



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2022

LEGISLATIVE ASSEMBLY

Wednesday, 17 August 2022

Legislative Assembly

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THE SPEAKER (Mrs M.H. Roberts) took the chair at 12 noon, acknowledged country and read prayers.

OFF-LEAD DOG PARKS — CANNING VALE

Petition

MR T.J. HEALY (Southern River — Parliamentary Secretary) [12.01 pm]: Madam Speaker —

The SPEAKER: Member for Southern River, it has been so long since we have had a petition in this place. Well done!

Mr T.J. HEALY: Thank you very much, Speaker.

I have a petition that has been certified as conforming with the standing orders of the Assembly. It has a number of signatures, and reads —

To the Honourable Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, support Terry Healy's campaign to create more off-lead dog parks in Canning Vale to address the lack of exercise areas for dogs and their families.

We now ask the Legislative Assembly to request the City of Gosnells to begin planning for a new off-lead dog park in Canning Vale.

[See petition 32.]

Nonconforming Petition

Mr T.J. HEALY: I also have a number of nonconforming signatures for the Paula Vivares petition, which is in similar terms, for a fenced park in Canning Vale. I will make it available to the community and the council.

PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

PARLIAMENTARY COMMISSIONER AMENDMENT (REPORTABLE CONDUCT) BILL 2021

Returned

Bill returned from the Council without amendment.

WESTERN POWER — CHIEF EXECUTIVE OFFICER — APPOINTMENT

Statement by Minister for Energy

MR W.J. JOHNSTON (Cannington — Minister for Energy) [12.03 pm]: I am pleased to inform the house of the appointment of Sam Barbaro as chief executive officer at Western Power. Mr Barbaro has more than 20 years' experience across legal, commercial and operations. He brings a wealth of strategic knowledge and capability in leading one of the state's most essential service providers. Mr Barbaro joined Western Power in 2007 and entered the executive team in 2014 as general counsel and executive manager of governance and assurance. As executive manager of asset operations, Mr Barbaro led Western Power's recovery efforts during cyclone Seroja and the Wooroloo bushfire. He has been acting CEO for the past five months, following the departure of Ed Kalajzic.

Western Australia's energy sector is facing an exciting and challenging time. Western Power will continue to play an important role in delivering a reliable, affordable energy supply as we progress towards net zero emissions by 2050. Mr Barbaro has proven himself to be extremely capable in steering the organisation into a renewable energy future. I am confident that his extensive experience holds him in good stead for the CEO role. On behalf of the McGowan government, I congratulate Mr Barbaro on his appointment.

EXPLORATION INCENTIVE SCHEME AND ENERGY ANALYSIS PROGRAM

Statement by Minister for Mines and Petroleum

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [12.04 pm]: I rise to update the house on the exploration incentive scheme co-funded drilling program and the energy analysis program. Applications for round 26 of the EIS and series 4 of the EAP are open until 26 August.

As minerals exploration remains the bedrock of Western Australia's mining success, the McGowan government has increased the capped values for EIS drilling refunds. Explorers can now receive a refund of up to \$180 000 for a multi-hole project, \$220 000 for one or two deep holes, and \$40 000 for prospectors. The co-funded EAP offers

a refund of up to \$50 000 per application. The EAP promotes the reanalysis of existing data to better understand the state's energy systems, which Strike Energy did successfully to discover South Erregulla 1. The drilling program extended the known gas field in the North Perth Basin.

Since 2017, the McGowan government has provided nearly \$80 million in funding for innovative programs and strategies designed to attract exploration investment. The EIS has supported 49 mineral discoveries in the state since 2017. A recent highlight of the EIS was a target tested at a depth of 1 020 metres at the Mt Weld project in the goldfields by Lynas Rare Earths. I am pleased to say that the significant mineralisation discovered at Mt Weld by Lynas with money used from the scheme's co-funded drilling program contributed to the company's decision to proceed with expansion plans at the mine. Last week, Lynas announced it would invest \$500 million in the Mt Weld rare-earth mine expansion. Rare earths are essential ingredients for permanent magnets in motors. It is expected that demand for motors in automobiles and for use in wind turbines, which are crucial for the renewable energy sector, will continue to grow. Lynas plans to start work on the expansion in 2023, meaning that 300 jobs will be created in the goldfields region during the construction phase and more than 200 jobs will be required for ongoing operations in 2025 and beyond.

More mines like Mt Weld will need to be expanded and new discoveries will need to be made to drive the globe's decarbonisation journey. There is six times more metal in an electric car than there is in a traditional vehicle, so members can see the challenge the globe has to provide the minerals that are going to change the world. I am pleased to say that Western Australia is well placed to respond to this challenge through mineral exploration. Western Australia accounts for 65 per cent of the nation's mineral exploration expenditure, with a record \$2.4 billion invested in 2021— an increase of 30 per cent on 2020. The McGowan government looks forward to continuing to support exploration in the state through the EIS.

EVIDENCE ACT — LAW REFORM COMMISSION PROJECT 112

Statement by Attorney General

MR J.R. QUIGLEY (Butler — Attorney General) [12.07 pm]: On behalf of the Western Australian government, I thank the Law Reform Commission of Western Australia for its final report on *Admissibility of propensity and relationship evidence in WA*, which is project 112. I would like to especially mention one of Perth's leading appellate counsel, Sam Vandongen, SC, who was commissioned by the Law Reform Commission to assist with the final report. I thank Mr Vandongen for his diligent work on this project.

A comprehensive new evidence act is currently being drafted to repeal and replace the Evidence Act 1906. The new evidence act will be modelled on the uniform evidence law—the code of evidence that applies in the commonwealth, New South Wales, the Australian Capital Territory, Tasmania and the Northern Territory. The new evidence act will also re-enact supported provisions of the Evidence Act 1906, particularly our highly regarded vulnerable witness protections.

Several uniform evidence law jurisdictions have recently adopted a model bill that makes amendments to the provisions governing the admissibility of tendency and coincidence evidence. The model bill was proposed following consideration of key recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse in its 2017 *Criminal justice report*.

In the context of drafting the new evidence act, and these recent changes to uniform evidence law, I asked the Law Reform Commission to consider what rules should apply to the admissibility of propensity and relationship evidence, and other evidence of a discreditable conduct, so that all relevant evidence is available to Western Australian courts, while also ensuring the right to a fair trial.

The Law Reform Commission found that in view of the government's intention to enact uniform evidence law in WA, and the now improved tests of admissibility of propensity and tendency evidence in the uniform law jurisdictions, the uniform evidence law approach to admissibility of tendency and coincidence evidence is preferred to re-enacting section 31A of the Evidence Act 1906. The government accepts all five recommendations contained in the report. I thank the Law Reform Commission for its work on this important reform, and I table the final report.

[See paper [1342](#).]

DIVERSIFICATION LEASES

Statement by Minister for Lands

MR J.N. CAREY (Perth — Minister for Lands) [12.11 pm]: A key objective of the proposed reform to the Land Administration Act is to support economic growth and development of our state through diversified use of crown land. These proposed reforms include a new form of tenure called a diversification lease, which will enable crown land to be used for multiple purposes, such as tourism and renewable energy projects, and provide new opportunities to native title holders. A diversification lease will provide a new land tenure option to support the broadscale diversification of regional Western Australia. The new tenure will also help open large areas of land for native title holders looking to undertake economic development activities such as cultural tourism. For a diversification lease to be granted, it first requires an Indigenous land use agreement to be negotiated with native title holders and claimants.

Ahead of the bill being drafted, the Department of Planning, Lands and Heritage has released a draft policy framework guiding the use of diversification leases on crown land for consultation. While the bill is still being drafted, ongoing consultation remains important, and that is why we have gone out early with the draft policy for comment, while the department and I continue to meet with peak bodies, industry and interested parties, to ensure that the proposed reforms are well understood.

This tenure will bolster the state's efforts in climate action, driving the renewable sector and carbon farming in the north, and assist in the state's transition towards net zero emissions by 2050. The policy framework encourages economic diversification and investment by providing opportunities for pastoralists, native title parties and others to be involved in maximising the use of crown land and diversifying the state's economy.

Although the six-week consultation period was proposed to close on 13 August, after engagement with the department on the policy, several groups flagged that they needed extra time, and I agreed to extend the deadline to 19 August to ensure that these comments would be received and considered. Extensive consultation has already been undertaken while the bill is being drafted, including public presentations held at the Perth Convention and Exhibition Centre and face-to-face presentations with Aboriginal groups and the environment, energy, mining and pastoral sectors and peak bodies, amongst others.

I welcome any comments from industry and interested parties in the policy. This will assist in ensuring that the policy for the proposed form of tenure, if supported, will be fit for purpose and support the diversification of crown land and our economy.

WESTERN ROCK LOBSTER FISHERY — SUSTAINABILITY

Statement by Minister for Fisheries

MR D.T. PUNCH (Bunbury — Minister for Fisheries) [12.14 pm]: Management of the west coast rock lobster fishery is well recognised as world leading in sustainability, being the first fishery in the world to receive Marine Stewardship Council certification in 2000. The MSC standard pushes for continuous improvement in stock management, reducing the impact of fishing on the marine ecosystem and improved fishery governance. Early reports indicate the fishery is on track to receive its fifth MSC certification later this year.

In more good news, the 2022 stock assessment for the western rock lobster resource indicates the stock is sustainable, and the abundance of the breeding stock is at near record levels. The fishery's sustainability credentials are a wonderful achievement and a result of the strong partnership between fishers, industry leaders and the state government in delivering sound fisheries management and science that underpins the fishery and ensures that it remains one of Australia's most valuable.

The COVID-19 global pandemic presented a significant challenge for the industry, and just when export product was beginning to move again, the Chinese market was lost. Despite these challenges, and with the support of the McGowan government through deferred access fees, season extensions and the increased back-of-boat sales, the economic contribution of western rock lobster to the WA economy has remained comparatively high.

The rock lobster industry continues to investigate alternative markets, with representatives from the Western Rock Lobster Council attending the invest and trade mission in India in July. The mission identified opportunities to grow a sound, stable, long-term market through establishing strong trade relationships based on shared values. I recently met with local lobster fishers at their annual management meeting and it was clear to me that the long-term sustainability and economic resilience of the fishery is front of mind. I commend the Western Rock Lobster Council on the initiatives it has undertaken to support the industry through this period and its ongoing commitment to sustainable management of the fishery.

PLAN FOR OUR PARKS

Statement by Minister for Environment

MR R.R. WHITBY (Baldviss — Minister for Environment) [12.16 pm]: Today, I would like to inform and update the house on the government's Plan for Our Parks initiative. In 2019, the government announced the Plan for Our Parks initiative, which seeks to create five million hectares of new national parks, marine parks and other conservation reserves over five years. This is the single biggest increase in the conservation estate in our state's history, and substantial progress has already been made. Plan for Our Parks will provide more opportunities for nature-based tourism and the conservation of the state's biodiversity by protecting habitat for threatened flora and fauna. Twenty-eight reserve proposals have been identified, 11 of which have been fully or partially completed. More than 1.1 million hectares of new conservation reserves have already been created. Five marine parks are also being created under this initiative.

On 31 July, I announced the creation of three marine parks in the Buccaneer Archipelago, the Lalang-gaddam Marine Park, Bardi Jawi Gaarra Marine Park, and Mayala Marine Park. The marine parks and joint management plans were co-designed with traditional owners. Planning and consultation for a marine park on the south coast and for the extension of the Marmion Marine Park are underway. Community reference committees for these planning processes have already met to provide advice on the development of the indicative management plans, which are

due for release for statutory public consultation in 2023. Advice from the community reference committees and established sector advisory groups will ensure that planning for the marine park is well informed, with a balanced approach to sustainable use of the area and protection of its values.

Most of the Plan for Our Parks reserves will be jointly vested in and managed by traditional owners and the Department of Biodiversity, Conservation and Attractions. This will have a range of cross-sectoral benefits, with positive impacts upon the health, education, justice, housing, social inclusion, culture and language, and economic development for Aboriginal people. The McGowan government seeks to increase employment pathways for Aboriginal people in these areas to improve social, health and educational outcomes. By providing real and meaningful opportunities for Aboriginal people and the community to build their capacity, strengthen governance and be trained and employed to directly participate in the management of their country, the initiative will help address our shared accountabilities under Closing the Gap and objectives under the Aboriginal empowerment strategy. I am pleased to update the house on this groundbreaking initiative for conservation in Western Australia, which provides a strong basis for an enduring relationship between government and Aboriginal people.

ENVIRONMENT ONLINE

Statement by Minister for Environment

MR R.R. WHITBY (Baldvis — Minister for Environment) [12.19 pm]: I also bring the attention of the house to the launch yesterday of the first release of the Environment Online platform. Environment Online is the Western Australian government's new platform for water and environmental regulation, delivering on the government's one-stop shop and streamlining objectives. This secure digital platform will provide a single gateway for regulatory activities, automated case management and an integrated data management system. Release 1 of Environment Online delivers information and services to support environmental impact assessment activities under part IV of the Environmental Protection Act 1986. Release 1 also delivers the foundational platform that will be built on in future releases and that allows for integration with a wide range of information, geospatial, financial and identity management systems.

As a complex and transformational business system, the launch of Environment Online is the culmination of several years of hard work in development and testing. It is also the start of an exciting journey. Environment Online has been designed to be iterative and evolving. There will be regular updates and future releases to deliver more functionality and services as well as improvements based on stakeholder feedback. Release 1 has recently undergone testing with stakeholders. We are grateful to our stakeholders for taking the time to provide comments on the earlier iteration and we look forward to their ongoing involvement and feedback to help shape the future of Environment Online. In particular, I would like to recognise the contributions of the Chamber of Minerals and Energy, the Association of Mining and Exploration Companies and the Environmental Consultants Association of WA. We recognise that no system is perfect when it is first launched and a dedicated Environment Online team within the Department of Water and Environmental Regulation is ready to receive and quickly action feedback to improve the system.

Stakeholders are encouraged to jump in now and start using Environment Online in order to benefit from the range of features we have built into Environment Online, as well as provide early feedback and suggestions for improvements. Comprehensive support is available to assist stakeholders using Environment Online, including a detailed user guide, interactive online sessions, guidance materials as well as the support team. We are committed to continuing to work with all our stakeholders to ensure that Environment Online meets all of our evolving needs.

BILLS

Assent

Message from the Governor received and read notifying assent to the following bills —

1. Appropriation (Capital 2022–23) Bill 2022.
2. Appropriation (Recurrent 2022–23) Bill 2022.
3. Railway (METRONET) Amendment Bill 2022.

TRANS-TASMAN MUTUAL RECOGNITION (WESTERN AUSTRALIA) AMENDMENT BILL 2022

Introduction and First Reading

Bill introduced, on motion by **Mr M. McGowan (Premier)**, and read a first time.

Explanatory memorandum presented by the Premier.

Second Reading

MR M. McGOWAN (Rockingham — Premier) [12.23 pm]: I move —

That the bill be now read a second time.

