—a stage being a reading of the Bill or the completion of consideration of the Bill in Committee of the Whole.

The committee is trying to make a comparison between the temporary order used under COVID-19 to deal with COVID-19 bills, with urgent bills, which will be recommended through the sixty-fourth report. But there are a couple of glaring differences here that need to be identified, and they are glaring differences. Firstly, let us look once again at the need for this in the first place, because we have not been provided any comprehensive or valid reasons from either government or the committee, with all due respect, about why we need the urgent bill provision. Looking at, first of all, the standing orders, I will go back to the words of the Leader of the House herself, which are contained in the sixty-second report, and the necessity to have a shift or a change in standing order. This is compelling, because it goes back to exactly what I talked about regarding consultation. These were the words of the Leader of the House on 29 November 2017 —

This house has a history of how we change the standing orders and it has been done on the basis of consensus. It has been done for the most part by referral to the Standing Committee on Procedure and Privileges or an expanded version or subcommittee of the Standing Committee on Procedure and Privileges, so that everybody in the house has the opportunity to have a say.

...

If we do not get the rules right about how we do our business, it follows that we cannot guarantee that we will get the right policy outcome or the right budget outcome. If we do not have the right settings to make our decisions, we will be setting ourselves up to make poorly considered policy and budget decisions if we do not properly consider the ramifications of every change to the rules on how we do our business. That is why we have the process that has been in place in this place for a long time, irrespective of who has had the numbers, and I will talk about the man who put that most eloquently on the record—Hon Norman Moore—in a minute. That is why we have had a position irrespective of who had the numbers in this place that we would have a very deliberate and considered process for making changes to the standing orders.

...

Although the Standing Committee on Procedure and Privileges may provide a consensus report, which everyone on the committee will have agreed to, the approach of this house has been and is now as we speak that that Standing Committee on Procedure and Privileges report will not be proceeded with if it does not have the consensus of the whole house. I will give an example. The Standing Committee on Procedure and Privileges has considered e-petitions and has made certain recommendations. Despite that report suggesting that the house go down a particular path, there is not consensus across the house, so we will not be proceeding with that. That is the time-tested method that we use to make changes to the way we do our business. We bring everybody with us. People will criticise us for that, and I am critical of doing that sometimes because I think we do not move fast enough; however, it ensures that everybody buys into the process and it ensures that we have the time and the opportunity to consider all ramifications and possible consequences, unintended or otherwise.

Hear, hear! I could not have said it better myself. The same Leader of the House who made those comments now wants to ram these changes through en masse, without consideration and without consensus, and wants it done immediately. Why? That brings me back to, again, the why factor. Why? What is the government's justification? The government's justification is, "We're doing it because we can. We've got the numbers. That's why we're doing it." Forget the conventions. Forget the standing orders of the chamber. Forget the way things have always been done in the past, as identified by the Leader of the House. The government is saying, "We're going to change it because we can." I repeat: according to the Leader of the House, this is apparently being done because of the actions of one person on this side of the chamber. They are her words, not mine.

With that said, the Standing Committee on Procedure and Privileges alluded to the COVID-19 temporary order. I say at the outset that the COVID-19 temporary order is significantly different from what is proposed here. That is another inconsistency in the multitude of inconsistencies and inaccuracies that are presented in this report. I went through that prior to the break for question time. There is a multitude of inaccuracies in this report in terms of the comparisons and justifications. To compare this with the COVID-19 temporary order is another one. This is a glaring contradiction.

I take members again to the comments of Hon Sue Ellery on 31 March 2020 when she moved the motion for the COVID-19 temporary order. I will not read the whole lot, because it goes on for a fair bit; I will read only the most relevant components. Hon Sue Ellery said —

If, following agreement with the party leaders or members deputed, the Leader of the House or the member deputed by the leader advises the house that it is necessary to introduce a government bill or undertake any other immediate business arising from or in connection to COVID-19, the following temporary order shall apply in respect of those matters —

She then lists those matters. I want to pick up paragraph (4), which states —

on any sitting day, and after first consulting with the party leaders or members deputed, the President may order that one or more of the following items of business in the order of business for that day be dispensed with —

- (a) non-government business;

- (b) private members' business; and
- (c) consideration of committee reports;

Paragraph (6) states —

after first consulting with the party leaders or their representatives, the Leader of the House or a member deputed may set maximum time limits for each stage of a bill or a motion and on the expiry of that maximum time limit, all questions relating to the stage of a bill or motion, including any amendment, shall be put and determined seriatim;

The difference is that in those instances, consultation with the party leaders is a key component. That is imperative. I can tell members something about that. That was not in the original motion. The original motion did not have in it that there be consultation with the party leaders. There was pushback from a number of members of the Liberal Party and the Nationals WA and some of the crossbench about the fact that this would give the government carte blanche; it could come into this chamber and just bulldoze something through. Therefore, through negotiation yet again, we had those words incorporated into that motion. I will repeat that. Paragraph (4) states in part —

on any sitting day, and after first consulting with the party leaders or members deputed, ...

Paragraph (6) states in part —

after first consulting with the party leaders or their representatives, ...

There is a massive difference between that and what we have before us. There is zero avenue for consultation in recommendation 5—zero. For the majority committee report to suggest that this recommendation is based upon the COVID-19 temporary order is without foundation. There is a massive difference. There is absolutely no avenue in recommendation 5 for consultation. That is what we are asking for. I draw members' attention to recommendation 5. I have stated this in previous comments. Recommendation 5 is that the following words be inserted after standing order 125 —

125A. Urgent Bills

- (1) At any time after the moving of the Second Reading of a Bill a Minister may declare that a Bill is an urgent Bill.
- (2) After a Bill has been declared an urgent Bill, a Minister may move a motion specifying the maximum debate time to apply to each stage of the Bill. At the conclusion of the maximum debate time prescribed in Standing Order 23(1)(e), the Presiding Officer must interrupt debate and put to the vote all questions as are necessary to dispose of the motion.

It then goes on. What is the big difference there, members? We do not need to be Einstein or have a PhD to work this out. There will be no consultation. It will be up to the subjective will of a particular minister to decide that. To suggest that there is comparison between the COVID-19 temporary order and the urgent bills recommendation is disingenuous. There has been no consultation on this recommendation. This thing has been rushed through. The Standing Committee on Procedure and Privileges was given just a matter of weeks and months to come up with the recommendations. Again, it is unprecedented for a procedure and privileges committee to have minority reports. That does not happen—or it does now. We are now in a New World Order. That means that when we ask the government the question, "Why are you doing it?", the answer is, "Because we can." That is why the government is doing it.

I take on board the comments of the Leader of the House yesterday when she addressed this matter. A number of people have made the point about whether ministers will be able, at their whim, to declare a bill urgent. Under this recommendation, they will be able to declare a bill, or a component of a bill, urgent. Yesterday, the Leader of the House tried to placate the house by reading out paragraph 3.52 of the report. She went on to say —

It then sets out the provisions. I think it is important to note that how members use that time is critical. It is also important to note—I made this point in my earlier contribution to the suspension of standing orders motion—that practice and conventions play an important part. If the house is looking for some kind of signal of intent, the proposition before us is that the government will come in here every day and unilaterally declare every bill to be urgent or every part of every bill to be urgent. That is not the intention of the government at all. My practice will be to consult if it is considered that we need to use the provisions. The point needs to be made that we would not need to do this if debate had been conducted in such a way that points were made, legitimate arguments were had and we moved on in a timely fashion. That has not been the demonstrable practice of this place. We need to deal with urgent legislation in a way that gives the opportunity for scrutiny but manages the time sensibly.

Later in the day, the Leader of the House repeated that. She said —

I have said it before and I will say it again: it is my intention that my practice will be that I will consult with the parties if I believe that I need to rely on those procedures.

If that is the case, that should be included within this proposed amendment to the standing orders, just as it was with the COVID-19 temporary order, but it is not. It is all good and well for the Leader of the House to stand here and say that that is her intent, but we all know that our position in this place is finite. The Leader of the House has already indicated that this will be her last term. This will be not just for the next four years; this will go on until there is another shift in the standing orders. That could be years in advance.

My point is, yet again, that there is absolutely no justification for this urgent bill recommendation—none whatsoever. No justification has been provided by the committee. In fact, the arguments that have been provided by the majority committee are flawed. No justification has been provided by the government, particularly the Leader of the House. In fact, back in 2017, the Leader of the House herself identified very articulately and passionately just how significant it was to have consultation on these issues. Make no bones about it: this particular amendment is not about whether we do not have afternoon tea or have half an hour less for dinner; it is about allowing a government to ram through legislation at its will.