The purpose of this bill is to continue Western Australia's participation in the Trans-Tasman Mutual Recognition Arrangement by re-adopting the commonwealth Trans-Tasman Mutual Recognition Act 1997 under section 51(xxxvii)

of the Australian Constitution. The current adoption act, the Trans-Tasman Mutual Recognition (Western Australia) Act 2007, terminates on 31 January 2023. Western Australia has been party to the intergovernmental agreement on the Trans-Tasman Mutual Recognition Arrangement since 1996. Western Australia commenced participation in these arrangements when the act commenced on 1 February 2008 for an initial period of five years. In 2012, the Western Australian Parliament agreed to extend the act for a further 10 years until 31 January 2023.

The Trans-Tasman Mutual Recognition Arrangement seeks to facilitate trade between Australia and New Zealand by removing regulatory barriers to the movement of goods and the mobility of persons in registered occupations. These arrangements are based on two principles. Firstly, in respect of goods, the general principle is that goods that are produced in or imported into New Zealand and that can be legally sold in New Zealand may also be legally sold in an Australian jurisdiction without meeting further regulatory requirements and vice versa. Secondly, in respect of occupations, a person who is registered in New Zealand for an occupation is entitled to carry the equivalent occupation in an Australian jurisdiction once they have notified the local registration authority. This also applies vice versa; however, conditions may be imposed on registrations to achieve equivalence between occupations in different participating jurisdictions. A broad range of occupations are in scope including nurses, midwives, builders, plumbers, electricians and teachers. There are safeguards embedded into the arrangements, including the ability for states and territories to exclude certain goods such as firearms, hazardous substances and dangerous goods.

In 2015, the Productivity Commission conducted a review of the Trans-Tasman Mutual Recognition Arrangement and concluded that the arrangement is generally working well. The proposed amendments contained in the bill include: removing the timed termination of 31 January 2023, noting that Western Australia has now been participating for nearly 15 years; amending the existing termination by proclamation method to align with the Mutual Recognition (Western Australia) Act 2020 and trans-Tasman mutual recognition legislation in other states and territories; and requiring the minister to table the review of the Trans-Tasman Mutual Recognition Arrangement in both houses of Parliament like the Mutual Recognition (Western Australia) Act 2020.

If the act is not amended prior to 31 January 2023, Western Australia would exit the Trans-Tasman Mutual Recognition Arrangement, which would have immediate consequences for the free movement of goods and services between Western Australia and New Zealand. Western Australia benefits from being part of the Trans-Tasman Mutual Recognition Arrangement and should continue its participation.

I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

ROAD TRAFFIC (VEHICLES) AMENDMENT (OFFENSIVE ADVERTISING) BILL 2022

Introduction and First Reading

Bill introduced, on motion by **Ms R. Saffioti (Minister for Transport)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MS R. SAFFIOTI (West Swan — Minister for Transport) [12.27 pm]: I move —

That the bill be now read a second time.

The Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill 2022 will implement necessary legislative measures to protect against offensive advertising on vehicles in Western Australia. The focus of the bill is to address offensive advertising on vehicles that put at risk vulnerable social groups such as minority groups, young people and victims of domestic violence. The Minister for Women's Interests and I have both received numerous complaints over the years asking the state government to stamp out this behaviour, and I thank the minister for helping us get the bill to this stage.

Advertising on vehicles is visible to all road users. Unlike other forms of advertising, you cannot switch it off, turn the page or unsubscribe to avoid it, or if you would rather your children were not exposed to it. It is true that the overwhelming majority of advertising on vehicles is perfectly acceptable and is a legitimate means to advertise a business. There has, however, been some longstanding community concern about sexually explicit, misogynistic or otherwise offensive advertising that has appeared on some vehicles, an example being Wicked Campers. Vehicles displaying advertising for this company featured spray-painted designs, often containing references and slogans that were of a derogatory or offensive nature. Many were simply disgusting. I have driven behind these vehicles with my young children in the car not knowing what to do to ensure that they do not see such offensive material.

The advertising industry in Australia is self-regulated. The Australian Association of National Advertisers administers the self-regulation of advertising through its Ad Standards branch. Ad Standards has received numerous complaints about vehicles displaying offensive advertising and, in July 2014, a petition opposing sexist and misogynist slogans depicted in vehicle advertising attracted over 100 000 signatures and protests in the Australian Senate. Since this time, all other Australian jurisdictions have introduced legislation or policies to protect against offensive advertising on vehicles. The government is concerned that failure to participate in the national approach may result in

Western Australia becoming the jurisdiction of choice for licensing vehicles displaying offensive advertising. I think it is important to acknowledge the distinction between advertising and an individual's right to freedom of expression. This bill does not seek to erode an individual's right to express themselves freely and the powers introduced by this bill will be limited to vehicles displaying advertising that is deemed offensive.

Current Western Australian vehicle legislation is concerned with the licensing and safety standards of vehicles. It does not provide for the power to cancel a vehicle licence when advertising featured on the vehicle is deemed offensive. Amendments to the Road Traffic (Vehicles) Act 2012 will provide the CEO with the power to cancel, refuse to grant or transfer a vehicle licence if Ad Standards has determined that advertising on a vehicle is offensive.

Complaints about offensive advertising can be made to Ad Standards. Ad Standards applies an established process, based on international best practice, for considering and resolving those complaints. Three features of that process are notable. Firstly, advertising is assessed against the Australian Association of National Advertisers Code of Ethics, otherwise known as the advertising code. The advertising code has been established to ensure that advertisements are, amongst other things, decent and truthful. For example, the advertising code requires that advertising does not depict material in a way that is discriminatory. Sexual appeal should not be employed in a way that is degrading to any individual or group and sex; sexuality and nudity should be treated with sensitivity relative to the audience. Secondly, complaints made to Ad Standards are assessed by the Ad Standards community panel, which comprises members who are representative of the Australian community. Members of the panel are required to be independent of the advertising industry. Thirdly, the Ad Standards process provides procedural fairness. Advertisers are able to respond to any complaints made about their advertisement before the panel makes a final determination. The Ad Standards process also provides for an independent review if the advertiser or the complainant does not agree with the panel's determination. In the vast majority of cases, when the panel makes an adverse determination about a particular advertisement, the advertiser either withdraws the advertisement or modifies it to remove the offensive aspect.

This self-regulation model relies on cooperation and support from advertisers. If an advertiser chooses not to comply with an adverse determination, Ad Standards has no power to require an advertisement to be modified or removed. The bill I am introducing would allow further action to be taken when an advertiser ignores a determination made by Ad Standards. Specifically, the bill provides that Western Australian vehicle licence holders who fail to comply with an Ad Standards' final determination will face the prospect of having the licence of the offending vehicle cancelled.

The proposed objectives of this bill have received widespread support in the media, including from Ad Standards. The bill delivers the government's commitment in a measured, fair, and pragmatic way. The provisions allowing cancellation of a vehicle licence are only activated once the Ad Standards process, including any review, has been completed, and the Department of Transport has received notification that an adverse determination has been made against a Western Australian licensed vehicle. Even after Department of Transport is notified, the licence will not be automatically cancelled. Department of Transport will be required to provide written notification to the licence holder that the licence may be cancelled on a date stated in the notice. This will be at least 14 days from the date of the notice. Importantly, the cancellation of the licence will not proceed if the licence holder satisfies the Chief Executive Officer of Department of Transport that the offensive advertising has been removed prior to the date stated in the notice. The licence holder is given warning of the proposed cancellation of the vehicle licence and is given a further opportunity to remove the advertisement to ensure the vehicle can continue to be used. The provisions also provide discretion for the chief executive officer of the Department of Transport to delay the cancellation of a vehicle licence in extenuating circumstances, such as when a licence holder is unable to access the vehicle to remove an advertisement in the time given.

This bill is designed to achieve the removal of offensive advertising from vehicles. Ultimately, if a licence holder refuses to remove an offensive advertisement, the vehicle licence will be cancelled. Once a licence is cancelled, the vehicle cannot be re-licensed until the offensive advertising is removed.

To ensure that these provisions cannot be circumvented by the licence holder, the bill also includes provisions to ensure that, after Department of Transport has issued a licence warning notice, the vehicle licence cannot be transferred, unless the notice is subsequently withdrawn because the offensive advertisement has been removed. There will also be no refund of vehicle licence fees if the licence is cancelled. Underpinning these amendments is the commercial imperative of all businesses to keep their vehicles on the road and to avoid adverse public comments from their customers.

The Ad Standards process, together with the new process contained in this bill, ensures that there are multiple opportunities for offensive advertisements to be removed from vehicles. The bill provides considerable motivation for offensive advertising to be removed voluntarily but also provides concrete follow-up action when an advertiser refuses to remove an offensive advertisement. The legislation will not impact on the overwhelming majority of vehicle advertising but is targeted at only the worst examples that have no place whatsoever on our roads.

I commend this bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

DUTIES AMENDMENT (FARM-IN AGREEMENTS) BILL 2022*Introduction and First Reading*

Bill introduced, on motion by **Dr A.D. Buti (Minister for Finance)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

DR A.D. BUTI (Armadale — Minister for Finance) [12.36 pm]: I move —

That the bill be now read a second time.

The bill seeks to amend the Duties Act 2008 to address issues with transfer duty concessions for farm-in agreements involving mining tenements to maintain longstanding concessions.

A farm-in agreement is an agreement between a holder of a mining tenement and another person, which entitles the other person to acquire an interest in the tenement after spending an amount on exploration of the tenement. These agreements facilitate investment by an outside party in exploration and development. A duty concession for these agreements has applied for over 25 years to support mineral exploration in Western Australia. The concession encourages the exploration of existing mining tenements for mineral resources; however, issues with the current legislation prevent the concession from operating as it has always been administered. If not addressed by amendment, this concession, which has applied for over 25 years to support mineral exploration, will no longer be available for agreements that have historically and intentionally been eligible, and duty relief may be granted in circumstances where it was never intended to apply.

On 28 November 2018, proposed amendments were announced to ensure the concession continues to apply to eligible farm-in agreements, preserve the integrity of the concession, and ensure equitable outcomes for taxpayers. This bill delivers those amendments. A number of amendments are backdated to the commencement of the Duties Act on 1 July 2008 to support concessions that have previously been approved. The amendments clarify the concession does not apply to farm-in agreements where the exploration amount involves expenditure in connection with mining operations or capital costs associated with the construction of mining infrastructure to allow mining operations to be carried out.

Agreements involving capital expenditure on mining operations or mining infrastructure have never been intended to benefit from the concession. The concession applies only if the exploration amount is spent on exploration or development that facilitates exploration. The amendments will support the longstanding administration of the concession and ensure duty relief is not available for the purchase of an interest in an operating mine. The amendments to exclude the concession from applying to agreements involving capital expenditure will apply to agreements entered into on or after the day the amendments were announced—on 28 November 2018.

RevenueWA consulted with the relevant mining industry groups during the drafting of the bill to ensure the legislative amendments achieve the intended policy outcomes while reflecting mining industry practices. When appropriate, industry feedback has been incorporated into the bill. The detailed provisions in the bill replace one short provision in the Duties Act. The amendments support the longstanding administration of the concession. Where possible, they also update the concession to accommodate the different ways farm-in arrangements may be structured. This, together with the historically broad application of the concession, has resulted in more complex legislation than the current provisions.

A detailed explanatory memorandum has been prepared to provide further details on the amendments and assist with understanding the legislation. Once the bill is passed, RevenueWA will consult with industry groups to prepare customer guidance materials about how the new provisions operate. The associated explanatory memorandum contains further details on the amendments.

I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

WORKING WITH CHILDREN (CRIMINAL RECORD CHECKING) AMENDMENT BILL 2022*Introduction and First Reading*

Bill introduced, on motion by **Ms S.F. McGurk (Minister for Child Protection)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MS S.F. MCGURK (Fremantle — Minister for Child Protection) [12.40 pm]: I move —

That the bill be now read a second time.

I am pleased to introduce the Working with Children (Criminal Record Checking) Amendment Bill 2022 into the house today. The introduction of the bill is a critical milestone in delivering on the McGowan government's commitment to implement the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse and will help keep children safe.

The Working with Children (Criminal Record Checking) Act 2004 provides Western Australia's legislative framework for the screening and ongoing monitoring of persons who carry out, or propose to carry out, "child-related work" as defined in the act. In its 2015 *Working with children checks report*, the royal commission made 36 recommendations to strengthen protections for children provided by working with children schemes in all jurisdictions. Broadly, the recommendations aim to improve national consistency in the circumstances in which an assessment should occur, the information that should be assessed, and the outcomes that should result, among other matters aimed at allowing for mutual recognition of outcomes across jurisdictions. The WA government accepted, or accepted in principle, all 35 recommendations relevant to WA. Nineteen of these recommendations require, or are associated with, some legislative change in WA. The remainder require no legislative change, as they address reporting and process issues only, or the act already meets the recommendation.

National standards for working with children checks were developed collaboratively by all jurisdictions in response to the *Working with children checks report*. In January 2019, WA publicly endorsed all the national standards, except for standards 14, 15 and 16. The WA government considered that standards 14 to 16 required further consideration to ensure the maintenance over time of appropriate protections for children, discretions for WA, and reliability of information constituting a trigger for an assessment or reassessment under the act.

In October 2019, the Office of the Auditor General released its *Working with children checks—Follow-up* report, which reiterated concerns raised in its 2014 *Working with children checks* report. Key concerns included the issuing of interim negative notices under the act; the monitoring and enforcement of compliance; and information sharing between Western Australia Police Force and the Department of Communities, the chief executive officer of which is designated as the decision-maker under the act.

The statutory review of the Working with Children (Criminal Record Checking) Act 2004, tabled in the Legislative Assembly in September 2012, made 23 recommendations, of which 15 were for legislative change and eight were administrative. The legislative recommendations of the statutory review chiefly overlap and accord with those of the *Working with children checks report* or seek to strengthen the information-gathering and sharing provisions in the act.

The release of successive key reviews and reports requiring legislative address means that the required reforms to the act are complex and far-reaching. A staged approach to the reforms is preferred in WA to assist stakeholders to understand and implement the changes, and so that some important reforms can progress in a more timely manner.

The bill's proposals have been refined in response to these successive reviews and reports. The bill will address certain key recommendations of the royal commission's *Working with children checks report* and associated national standards, the key concerns of the Auditor General as outlined earlier, certain key recommendations of the statutory review, and additional administrative amendments to improve the functionality and effectiveness of the act. These are high-priority reforms that can be implemented without further commonwealth action, national collaboration between states and territories, or additional stakeholder consultation to inform their design.

Extensive stakeholder consultation was undertaken by the royal commission and through the statutory review process. It reflected input from experts and stakeholders familiar with the operation of working with children check schemes; information from private sessions, written accounts, public hearings and case studies; and research and other information on working with children checks.

I turn now to the key provisions of the bill. To address recommendation 14(c) of the *Working with children checks report*, and recommendation 2(a) of the statutory review, amendments to section 6 of the act are proposed. These amendments will allow the regulations to qualify that particular classes of children, or of persons, cannot access certain exemptions from child-related work provided for in the act or the regulations. It is initially intended to prohibit persons with a current interim negative notice or negative notice from accessing the child volunteer exemption in the act, or the parent volunteer exemptions in the regulations.

Section 12 of the act provides the CEO's decision-making framework for deciding whether persons will receive an assessment notice, known as a working with children card, or a negative notice. Numerous reforms are proposed to section 12 to address various *Working with children checks report* recommendations. For example, in line with recommendation 20(b), a new requirement has been added so that a pending charge for a class 1 offence allegedly committed when an adult will result in an automatic negative notice. Changes consistent with this are also proposed for section 13 to require the issue of an interim negative notice and constrain any submission to the CEO in these cases; sections 25 and 33 so that such persons cannot work in child-related work on a pending application, cannot access the five-day defence against the offence of carrying out child-related work without having a working with children card, and must remove themselves from child-related work; and section 36 so that such persons must return their card to the CEO.

To address *Working with children checks report* recommendation 25(d), and concerns raised by the Auditor General around the issue of interim negative notices under the act, a replacement section 13 and a new section 13AA are proposed to allow the issuing of an interim negative notice independent of a proposal to issue a negative notice. The new section 13AA will allow an interim negative notice to be issued if the CEO is of the opinion that there is

a reasonable likelihood that a negative notice will be issued. The new section 13AA will continue to require the issue of an interim negative notice for a conviction for a class 1 offence committed when an adult and will extend this to a pending charge for a class 1 offence allegedly committed when an adult. It will also allow discretion if a pardon has been granted.

New sections 17A, 17B and 17C are proposed to be inserted into the act to allow a designated conduct review authority prescribed in the regulations to give a notice to the CEO of a prescribed conduct review finding or outcome. Such a notice will trigger an assessment or reassessment, in which case section 12(5) of the act will apply, including if the finding or outcome is subsequently quashed, set aside, withdrawn, or found to be unsubstantiated or incorrect.

Only findings or outcomes resulting from transparent processes that accord procedural fairness and a right of review are intended to be prescribed. Notices may be given in relation to findings or outcomes that occurred before or after the bill's commencement date, or the prescription of the relevant conduct review authority, finding or outcome. Related amendments are proposed to sections 11, 13, 18, 19, 21A and 25 of the act so that persons the subject of a conduct review finding or outcome of which notice has been given to the CEO are treated similarly to persons subject to a criminal charge, for various purposes. These proposals address recommendation 19 of the *Working with children checks report* and recommendation 11 of the statutory review. This will allow an interface between the bill and the forthcoming reportable conduct scheme to be established under the Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021, which passed this house on 6 April 2022 and was recently passed in the other place.

The Western Australia Police Force will be an active partner in the implementation of the act. A new section 33A is proposed to be inserted into the act to support a new process for ongoing monitoring of cardholders' and applicants' WA criminal records. This will improve information sharing between the WA police and the CEO and ensure the WA Commissioner of Police can disclose details of charges and convictions to the working with children screening unit as they occur in real time.

The insertion of new section 34I into the act is also proposed, to further support appropriate information sharing by the WA police for a working with children purpose or for a purpose connected with the operation of a corresponding law in another jurisdiction. These proposals address the deficiencies noted by the Auditor General in the current process for ongoing monitoring of cardholders' and applicants' WA criminal records, and information-sharing arrangements between the police and the Department of Communities.

The bill proposes to insert a new part 3A into the act to introduce new information-gathering and sharing provisions and relocate and expand current provisions. For example, proposed section 34A provides the CEO with broad information-gathering and sharing powers to inform an assessment or reassessment, including for the compulsion of information from certain bodies, for the disclosure of such information to the CEO and for the CEO's disclosure of such information to a government agency or criminal records agency. Proposed section 34F provides for the CEO to disclose outcomes to authorised entities, being prescribed public authorities or a criminal records agency, in the public interest. Proposed section 34H provides for the CEO to disclose information relevant to the wellbeing of a child or a group or class of children to a prescribed authority, which includes the WA police. Proposed section 34G provides specific authority for the CEO to disclose negative outcomes and any subsequent reversal of those negative outcomes to the Australian Criminal Intelligence Commission for insertion in a national database, which is the Working with Children Checks National Reference System. This addresses recommendation 3(a)(ii) of the *Working with children checks report* to the extent possible without further inter-jurisdictional agreement.

A new part 3B division 5 is also proposed for information exchange for compliance investigation or prosecution purposes under the act, another law of WA or a law of another jurisdiction. Amendments to section 34 are proposed to allow the CEO to request a broader range of information from a criminal records agency or the Director of Public Prosecutions in WA or another jurisdiction, and to authorise WA bodies to disclose that information to the CEO. Amendments to section 17 are proposed so that WA government agencies and other persons or bodies prescribed by regulation may give notice to the CEO of a charge or conviction and the CEO may act on notices and information received, including from police in any jurisdiction. To support this amendment, section 12 will be amended to accommodate such notices and information in the decision-making framework. Together, these proposals address statutory review recommendations 7, 15, 16, and 17 and improve the administrative effectiveness of the act.

To bring the act into line with provisions in other WA statutes, and address recommendations 32 and 33 of the *Working with children checks report*, recommendation 19 of the statutory review and concerns raised by the Auditor General around compliance monitoring and enforcement, a new part 3B is proposed to be inserted into the act. The new part 3B will provide contemporary powers for compliance monitoring and enforcement and allow authorised officers to be designated under the act, including so that they may request and action search warrants and direct persons to provide information for the purposes of determining compliance or investigating suspected offences. The single current provision for compliance monitoring in section 42 of the act is proposed to be deleted due to the introduction of the more comprehensive powers.

The royal commission and national standards recommended substantial amendments to offence categorisation under working with children schemes across Australia. The current schedules 1 and 2 of the act, which list class 1

and class 2 offences respectively, are proposed to be deleted and replaced with new schedules. Together with proposed amendments to section 7 of the act, this will result in a broader number and type of criminal offences becoming class 1 and class 2 under the act. Convictions for class 1 offences committed when an adult result in an automatic negative notice. The bill will extend this to pending charges and provide discretion in the case of a pardon. The bill proposes to include as new class 1 offences all sexual offences against children, and all homicide or other serious violent offending when the victim was a child, and the offence involves an element of intent. The bill also proposes the inclusion of carnal knowledge of an animal and sexual offences against an incapable person, who may not be a child, as class 1 offences.

Pending charges or convictions for class 2 offences will result in a negative notice unless the CEO is satisfied of the exceptional circumstances of the case to issue a working with children card. The bill proposes new class 2 offences, being a range of further serious offences, including sexual harm against adults and serious physical harm against adults or where there is no element of intent to cause life-threatening or permanent injury. These changes to offence categorisations will address recommendations 20 and 21 of the *Working with children checks report*, and incidentally address recommendation 29 to the degree appropriate for WA and consistent with the national standards. Persons with convictions or pending charges for class 1 offences committed or allegedly committed when an adult will only be able to seek external review of a negative notice on the basis that their criminal record does not include that conviction or pending charge.

The bill proposes to insert a new division 2 of part 6 for transitional arrangements. These will ensure that the changes to offence categorisation do not result in any person who has a current card at the time of commencement, losing their card solely due to the changes, or apply to persons who have made an application for a working with children check prior to commencement on the expectation that they would be assessed according to the old offence categorisations. The new division 2 of part 6 proposes that persons who have a card or a pending application for one on commencement day, and are issued a card after commencement day, will remain subject to the old offence categorisations in perpetuity until they are either newly charged with or convicted of a class 1 or class 2 offence or let their card lapse by failing to apply for a further card prior to expiry of their current card at any time in the future. These transitional arrangements extend to persons with a negative notice issued before commencement day or on or after commencement day if the person was otherwise covered by the transitional arrangements until they exhaust their review and appeal rights. Once any person applies to the CEO to cancel their negative notice, their review and appeal rights are taken to be exhausted and the new offence categorisations will apply.

New provisions are proposed to be inserted into the act to improve capacities for online applications and processing. These are the proposed amendments to sections 9, 10, 11 and 13A, and include new capacities for online verification by an employer or education provider of a person's employment or proposed employment in child-related work. The proposed amendments to section 9A will ensure that education providers who procure child-related work for students on placement are appropriately accommodated in these reforms. A new section 45D is proposed to be inserted, which provides various options, including electronic, for the service of documents, with the regulations able to make provision for the time at which a document given by a particular method is taken to have been served. These reforms address recommendations 25(c) and 26 of the *Working with children checks report*, providing efficiencies for employer verifications and notifications as part of an improved online application and processing system, which will allow all applications to be made online.

The bill proposes a new section 35C, requiring cardholders and applicants to notify the CEO of a relevant change of particulars, such as a change in their contact details or child-related work. This addresses recommendation 16(d) and partially addresses recommendation 31(b) of the *Working with children checks report*. Taken together, proposed new sections 35C and 45D will also partially address recommendation 8 of the statutory review.

The remaining *Working with children checks report* recommendations and associated national standards, and statutory review recommendations, which require legislative address and are not contained in this bill, and other matters of importance for the scheme, will be considered for progression as part of a future phase, or phases, of reform. These future matters require extensive consultation with stakeholders and/or have substantial interdependencies with other jurisdictions. For example, recommended changes to the categories of child-related work and the exemptions to those categories will require substantial consultation within WA, and recommendations for national recognition and portability of working with children check outcomes across jurisdictions and for increasing the duration of a card from three to five years, will require substantial consultation, not only within WA but also across other jurisdictions. Progress on these issues is dependent on substantial action by other states and territories and the commonwealth to ensure, for example, that their legislation reflects the royal commission recommendations and relevant national standards, and provides a system for ongoing monitoring of national criminal records, respectively.

The government's phased approach to amending the act and proposed phase 1 reforms was recently outlined at a high level to key stakeholders across the categories of child-related work. No objections to these proposals were raised and broad support for them was voiced. A proactive public education campaign was funded in the 2022–23 budget to occur following passage of the bill and prior to commencement of its substantive provisions, to ensure that all stakeholders properly understand the changes made to the act. This bill delivers on key recommendations

of the royal commission and continues the government's progress towards implementing all 310 recommendations relevant to this state. It strengthens the effectiveness and precautionary approach of the act, and achieves greater national consistency in the protections that the act provides to WA's children.

I commend the bill to the house.

Debate adjourned, on motion by **Mr R.S. Love**.

TEACHER REGISTRATION AMENDMENT BILL 2022

Introduction and First Reading

Bill introduced, on motion by **Mr T.J. Healy (Parliamentary Secretary)**, and read a first time.

Explanatory memorandum presented by the parliamentary secretary.

Second Reading

MR T.J. HEALY (Southern River — Parliamentary Secretary) [1.03 pm]: I move —

That the bill be now read a second time.

The significance of the teaching profession to the lives of every Western Australian can never be underestimated. Teachers serve a vital role and the importance of the profession is reflected in many ways. It is reflected in the demands of the work that they do. This has never been better demonstrated than in the response of the profession to COVID-19 over the past few years. It is reflected in the standards that they must uphold, centred on professional knowledge, practice and engagement. It is also reflected in research that shows that teachers are the single most important factor in a child's learning achievement in the classroom.

A scheme to regulate the teaching profession in Western Australia, which was originally introduced through the Western Australian College of Teaching Act 2004, has been in place for nearly 20 years. The purpose of such a scheme is to ensure that WA children are taught by qualified people who practise teaching professionally, competently and safely. The public interest is served by providing a scheme that provides for quality and contemporary regulation of the teaching profession. The paramount consideration is the best interests of children.

This bill, the Teacher Registration Amendment Bill 2022, amends the Teacher Registration Act 2012. The bill is based on the findings of the statutory review, tabled in 2018, of the Teacher Registration Act 2012. The review considered the operation and effectiveness of the act and the effectiveness of the Teacher Registration Board, including the need for the continuation of its functions. The review also examined the need for amendments to ensure that the act operates as intended, the purposes of the act are achieved, and that appropriate consistency with national developments is promoted. The review found that a statutory scheme has been adopted in all Australian states and territories, and that the public interest is generally served in maintaining the scheme of teacher registration in this state through a board with the core functions of registering teachers, administering disciplinary and impairment review processes, and accrediting initial teacher education programs. Further, the act has delivered a fair and efficient registration system for most applicants and employers. It was also found, however, that adjustments are necessary in some key areas that this bill is designed to address.

The bill is intended to strengthen the power of the board to respond to matters of child safety involving teachers, consistent with the intent of the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The bill provides that interim orders can now be made if the board believes, on reasonable grounds, that a registered teacher poses a risk of harm to a student and a suspension is necessary to protect the student. This essentially removes the very narrow current requirement that there be an imminent risk, which has unreasonably curtailed the board's capacity to impose such an order in certain circumstances. It will mean that it is possible for the board to suspend a teacher's registration, notwithstanding that they are not currently working as a teacher, to remove the possibility of the risk to children they may pose by later acquiring employment as a teacher. Such orders will continue to be very carefully applied, and the board will have regard to the evidentiary status of the matter and the best interests of children before imposing the order. The making of these orders will allow the board to suspend teachers from teaching for up to 30 days and will continue to be the subject of referral to the State Administrative Tribunal for review.

Significantly, the obligations placed on employers, the Western Australia Police Force and the Director of Public Prosecutions to notify the board in certain circumstances have been reviewed and clarified. Employer obligations to notify the board have been simplified and the current requirement, which turns on there being an investigation that results in the teacher's dismissal, has been removed. The time that employers have to notify the board when a teacher ceases teaching in cases of serious incompetence or serious misconduct has been reduced from 28 days to seven days.

The responsibilities of WA police and the DPP to give notice have been appropriately distinguished. The basic purpose is that the board is able to consider and address any risks associated with the prosecution of registered teachers. For example, WA police are to provide notice to the board as soon as practicable after they become aware

that a registered teacher has been charged by a police officer with certain offences under the act. This will assist the board in taking appropriate steps to address any risk to children associated with the teacher's duties as a registered teacher as soon as possible. WA police are also to provide notice to the board as soon as practicable after charges against a registered teacher are discontinued or there is an acquittal or mistrial. Subject to the circumstances of the case, this will assist the board to assess whether any further regulatory action ought to be taken in the interests of child safety. A proposed new section has been included to provide for the board to request child victim and witness information from WA police, in the rare circumstances in which the board may be unable to take effective action in the best interests of children without it. The Commissioner of Police may give notice to the board only when they consider that it will not prejudice an investigation or prosecution, and that it is in the best interests of the victim or witness.

Some key terms have been defined in the bill, including "serious misconduct" and "serious incompetence". Inclusion of these definitions will assist teachers and employers to better meet their obligations under the act. The term "actionable offence" replaces "sexual offence involving a child", to better reflect that not all serious offences that have a bearing on child safety are sexual offences.