At the very least, if the government was sincere about this and if the Leader of the House was sincere when she made her remarks about consultation, the government would move an amendment to that effect to this recommendation. Let me tell members, there was only one occasion during the debate on all of those bills that we did not agree with what was being done, and the government saw the reason for that. It was an attempt to change a bit of a clause of a bill and brand it as a COVID bill. It was not a COVID bill; it was not an emergency bill at all. There was no fuss about it; the government got caught out and it realised that. On every other occasion, we acted in good faith and with goodwill and consensus. We were asked how long we would take on a particular bill. We asked our members how long we would take on the second reading contributions, the committee stage and the third reading stage, and the Leader of the House stood up and moved a motion to that effect and we all moved along in unison. We will not have that capacity now—not at all. Make no bones about it, members: there is no analogy between what is proposed in recommendation 5 and the COVID-19 temporary order. There is a glaring, glaring difference, and it is called consultation. That is what existed. That is why it worked so well. We were all very mindful of the challenges that the community was under. We did not want to be seen to be playing politics at a time when people across Western Australia, the nation and the globe were suffering, so we did what we normally do very well in this house: we communicated behind the chair and came to an agreed position. But that is not the case here. Not only have we not come to an agreed position, but also we are bulldozing through all 38 recommendations en masse. As I said, if we could have at least dealt with the recommendations individually and independently, we could have got through most of them with little debate and spent most of the debate on this urgency component. However, I guess that when a government has the numbers in such an emphatic fashion and is drunk on power, the Parliament means nothing. Quite frankly, the Parliament is just a bit of an inconvenience. It will mean nothing to members opposite, and that is what really bothers me.

Hon Darren West: How do you know?

Hon PETER COLLIER: Because if it meant something to you, you would have listened to what members on this side have said. There is nothing unreasonable in what I have said. This report makes a comparison between recommendation 5 and a COVID-19 temporary order.

Hon Darren West: You don't know what people on this side think!

Hon PETER COLLIER: That is what I am saying. Vote with us, then. Are you going to vote against it?

The ACTING PRESIDENT (Hon Steve Martin): Member, address your remarks to the chair.

Hon PETER COLLIER: Thank you, Acting President. I say to Hon Darren West that I take on board his interjection, which is very rare, I have to say, but in that instance, with his interjection, I ask him to listen to what I have just said. This majority report from the Standing Committee on Procedure and Privileges makes a direct comparison with a COVID-19 temporary order as a justification for why we need to adopt recommendation 5, but the COVID-19 temporary order clearly and expressly articulated the fact that there would be consultation. That clause in that temporary order was included at the express request of all the other non-government party members, and the government agreed with it because it saw it for what it was.

As I said, Hon Sue Ellery stood up in here and said that it was her intent not to use it in that way. That is the “trust me” mentality. That is not going to prevent any minister for the remainder of this term of government or the next term of government from saying, “Yes, she might have said that, but actually this is really important.” They will give a nudge and a wink and say, “The Attorney General wants to get this through so that he can go to the Law Society dinner next Friday and make an announcement.” That is what will happen here. That is just unheard of. We are not being unreasonable. All we are doing is what has been done for generations. Across the globe, ever since the bicameral system of government has existed, and particularly in upper houses across the globe that have a Westminster system of government, there is consultation and communication. Unfortunately, that is being completely blown away as a result of the processes and procedures that are taking place here. This approach from the government is most definitely an example of a “because I can” attitude.

I again make clear to members what will happen if we accept this recommendation: no consultation will be required with any of us in the chamber. There will be no limit on the number of bills that could be declared urgent—no

limit whatsoever. There will be no criteria for an urgent bill; it will be at the subjective will of a particular minister. There will be absolutely no checks and balances. Why are we doing this? Is it really, really necessary? No, it is not. In a Parliament that has existed and operated very effectively and very efficiently for decades, we are changing the goalposts simply because we can. To me, that is disappointing, and it could so easily have been avoided.

The Leader of the House is justifying the government's position by saying that, apparently, one member on this side of the chamber spent far too long talking on or scrutinising legislation. That is the justification. That is just plain juvenile. That is completely without foundation. Honourable members, I am pragmatic. I know what is going to happen here. The numbers in support will probably be 12, 19 or whatever it is again, but all I know—it sounds extraordinarily self-righteous, and I do not apologise for that—is that my conscience will be clear because, ultimately, in the years ahead, when the tide turns, the government is going to have to wear this. Every single member who votes for this is going to have to wear this. They are trashing the conventions and the standing orders of this chamber. I will not be a party to it. I will not put my name to it. I will vote against it. I urge the government to give this some consideration. If there is any way that it could possibly move an amendment to at the very least include a clause within that recommendation that will enable consultation with members of the other parties in the chamber, then please do it. The government should give itself some credibility with this. “Our way or the highway” is not how we operate in the Legislative Council.

I have said all I can. Suffice to say, I am disappointed that the government has taken this path. As I say, I am pragmatic, but I will obviously not be supporting this motion.

HON DR BRAD PETTITT (South Metropolitan) [5.28 pm]: I stand to give my contribution to the debate on this motion. First, I have a few comments; then, I flag that I will, at some point, look to move an amendment.

My initial comment is that I fully support the idea of modernising the standing orders. I think there are lots of good suggestions in this document. It may not come as a surprise that, coming from a local government and being used to decisions being made more quickly and efficiently, I am quite in favour of that and seeing how we can do that. That said, I do have concerns about recommendation 5 on urgent bills and the lack of checks and balances. I think we need to be really careful about overreach in this space. We need to make sure that we have proper checks and balances so that we can be clear when an item is urgent and does need to go quickly through debate, and so that the process cannot be misused by whoever is the minister or in government at the time. On my reading of the motion in its current form, it leaves it very much open to the latter. I think a range of checks and balances can be put in place. Hon Peter Collier talked about some just then when he spoke about the Leader of the House. My amendment would take a different approach. It refers to proposed standing order 125A, “Urgent Bills”, and seeks to add words to the effect that the concurrence of two-thirds of the members of the whole house will be needed to pass the motion. For those who are not good at maths, 24 of us would need to agree that a matter is urgent. I think that would be an important check and balance, because it would mean that one or two people could not block motions, and the agreement of a very strong two-thirds majority of the house would be needed to pass something. I think that that would be a very important check and balance.

I think there is a danger that one minister unilaterally declaring something urgent without explanation, consultation or agreement of the house would set a very bad precedent. Although I take at face value the Leader of the House's statement that it will be used sparingly and not very often at all, that is not the point of the standing orders. Standing orders are written and used whenever we want them to be used. They are designed for the worst-case scenario. If it was about best intentions, we would not need complicated standing orders. Standing orders are designed for people who do not have the best intentions. That is why it is important to put checks and balances in place. With that I will move an amendment to the motion.

Amendment to Motion

Hon Dr BRAD PETTITT: I move —

To insert after “agreed to” —

with amendments to recommendation 5 so that it takes the following form —

125A. Urgent Bills

- (1) At any time after the moving of the Second Reading of a Bill, a Minister or Parliamentary Secretary may move without notice that a Bill be declared an urgent Bill.
- (2) A motion under (1) —
 - (a) cannot be amended;
 - (b) is subject to the following debate and speaking times —
 - (i) maximum debate time—60 minutes; and
 - (ii) speaking times—10 minutes per Member; and
 - (c) must be passed with the concurrence of two thirds of the whole number of Members for the time being of the Council.

- (3) If the Council declares a Bill to be urgent, a Minister or Parliamentary Secretary may move a motion specifying the maximum debate time to apply to each stage of the Bill. At the conclusion of the maximum debate time prescribed in Standing Order 23(1)(e), the Presiding Officer must interrupt debate and put to the vote all questions as are necessary to dispose of the motion.
- (4) If the motion is agreed, when the maximum debate time for a stage of the Bill has expired, the Presiding Officer must interrupt the debate and put to the vote all questions as are necessary for the Bill to complete that stage, including all amendments standing on the Supplementary Notice Paper. Except by leave, the question on each clause, schedule, preamble, title or amendment must be put as a separate question.
- (5) A Minister or Parliamentary Secretary may commence or complete a second reading reply speech notwithstanding the operation of (4).
- (6) A further motion under (3) can be moved at any time including, notwithstanding (4), immediately after the expiry of a maximum debate time.
- (7) The motion that the question be now put (closure) shall not be moved in any proceedings in respect of which time has been allotted under this Standing Order.
- (8) For the purposes of this Standing Order a stage of a Bill means a vote on a reading or the completion of the Committee of the Whole stage.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [5.34 pm]: I am inclined to think that the opposition should support Hon Dr Brad Pettitt’s amendment. I have to say that it is a fairly ambitious amendment. Obviously, there are other ways of dealing with the issue of getting agreement of the house before randomly calling for something to be dictated by a minister. This could be dealt with in other ways. For example, the temporary order titled “COVID-19 Related Business” operates in this fashion —

If, following agreement with the party leaders or Members deputed, the Leader of the House or the Member deputed by the Leader advises the House that it is necessary to introduce a Government Bill or undertake any other immediate business ...