The board's powers of investigation have been enhanced. These powers will enable the board to get a fuller picture as early as possible when a matter comes to light. In particular, a penalty provision has been included for any person failing to comply with a direction notice given under the section without a reasonable excuse. The board will, of course, cooperate with any person, and the imposition of such a penalty would only be a last resort. There are, of course, circumstances in which a teacher may have a serious medical condition or impairment that may adversely affect their ability to work as a teacher. The bill defines impairment in line with the relevant provisions of the Equal Opportunity Act 1984. Further, it makes it clear that whether a person is unable to carry out the inherent requirements of the work of a registered teacher because of an impairment is a relevant consideration in determining whether they are fit to teach. What constitutes an impairment matter during the course of someone's registration has, along similar lines, been made clearer too. Provision has also been made to enhance the capacity of the board's impairment review committee to assess and undertake inquiries regarding complaints referred to it. Reform has been undertaken, in the interests of natural justice, to provide rights for a teacher to appear in person or to be represented, similar to someone appearing before a disciplinary committee. In this light, the membership of the committee will, in addition to a doctor, include a lawyer.

The limitation period for prosecutions under the act will be extended from the current 12 months to six years. This limitation period will be extended to account for the practical realities involved in bringing a prosecution to court within 12 months of the commission of an offence.

The bill is also directed at improving the effectiveness of the registration system and improving fairness, particularly for those teachers who may have returned to the profession after an absence. In this regard, the scheme of teacher registration has been somewhat impeded by the current act, which places certain teachers in the category of non-practising registration and then provides that they have permission to teach while non-practising. This has led to considerable confusion both on the part of teachers and employers. The changes flowing from the bill will mean that it will become an offence for anyone with non-practising registration to teach.

There will be two new subcategories of provisional registration: provisional registration, graduate teacher and provisional registration, returning teacher. This differentiation will generally distinguish those who are recent graduates and those who are more experienced teachers. Provisional registration for returning teachers will allow experienced teachers, from Australia and from overseas or those who are returning to the profession, time to demonstrate that they meet the requirements of full registration. The bill will also allow the board to more fairly deal with teachers in both Australia and from overseas who may have very substantial and successful teaching experience but may not currently quite meet the requirements for registration because their qualifications do not meet contemporary requirements, particularly with regard to the duration of their teaching degree. The changes will allow the board to consider both their qualifications and teaching experience in combination when determining whether a teacher may hold provisional or full registration.

The changes will also enable Western Australia to fully participate in the Australian Teacher Workforce Data strategy. This followed a December 2016 decision of the Council of Australian Governments Education Council, as it was known then, to fund the Australian Institute for Teaching and School Leadership, AITSL, to work with relevant organisations, including teacher regulatory authorities across Australia to implement an Australian Teacher Workforce Data strategy. The aim is to compile data on who is being prepared to teach and how effectively, who is teaching and where they are teaching, and identify any gaps in the availability of teachers for Australian student population needs. A key component of the strategy is the inclusion of registration data, and the bill provides a mechanism to provide for the lawful provision of that data, noting that Western Australia is currently the only jurisdiction not fully participating in the initiative.

The bill will also increase the membership of the board from seven to nine members. The general rationale is that the current membership of seven may be considered too small to cover the range and expertise needed to take account of the board's statutory functions. This includes teaching at all types of educational institutions, as defined

in the act, and in different parts of the state; making judgements about a teacher's proficiency, competence, misconduct and impairment; assessing the fitness and propriety of members of the teaching profession; and sound and ethical regulatory decision-making. Members will continue to be appointed by the minister responsible for administering the act and will continue to include at least three registered teachers and an Australian lawyer as part of the membership. I would like to emphasise that the paramount consideration, which is the best interests of children, will, of course, remain in the act.

I am confident that the bill and the changes it makes to the established regulatory framework will work to ensure the highest teaching standards and promote the professional, competent and safe practice of teaching, in the interests of education and student safety.

I commend the bill to the house.

Debate adjourned, on motion by **Mr R.S. Love**.

BAIL AMENDMENT BILL 2022

Consideration in Detail

Clause 1: Short title —

Mr R.S. LOVE: I want to briefly use this as an opportunity to ask a couple of things around the discussion that took place last night in this chamber pertaining to the genesis of this bill. I understand that some matters, subject of a suppression order, were touched upon by the member for Belmont in her speech around what may be behind the bill. I want to ask about the suppression order. A question without notice was asked in the other place yesterday. It is from Hon Nick Goiran to the parliamentary secretary representing the Attorney General. It says —

I refer to the Bail Amendment Bill 2022.

- (1) Is the Attorney General aware that there is an active suppression order in place ...
- (2) If yes to (1), when did he first become aware ...
- (3) Will the Attorney General provide a de-identified copy of the order?
- (4) If no to (3), will the Attorney General undertake to provide a notice to the Auditor General and both houses ...

The reply states that yes, there is an order and that it was put in place on 14 June. The third answer states —

The Attorney General's office will take steps to request that the court provide a de-identified copy of any active suppression order for the purposes of tabling in Parliament. I will provide an update to the house by no later than the end of the sitting week.

Can the Attorney General give an update on whether that particular matter will be addressed this week or when that might be undertaken, given the debate that took place last night around that matter?

Mr J.R. QUIGLEY: I stand by the answer that the parliamentary secretary gave on my behalf in the Council.

Mr R.S. LOVE: The Attorney General is not at this stage able to give a de-identified version of that suppression order?

Mr J.R. QUIGLEY: I stand by my answer that the parliamentary secretary gave in the Council.

Mr R.S. LOVE: Thank you, Attorney General.

The ACTING SPEAKER (Ms R.S. Stephens): Just to be aware, we are dealing with the short title.

Mr R.S. LOVE: I am aware. Thank you very much, Acting Speaker. I will not be very long; I have a couple of little points here.

During budget estimates, the member for Vasse asked about the time line for this bill. Perhaps the Attorney General could outline when work started on the bill; was it before or after the election? How many drafts have there been since the initial draft, and have all those drafts been sent to the stakeholders that we spoke about in answer to the questions asked? The Attorney General read out a quite extensive list of stakeholders. I wonder whether they have all had input into the final version of the bill before us in the chamber.

Mr J.R. QUIGLEY: Yes, the work on the bill started before the state election. There were 11 drafts, and they are cabinet-in-confidence. There were two rounds of consultations, and I have read out the people who were consulted.

Clause put and passed.

Clause 2: Commencement —

Mr R.S. LOVE: Clause 2, as I understand, is the commencement date for various sections of the act. At the end of the discussion on clause 2, the explanatory memorandum states —

The rest of the Amendment Act will come into operation 28 days after assent day. These provisions relate, in general, to the new provisions dealing with bail decision making where there are child victims of alleged sexual offences.

The delay in commencement is to ensure that any required administrative arrangements are put in place before the amendments take effect. This may include updates to the Western Australia Police Force Bail Manual, and the development of any policies and procedures that may be identified as being required.

Are these matters in hand, or does this legislation need to pass before the development of policies and procedures manuals—a bail manual for the Australian Federal Police, for example—can commence?

Mr J.R. QUIGLEY: The matters are in hand. They are being developed. It is inappropriate to put them now, before the bill has been passed by the house.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Section 3 amended —

Mr R.S. LOVE: Clause 4 is where some key terms are inserted. The explanatory memorandum states —

Clause 4 amends section 3(1) by inserting the new defined term ‘**sexual offence**’ ...

The definition is intended to capture any offence listed under Schedule 2 of the Bail Act that is of a sexual nature, regardless of whether it is an offence under Commonwealth or Western Australian legislation, and whether or not the offence has been repealed.

Could the Attorney General outline whether the Director of Public Prosecutions had recommended any other changes to this section, other than what was finally produced? It has been suggested to some of the staff members of our office that that may have been the case.

Mr J.R. QUIGLEY: The answer is no.

Clause put and passed.

Clause 5: Section 6A amended —

Mr R.S. LOVE: I thank the Attorney General. Clause 5 will delete the definition of “serious offence” from section 6A(1). The explanatory memorandum states —

Section 6A of the Bail Act provides that an authorised officer or justice, who is considering an accused’s case for bail for an initial appearance in a summary court on a charge of an indictable offence that is not a serious offence may order that the accused be served with a summons under the *Criminal Procedure Act 2004* ...

Given that the definition of “serious offence” is now being deleted, what crimes would have been captured by this?

Mr J.R. QUIGLEY: On the department’s review of the offences, one commonwealth child sex offence and a range of WA child sex offences were identified as not falling within the current definition of “serious offence” under section 6A of the Bail Act. The WA Criminal Code offences are: section 186(1)(a), occupier or owner allowing a person to be on a premises for unlawful carnal knowledge if the child is under the age of 16 years; section 192(1), procuring a person to have unlawful carnal knowledge by threat, fraud or administering a drug; section 321(4), indecently dealing with a child over 13 and under 16; section 321(4), indecently dealing with a child over 13 and under 16 in circumstances of aggravation; section 321(5), procuring a child over 13 and under 16 to do an indecent act; section 321(5), inciting a child of or over 13 and under 16 to do an indecent act; section 321(5), encouraging a child over 13 and under 16 to do an indecent act; section 321(6), indecently recording a child of or over 13 and under 16; section 321(6), indecently recording a child of or over 13 and under 16 in circumstances of aggravation; section 329(7), sexual penetration of a person who is a lineal relative; and section 15, acting as a prostitute for a child. The commonwealth Criminal Code offence is section 270.7C, causing a person to enter into debt bondage.

Clause put and passed.

Clause 6: Section 9 amended —

Mr R.S. LOVE: I have read the section of the explanatory memorandum dealing with this clause’s intended effect. It states —

Clause 6 of the Bill amends section 9 by deleting existing section 9(1)(c) and replacing it with a new provision that retains the family relationship considerations, but now also expressly provides for circumstances where the offence charged is a sexual offence and the alleged victim is a person under the age of 18 years at the time bail is to be considered.

The intended effect of this amendment is to highlight to a bail decision maker that they may wish to consider deferring bail in order to inform protective bail conditions in such cases. It does not intend to alter the application of section 9 more generally.

Under the previous bail arrangements, was the bail decision-maker not already empowered to make this decision? What is the effect of this change?

Mr J.R. QUIGLEY: Proposed section 9(1)(c)(ii) serves to highlight to a judicial officer or authorised officer—a police officer—that they may wish to defer consideration of bail for up to 30 days to consider what, if any, conditions should be imposed on any grant of bail to protect a victim of a sexual offence when the victim is under 18 years old at the time that bail is being considered. Its proposed inclusion in the Bail Act mirrors the approach taken by the Family Violence Legislation Reform Act 2020 and seeks to highlight to bail decision-makers the importance of giving particular consideration to the need to protect child victims of sexual abuse.

Clause put and passed.

Clause 7: Schedule 1 Part C clause 1A inserted —

Mr R.S. LOVE: Clause 7 outlines various terms. I am looking at the term “family member”. Clause 7 states —
family member has the meaning given in the *Restraining Orders Act 1997* section 4(3);

That act describes a person as a family member of another person if the persons are in a family relationship. “Family relationship” is broadly defined. Can the Attorney General describe how that will be interpreted for Australians of Aboriginal origin who, as I understand it, have different understandings from Europeans of family and what constitutes kinship? Can the Attorney General explain a little bit about how that may be interpreted in Aboriginal society?

Mr J.R. QUIGLEY: “Family member” in the bill has the same meaning as that given in section 4(3) of the *Restraining Orders Act 1997* and provides that a person is a family member of another person if they are in a family relationship. “Family relationship” is defined to include a relationship between two people who were, or are, related to each other. “Related” is in turn defined to include a person who is related to that person taking into consideration the cultural, social or religious backgrounds of the two persons. This definition was inserted into the *Restraining Orders Act* by the *Acts Amendment (Family and Domestic Violence) Act 2004*. The explanatory memorandum for the legislation states that this drafting enables the recognition of different cultural and religious concepts of relatives.

Mr R.S. LOVE: I presume that the decision-maker would take some view of the particular arrangements in each individual case, which would be outlined by either the accused or the prosecutor. Is that the case?

Mr J.R. QUIGLEY: Yes.

Clause put and passed.

Clause 8: Schedule 1 Part C clause 3 replaced —

Mr R.S. LOVE: The Attorney General will have to excuse my lack of knowledge of some of these matters. I am probably going to ask things that he may think do not necessarily need to be explained. What I tend to do in these matters is rely on the explanatory memorandum and if I do not understand something in it, I will ask the Attorney.

The first paragraph of the explanatory memorandum’s explanation of clause 8, “Schedule 1 Part C clause 3 replaced”, reads —

Existing clause 3 of Part C Schedule 1 to the Bail Act provides that a bail decision maker must take various matters into account when considering whether, if an accused is not kept in custody, they may do any of the things mentioned in clause 1(a) ...

It goes on to list a number of things. Can the Attorney General explain what “must take into account” means in balancing these provisions? Does it mean it must be the sole matter, or are there matters that are considered in balance? What does “must” mean to the decision-maker?

Mr J.R. QUIGLEY: The member is right. The opening words of new clause 3 state —

In considering whether an accused may do any of the things mentioned in clause 1(a), the judicial officer or authorised officer must have regard to the following matters —

When considering the matters in clause 1(a), they must consider those matters set out in paragraphs (a), (b), (c), (d), (e) of clause 3 and, most importantly —

(f) any other matter which the officer considers relevant.

Additionally, proposed clause 3AA has considerations that must be taken into account when the victim is a victim of child sexual abuse. In *Milenkovski v The State of Western Australia* [2011] WASCA 99, paragraph 39 states —

There remains the proper construction of the general provision in cl 1 of pt C. It contains no express statutory presumption for or against bail. Rather, the grant or refusal of bail is at the discretion of the person invested with jurisdiction who is required to have regard to the questions ... which the decision-maker considers relevant ... The answers to the mandatory and other relevant questions (or findings as the case may be) provide the factual basis for the exercise of the discretion. The court is required to consider and answer the mandatory questions before commencing the weighing or balancing process inherent in the exercise of a discretionary power.

In clause 8 of the bill, the amendment to clause 3 in part C of schedule 1 sets out the mandatory considerations referred to in the judgement. As I mentioned last night, they must also take into account any concerns expressed by the child to the prosecutor if the accused is not kept in custody or to a family member of the child victim, or if a police officer investigating the offence informs the prosecutor that the child victim has expressed those concerns. These are mandatory things that the decision-maker must take into account.

Mr R.S. LOVE: The deletion of the existing clause 3 means that these other matters will be taken into account. As I understand it from looking at the blue bill, the clause 3 that is being deleted reads —

In considering whether an accused may do any of the things mentioned in clause 1(a), the judicial officer or authorised officer shall have regard to the following matters, as well as to any others which he considers relevant —

What is the difference between “must” and “shall”? The provisions that flow from this include —

- (a) the nature and seriousness of the offence or offences (including any other offence or offences for which he is awaiting trial) and the probable method of dealing with ... them ...
- (b) the character, previous convictions, antecedents, associations, home environment, background, place of residence, and financial position of the accused; and
- (c) the history of any previous grants of bail to him; and
- (d) the strength of the evidence against him.

Would that not already be covered in all these matters that the Attorney General has outlined? That covers the living arrangements, the place of residence and the background. Can the Attorney General explain exactly what the difference at law is between what is being deleted and what is being inserted?

Mr J.R. QUIGLEY: Firstly, in relation to “must” and “shall”, it is a drafting convention. Under the Interpretation Act, “shall” will include “must”.

In relation to the member’s further question about what was in old clause 3(a), (b), (c) and (d), proposed new clause 3 sets out specifically, in codified form, what the decision-maker must address. In a more general sense, the matters contained in old clause 3, “Matters referred to cl. 1(a)”, concerning the nature and seriousness of the offence and the probable method of dealing with the accused, the character and previous convictions of the accused, the history of any grants of bail to him and the strength of the evidence against him, will now be set out in a more complete, codified manner. When we look at proposed new clause 3, which precedes proposed clause 3AA, it is very similar to the old clause but it now contains a new paragraph (c), which states —

in relation to each pending offence and each offence of which the accused has previously been convicted — the conduct of the accused, after the time or alleged time of the offence, towards —

- (i) any person against whom it was, or was alleged to have been, committed; and
- (ii) any family member of such a person;

That is now included and expanded. Clause 8 will also insert proposed clause 3AA, which provides that when the offence is against a child and the accused is not a child —

- (2) In considering ... whether the accused, if not kept in custody, may endanger the ... welfare of the child ... the judicial officer ... must have regard to the matters mentioned in subclause (3).

Those matters are —

- (a) the age of the child victim;
- (b) the age of the accused;
- (c) whether the child victim is in a family relationship with the accused;

This is all set out expressly for the decision-maker. It continues —

- (d) the living arrangements of the child victim ...

That was not in the old clause 3 —

- (e) the importance of safety, continuity, security and stability in the child victim’s —
 - (i) living arrangements; and
 - (ii) family and community relationships;
- (f) the physical and emotional wellbeing of the child ...

This is all new and expressly set out for the decision-maker. The decision-maker may not be a stipendiary magistrate who is trained in the law; it may well be a sergeant in a regional town who is an authorised officer to make a decision. By having these new considerations codified and expressly set out, the decision-maker, who may be a police sergeant in a regional centre, will go to the Bail Act and see what he has to check and tick off.

Additionally, the decision-maker must take into account the concerns of the child. I mentioned last evening that it was not previously mandated to have the voice of the child heard in the proceedings. If a family member or a police officer is seized of those concerns, that person will also be able to inform the decision-maker. Those provisions were not included before. The prosecutor will be under an obligation. In the case that we were looking at, which was suppressed, no voice of the child was being put to the decision-maker.

Mr R.S. LOVE: Can we hear some more from the Attorney General?

Mr J.R. QUIGLEY: Thank you, member for Moore. The prosecutor will now be mandated to inform the decision-maker of the child's expression of concern and, so far as practicable, the reasons for that concern.

Mr R.S. LOVE: Thank you, Attorney General. I was not going to stray into proposed clauses 3AA and 3AB just yet. I want to ask a few questions about those, but I was more curious about something else. Given all the detail laid out in those provisions, why was it necessary to alter clause 3 in the way that has been done? The Attorney General has given an explanation, but it would seem to me that a lot of what he is attempting or wishing to do would have been achieved even with the insertion of these other provisions and without altering clause 3 in that way.

Be that as it may, I want to move on to proposed new clause 3. The Attorney General mentioned paragraph (c). The explanatory memorandum states —

Proposed clause 3(c) requires —

Mr J.R. Quigley: Clause 3?

Mr R.S. LOVE: Proposed clause 3(c). I am reading from the explanatory memorandum. If there is a difference in the wording, we would like to hear it. It states —

Proposed clause 3(c) requires a bail decision maker to have regard to the conduct of the accused towards victims, alleged victims and their family members since the time the offence was committed or alleged to have been committed. As previously mentioned, this is in the context of considering whether the accused, if not kept in custody, may do any of the things mentioned in clause 1(a).

How will that manifest in a situation like the one we mentioned, in which the accused person was a family member of the victim? Will that amount, in reality, to a de facto presumption against the granting of bail to that person, or will there be circumstances in which it would perhaps still be considered, albeit only if it was considered to be an arrangement that could be safely entered into? If there will be a prescription against the person being in contact, given that they are in a family situation, how would that be developed?

Mr J.R. QUIGLEY: There is no presumption against bail in those circumstances. I take the member back to the third line of proposed new clause 3 and the words “must have regard to the following matters”. That is discretionary. The matters outlined in paragraph (c) are —

in relation to each pending offence and each offence of which the accused has previously been convicted — the conduct of the accused, after the time or alleged time of the offence, towards —

- (i) any person against whom it was, or was alleged to have been, committed; and
- (ii) any family member of such a person;

The decision-maker must have regard to these matters in relation to clause 1(a) of part C of the schedule to the act, which is headed “Bail before conviction at discretion of court or judicial officer except for child” and states —

Subject to clauses 3A, 3C, 3D, 3E and 3F, the grant or refusal of bail to an accused, other than a child, who is in custody awaiting an appearance in court before conviction for an offence shall be at the discretion —

It is not presumptive; it will be at their discretion. It continues —

of the ... officer or authorised officer in whom jurisdiction is vested, and that discretion shall be exercised having regard to the following questions as well as to any others which he considers relevant —

Therefore, it is discretionary, but these are the matters that they must take into account.

Mr R.S. LOVE: I am still on clause 8 but moving to proposed clause 3AA, “Additional relevant matters in cases of sexual offences against child victims”. To be clear, the previous proposed clause 3 is more general whereas this proposed clause comes down to those offences that really only relate to the sexual offences against a child victim. Can the Attorney General explain the different weight that is put on the age of the child as opposed to the age of the perpetrator? In the Attorney General's second reading summation, he mentioned a particular matter involving a very young offender and a much older perpetrator. What is the expectation of the drafters of this legislation as to the different weight that would put on the considerations of the bail decision-maker?

Mr J.R. QUIGLEY: It is impossible to answer in the abstract without dealing with an instant case, save and except to say this. The additional matters under proposed clause 3AA contemplate the potential effect the release of an accused on bail may have on a child victim. Age can be a relevant factor in assessing the nature of the risk posed by an alleged perpetrator to a particular child victim, as are power balances, cultural considerations around

obligations to elders and other matters such as when the victim and the accused are very close in age—such as 18 and 17 years old—when they are in the same social circle and when they are from the same school or the like. It is to deal with a power balance and proximity, member.

Mr R.S. LOVE: At the base of proposed clause 3AA, it states —

Note for this clause:

The Crimes Act 1914 (Commonwealth) section 15AAA provides that a bail authority must not grant bail to a person charged with, or convicted of, certain Commonwealth child sex offences unless the bail authority is satisfied that circumstances exist to justify bail.

That appears to be a presumption against the issuance of bail in those circumstances. I am wondering about two things. First, for clarity, is that a presumption against the granting of bail in those circumstances or have I misinterpreted that?

Mr J.R. QUIGLEY: It was considered useful for users of the Bail Act who have to consider the new provisions dealing with sexual offences against children to highlight the relevant provisions under the commonwealth Crimes Act 1914. A similar approach was taken in the Bail Amendment (Persons Linked to Terrorism) Act 2019. Some of the commonwealth offences that would become serious offences for the purpose of the Bail Act are child sex offences that attract the presumption against bail under section 15AAA of the Crimes Act 1914. In effect, these commonwealth bail provisions will operate to provide an additional basis upon which bail must be reviewed in circumstances where the presumption against bail under proposed clause 3A of the Bail Act will not apply.

Mr R.S. LOVE: What might those offences constitute? Clause 10, which we will deal with later, brings into account a lot of commonwealth offences, some of which were clearly not enacted in 1914—they might have come in under that act, of course. Are all those offences contained in clause 10 and its amendments to the act captured in the list of charges and convictions that would preclude the consideration of bail in accord with that note or is there a different list?

Mr J.R. QUIGLEY: Under the Australian Federal Prosecution Service's *s15AAA Crimes Act 1914—Bail and commonwealth child sex offences guide: Human exploitation and border protection*, the first-strike section 16AAA offences that involve a presumption against bail whenever charged are set out in sections 272.8, 272.9, 272.10, 272.11, 272.18, 272.19, 272.7, 471.22, 474.23A, 474.24A, 474.25A(1), 474.25A(2) and 474.25B of the commonwealth Criminal Code. I can actually table the list.

Mr R.S. LOVE: That might be easier I think.

Mr J.R. QUIGLEY: I will table the list.

[See paper [1343](#).]

Mr R.S. LOVE: Just to be clear, is that not the list of serious offences that have been added to this proposed clause; is that a different list?

Mr J.R. QUIGLEY: Yes. In clause 10(4), which deals with the commonwealth Criminal Code, the child sex offences are the same but we are adding to them additional offences such as “Murder of Australian citizen or resident” or “Manslaughter of Australian citizen or resident”. Those are found in sections 115.1, 115.2 and 115.3 —

Mr R.S. LOVE: Yes.

Mr J.R. QUIGLEY: They are additions—but the child sex offences are the same.

Mr R.S. LOVE: I am still not clear. In accordance with that note, do these other child sex offences that are coming in from commonwealth legislation preclude someone from receiving bail?

Mr J.R. QUIGLEY: There is not a prohibition against bail in relation to those offences. There is a presumption against it in the commonwealth legislation. The note in clause 10 draws the decision-maker's attention to the provisions of the commonwealth legislation and the presumption not under this legislation, but under the appropriate commonwealth legislation.

Mr R.S. LOVE: Thanks for that Attorney General. It does not actually bind the Western Australian decision-maker as such. It is simply points out that if this were being decided in a case that involved a federal court, there would be a presumption against bail in that circumstance.

Debate interrupted, pursuant to standing orders.

[Continued on page 3701.]

**VISITORS — WOODVALE SECONDARY COLLEGE AND
BALCATT A AND MELVILLE SENIOR HIGH SCHOOLS**

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.00 pm]: While the advisers are leaving the chamber, I would like to acknowledge some people in the Speaker's gallery—welcome here today. On behalf of the member for Kingsley,

I would like to acknowledge Woodvale Secondary College students; on behalf of the member for Balcatta, I would like to acknowledge Balcatta Senior High School students; and on behalf of the member for Bicton, I acknowledge the year 11 and 12 politics and law students from Melville Senior High School and their teacher Tracy Fynmore. I think potentially there are some guests of the member for Southern River who may be in the public gallery upstairs. Welcome to you all. I hope that you enjoy watching at least part of question time.

QUESTIONS WITHOUT NOTICE

CORONAVIRUS — STATE OF EMERGENCY

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

I refer to comments attributed to the Premier in media reports that he is looking at what can be done to have a different regime to manage the pandemic. Will the Premier please explain what he means by this statement? Is it standalone legislation or will he use the Public Health Act 2016, which the opposition has called for, to transition WA from a state of emergency?

Mr M. McGOWAN replied:

I thank the Leader of the Opposition for the question.

As members know, over the course of the last two and a half years, the government has had in place state of emergency legislation to deal with the COVID-19 pandemic. That legislation has allowed for a whole range of measures to be put in place and, in particular, it has provided the State Emergency Coordinator with the authority for a range of measures. They could use that authority, and the authority of the State Emergency Management Committee, to put in place directions that have allowed for certain measures across the community to control the spread of the virus. That mechanism has been available to us over this period of time. The pandemic is now in a different phase. Although we continue to have community spread of the pandemic—we have had so for the last four or five months—we have, perhaps, the highest vaccination levels in the world so we have much more modest measures in place. We have had to use a legislative tool to do that and we have used the existing legislation. We are looking at drafting new legislation that provides for perhaps a step down from the state of emergency that will still allow for compulsory mask wearing in hospitals, rules around remote Aboriginal communities if necessary, mask wearing and vaccination requirements in healthcare and aged-care settings and those sorts of initiatives using another legislative instrument that will be more specifically used for the COVID-19 pandemic. I make the point that the existing measures in place are quite modest and mild; it is just that we have to have a legislative instrument to have them so we are looking at what other legislative instrument can address this issue. If we can bring it in and have it drafted, then we will. If we cannot, we will look at what other measures are available

CORONAVIRUS — STATE OF EMERGENCY

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

I have a supplementary question. Can the Premier explain what element of the pandemic cannot be managed under the Public Health Act 2016?

Mr M. McGOWAN replied:

The person we rely upon to be the emergency coordinator is the Commissioner of Police. Chris Dawson and now Commissioner Col Blanch have done an outstanding job as the State Emergency Coordinator. That position provides for the mobilisation of more resources across the public sector in my view. Our police and health workforce, in fact our entire workforce, including the private sector and, indeed, the whole of the general community, have done a wonderful job over the course of the last two and a half years, producing the best outcomes of anywhere in the entire world, which is really quite something. Under the existing laws, the mobilisation of those resources has been the Emergency Management Act, which has allowed for the appointment of the Commissioner of Police to undertake those roles.

MONKEYPOX

511. Mrs L.A. MUNDAY to the Minister for Health:

I refer to health concerns regarding the monkeypox virus.

- (1) Can the minister update the house on how the government is responding to monkeypox, including efforts to vaccinate those in our community who may be vulnerable?
- (2) Can the minister also please advise the house whether she is aware of any reckless or improper action being taken by the opposition?

Ms A. SANDERSON replied:

I thank the member for her question.

- (1)–(2) Monkeypox is the latest communicable and notifiable disease that the Department of Health is managing in our community. It is managing a couple of live cases at the moment. When monkeypox became notifiable by the World Health Organization, WA Health took the first opportunity to order vaccines so

that they would be available and they are now arriving in our clinics. The department's public health teams will be working with our sexual health clinics on a targeted approach to the vaccination of those most vulnerable to this virus in our community. It probably has not escaped people in this chamber that we did have an unfortunate event over the last couple of days with a data breach in relation to monkeypox and some secondary contacts. For that, I unreservedly apologise. It was a mistake by a member of staff who was doing a very important job contact tracing and interviewing people who were on the flight. Sometimes people do make mistakes. What is more concerning is that it appears that in the process of notifying one of the passengers, I want to highlight what has been some potential consequences of this. Essentially, on ABC radio this morning, when interviewed, the recipient of the email outlined her concern about receiving such sensitive information. She said, quite understandably, that she was shocked and concerned to receive it. The transcript of the interview states —

And I just thought, oh my god, what am I supposed to do with this.

The email recipient was asked by Nadia —

So, what did you then do, as you're think about what to do ...