The temporary order would then be applied by agreement. That is what the COVID-19 related business temporary order provides. I think that the COVID-19 related business temporary order worked remarkably well in the last Parliament. It was done by agreement. Unfortunately for the Western Australian Parliament, the government has thrown out the template of working across the chamber in a collegial manner and has now decided that that is no longer required given the numbers it has. The government could have looked at that option instead of the motion that has been put forward by Hon Dr Brad Pettitt. Of course, we can look at other options. That is why the opposition has asked for two things during this debate. The first was to examine the recommendation clause by clause so that we could look at it in more detail and do it properly. The second was to knock out the right of a minister to arbitrarily declare a bill urgent upon a whim.

The Leader of the House has said, “I won’t do it very often. Trust me”, but that is cold comfort for any opposition. We would be foolish in the extreme if we were to accept the government’s comment, “We won’t misuse our powers—trust me.” What sort of opposition in a Legislative Council would accept that sort of proposition? It is ridiculous in the extreme. We are not foolish. It would be ridiculous for us to accept the proposition that we should give the government an enormous power to use the guillotine to rush any legislation it so chooses through the Parliament at speed, and that we should trust it to not use that power very often. The government had other options. It could have put in a range of options that would have done this by consensus. But consensus is dead—rest in peace—with the changes to the standing orders provided by the government tonight.

It is a little difficult to support the amendment proposed by Hon Dr Brad Pettitt that calls for a two-thirds majority of the house. A two-thirds majority of the house is a very big number. We deal with a simple majority on votes, and members are well aware of that. There is also an absolute majority, which comes under schedule 3. At the bottom of page 137 of the current standing orders, note 13 states —

While the total membership of the Council is 36 Members, the absolute majority is 19 Members.

The amendment proposed by Hon Dr Brad Pettitt would take the requirement to declare an urgent bill beyond a simple majority and, in fact, significantly beyond an absolute majority. That is not really a principle the opposition would normally like to put in place, given that one day it wants to be in government. But the problem is that we are left with no choice. The arrogance of the government to say that we should give it this enormous power and that it will not use it unless it thinks it is necessary is simply mind-boggling. The opposition, in my view, has no choice but to support the amendment put forward by Hon Dr Brad Pettitt. I understand what he is trying to do. It appears to me that Hon Dr Brad Pettitt has rightly recognised that absolute power corrupts absolutely, and he is trying to put the barest minimum of a restraint upon a government. I think that is the role of the crossbench. Hon Dr Brad Pettitt is to be commended for his amendment and doing his job as a member of the crossbench to the embarrassment of members opposite, who sit by blindly while democracy is trashed in the state of Western Australia.

It is not the ideal outcome, in my view. It is not necessarily perfect. But the government leaves us with little choice. The arrogance with which it presents its case, the dismissal of any concerns, means that no right-thinking person could oppose any significant attempt to pull the government up. For that reason, the opposition will wholeheartedly support the amendment moved by Hon Dr Brad Pettitt. I wish there was a better alternative that we could use, but do you know what? There seems to be little point. The government has simply decided that with its numbers democracy no longer matters. It is a sad day for the state of Western Australia. We often said that the sort of landslide that was experienced in the election would not be good for democracy. It is not good to have a government with absolute power that uses it with the sort of arrogance that we have seen. In this debate, we have seen the prime example of why that sort of power is not to be conferred. Unfortunately for us, I suspect we will lose this amendment, but the opposition will support Hon Dr Brad Pettitt in his attempt, perhaps as vain as ours, to retain the slightest hint of democracy in the Legislative Council of Western Australia.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Mental Health) [5.41 pm]: I stand to indicate the government will not support this amendment this afternoon. At the outset, I echo the comments of the Leader of the House and thank the committee for the work it has done over the past few months. I, too, was able to have a week's holiday in July, but I know many of the committee members worked right through it. We support all the recommendations of the committee. We are keen, generally, for legislation to be dealt with in this place in a more timely fashion. I have a different view from Hon Peter Collier in that we have had years of inactivity, from time to time, in this place when honourable members have laboriously spent time and time again on pieces of legislation, as was their wont under the previous standing orders.

Hon Dr Steve Thomas interjected.

Hon STEPHEN DAWSON: I listened to the member in silence. I expect the same in response. However, that was under the standing orders at the time. The standing orders have changed now; we have new time limits. We are keen to follow in the footsteps of the Australian Senate, which, since 1926, I believe, has had an opportunity for time management. In fact, it has the ability to declare legislation urgent.

Hon Martin Aldridge: They do not use it.

Hon STEPHEN DAWSON: It worked during COVID-19. I am grateful to the honourable members and the honourable leaders of the parties of the time who facilitated that, but it was a better chamber at the time. It allowed for not only debate but also legislation to pass in a timely fashion. That does not happen under the existing standing orders. We support the recommendations of the committee. We do not support the amendment. As the Leader of the House said, we will not abuse the new standing orders. Our practice will be to use this change sparingly. However, we agree with the committee on it, and so we will vote against the amendment.

HON DR BRIAN WALKER (East Metropolitan) [5.43 pm]: I rise to support this amendment—with little doubt on that from the other side—with a heavy heart, it must be said. Part of the reason that I find this very difficult for both sides is the concept that we are putting forward sensible and reasonable amendments to allow the work of this Parliament to go ahead more smoothly and appropriately without being blocked. That is a very sensible thing to do. My problem with it is that everyone here is speaking based on the history of a relatively benign government. No-one here, with maybe one or two exceptions, has ever experienced a non-benign government that does not have the best interests of everybody at heart. I stand to be corrected on that, but that is not my current impression.

When they say that we will use this sparingly, I fully believe and accept the words of the learned honourable colleagues opposite. I said the word “opposite” just now because technically I am on the crossbench, although I find myself in opposition to the government just now, sadly, because what is projected to be needed is something I can support with my whole heart. However, I ask the government in all sincerity, I beg of it, to consider what would happen if the levers of power that the government is now creating were delivered to the wrong hands. I am going to repeat that so no-one can mistake what I am saying. In our benign government we have now, we assume that people are working for the good of all. The levers of power that we have, and are sufficient for everything we want to do, are more than adequate, but the powers that the government is seeking to introduce into Parliament now in the wrong hands could lead all of us into a very dark place.

I beg of the government to reconsider this, because it might be necessary at some stage to learn the equivalent of the following phrase: “My golosuyem za”. This is, of course, heard in the Soviet Union. Anyone who opposed that would have been purged—removed. I think at the moment the silence is the result of being concerned that we might have to deal with issues within our own party that make my position here untenable. Imagine that focused through a magnifying lens of the sun's rays on the positions of those who dare to take an opposing view. I point out right now what has happened in Hong Kong, where I used to live. The four members who support the Tiananmen Square protests every 4 June refuse to cooperate with the Chinese government to identify who has taken part. They have been arrested and will probably be charged with sedition. A few years ago, Hong Kong was the most democratic place I could think of—well, not really; the British ruled it.

Bearing in mind our Asian heritage here, we could be required to learn different words of the same import. “Women tóu zànchéng piào” is the Chinese way of saying the same thing as “My golosuyem za”. We vote for, and anyone who

votes against will be given a hard time. These are the levers of power that the government is right now seeking to ratify. Next Tuesday, they will be part of our standing orders. The government is leading us to a dark place, because in the wrong hands, we could end up saying in one form or other the words I have just quoted. Generations after will ask: why did we allow this? Hon Stephen Dawson said we should copy the Senate in federal Parliament. I look at what the Senate does and I hope we do not copy what it does because that is a terrible example of democracy. We do it far better here. We should set a tone in Australia because our Parliament here, I think, is more democratic, more efficient, better and allows us to explore properly what is going on. I love this Parliament. In the short time I have been here, I have loved it. I love our standing orders as well. I ask government members to consider, in their hearts, supporting this amendment.

HON JAMES HAYWARD (South West) [5.48 pm]: I rise to speak briefly on this amendment as well. I will not keep us all too long. But I would like to say that last night I said there was a pathway forward whereby most of these things could be supported, but we are stuck in this little bit that says that a single person in this house can have total unfettered control of how the debate will go and that they can use that at pretty much any time. They can pull the trigger at any time during the process. That is fundamentally unfair and fundamentally undemocratic. I agree with Hon Dr Steve Thomas's comments about the unusual wording of this amendment. Although I can understand why that element of the amendment would not be very desirable for the government to support, the critical thing is that a whole heap of members of the Labor Party in this house have been sitting there for the last couple of days, listening to people on this side and the crossbench saying that we think this is fundamentally unfair. It is only a small thing; it is only this bit about the unfettered business. The government says that it is not going to use it very often and that it will use it sparingly, and all the rest of it. Obviously, it is absolutely committed to it because this is probably the second or third time that it has been raised that this is what the sticking point is. It is absolutely ludicrous to think that an individual in the Parliament could unilaterally decide that debate is going to finish in 30 minutes, without any negotiation.

I hear from the government that things will go well, but we know that they do not go well. Today the government made a decision to end logging in native forests, and did not even speak to the shire president of Manjimup, whose community it will affect. It did not even speak to the Forest Industries Federation WA, the industry body, about what was going to happen. I am sure the government intended to; I do not quite know what happened there, but that is a disaster. The government is saying, "Don't worry about it, we're good guys, you can trust us." It is not about whether we can trust the government or not; this is not good governance. I urge every member on that side of the house to go and talk to their leaders and say, "Hey, is there a compromise position we can find here so that we can all work together in a collegiate way to achieve what we want to achieve?"

This is the second or third time this has been raised with members opposite. It is a real concern and I am sure that if they thought about it in a completely pragmatic way, they would understand what the objection is. It is like playing a footy game and having the captain of the other team saying, "Hold on, blow the whistle. You can only have five players on the field for the next 10 minutes, thanks very much." What the government is asking is fundamentally unfair, it is not right, it is anti-democracy, and I urge members opposite to find a way to have some negotiation on that point and to present something that is fair and equitable.

HON SOPHIA MOERMOND (South West) [5.52 pm]: I rise in support of the amendment moved by Hon Dr Brad Pettitt. It is very simple, in my view. If the government has promised that this is not going to be misused or abused, why then can we not have very specific guidelines about what constitutes an urgent bill? That is my only concern.

HON NICK GOIRAN (South Metropolitan) [5.53 pm]: I rise to contribute to the motion moved by Hon Dr Brad Pettitt to amend the substantive motion before the house. There is some very interesting context here. We find ourselves in the circumstance of having a majority report from the Standing Committee on Procedure and Privileges, and the majority consists of three members from one party. We then have a minority report that consists of two members from two parties. As I indicated yesterday, that should already be a red flag to members, when we are looking at changing the rules of the Legislative Council which has, historically, been done on a multi-partisan basis and by consensus. If that is not enough to persuade members opposite that there is something seriously wrong here, they should pause for a moment and contemplate that the amending motion before us has been moved by a member from yet another party. Even if they are not convinced that the views of the Liberal or National members of the minority report are worth listening to, might they not pause when they see that another party—this time, the Greens—has indicated that there is a problem here? We have also now heard from two members of yet another party, who have indicated that there is a problem here. That is the context of the decision that is going to be made now.

Hon James Hayward called on members of the Australian Labor Party in this place to go and quietly have a chat with their leaders to ask whether there could be some kind of compromise. That is an eminently sensible suggestion, but it will never happen, for a very good reason. I have spoken about this previously in this Parliament. The reason is that when there is fear, we quickly find there is a form of political paralysis. People are unable to go and have those conversations because there is a culture of fear. It happens too often in political parties, and that is why, despite the good suggestion by the honourable member, there will be no compromise here this afternoon or over the next

couple of days, because there is sheer fear in the hearts of members that if they even dare knock on the door, that will be the end of it. They know that that is true, because they have colleagues and, indeed, former colleagues, who have suffered the consequences of doing exactly that.

When we look at the amending motion moved by Hon Dr Brad Pettitt to determine whether it should be supported, it is worthwhile—as I indicated yesterday—to spend a moment actually reading it. While members are reading it, they can undertake a task of reconciliation and compare and contrast the majority proposal before us at recommendation 5 with the proposal put forward by the leader of the Greens. There are some changes; some of them are merely consequential. Members will see that under proposed order 125A(6) there is a consequential numbering change. When we look at proposed orders 125A(4), (5), (7) and (8), we see that they are in the same terms, albeit with a different number, as what has been proposed by the government. If we take a moment to read and reconcile the substantive change before us, it is the issue of the ministerial edict versus a decision of the Legislative Council. Who ultimately should be the determiner of these things? Should it be the representative of the executive who rises and issues an edict, or should it be the executive who is accountable to the Parliament who makes a request and the Parliament then makes a decision as to whether it agrees with the request?

The position of the opposition, as outlined by the Leader of the Opposition, is that we support the concept in principle—that the executive should be accountable to the Parliament, rather than the executive simply dictating to the Parliament that this is how it is going to be, with these ministerial edicts. There is a lot to be said for the amendment before the house, yet because a decision was made by the government yesterday that was contrary to the view of every other non-government party for this to be considered in the Committee of the Whole House, we now —

Point of Order

Hon STEPHEN DAWSON: A decision was made by the chamber yesterday, so it is unruly to reflect on the decision of the chamber.

The ACTING PRESIDENT (Hon Steve Martin): I will seek some advice. After seeking clarification, I believe that the purpose of the standing order is to not rehash the debate over the argument that was raised and deliberated on yesterday. I do not think that was occurring so I am ruling that there is no point of order.

Debate Resumed

Hon NICK GOIRAN: To clarify for the benefit of the Deputy Leader of the Government in the Legislative Council, the point I was simply trying to alert members to is that the process we are embarking upon now is not one that has been done in the Committee of the Whole House. It is because of that that the Deputy Leader of the Government quite rightly indicated that that was a decision of the chamber yesterday. He is correct on that point and I do not dispute that at all. It was the decision of the Council yesterday that this process will not be a Committee of the Whole process. The difficulty with that is that the amendment before us now, which was moved by Hon Dr Brad Pettitt, does not offer us the opportunity to have the type of debate that would enable a member to draw to the attention of members some other elements and concerns. For example, if we are to agree with the amendment put forward by Hon Dr Brad Pettitt, it will have implications for recommendations 6 and 7. That is why I keep asking members to please do their job and read the documents before us. Recommendation 6 asks us to amend standing order 21 and indicates that members would have an opportunity to speak for a maximum of five minutes. However, Hon Dr Brad Pettitt's amendment that is before us indicates that the speaking time will be 10 minutes. Perhaps a member of the chamber who has actually read the reports, particularly one of the committee members who wrote the majority report of the committee, can indicate to us how we can agree to all these things en bloc. On the one hand we have a proposal that indicates members can speak for a maximum of five minutes and on the other hand there is a proposal that would allow members to speak for a maximum of 10 minutes. Which one is it? In addition, we will have a maximum debate time of 60 minutes and what will plainly be a redundant provision at recommendation 7 that indicates the maximum time will be 30 minutes. These are the kinds of drafting issues that arise when there has not been an opportunity to consult. This goes back to the proposal in the minority report of the committee that said to take a moment to carve out this issue and consult on a better process.

Hon Dr Brad Pettitt's amendment is certainly superior to that of the government's in a number of respects. He has partly addressed the concern I raised yesterday on the matter of representation and the inability of some members to be able to represent the region that they represent, because the member's amendment provides additional time to have the debate. My personal view of the honourable member's amendment is that proposed standing order 125A(2)(b)(i) should be removed. I do not mind whether the speaking time is 10 minutes, as the honourable member has indicated, or five minutes, which the government has proposed. My point is that if all 36 members of this chamber want to speak on a matter, they should be able to. If it means that 36 members speak for 10 minutes on the matter, so be it. I cannot recall when that has happened, unless it was a particularly controversial bill that every member felt they wanted to discuss. In any event, we are not talking about an inordinate amount of time. Why we would unnecessarily impose these types of guillotines is beyond me. Nevertheless, the point is that the honourable member's proposal is superior to that of the government's because it allows 60 minutes for this type of debate rather than 30 minutes, which, I might add, has not had any analysis whatsoever by the majority of the committee. Where did 30 minutes come from? Was

it plucked out of thin air and thrown into the majority report? Why is it 30 minutes? Why is it not 20 or 40 minutes? Let us just go with 30 minutes and not provide any explanation for it either, because we fear speaking. The opposition finds itself in a very difficult position; we are between a rock and a hard place. Do we support the government's proposal for what will be the new standing order 123A or do we support the proposal put forward by Hon Dr Brad Pettitt, which has a number of good things going for it but, respectfully, is not perfect? In my view, it would require us to move some consequential amendments to address the inconsistencies that would otherwise arise in regard to recommendations 6 and 7. Nevertheless, we are told that the government is simply not interested.