She replied —

Well, to be honest with you ... I spoke to a friend. Most people talk to a friend, so that's what I chose to do.

To which Nadia asked —

And, have you, did you share this information with anybody?

She replied —

I went to see Libby Mettam. I chose to have this exposed and yes, I did, I went to see Libby Mettam.

She is referring to the member for Vasse but I am quoting directly from the interview transcript.

The person who received the email obviously went to a person in authority to seek advice on what they should do. I ask the question of the member for Vasse: What did you advise that person? Did you advise that person to immediately alert the Department of Health? Did you advise that person that it was very sensitive information or did you also receive that information and forward it on to someone else?

Ms L. Mettam: No, I didn't. You are a liar!

Several members interjected.

The SPEAKER: Order, please, members!

Several members interjected.

Withdrawal of Remark

The SPEAKER: Your attention, please. Firstly, to the minister, it is not "question the opposition time" so I ask you to perhaps phrase your comments a little differently rather than ask questions directly of the member for Vasse. Member for Vasse, you responded with the statement that you made and I ask you to apologise and withdraw as required by the standing orders.

Ms L. METTAM: I withdraw. I will make a statement afterwards.

The SPEAKER: No. Member for Vasse, you are required to apologise and withdraw without further comment.

Ms L. METTAM: I apologise and withdraw.

Questions without Notice Resumed

Ms A. SANDERSON: The point that I am making is that the recipient of the email sought advice from a person in authority. Potentially, as a consequence, that very sensitive information was then forwarded to a media outlet. If that person acted on the immediate advice and alerted the Department of Health, saying, "I've got this and you shouldn't —

Ms M.J. Davies: Grubby.

Ms A. SANDERSON: That is quite extraordinary, given the recent turn of events.

Ms M.J. Davies interjected.

The SPEAKER: Leader of the Opposition, please desist.

Ms A. SANDERSON: If they had followed the advice, only one person would have been a recipient of that information. But we know that more than one person was a recipient of that information and, amongst that, a discussion was had with the member for Vasse. If the member for Vasse forwarded that information, that is very serious indeed. It goes to her character, her judgement and her fitness to be in this place.

Several members interjected.

The SPEAKER: Order, please!

Ms A. SANDERSON: It goes directly to her judgement and her character.

I will be seeking advice on whether an investigation is warranted and whether any laws have been breached because of this further breach of information. It goes directly to the person who seeks to be the alternative health minister. I think a full explanation to the Parliament on the advice that the member gave and the actions that she advised is required.

PUBLIC HOUSING — NUMBER — CARNARVON

512. Mr R.S. LOVE to the Minister for Housing:

I refer to the ongoing housing crisis and the minister's response provided in the Legislative Council yesterday, which stated that 43 of the 308 public houses in Carnarvon are vacant.

- (1) Given that the statewide rental vacancy rate is just over one per cent, is it acceptable to have nearly 15 per cent of public housing properties vacant in Carnarvon?
- (2) Does the minister recognise that his failure to deliver the houses Carnarvon needs is contributing to overcrowding and antisocial behaviour, impacting residents and businesses on a daily basis?

Ms R. Saffioti interjected.

The SPEAKER: I can only assume that the Minister for Transport is the acting Leader of the House.

Mr J.N. CAREY replied:

I thank the member for his question.

- (1)–(2) I gave a very detailed answer in this place yesterday, and went through the large number of reasons there may be vacant homes. It can be because the homes are in the process of being re-tenanted. It can be because they are undergoing minor refurbishment. It can be because they require major refurbishment. It can be because we are waiting for a scope of works because the repairs needed are so significant that an assessment has to be made. There are so many different reasons homes are vacant. I note, as I have already said on the public record, that these numbers fluctuate. They fluctuate over all governments. We have seen this occur under the previous government. When we came to office at the end of the 2016–17 financial year, 1 982 homes were vacant. The figures fluctuate based on the churn rate, the need for refurbishment and the extent of refurbishment.

Yesterday, I also detailed the level of investment that we are making in homes across the public system. It is significant. It is ongoing. It is substantial. It involves both minor maintenance and major refurbishments. It does not involve, as the opposition appears to suggest, just a lick of paint or a bit of Spakfilla in a wall. Often, the homes require major refurbishment. As we know, it depends on the availability of trades, the location and a multitude of other reasons. I give the assurance to all Western Australians that we are doing everything we can to bring social housing stock back into the system. When we have 35 000 social houses in the system, a percentage will always be vacant.

PUBLIC HOUSING — NUMBER — CARNARVON

513. Mr R.S. LOVE to the Minister for Housing:

I have a supplementary question. With a 15 per cent vacancy rate in Carnarvon, how long will vulnerable families in that town have to wait before those houses are available?

Dr A.D. Buti interjected.

The SPEAKER: Minister for Finance! The supplementary is for the Minister for Housing.

Mr J.N. CAREY replied:

What we see from the opposition, as I have already said on the public record, is cheap political points. We know that the opposition has no policy at all on social housing or homelessness—zero. If we go to its website, we see that it is vacant.

Last week on the ABC, Hon Steve Martin was asked, “You are being very negative; what are your solutions?” He said that maintenance work was needed. I say to the opposition, “Clearly, you are not well briefed.” A huge investment is being undertaken to refurbish social housing in Western Australia. We are implementing other reforms to utilise vacant housing. Yesterday, I highlighted that we did a review of Government Regional Officers' Housing. As part of that, we found surplus vacant stock that we could transfer to the social housing system. We did that; we added 39 homes as part of that review in regional communities.

The message is very clear from me: I am using every lever, every opportunity, from the portfolios that I have responsibility for, utilising lazy land, including in the regions, using vacant GROH properties that are surplus to stock, and using a modular program for the regions to accelerate the delivery of social housing in Western Australia.

LOW AND ZERO-EMISSION VEHICLES

514. Ms K.E. GIDDENS to the Premier:

I refer to the McGowan Labor government's unprecedented efforts in reducing carbon emissions and transitioning Western Australia towards net zero. Can the Premier update the house on this government's investment in driving the uptake of low and zero-emission vehicles and outline what it will mean for local manufacturing in Western Australia?

Mr M. McGOWAN replied:

I thank the member for Bateman for the question.

We are doing more than any other government in the state's history to deal with emissions. We have committed to delivering net zero emissions by 2050, we have set a target on government agencies to reduce emissions by 80 per cent by 2030 on 2020 levels and, obviously, we have announced our plan to transition in a very sympathetic way away from coal.

We are also taking up low and zero-emission vehicles, which is what I want to speak about now. This morning the Minister for Hydrogen Industry, the Minister for State Development, Jobs and Trade, and I, in conjunction with Woodside Energy, Centurion Transport and the Buckeridge Group of Companies, announced a \$10 million grant for Woodside Energy's proposed hydrogen refueller project in Kwinana. This will help deliver commercial hydrogen fuel cell trucks and refuelling infrastructure with hydrogen, renewably produced, to power their operations. It will accelerate the uptake of hydrogen-fuelled vehicles and it will drive demand for local production of renewable hydrogen in Western Australia. The \$10 million investment will be matched by Woodside. We had an open tender process and Woodside was successful. BGC and Centurion are taking up the opportunity. The single electrolyser is expected to be able to produce up to 800 kilograms of hydrogen a day, which will enable it to supply more than 50 vehicles. That is a good start to convert major trucks to hydrogen use. They can basically be powered entirely by renewable hydrogen, which is really quite remarkable.

On top of that, last week we announced the first EV fast-charging network for Western Australia. From Kununurra to Esperance to Eucla, people will be able to charge their electric vehicles. We have awarded a contract to an Australian company, JET Charge. There will be 98 EV chargers at 49 locations across the state. It will extend some 6 600 kilometres across Western Australia. We expect it to be fully operational by 2024. These are amazing changes. I suspect that for whoever is standing in this position in 10 years, things such as hydrogen-powered vehicles and electric car charging around Western Australia will be commonplace, which will be a wonderful thing.

EQUAL OPPORTUNITY ACT — REFORM

515. Mr S.N. AUBREY to the Attorney General:

I refer to the McGowan Labor government's response to the Law Reform Commission's *Review of the Equal Opportunity Act 1984 (WA): Project 111 final report* and its commitment to rewriting this outdated legislation.

- (1) Can the Attorney General advise the house what this government's commitment to strengthening anti-discrimination protections will mean for LGBTQIA+ teachers and students?
- (2) Can the Attorney General outline to the house how these historic reforms will help make all workplaces safe from harassment, including the Parliament?

Mr J.R. QUIGLEY replied:

I thank the member for Scarborough for his question.

- (1)–(2) Under the current act, we have the religious educational institutions employment exception that, as we know, gave rise to a well-known case in which a Baptist college in Waikiki took a teacher off its roster after coming out as gay. Following the recommendations of the report, the exception was tightened so that discriminatory conduct can be lawful only in situations in which conformity with the doctrines, beliefs or principles of the religion is an inherent requirement of the job and the person cannot meet that inherent requirement because of their religious conviction and it is reasonable and proportionate in the circumstances.

There is a three-limb test that sets a very high bar. It mirrors those in Victoria, which recently came into effect and are working well. Under this approach, schools will not be able to discriminate when employing a geography teacher or a contract gardener, as these jobs can be performed without conformity to the religion. Schools, however, will still be empowered to discriminate where it is required in step with maintaining the religious ethos—for example, if a religious education teacher in a Catholic school converts to Judaism and is therefore unable to faithfully teach Catholic doctrine. However, this exception is very narrow.

The act contains a separate religious exception pertaining to students known as the provision of education exception. This exception will also be tightened in line with the three-limb test so that schools can discriminate only on the basis of religious conviction at the time of enrolment and only when it conforms with the doctrines, beliefs or principles of a religion and it is reasonably necessary to avoid injury to the religious susceptibilities of adherents of the religion and it is reasonable and proportionate in the circumstances.

I emphasise that we need to retain some kind of provision of education exception to continue to allow same-sex schools to discriminate in enrolling only boys or only girls, or to allow religious schools to prioritise enrolments to students of that religion. However, a school will face an impossible task trying to convince the Equal Opportunity Commission that it is lawful to ban a little girl from its school because her dad is gay.

I now turn to the provisions expanding the prohibition against sexual and racial harassment to members of Parliament and parliamentary staff, judicial officers and court staff, local government councillors and staff, and unpaid or volunteer workers. Under the current wording of the act, there is arguably a requirement for an employment relationship to exist in order to sustain a claim of sexual harassment. That is because the outdated disadvantage test requires claimants to demonstrate they were disadvantaged by rejecting an unwanted advance. Many Parliament and court staff are not directly employed by the people they work around and are often subordinate to and, therefore, are unable to demonstrate this disadvantage.

The accusations against former High Court Judge Dyson Heydon and various relationships revealed by the *Four Corners* episode “Inside the Canberra Bubble” have thrown into focus the often indirect nature of these employment arrangements. As members know, we are getting rid of the disadvantage test so that the indirect employment relationships that exist in Parliament and courts will no longer be an impediment to a successful harassment claim. Under the new act, it will be expressly clear that sexual harassment provisions should protect members of Parliament and parliamentary staff, judicial officers and court staff.

Since I tabled the report yesterday, at least one media outlet has identified that the woman whose chair was sniffed by former member Troy Buswell had no recourse to a sexual harassment claim because she, as a staffer, was not directly employed by him. The commonwealth Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021 extended the Fair Work Act and Sex Discrimination Act to members of Parliament, judges and public servants, meaning there is currently an avenue for complaint to commonwealth discrimination bodies. The Law Reform Commission found it would be appropriate for this to be adopted at the Western Australian level, and we will do so.

This report is the culmination of extensive consultation with WA’s education sector, including Christian colleges, Christian Schools Australia, the Anglican Schools Commission and the Independent Education Union of Australia. The report was itself informed by 995 submissions from a wide range of stakeholders, including anti-discrimination bodies, religious entities, humanitarian groups, the academic community and individual citizens. I note that it has the early support of the Law Society, the public and others, and I very much look forward to bringing a bill to this chamber. I thank the member for his question.

FIONA STANLEY HOSPITAL — EMERGENCY DEPARTMENT

516. Ms L. METTAM to the Minister for Health:

I refer to an article in today’s *The West Australian* that refers to an urgent directive from Fiona Stanley Hospital management for doctors to speed up discharges, delay admissions and consider transferring patients to Fremantle Hospital due to a bed availability crisis. Given that the Chief Health Officer has said that we are over the worst of the latest COVID wave, what does the minister say to the patients who have been waiting for more than a day to be treated in this emergency department?

Ms A. SANDERSON replied:

I have seen the article that the member for Vasse is referring to. It is true that this is a hard winter for our hospital system, and it was always going to be our toughest winter. Although our case numbers in the community have dropped significantly, anyone who reads the daily reports from the Chief Health Officer and the public health unit will have seen that hospitalisations due to COVID are still very high—more than 200 due to COVID. On top of that, we have staff who are furloughed and people are taking sick leave—the furlough numbers do not take into consideration staff sick leave—and people are taking well-earned annual leave. People currently working in our system and who have been working in our system are taking well-earned annual leave. We have to allow people to do that. At Fiona Stanley Hospital there is also a significant number of patients who are medically fit for discharge but who have not gone into a placement, although there is a placement waiting for them. There is a number of reasons for that. That creates a bed block, and means that it is harder to discharge those people to allow people coming through the ED to get into those beds.

There is a number of reasons for that, including, obviously, the parlous state of aged care and the NDIS. The way that it works is that a multidisciplinary team is required to discharge these people, and Fiona Stanley Hospital has a large number of these people. If there is one person missing from that team, it throws the discharge process out—if the pharmacist, the social worker or the family are not available. All those things have to occur to allow for those discharges.

The notice that went out was to say, “You’ve got to get medically fit discharged people out of the hospital”, and that is absolutely appropriate. If they are medically fit for discharge, it is time for the alternative, which is exactly

what that directive said. The staff are doing exactly what they are supposed to do. Credit to them; they are working really hard. It is the second busiest emergency department in the country. They are actually doing incredibly well. The same *The West Australian* article the member for Vasse referred to states —

Fiona Stanley Fremantle Hospitals Group executive director Kellie Blyth said Tuesday’s code yellow had been stood down ...

“Despite Fiona Stanley Hospital having the second busiest emergency department in Australia and having to manage unprecedented demand yesterday, our incredible team worked together to create capacity across the hospital and see patients in the ED as quickly as possible,” ...

That is what is supposed to happen and that is what is happening. The system is working as a system, not a silo, and not just the ED. But the discharge process has to continue so that those coming in can access those beds, and that is exactly what they were doing. I credit them for that.

FIONA STANLEY HOSPITAL — EMERGENCY DEPARTMENT

517. Ms L. METTAM to the Minister for Health:

I have a supplementary question. The government has had two and a half years to prepare the health system.

The SPEAKER: That sounds like a preamble.

Ms L. METTAM: How on earth is that at all acceptable?