As members can see when they read the documents and undertake a reconciliation, proposed standing order 125A(3) reinforces that the Council has declared that a bill is urgent rather than the government's proposal that it be the minister who declares that a bill is urgent. As I understand it, that really is the heart of the proposal before us. Who should be the determiner of these things? Should it be the executive or the Parliament? Keep in mind that the process that is being determined is one for Parliament. Members would think that it was pretty self-evident that the Parliament should be the determiner, in this case this Legislative Council of Western Australia, and not the executive. That appears to be the view of every non-government party in the Legislative Council. As has been the case over the last five years, the government will inevitably seek to blame the opposition, the alliance and individuals, as is the government's way. However, the government will not reflect on the fact that once again every non-government party holds a contrary view. My question to members is: at what point will the arrogance disappear and the cooler heads prevail and members opposite decide that these guys have got a point and maybe the government should compromise, have a conversation and consult further? At what point will that happen? It is not obvious that it is going to be happening at any time soon, let alone today or this evening. That is incredibly disappointing. For my part, notwithstanding the comments that I just made, I will support the motion moved by Hon Dr Brad Pettitt. If, by some miracle, it were to pass this afternoon, as I said, there will need to be, in my view, some consequential amendment or motions, but we can address that if we get to that particular point. But the spirit of the motion moved by Hon Dr Brad Pettitt is worthy of support.

I conclude on this point and remind members opposite that in the forty-first Parliament, which we are in at the moment, whether this particular provision is passed or not makes absolutely no difference to the government, because whether it is passed or not, the government is still going to get through every single bill, in whatever time that it likes, because it has all the levers in which to do that. We do not kid and joke when we say that Labor has total control of Parliament. We have said that repeatedly in our public discourse for some time and we say it because it is true. That remains the fact for the forty-first Parliament, unless there is a huge series of by-elections. All that ends up happening by people voting against what Hon Dr Brad Pettitt is proposing this afternoon is that it is enshrining for the benefit of future Parliaments this very provision that the government does not even need and will never really use. There will come a time in years to come when members of the Australian Labor Party will be in opposition and will be shaking their head saying to themselves "What were our guys thinking in the forty-first Parliament?" This is not the first time that kind of thing has happened. We have certainly experienced that over time, when previous Parliaments have made certain decisions that we now live with. That is the system. That is why people should move carefully and slowly and that is why people should probably listen to the minority in this instance in saying, "Let's just hit the pause button and undertake a bit more consultation." For those reasons, I indicate my support for the motion moved by Hon Dr Brad Pettitt.

Division

Amendment put and a division taken, the Acting President (Hon Steve Martin) casting his vote with the ayes, with the following result —

Ayes (10)

Hon Martin Aldridge
Hon Peter Collier
Hon Donna Faragher

Hon Nick Goiran
Hon Steve Martin
Hon Sophia Moermond

Hon Tjorn Sibma
Hon Dr Steve Thomas
Hon Dr Brian Walker

Hon Dr Brad Pettitt (*Teller*)

Noes (19)

Hon Dan Caddy
Hon Sandra Carr
Hon Stephen Dawson
Hon Kate Doust
Hon Sue Ellery

Hon Peter Foster
Hon Lorna Harper
Hon Jackie Jarvis
Hon Alannah MacTiernan
Hon Ayor Makur Chuot

Hon Kyle McGinn
Hon Shelley Payne
Hon Stephen Pratt
Hon Martin Pritchard
Hon Samantha Rowe

Hon Rosie Sahanna
Hon Matthew Swinbourn
Hon Darren West
Hon Pierre Yang (*Teller*)

Amendment thus negatived.

Motion Resumed

HON TJORN SIBMA (North Metropolitan) [6.16 pm]: I am grateful for an opportunity to attend at last to the substantive motion. I will make a very quick contribution in the five minutes that I might have, if it is indeed five minutes. The ominous welcome movement of the President to the chair suggests that I should keep this quick.

I will not revisit the remarks that I made extensively yesterday by way of the two motions, other than to say that if the government is to do this thing, do not do it in this way. There is an inflection point with every government. I have been an adviser; I have been an observer of political life, as many people in this chamber have been. I suggest that this is the moment in which the government has overreached in a way that breaks the accord with tradition, consensus and with the practices and traditions of this house. It is absolutely and completely unnecessary. If the government wants this urgent bills measure, there is a way to refine that process and to do so in a manner that achieves some kind of consensus. I cannot for the life of me appreciate why it is doing this, other than the fact that it can do it. I think that sums up the attitude of the McGowan government in this forty-first Parliament absolutely perfectly. If it can do something, it will do it.

We will speak tomorrow about the native forest industry. It was just told that the government wants to pack up the saw mills, because the McGowan government does not like it, and with no notice. I find that absolutely amazing but absolutely consistent with the practices that it establishes in this chamber. My learned friend Hon Peter Collier has often remarked that the seeds of a government's destruction are often sown by the way that it conducts itself in this chamber. This is the beginning of the end. Members opposite will laugh and be risible, but this is the beginning of the end for their government, because this is absolute peak arrogance. Unfortunately, they have placed me in a position in which I cannot endorse some of the very good recommendations in the majority report, because the government needs to have everything and everything now. That is completely appalling and it should not be tolerated. I am glad to speak against this motion.

HON DONNA FARAGHER (East Metropolitan) [6.19 pm]: President, I will obviously rise again when we come back tomorrow and will have some more substantive comments to make, but I indicate first off that around three months ago, the Leader of the House chose to refer to Hon Norman Moore to support her position that the review of the standing orders should be done in an urgent manner. That was just three months ago. If we go back to the speech that Hon Norman Moore made on 15 September 2009, he indeed did say the following —

... I really hope that we can regard this as being something that has a degree of urgency if we want this house to have a set of standing orders that delivers not just what the government wants, but indeed what the opposition wants and, even more important than that, what individual members want.

The Leader of the House was correct in saying that Hon Norman Moore did reflect on urgency. But he also said some other things in that same speech—things that conveniently were not included in the contribution made by the Leader of the House earlier this year. He said in part—I will probably have to read this again tomorrow —

Let me just say this: A review of the standing orders will work only if members go into this with an open mind. If a government member goes into this type of committee with the sole intention of maximising the government's advantage, it will be a waste of time. Similarly, it will be a waste of time if an opposition member goes into this with the intention of maximising the opposition's position. Members on both sides of the house must recognise the demands placed on both sides and recognise the opportunities that both sides require. We will then get reasonably balanced standing orders regarding what the government needs and what the opposition wants. I hope that members go into this committee with an open mind and will not seek to obtain an advantage for their current situation.

Debate interrupted, pursuant to standing orders.

CARNARVON POLICE AND COMMUNITY YOUTH CENTRE GWOONWARDU MIA GASCOYNE ABORIGINAL HERITAGE AND CULTURAL CENTRE

Statement

HON PETER FOSTER (Mining and Pastoral) [6.22 pm]: Last Thursday, I travelled to Carnarvon in my electorate to accompany the Premier, the Minister for Police and Hon Kyle McGinn at two events—the official opening of the Carnarvon Police and Community Youth Centre and the announcement of a funding boost to Gwoonwardu Mia Gascoyne Aboriginal Heritage and Cultural Centre.

Carnarvon PCYC is located on the site of the former Carnarvon high school and has undergone a major \$1 million redevelopment to expand its capacity to better meet the needs of the young people in Carnarvon and surrounds and to encourage greater participation with its services. The facility includes a new gym, which has already attracted over 200 new members; refurbished change rooms and bathrooms; a newly constructed automatic workshop and commercial kitchen, in which it is hoped that certificate I courses will be offered in the future; new activity areas, including classrooms for study, a meeting room and reception area; replacement floor finishes, painting, new windows, security screens and blinds; upgraded security systems; and air conditioning, which I note is greatly appreciated by the users as the previous PCYC facility did not have adequate air conditioning.

The funding commitment was announced in April 2019 and highlights our government's support for programs aimed at reducing juvenile offending and improving safety across the community. This project, which is now delivered, will allow Carnarvon PCYC to enhance and grow its range of programs, which are aimed at positively engaging with young people in the local community.

We were joined at the event by the Commissioner of Police, Chris Dawson; the chair of the PCYC board, Geoff Stooke; the president of the Shire of Carnarvon, Eddie Smith; the principal of Carnarvon Community College, Ryan Govan; and Auntie Kath Ryan, who welcomed us to country with her grandsons. It was great to see some of the user groups at the events, and the kids were very excited and engaged with the PCYC staff. I would also like to congratulate the local manager, Bree Maher, for all her amazing work and advocacy towards this project. At this event, the Premier announced \$18 million in the 2021–22 state budget for police and community youth centres to further enhance their services and programs across WA, honouring our 2021 election commitment to PCYCs.

Following this event, we went to Gwoonwardu Mia Gascoyne Aboriginal Heritage and Cultural Centre and were taken on a tour by the centre manager, Kenneth Phillips, and the operations manager, Antoinette Roe, to share in the centre's successes. The centre is home to a cafe, tourist information centre, gallery and shop, emerging artists centre, outdoor performance space, and gardens that are based on the region's plants and how they are used by local Aboriginal people. It is also home to the *Burlganyja Wanggaya: Old People Talking—Listen, Learn and Respect* exhibition, which is a multi-award-winning interactive exhibit uniting and reflecting upon the culture and stories of the five Aboriginal language groups of the region: Yinggarda, Bayungu, Malgana, Thadgari and Thalanyji. This exhibit is popular with locals and tourists alike. It is helping to keep members of the community stay connected to culture and is supporting job creation for members of the community.