The SPEAKER: If I start speaking while you are asking a question, it is because you have done a preamble yet again, but we have heard the second part of the question, and I will now ask the minister to respond.

Ms A. SANDERSON replied:

The executive director went on to outline, and I fully endorse these comments —

“I am so proud of everyone working at the hospital and of all our colleagues at other South Metro Health Service hospitals who provided support.

That is the way those health service providers are intended to work—that they communicate with each other and transfer patients when required. The executive director went on to say —

“I assure the community that those with life-threatening medical concerns continue to be seen ... as a priority, but there may be greater wait times for patients with less ... needs.

The executive director said that those patients can be treated safely by a general practitioner or at an urgent care clinic, which is appropriate.

Ms L. Mettam interjected.

Ms A. SANDERSON: If we want to talk about code yellows, let us talk about code yellows. This year, there have been a number of code yellows across our hospital system. In the first three months of 2022, the system experienced 98 code yellows. In the first three months of 2016, when the opposition was in government, there were 223. It did not have a pandemic to manage. It did not even have COVID to deal with. Our system is coping better than it was under the former Liberal–National government.

Ms L. Mettam: Absolute rubbish!

Several members interjected.

The SPEAKER: Order, please!

Ms A. SANDERSON: The then Liberal government’s response was, “We’re increasing health funding by five per cent”. Under this government we have increased it by 22 per cent.

Several members interjected.

The SPEAKER: Order, please.

PERDAMAN UREA PROJECT

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

I refer to reports in *The West Australian* that the federal Minister for the Environment and Water has held secret meetings in Western Australia as she considers the fate of Perdaman’s urea project on the Burrup Peninsula.

Several members interjected.

The SPEAKER: Order, please!

Several members interjected.

The SPEAKER: We will just wait for the member for Mount Lawley and others to stop interjecting. I am still waiting.

Mr R.S. LOVE: I refer to reports in *The West Australian* that the federal environment minister has held secret meetings in Western Australia as she considers the fate of Perdaman's urea project on the Burrup Peninsula.

- (1) Did the Premier or his ministers meet with Minister Pliberseck regarding this project?
- (2) Is he concerned by these secret meetings?
- (3) Does he support the \$4.5 billion project going ahead?

Several members interjected.

The SPEAKER: Order, please!

Mr M. McGOWAN replied:

- (1)–(3) As I understand it, the federal environment minister has certain decisions that she has to make under the Aboriginal cultural legislation, nationally.

Mr R.H. Cook: The ATSI heritage act.

Mr M. McGOWAN: That is the Aboriginal and Torres Strait Islander Heritage Protection Act, nationally. There is something called a section 9, by which she has to make a decision on matters of significant Aboriginal cultural heritage. She has come to Western Australia from Sydney in a government aircraft. It has flown to Karratha and has sat on the tarmac; anyone can see it. She has attended a range of meetings with the Murujuga Aboriginal Corporation, with local community groups, with Minister Whitby and Minister Cook. I do not understand how that is secret. I do not actually understand how that is secret. She is not Wonder Woman in an invisible plane!

Several members interjected.

The SPEAKER: Could all the members who are interjecting while the Premier is speaking please desist.

Mr M. McGOWAN: She has had meetings with a range of people who have spoken to other people, no doubt, and word has filtered to the press. We do not invite journalists to these meetings and we do not invite opposition people. That is not the way government really works. I think it is a good thing that she is consulting with the local Aboriginal traditional owners, local ministers, local community and so forth before she makes a decision. Obviously, our position is clear. It has been through our processes, through our environmental processes and through our Aboriginal heritage processes. The Murujuga Aboriginal Corporation is in favour of it. The government has organised Northern Australia Infrastructure Facility funding and worked with the Water Corporation and the port authority to provide the relevant infrastructure. We have worked on amalgamating the relevant land. All those things this government has done via the now Minister for State Development, Jobs and Trade, the Minister for Regional Development, and me, when I was Minister for State Development, Jobs and Trade. We have done everything we have been required to do in order to promote a project that will be \$4.5 billion of investment and create thousands of jobs in construction and hundreds of manufacturing jobs when it is finished. That is just normal process. I really do not understand the allegation.

LAND RELEASES — REGIONS

519. Ms A.E. KENT to the Minister for Lands:

I refer to the McGowan Labor government's efforts to support investment in regional Western Australia and drive further development throughout the state.

Can the minister update the house on how this government is helping unlock further land in our regional centres, and outline what this will mean for workers' accommodation and residential development?

Mr J.N. CAREY replied:

I thank the member for her question.

As I have said repeatedly in this Parliament, our government is using every opportunity we can, whether it is through the housing portfolio, through the homelessness portfolio, or, critically, the lands portfolio, to boost social housing supply and overall housing supply. We understand, with an incredible number of people making Western Australia home in this COVID environment, that there has been a demand for increased housing across Western Australia. That is why as the Minister for Lands, my agencies and I have been actively trying to work with local governments to facilitate and boost housing supply. Of course, at Kalbarri we made a clear election commitment in relation to providing land for workers' accommodation. I am very pleased to say that working with the Shire of Northampton we have identified the land that is now going through a zoning change. Our agencies have been working with the shire, because that takes time to change, but we have also announced a preferred proponent who will be delivering 44 dwellings to cater for 56 people for Kalbarri. I want to give a shout-out to the Shire of Northampton. Our agency is working well with it.

This is not the only area for delivery of that election commitment. Previously, in the winter break, I was in Kalgoorlie and we announced the expansion of the Pringle Village seniors' accommodation. We provided land worth \$6.6 million to enable more independent housing choice for seniors. I was in Broome recently. The Minister for Community Services and I announced the release of 33 lots, but also a lot for a childcare centre, given growing demand there. In Karratha, I was with the Premier where we announced the release of three tranches of land, which were provided to the council at a discounted rate, to boost workers' accommodation and housing supply. This land will provide

around 44 medium-density homes. Of course, this is on top of our Regional Land Booster program, which was \$116 million that saw around 400 lots released to the market. With the Minister for Planning, we announced the housing diversity pipeline, which is about using lazy land to extract additional housing, whether it be social housing or other forms of community housing. In that first tranche, two sites in regions were identified, particularly in Busselton, where there has been strong interest, particularly from the community housing sector. Of course, in the budget, we provided \$19 million to release additional land in Kalgoorlie and Karratha. We can see right there that that our government is going out of its way to look at how we can use land and work with local governments to boost housing supply in regional Western Australia.

PREMIER — FUNCTION ATTENDANCE

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

Noting the front page of *The West Australian* today, how does the Premier reconcile sipping \$1 000 bottles of Penfolds at a soiree hosted by Nigel Satterley in the same week that government workers are being forced to rally for better pay and conditions from a Labor government flush with a \$5.7 billion surplus?

Several members interjected.

The SPEAKER: Order, please! Member for Wanneroo, the Premier will respond, not you.

Mr M. McGOWAN replied:

That is a very, very silly question. As Premier of the state, I get invited to many functions and events. On any given week, I would be out four or five evenings a week, whether it is Parliament, community functions, sporting events or important dinners—whatever it is. I get invited to many things—business dinners and all sorts of things—so I am out regularly. I get invited to dinners with businesspeople who invest in Western Australia, and I sometimes have dinner with them. I cannot help what type of wine is served at dinner. I do not control that. I do not control what the food is; I do not control what the drinks are. That is totally outside of my capacities, irrespective of what the member might think. So, that is what occurred.

Dr D.J. Honey: It was \$1 000-a-bottle wine tasting; you knew that.

Mr M. McGOWAN: The Leader of the Liberal Party interjects on me. I just want to make a point, considering he has interjected on me. He has plans to use his taxpayer-funded electorate office for fundraisers. The ad says, “Come and join us for drinks and canapés. Find out about the leader and his priorities, with special guest Dr David Honey, Leader of the WA Liberal Party and member for Cottesloe.” Where is it being held? It is at his taxpayer-funded electorate office. There is the ad right there. He interjects on me for having dinner with some businesspeople, which is a common occurrence—for me, at least, it is. I have dinner with businesspeople. I have dinners with community groups. I do these sorts of things all the time to promote the state. I get invited by people who invest large amounts of money and therefore create many jobs, and I have dinner with them. That is the role of a Premier, a Chief Minister, a minister, a Prime Minister or a federal cabinet minister. That is just natural; that is what occurs in government. It is very naive not to understand that. But the member for Cottesloe uses his electorate office for fundraisers; there it is. When he was sprung, he cancelled it. That is what occurred.

To the other part of the member’s question, the government has a wages policy that is quite significantly more generous than that of New South Wales and Victoria. The lowest-paid workers get the biggest increases, in percentage terms, and it is something that I would encourage the workforce to sign up to. I get a lot of feedback from members of the workforce who would like a \$2 500 payment and a three per cent per annum pay increase. On top of that, as is legislated nationally, there is a 0.5 per cent increase in their superannuation. That would all be funded by the state at a cost of around \$2.5 billion. For many parts of the workforce, that would mean a pay increase this year in the vicinity of eight per cent.

As I said, that pay increase exceeds that of New South Wales and Victoria and exceeds most of the private sector wage increases out there, and it is on top of a lot of the other things that we have done in government. We have brought a great many services back in-house. We have provided a great deal more permanency, with 15 000 to 20 000 public sector employees receiving permanency. We have provided domestic violence leave for the public sector workforce. We have put in place new workers’ compensation reforms—industrial manslaughter and a whole range of things like that. We have put in place the strongest cost-of-living support of any state in Australia. We have employed a great many education assistants sacked by the former government. There have been many such initiatives since we have been in office. We are doing everything we can to encourage and support our public sector workforce, which does a terrific job across the state.

PREMIER — FUNCTION ATTENDANCE

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

I have a supplementary question. I thank the Premier for the answer. Does attending functions like the one on Friday not just show that the Premier is out of touch with ordinary Western Australians who are struggling to make ends meet?

Several members interjected.

The SPEAKER: Order, please! It seems like we have about 50 answers here, but we will just take the one.

Mr M. McGOWAN replied:

The answer to that is clearly no. I attend a great many functions and events. The member probably would not understand, but I attend so many it is hard to remember them all. For instance, yesterday I attended a major event with the Shop, Distributive and Allied Employees Association of WA, meeting with a whole group of shop assistants from across Western Australia. The night before I did a major event with the Indian community for India's national day. On any given day, I attend numerous of them—so many, as I said, that it is hard to recall them all. Sometimes I go to dinner. I will give the member a tip: I have dinner every night, and some nights I have dinner with a group of people who are not my family. In fact, most nights that is the case. If the member does not like me doing my job, which is meeting Western Australians and encouraging investment in Western Australia, she does not understand the nature of this state.

SENIORS — COST OF LIVING

522. Mr M.J. FOLKARD to the Minister for Seniors and Ageing:

I refer to the McGowan Labor government's strong record in supporting our seniors. Can the minister update the house on how this government is helping to ease the cost of living for our older Western Australians?

Mr D.T. PUNCH replied:

I thank the member for the question.

I am always delighted to stand up and talk about what this government is providing for seniors. In fact, I would like to thank all those members who posted on forums about the seniors strategy and met with over 2 000 seniors over the past few months to gain their views about what it is like to be on the journey of growing old in Western Australia.

Of course, we like to give our seniors a helping hand. The WA Seniors Card provides members in the state with access to, on average, \$650 in value annually in state government concessions. Furthermore, for around three-quarters of seniors who currently hold a WA Seniors Card, a Commonwealth Seniors Health Card, a Department of Veterans' Affairs card or a Pensioner Concession Card, the value of those benefits and concessions can reach up to \$2 000. That is very significant. The impact of that investment by our state government cannot be underestimated.

In late July and early August, more than 310 000 WA seniors received the cost-of-living rebate, with payments totalling approximately \$26 million. This year, singles received \$95.69 and couples received \$143.50. That is direct assistance to seniors. The WA Seniors Card program also provides to members, through the generosity of our small businesses, concessions in the form of over 800 businesses discounts. We are providing great savings every day and assisting seniors with the cost of living.

No doubt members are fully aware, because I have briefed members in the past, of the introduction by the McGowan government of the safety and security rebate. The program allows WA Seniors Card holders to claim up to \$400 towards installing or buying home safety or security devices. Demand for that program has far exceeded initial expectations, with over \$5.5 million paid to almost 14 000 Seniors Card holders. I remind the house that applications for the free WA Seniors Card can be made by any Australian citizen or permanent resident aged over 65 years residing in WA and working fewer than 25 hours a week.

But there is more! This McGowan government has an excellent ministry that cares for seniors. The \$400 household electricity credit for all households, which Minister Johnston and the Premier commenced in July, combined with the energy assistance payment, means that some households can save up to \$710. The provision of free RATs to all households is the most comprehensive initiative of its kind in the country. There is also the Country Age Pension Fuel Card, administered by Hon Alannah MacTiernan, and the grandcarers support scheme funded through Minister McGurk in which grandcarers will be eligible for payments of up to \$1 000. But one minister has gone above and beyond. One minister has stood out—getting up at the crack of dawn at four o'clock every morning and walking 1 000 kilometres down the Bibbulmun Track. He has faced the wind and the rain, copping the odd spider in the boot, to raise \$20 000 for Alzheimer's WA. Congratulations, Minister Buti!

HOUSING — KALGOORLIE

523. Dr D.J. HONEY to the Minister for Housing:

I refer to the *Business News Western Australia* article by Mark Beyer on 8 August 2022 and the comments by Kalgoorlie–Boulder Chamber of Commerce & Industry and the City of Kalgoorlie–Boulder regarding labour shortages and over 3 000 unfilled jobs: “We can't get the labour until we get the houses.”

- (1) In the past 12 months, why has DevelopmentWA in Kalgoorlie only released 31 new home sites at the GreenView at Karlkurla estate as at the end of 2021?
- (2) Will the minister's current plans increase land availability to fill the immediate 300-home gap in Kalgoorlie, which is holding back jobs in that community?

Mr J.N. CAREY replied:

I thank the member for his question.

(1)–(2) In the last answer that I gave, I indicated that we were advancing land supply in Kalgoorlie. In fact, we announced in the budget additional funding for the release of land in Kalgoorlie. We also provided land to Pringle Village so that it could expand its accommodation. As part of the housing diversity pipeline, we have identified land that we have put out to market. It is just by chance that I have a *Business News* magazine right here. I say that it is completely by chance because there is a big article about local government reform. It is a shocking photo of me and I am not particularly happy about it. I have a mismatched suit! However, it is really interesting that it is titled “Kalgoorlie boom faces squeeze”. Do members know what the main criticism in this article is about? It is the failure of the local government to approve a number of developments that would boost worker supply. That is the key thing. The article quotes Ms Simone de Been from the Chamber of Commerce and Industry. It says —

She has been particularly critical of the City of Kalgoorlie–Boulder, saying she was surprised and disappointed after it voted against several residential and commercial development proposals.