The cultural centre originally opened in 2005 but was closed in 2015 due to management concerns. Thanks to a \$2.5 million funding commitment in the 2019–20 state budget, the centre has been allowed to reopen and trade again. This funding was delivered in partnership with the Gascoyne Development Commission and the local Aboriginal community to again put the centre on a path to sustainability. While at the centre, the Premier announced that the government will invest a further \$3.5 million in Gwoonwardu Mia Gascoyne Aboriginal Heritage and Cultural Centre to enable it to continue its role as a valuable multipurpose community resource and tourism asset into the future. This new funding will see the development of a new *Yarning Seat* exhibit, which will capture the oral histories of the five main Aboriginal language groups of the Gascoyne, and the creation of a central gallery space for artists-in-residence and to support education and school programs.

The McGowan government, through the Gascoyne Development Commission and with traditional owners, has brought the centre back to life to nurture Aboriginal pride, business development and tourism opportunities for the Carnarvon and wider Gascoyne community. In partnership with the Western Australian Museum, the centre will incubate Aboriginal tourism, arts and cultural enterprises.

I want to acknowledge the support and work of the Minister for Regional Development in ensuring that the centre has reopened and is thriving again. I would also like to give a shout-out to Phillip Braun and the team at Mar E Sol Cafe Bistro on Boat Harbour Road in Carnarvon for the fantastic lunch we enjoyed on our day in Carnarvon. Phil, who took over the business earlier this year, said to me that they have been flat chat as Western Australians have been wandering out yonder and exploring Carnarvon and the Gascoyne region.

It was great to be in Carnarvon with the Premier, the Minister for Police and Hon Kyle McGinn for these two special occasions and to have the opportunity to highlight some of our government's investments in the Gascoyne region. Thank you.

CANNABIS — RESEARCH

Statement

HON SOPHIA MOERMOND (South West) [6.28 pm]: When Hon Dr Brian Walker and I had the opportunity to introduce our motion last week, we were pleasantly surprised by the story from Hon Peter Collier, so I thank him for that. He is a long-term educator and he can see the value of education, which is something that we can all agree on.

The Victorian paper that we tabled in this place last Thursday highlights how stakeholders see the decriminalisation or legalisation of cannabis as a necessary step to protect young people from criminal justice-related harms for cannabis use. It has been shown time and again that preaching abstinence does not work with teenagers, and neither does misinformation or disinformation. Therefore, I was greatly surprised and dismayed when one of my staff told me recently that her teenage son had been told in class that cannabis is addictive, that it leads to mental health issues, and that it also causes cancer, none of which is actually based on fact. Cannabis products are being used to treat cancer and mental health issues and are also being used to help people overcome methamphetamine addiction. We have been unable to ascertain if the teacher was following a specific curriculum or was simply projecting his own values. This was not useful; it is, in fact, harmful. It is a given that teenagers will experiment. That is the nature of that age group; that is what they are supposed to be doing, whether we agree with it or not. Giving false or misleading information has never empowered anyone, prevented a pregnancy or stopped a teenager from making a decision to indulge in a particular substance, legal or otherwise. Education needs to reflect that, and anything less than the truth is disingenuous at best and harmful at worst. I as much as anyone else recognise that the safeguarding of minors is important and that harm minimisation strategies are absolutely essential. I would like to thank the Leader of the House, Hon Sue Ellery, for offering a briefing on the education that is being offered to the children of this state.

REGIONAL RECORDING PROGRAM*Statement*

HON SHELLEY PAYNE (Agricultural) [6.30 pm]: I rise tonight to talk about an amazing program that is being rolled out in the regions thanks to funding from the McGowan government—that is, the regional recording program. It is a three-year program that commenced in 2019. It has been coordinated by Western Australian Music and made possible with funding from the contemporary music fund.

This program involves nine regional projects that are going to be rolled out across regional and remote Western Australia, providing the opportunity for 90 local artists to record their own music. These artists are living in regional and remote Western Australia and would otherwise be unlikely to have the opportunity to be able to access a recording studio and have the experience of recording their music professionally. Four of these projects have been completed, and they are *Demos from the Wheatbelt*, *Sounds of The Kimberley*, *Demos from Binjareb (Peel Region)*, and, most recently, *Sounds of the Mid West*, which was launched earlier this year and with which Hon Sandra Carr was involved.

Over the recent break, I was lucky enough to experience firsthand the recording that was happening in Esperance. This was part of the fifth project, which is currently underway, which is a double album titled *Demos from Ngaanyatjarra Lands and Esperance*. I had the pleasure of meeting Nigel Bird, regional officer at WA Music, who has been working for over 20 years with artists across regional and remote Western Australia. For the project, Nigel came down, scoped out the local music scene in Esperance and looked around for somewhere to set up his recording studio. He lined up nine of our really great artists in Esperance. He drove back down in his big truck with all his equipment, and set up his recording studio in our heritage-listed The Bijou Theatre. While we were on our break, I had the opportunity to watch one of our local bands, Grand Casual, record one of its own songs. I had never been in a recording studio before and it was quite interesting to see how they break up the song into bits and record the sections over and over. Some great Esperance artists are involved in this project, including Grand Casual, Car Park Social, The Arid Ones, Dr Tasty, David Vooght-Simpson and others, so this is going to be a really great music album that is unique to Esperance. The other part of the double album was recorded in the Ngaanyatjarra lands north east of Kalgoorlie in Warburton, which is a five-hour drive north east of Kalgoorlie, mainly on unsealed roads. There are some amazing Indigenous artists out there, and it is fantastic that these artists have also had the opportunity to record their unique music.

This album is going to be launched early next year, and an event is currently being organised collaboratively with WA Music and the local Shire of Esperance. This program has nine projects and there are still four projects to go. Members should look out to see if they can be involved in some of these. They are Demos from the South West, Demos from the Great Southern, Sounds of the Gascoyne and Demos from the Pilbara. What a great opportunity for those artists to be involved in getting their own local album together. I commend the McGowan Labor government for its support of the regional recording program and acknowledge the important contribution this program has made to developing our music industry across regional Western Australia and giving our regional and remote artists, including our Indigenous music artists, an opportunity to record their music. We have some truly amazing musicians across WA, and it is so great that we will have an amazing suite of albums with music from every part of Western Australia.

LIBERAL PARTY — “THE CLAN”*Statement*

HON LORNA HARPER (East Metropolitan) [6.34 pm]: Since being elected to Parliament, I have been very honoured to have been invited along to some Labor women’s—what should I say—events, organised by the Labor Women’s Organisation and WA Young Labor Women, and soon I will be going to an EMILY’s List event. I am very proud to be part of a party that respects women, encourages women to stand up to be heard and listened to, actually listens to them, is present to listen to them, and actually bothers to turn up to listen to women. I have to give my thanks to Hon Steve Martin, who does actually stay in the chamber. Hon Steve Thomas, sorry.

Hon Dr Steve Thomas: There’s too many Steves!

Hon LORNA HARPER: There are too many Steves, and too many Thomsons and Thomases!

Hon Dr Steve Thomas: It’s very popular.

Hon Stephen Dawson: My name is Steve, too!

Hon Dr Steve Thomas: You have to put “Stephen”, otherwise there are three!

Hon LORNA HARPER: Three Stephens. You are just confusing me now! You are just trying to dissuade my anger!

The PRESIDENT: Keep going, honourable member, and do not be distracted by the interjections, despite you inviting them.

Hon LORNA HARPER: The Honourable Leader of the Opposition, then, who actually is not away on urgent parliamentary business at the moment and who actually remains in the chamber and listens to member statements. It is highly appreciated.

Now for the bit about “The Clan”. You can tell that I am fuming, and I am going to say it. This afternoon, I read the article in *The West Australian*. I had not read the 700 pages. I did try; I could not. I never knew the comments

that were made in respect of women. Actually, I will take that back—in disrespect of women. They referred to women as “those”, and I am not going to repeat the comments that were made against Hon Sue Ellery, Hon Alanna Clohesy and Hon Alannah MacTiernan, nor will I repeat the comments that were made about the women in the Liberal Party, but I will say that I find those comments to be contemptuous and odious. I think for people to stand here and tell us that we have pig arrogance, we are a quarrelling and that we should not be tolerated, is beyond belief. My gosh! I am trying to not use words I am not allowed to use, but I will call out Hon Nick Goiran and Hon Peter Collier, and—yes, I will say it, and the President is about to jump down—I will be more than happy to apologise for anything I have said once they stand up and publicly apologise to all of the females and the women that they have been abusive about. Then I would also call out to the members of that party to stand up and call out how they feel about this behaviour and that language, and how they can sit there quite happily, knowing that those things are being said. Thank you.

CRIMINAL APPEALS AMENDMENT BILL 2021

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Matthew Swinbourn (Parliamentary Secretary)**, read a first time.

Second Reading

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [6.39 pm]: I move —

That the bill be now read a second time.

The Criminal Appeals Amendment Bill 2021 will amend the Criminal Appeals Act 2004, and make consequential amendments to other acts, introducing a new statutory right for a person to make a second or subsequent appeal against a conviction on indictment in circumstances in which there is “fresh and compelling” or “new and compelling” evidence.

Members may recall that the Criminal Appeals Amendment Bill 2019, which was introduced in the last Parliament, lapsed on prorogation of that Parliament. This bill will effect the same policy as that bill, but it reflects some wording changes, including those amendments that were made in the Legislative Assembly of the previous Parliament.

A pillar of our justice system is the principle of finality, which dictates that once a court has handed down a decision, that decision is final. This is an essential element of the way our legal system works, creating certainty and consistency. However, there are limited circumstances in which the principle of finality must be put aside for the purpose of allowing justice to be served, however belatedly. This bill seeks to provide that avenue.

As it stands, a convicted person who has exhausted all of their appeals has no further right to appeal, even if new evidence later emerges that has the potential to exonerate them or fresh evidence establishes that a substantial miscarriage of justice has occurred. Without this important bill, even when new evidence is available showing that a person is innocent, their only avenue of redress is to lodge a petition for the exercise of the royal prerogative of mercy by the Governor or petition the Attorney General to refer the case to the Court of Appeal. The Attorney General, Hon John Quigley, has been a long-time proponent of removing politics from criminal appeals, and has been vocal about the need to create a passage of second and subsequent appeal direct to the Court of Appeal.

The Attorney General has had significant involvement with two referrals to the Court of Appeal. The first was several years ago when, as a backbencher in the Legislative Assembly, he advocated for Andrew Mallard’s case to be referred to the Court of Criminal Appeal. The second and more recent example was his decision as Attorney General to refer Scott Austic’s case to the Court of Appeal.

Mr Mallard was convicted of wilful murder in 1995. His appeal against his conviction was dismissed in 1996. In 1997, the High Court refused special leave to appeal. Mr Mallard’s family unsuccessfully petitioned the then Attorney General, Hon Peter Foss, to refer his case to the Court of Appeal. It was not until 2002, under a new Attorney General, Hon Jim McGinty, that the case was referred to the Court of Criminal Appeal, allowing an appeal process that culminated in the High Court overturning Mallard’s conviction in 2005. Six months later, the then Director of Public Prosecutions decided not to retry Mr Mallard and a subsequent cold-case review identified another convicted murderer as the perpetrator of the senseless killing of Mrs Pamela Lawrence. After almost 12 years in prison for a crime he did not commit, Andrew Mallard was a free man.

In 2009, Scott Austic was convicted of wilful murder. In 2010, Mr Austic’s appeal of his conviction and sentence were dismissed. In early 2012, Austic lodged a petition with the then Attorney General, Hon Christian Porter. In September 2013, the new Attorney General, Hon Michael Mischin, refused to refer the case. In February 2018, the current Attorney General received a petition from Austic, which was substantively the same as the one refused by his predecessor. In April 2018, two months after Austic lodged his petition, the current Attorney General referred his case to the Court of Appeal upon advice of the then Solicitor-General. In May 2020, the Court of Appeal overturned Austic’s conviction. In November 2020, Mr Austic was acquitted after a retrial.

Six years, therefore, passed between Austic’s first petition to Mr Porter and his second petition to the current Attorney General. Mr Austic waited over 19 months for his petition to be considered, only to have it refused by Mr Mischin. How many years earlier would Scott Austic’s case have been heard if he had the option to bring his case to the Court of Appeal, and not a politician? How many more years did Andrew Mallard spend in jail because he could not convince an Attorney General to let the Court of Appeal hear his case?

I now provide some detail of what is contained in this bill. This bill will allow an offender convicted of an offence on indictment to bring a second or subsequent appeal to the Court of Appeal against conviction, not against sentence, if there is either fresh and compelling evidence or new and compelling evidence relating to the offence.

The ability to bring a second or subsequent appeal to the Court of Appeal under this bill has been limited to convictions on indictment. The policy is that the principle of finality ought only to be interfered with in circumstances in which a wrongful conviction has the most serious consequences—that is, when the absence of an opportunity to commence a further appeal could produce significant injustice. Consistent with this policy, the bill does not provide for further appeals against conviction on simple offences. Such matters are dealt with in the Magistrates Court of Western Australia, attract lower penalties and are on the lower end of offending. The scope of appealable convictions when appealing to the Court of Appeal is consistent with other legislation allowing appeals to the Court of Appeal, being section 140 of the Sentencing Act 1995 and section 23(1) of the Criminal Appeals Act.

There are two categories of “fresh evidence”. First, evidence is fresh if, despite the exercise of reasonable diligence, it was not and could not have been tendered at the trial of the offence or any previous appeal. Second, evidence is fresh if the evidence was not tendered at the trial of the offence or any previous appeal but, with the exercise of reasonable diligence, could have been so tendered and the failure to tender the evidence was due to the incompetence or negligence of a lawyer representing the offender. Evidence is new if it was not tendered at the trial of the offence or any previous appeal but, with the exercise of reasonable diligence, could have been tendered at the trial of the offence or at any previous appeal.

In either circumstance, the evidence must be compelling, meaning that it must be highly probative in the context of the issues in dispute at the trial of the offence. Evidence will be highly probative if it has a real or material bearing on the determination of a fact in issue which, in turn, may rationally affect the ultimate outcome in a case. The level of proof required for a successful appeal differs between cases based on whether the evidence is fresh or new. The Court of Appeal must allow an appeal based on fresh and compelling evidence if it is satisfied that there was a miscarriage of justice. The court may dismiss the appeal if it considers that no substantial miscarriage of justice has occurred. The intent of this proviso is to ensure that technical errors do not unnecessarily result in appellate intervention, which would cause undue distress to victims and next of kin, but to allow a second or subsequent appeal when a miscarriage of justice is so significant as to warrant an exceptional incursion into the principles surrounding the finality of a conviction. The threshold for new evidence is, understandably, much higher. There must be powerful reasons for disturbing a conviction obtained after a trial that has been regularly conducted. The higher threshold also prevents persons who have gone to trial underprepared from being rewarded for their lack of diligence. The Court of Appeal must allow an appeal based on new and compelling evidence only if it is satisfied on the balance of probabilities that in light of all the evidence the evidence establishes that the offender is innocent.

This bill has significant safeguards to protect against the flooding of unmeritorious appeal applications, thereby limiting the potential impact of re-traumatisation on victims and next of kin. The requirement for an application for leave to appeal in every case is designed to act as a filter for vexatious, frivolous or spurious applications. The Court of Appeal must decide the leave application before the appeal unless it considers it necessary or desirable to give leave to appeal at the hearing of, or when giving judgement on, the appeal. As a further deterrent in this regard, the bill provides the court discretion to order the appellant to pay the other party’s costs of, or relating to, that appeal.

The proposed amendments in the bill will operate retrospectively insofar as they will apply to any person convicted prior to the commencement of these amendments. I also point out that the proposed amendments will not alter the current powers of the executive with respect to an application of the royal prerogative of mercy and the power of the Attorney General to refer matters back to the Court of Appeal under section 140 of the Sentencing Act 1995.

As the bill introduces a new process for criminal appeals, it also incorporates a provision for a review of the operation and effectiveness of the amendments to occur within five years of the commencement of the legislation.

This bill strike an appropriate balance between the competing interests of wrongly convicted persons and victims of crime. The framework establishes an additional mechanism for correcting substantial miscarriages of justice while respecting the public interest in the finality of litigation. The aim with this important reform is to depoliticise what has previously been a highly political process. It has been the Attorney General’s view over a great number of years that this is a process best carried out by the judiciary, not the Attorney General of the day.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to a bilateral or multilateral intergovernmental agreement to which the government of the state is a party. Nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and table an explanatory memorandum.

[See paper [533](#).]

Debate adjourned, pursuant to standing orders.

House adjourned at 6.48 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

AGRICULTURE AND FOOD — ELECTION COMMITMENTS — FUNDING

222. Hon Colin de Grussa to the Leader of the House representing the Minister for Transport:

I refer to the Grain Freight Upgrades election commitment of \$22 million, and I ask:

- (a) is any of the \$22 million commitment reliant on third party funding;
- (b) if yes to (a), has this funding been secured and what was the quantum of that funding;
- (c) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;
- (d) what investment and projects are planned for the 2021–22 financial year; and
- (e) how is the funding allocated across the forward estimates?

Hon Sue Ellery replied:

- (a)–(e) The funding of election commitments is being considered through the 2021–22 State Budget process. Details regarding funding allocation will be available in the 2021–22 State Budget due on 9 September 2021.

JUVENILE OFFENDING — REGIONAL CENTRES

229. Hon Neil Thomson to the minister representing the Minister for Police:

I refer to juvenile crime in the towns of Kununurra, Fitzroy Crossing, Broome, Port Hedland, Carnarvon and Kalgoorlie (combining the urban suburbs of each regional centre), and I ask:

- (a) what is the number of juvenile offences recorded in each of the regional locations annually since 2015;
- (b) what is the number of juvenile cautions (listed separately, oral and written) issued in each of the regional locations annually since 2015;
- (c) how many juveniles faced court as a result of charges in the regional locations annually since 2015; and
- (d) of those in (c), how many resulted in juvenile detention (total days in detention for each location)?

Hon Stephen Dawson replied:

Parents, families, community and Government of all levels have a shared responsibility to support young people to engage in education, training, employment and other positive activities. The McGowan Government has provided significant resources to our regional communities to engage regional young people and divert them from crime. In the police portfolio, this includes significant additional investment in Western Australian Police and Community Youth Centres (PCYC) which do an outstanding work providing young people with activities where they can be challenged, educated and engaged. Regrettably, the former Liberal National Government cut funding to WA PCYC and oversaw the withdrawal and disengagement of police officers from centres across the State. At the recent openings of the \$1.3M refurbished Broome PCYC and the new Carnarvon PCYC, the President of PCYC thanked the McGowan Government for its multi-million dollar investment in PCYC which prevented the organisation from becoming insolvent. The upcoming State Budget will include a further \$18 million for Police and Community Youth Centres to enhance its services and programs across WA, as committed at the 2021 State Election. Further, through the McGowan Government's unprecedented growth in police numbers which is delivering 950 additional officers above attrition, or a 15% increase, throughout the State more Youth Policing Officers are being delivered including in the Kimberley, Pilbara and Mid West Gascoyne.

- (a) In Kununurra, there were 182 offences in 2015, 404 in 2016, 267 in 2017, 392 in 2018, 447 in 2019; 174 in 2020, and 201 in 2021 to 16 August. In Fitzroy Crossing, there were 140 offences in 2015, 91 in 2016, 157 in 2017, 163 in 2018, 140 in 2019; 135 in 2020, and 145 in 2021 to 16 August. In Broome, there were 278 offences in 2015, 374 in 2016, 432 in 2017, 413 in 2018, 549 in 2019; 533 in 2020, and 420 in 2021 to 16 August. In Port Hedland, there were 24 offences in 2015, 15 in 2016, 43 in 2017, 40 in 2018, 32 in 2019; 29 in 2020, and 26 in 2021 to 16 August. In South Hedland, there were 200 offences in 2015, 200 in 2016, 307 in 2017, 282 in 2018, 296 in 2019; 243 in 2020, and 225 in 2021 to 16 August. In Carnarvon, there were 236 offences in 2015, 235 in 2016, 256 in 2017, 174 in 2018, 201 in 2019; 198 in 2020, and 219 in 2021 to 16 August. In Kalgoorlie, there were 339 offences in 2015, 462 in 2016, 373 in 2017, 457 in 2018, 307 in 2019; 380 in 2020, and 188 in 2021 to 16 August.
- (b) In Kununurra, there were 16 oral cautions and 58 written cautions in 2015, 24 and 107 in 2016, 31 and 84 in 2017, 44 and 81 in 2018, 137 and 59 in 2019, 27 and 25 in 2020 and 4 and 62 in 2021 to 16 August. In Fitzroy Crossing, there were 4 oral cautions and 121 written cautions in 2015, 2 and 81 in 2016, 15 and 107 in 2017, 24 and 148 in 2018, 77 and 75 in 2019, 23 and 43 in 2020 and 13 and 118 in 2021 to 16 August. In Broome, there were 25 oral cautions and 63 written cautions in 2015, 22 and 95 in 2016,

55 and 62 in 2017, 59 and 58 in 2018, 116 and 99 in 2019, 125 and 106 in 2020 and 57 and 79 in 2021 to 16 August. In Port Hedland, there were 0 oral cautions and 16 written cautions in 2015, 8 and 4 in 2016, 13 and 4 in 2017, 1 and 4 in 2018, 1 and 11 in 2019, 6 and 7 in 2020 and 2 and 8 in 2021 to 16 August. In South Hedland, there were 16 oral cautions and 25 written cautions in 2015, 18 and 49 in 2016, 18 and 50 in 2017, 25 and 79 in 2018, 55 and 65 in 2019, 38 and 80 in 2020 and 29 and 93 in 2021 to 16 August. In Carnarvon, there were 20 oral cautions and 75 written cautions in 2015, 47 and 26 in 2016, 23 and 49 in 2017, 31 and 39 in 2018, 35 and 28 in 2019, 32 and 22 in 2020 and 13 and 89 in 2021 to 16 August. In Kalgoorlie, there were 51 oral cautions and 90 written cautions in 2015, 35 and 101 in 2016, 34 and 44 in 2017, 60 and 57 in 2018, 37 and 32 in 2019, 67 and 43 in 2020 and 34 and 24 in 2021 to 16 August.

- (c) In Kununurra, there were 93 offences in 2015, 86 in 2016, 75 in 2017, 97 in 2018, 69 in 2019; 47 in 2020, and 47 in 2021 to 16 August. In Fitzroy Crossing, there were 38 offences in 2015, 37 in 2016, 44 in 2017, 37 in 2018, 33 in 2019; 45 in 2020, and 37 in 2021 to 16 August. In Broome, there were 84 offences in 2015, 87 in 2016, 95 in 2017, 100 in 2018, 94 in 2019; 95 in 2020, and 90 in 2021 to 16 August. In Port Hedland, there were 16 offences in 2015, 4 in 2016, 18 in 2017, 15 in 2018, 20 in 2019; 9 in 2020, and 12 in 2021 to 16 August. In South Hedland, there were 76 offences in 2015, 66 in 2016, 73 in 2017, 71 in 2018, 80 in 2019; 70 in 2020, and 74 in 2021 to 16 August. In Carnarvon, there were 60 offences in 2015, 60 in 2016, 73 in 2017, 55 in 2018, 45 in 2019; 43 in 2020, and 44 in 2021 to 16 August. In Kalgoorlie, there were 120 offences in 2015, 137 in 2016, 129 in 2017, 111 in 2018, 91 in 2019; 82 in 2020, and 51 in 2021 to 16 August
- (d) Information on court outcomes is held by the Department of Justice.

Notes: Statistics are provisional and subject to revision. Statistics are of offenders aged between 0 and 17 on the date the offence occurred.

LEGAL AFFAIRS — NATIONAL DRUG STRATEGY 2017–2026 — CANNABIS

232. Hon Sophia Moermond to the parliamentary secretary representing the Attorney General:

I refer the Minister to the harm minimisation strategies, priority substances and priority populations outlined in the Australian Government's *National Drug Strategy 2017–2026*, and I ask:

- (a) how many people are currently incarcerated for cannabis crimes in Western Australia; and
- (b) of the people in (a), how many are associated with quantities pertaining to personal use compared to trafficable offenses?

Hon Matthew Swinbourn replied:

As at midnight on 18th August 2021, for persons with a most serious offence relating to illicit drugs, and where cannabis (including synthetic) is mentioned in the offence description as the relevant drug:

- (a) 26 Sentenced, 31 Unsentenced.
- (b) 0 for personal use.

POLICE — CHEN V ORTEGA-LOPEZ

234. Hon Nick Goiran to the minister representing the Minister for Police:

I refer to the recent decision in *Chen v Ortega-Lopez* in which the Supreme Court declared that warrants issued on 23 September 2020 for the seizure of documents and things were invalid and ordered that they be quashed, and I ask:

- (a) has the Minister or the Commissioner of Police issued an apology to Ms Chen for the unlawful seizure of property;
- (b) have all the documents and things unlawfully seized by Western Australia Police on or about 23 September 2020 been returned;
- (c) if yes to (a) or (b), when;
- (d) what was the cost to the State to issue the invalid warrants;
- (e) what was the cost to the State to conduct the unlawful seizure of property; and
- (f) what was the cost to the State in unsuccessfully defending the Supreme Court action?

Hon Stephen Dawson replied:

The Western Australia Police Force advise:

- (a)–(b) No.
- (c) Not applicable.
- (d)–(f) Only normal business costs were incurred. Costs awarded by the Supreme Court have not been claimed.