“The message that is being relayed to the KBCCI by members and groups seeking to invest in the region is that it is becoming simply too hard and there appears to be a strong anti-development stance being taken by council,” ...

I want to put this on the record. We have heard distortions consistently from opposition members. They select from particular articles. We heard from the member for Vasse, who claimed there were 1 000 rough sleepers on the streets; that was wrong. We heard from the member for Cottesloe that there were more than 500; that was wrong. We heard Hon Steve Martin claim there was a doubling of housing vacancies in the system, and the ABC corrected that claim because it was not comparing the same datasets. We are hearing consistently from this opposition deliberate attempts to distort data and distort media reports. It is quite clear from this *Business News* article that the significant issue is the local government, which has not been approving worker accommodation and housing supply.

HOUSING — KALGOORLIE

524. Dr D.J. HONEY to the Minister for Housing:

I have a supplementary question. Can the minister answer directly how many new home sites the government will be providing in Kalgoorlie in the next 12 months?

Several members interjected.

The SPEAKER: Order, please! Again, there are lots of other people who can answer for you if you like, Minister for Housing.

Mr J.N. CAREY replied:

I am already on the record—in fact, in my first answer in this house—outlining housing and funding initiatives in Kalgoorlie. I have already announced them. I have said it. I have talked through it. I find it extraordinary what we are hearing from the Leader of the Liberal Party. Remember that this man, the Leader of the Liberal Party, on social media blamed me for 100 homeless deaths.

Dr D.J. Honey: That’s not true. We’ll deal with that today.

Mr J.N. CAREY: You have; you have on the social record.

Several members interjected.

The SPEAKER: Order, please!

Mr J.N. CAREY: This is the member who said that I am heartless and have no compassion for the homeless. We are hearing from members of the opposition, and we will hear it in debate this afternoon, the distortion of figures and distortion of media reports. It is a deliberate campaign by them. It is very clear that we are delivering as part of our \$2.4 billion program on housing and homelessness across Western Australia.

The SPEAKER: Members, that concludes question time.

MEMBER FOR VASSE

Monkeypox — Personal Explanation

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [2.55 pm]: I wish to rise under standing order 148 to make a personal explanation.

The SPEAKER: Before I give you the call for a personal explanation, I give you some words of advice. Under standing order 148, a personal explanation may not be debated. It can be used to correct a “misimpression” but you may not make a reply or raise a new matter. Bearing that in mind, I give you the call to make a personal explanation.

Ms L. METTAM: I rise under standing order 148 to make a personal explanation. In question time today, the Minister for Health suggested that I had received some information that was the subject of a Department of Health data breach and that I had also passed on that information or data. This is categorically not the case. This is not true. I met with the woman who had already raised these issues with the Department of Health. I raised these issues because we know that this government has a history when it comes to these issues. This is just —

Several members interjected.

The SPEAKER: Order, please!

Point of Order

Mr W.J. JOHNSTON: I have a point of order.

The SPEAKER: Could the member sit down; she will get the call again. Before I take the minister's point of order, personal explanations are generally heard in silence. That is the other key point with a personal explanation. I provided that guidance at the start. I will give the call to the Minister for Corrective Services.

Mr W.J. JOHNSTON: I draw your attention to the footnote at the bottom of page 58 in reference to standing order 148. It says —

Member must confine himself —

I apologise for the sexist language —

to the matter of his personal explanation:

Again, I apologise for the sexist language. Clearly, the member cannot reference anybody, apart from herself, in providing her personal explanation. To the extent that the member intends to reflect on anybody else, including the government, she is in breach of the standing order.

The SPEAKER: Minister, what you have said is perfectly correct, and I do not disagree with anything you have said. However, I am going to give the member the call again, and I will be the judge of whether or not she is in breach.

Personal Explanation Resumed

Ms L. METTAM: Thank you, Madam Speaker.

To conclude my remarks, as I stated, I met with this woman who was very concerned. No data was shared or exchanged. She made that very clear. I would like to ensure that the record is corrected in relation to some very false accusations by the other side.

BAIL AMENDMENT BILL 2022

Consideration in Detail

Resumed from an earlier stage of the sitting.

Clause 8: Schedule 1 Part C clause 3 replaced —

Debate was interrupted after the clause had been partly considered.

Mr R.S. LOVE: We were rudely interrupted by question time when we were discussing clause 8, so we could not quite finish our discussions. We had been discussing clause 8 in regard to proposed new clause 3 of the act, and we then moved on to the other matters, being proposed clause 3AA, which we had discussed, and proposed clause 3AB. Proposed clause 3AB is the matter around the concerns of child victims. Proposed clause 3AB is the one in which the bail decider has to be informed if the child has expressed any concerns to the prosecutor about a relevant offence, which is a sexual offence against a child victim. Proposed clause 3AB(1) states —

(b) either —

- (i) the child victim expresses concern to the prosecutor that the accused, if not kept in custody, may endanger the safety or welfare of the child victim; or
- (ii) a family member of the child victim or a police officer investigating the relevant offence informs the prosecutor that the child victim has expressed that concern;

and

(c) the accused is not a child.

It goes on to outline other circumstances in which the prosecutor must inform the judicial officer or authorised officer about the child's expression of concern and, as far as practicable, the reasons for that concern. Proposed subclause (3) states —

In considering under clause 1(a)(iii) whether the accused, if not kept in custody, may endanger the safety or welfare of the child victim, the judicial officer or authorised officer must have regard to that information.

I want to briefly ask about how, once the judicial officer or the authorised bail officer has been acquainted with that information, they will judge the weight of the information, given that they will not have actually heard from the child directly; they will be getting second-hand information from another person. I assume that that information will be well founded, but will there be any need to interrogate the information in any way to try to understand whether the information is in fact what the child had said, in the case of a family member reporting the matter, or is a firmly held belief of the child? Can the Attorney General explain how that will play out in the mind of the officer who is trying to weigh up all these matters? I know the Attorney General does not like talking about hypotheticals, but it is a matter of whether a child will just be believed per se or whether there will be any delving into whether it is reasonable for the child to have expressed that view in that circumstance.

Mr J.R. QUIGLEY: As a government, we are really proud of this provision, because it is the first time that there will be a mandated requirement in the Bail Act to take into account a child's view—it will be mandated; it will not be discretionary. A child's view must be taken into account once they have expressed it. How the concerns of a child victim will be weighted in the bail decision-making process will turn on the facts of each case. It is important that these concerns are known and addressed when appropriate.

Child complainants may react negatively to a grant of bail for a number of reasons. For example, a grant of bail may suggest to a child that they have not been believed, that the accused will not ultimately be convicted or that the accused will offend against them whilst on bail. Other child complainants may not react in the same way or they may not be aware that the accused has been granted bail. Regardless, the bail decision-maker will be concerned with whether there is a risk that the accused might engage in the relevant conduct if not kept in custody. However, clause 1(a) of part C is not concerned with a risk or possibility that is merely theoretical or hypothetical. The risk or possibility must be actual or real as distinct from theoretical or hypothetical, and it must be assessed having regard to the matters set out in proposed new clause 3, proposed clause 3AA and proposed clause 3AB and any other matter the bail decision-maker considers relevant. Seeing that the member raised the issue that some of these matters will come forward by way of hearsay—that is, a parent or an investigating officer will be relaying this information to the court—I draw the member's attention to section 22 of the Bail Act 1982, "Evidence at bail hearings", which states —

A judicial officer or authorised person may in considering any case for bail receive and take into account such information as he thinks fit whether or not the same would normally be admissible in a court of law.

Thereby, statutory permission is given to receive hearsay evidence. Whether it be firsthand or second-hand hearsay evidence, it will be taken into account. An experienced decision-maker will ascribe appropriate weight to that according to the information. As we stated, they will take into consideration those matters set out in proposed new clause 3, proposed clause 3AA and proposed clause 3AB.

Mr R.S. LOVE: I thank the Attorney General for that explanation; I think it was a good explanation of the situation. What I am hearing from the Attorney General—correct me if I am wrong—is that it is important that the view a child has expressed be taken at face value, because there is no ability for the child to be interrogated about whether it is a reasonably held view. I think it is very important that a child feel that he or she is not going to be further interrogated for making their view known. I go back to the other part about the family member of the child victim or a police officer investigating the relevant offence informing the prosecutor that the child victim has expressed that concern. If a police officer is told by a family member that the child has expressed a concern, will it be incumbent on the police officer to inform the prosecutor of that? Will there be a duty of disclosure? Are there any other persons to whom that particular duty will apply?

Mr J.R. QUIGLEY: What we are dealing with here is not the primary allegation—that is, the allegation of sexual abuse or sexual assault involving a child—but the concerns and fears that a child has in relation to the accused and what will happen if that person is released. Without breaching any suppression orders or anything like that, we could look at a case. It could involve someone who lives in a small country town. It might be one of those coastal villages north of Lancelin, going up the coast. If there was an alleged victim of child sexual abuse and someone had been put before the Gingin court, the child might be concerned and fearful to find that the person who lives two doors down is going to be put to bail. It is a matter of expressing the concern to the court and carrying that concern forward so that the court can give that concern the appropriate weight. Although there is a duty of disclosure of the evidence against the accused, and that disclosure of duty will not be discharged on the first hearing date, there is no statutory duty of disclosure of the concern that may have been expressed to the investigating officer and no duty of disclosure to the prosecution. But one would fully expect that if the child has expressed the concern to the police, the police would be, in view of the provisions now being put forward, almost negligent not to transmit that to the court. However, there is no statutory duty.

Mr R.S. LOVE: I will put forward a proposition. This says that if a child has expressed a concern, it is up to the bail decision-maker to weigh up whether bail should be granted. Without going into the details of any case, in the circumstances outlined by the Attorney General, if the magistrate in Gingin, or whoever it was, decided to grant bail to an alleged perpetrator knowing that a child had expressed concern, is there an expectation or duty of any sort in the order for the provision of some support services to the child victim as part of that?

Mr J.R. QUIGLEY: It is not mandated support, member, but having regard to the concerns put before the decision-maker, and this happens regularly in other cases, conditions might be placed on the bail. We often have conditions that the accused will not communicate with the witness or the witness's family but, more importantly, in the cases that we are contemplating in our discourse here this afternoon, it might be that the person is not allowed back within the gazetted town of Cervantes or wherever to effect that separation. The case that the member and I are thinking about involved a small town. The perpetrator was bailed back into the small town and the victim saw them regularly. One can imagine the concern that a young child would have. This is more to do with not the support of the child, because the parents or the carers would have that responsibility, but the proximity and imposing protective conditions to protect the child in view of the concerns that he or she has. In these child-related matters, the Western Australia Police Force coordinates with the Department of Communities. For example, should the police intend to arrest and charge the accused, the Department of Communities will be aware to provide support for the child. This is not done in silos. The agencies will also discuss bail conditions as part of these meetings to ensure that suitable protection is provided in the event that the accused is released.

Mr R.S. LOVE: The information that the Attorney General provided was quite instructive. Does that situation apply now or several years ago, or will that support be provided only after the passage of this bill?

Mr J.R. QUIGLEY: It is usual that when the court becomes aware of an ongoing risk or the concern of the child, protective conditions are placed on the granting of bail. This bill mandates that the court has to take those concerns into account. I draw the member's attention to proposed clause 3AB(1)(b)(ii), which states —

a family member of the child ... or a police officer investigating the relevant offence informs the prosecutor that the child victim has expressed that concern;

It is a fairly low bar. If the carer or the child's family member says to the prosecutor, "The child is worried about all this", the prosecutor has to inform the court and it has to be taken into account. WA police also have child assessment interview teams that are responsible for initiating contact with other government agencies, such as the Department of Communities, and arranging strategy meetings with the officer investigating the offences. The whole purpose of these meetings is to consider the welfare of the child victim and, if appropriate, bail conditions may be formulated in accordance with an agreed strategy to protect the victim. Memorandums of understanding are in place between WA police and these agencies so that information can be shared to inform bail condition-making and including the separate setting of appropriate bail conditions to enhance the protection of victims when the accused is granted bail. WA police works closely with the Department of Communities to ensure that the welfare of the child victim and their family is considered and monitored as a joint initiative. Local hubs have been opened in major police districts, such as Armadale, that co-locate services with the Department of Health, WA police and local service providers for the purpose of ensuring that resources for child victims are available at one location. The hubs also facilitate the responsible sharing of information between the agencies. These hubs have been rolled out in districts since approximately 2018.

Clause put and passed.

Clause 9: Schedule 1 Part C clause 4 amended —

Mr R.S. LOVE: I have one brief question on this clause. The second paragraph dealing with clause 9 in the explanatory memorandum states —

Clause 9 amends clause 4(1) by deleting the existing direction as to how the discretion to grant bail must be exercised and inserting a requirement for the judicial officer to consider:

- the fact that the accused has been convicted of the offence and the probable method of dealing with the accused for it (such as any sentence that is likely to be imposed) and for any pending offence;
- the questions set out in clause 1; and
- any other considerations that the judicial officer considers relevant.

Do these considerations apply to all bail applications or only those related to offences against a child?

Mr J.R. QUIGLEY: As I mentioned yesterday—I know it is a lot in this space—it is to do with bail post-conviction. A person has been put up before the jury upon indictment of assault occasioning grievous bodily harm. The jury returns the verdict of guilty. The court then has to get reports and whatnot prior to striking the sentence, which is not uncommon. The question then arises about what should happen to the convicted prisoner in the dock. He is no longer the accused with the presumption of innocence but a convicted prisoner in the dock. When the case is adjourned to get reports, discretion must be exercised having regard to all the following —

- (a) the fact that the accused has been convicted of the offence;
- (b) the probable method of dealing with the accused for that offence and for any pending offence;

It might be that that offence—we see it all the time, tragically—relates to a couple of kilos of methamphetamine. The person is convicted and the court has to get reports on them before it strikes the sentence; what is the probable disposition? The probable disposition will be imprisonment. The court has to take that into account. Let us go back

to the “questions set out in clause 1” and all those other considerations that we have already dealt with—“as well as to any others which the judicial officer considers relevant”. I have seen cases in which the person was on chemotherapy for terminal cancer at the time of their conviction. The court will take that into account as another relevant matter. Although jail is the likely disposition, “We know that you’ve got to be on the chemo pump this afternoon so we’ll grant bail” because it is unlikely that the person will abscond. Although the disposition might be imprisonment, all those matters are taken into account. That does not apply to child sexual offences. It applies to all other offences and convictions and to what the decision-maker should do and what they should take into account after the person is found guilty but before the sentence is struck. Quite often they are held in custody until they are sentenced.

Mr R.S. LOVE: The main purpose of the bill, though, as I recall, is to tighten proceedings around those offences against children, with some other tidy-ups of the act. In the bill, the government has struck out the words “shall be exercised having regard to the questions set out in clause 1 as well as to any others which the judicial officer considers relevant.” There was an expectation that the judicial officer would take into account all the circumstances. What the government is doing here is more or less codifying some of those circumstances that must be included. Will the fact that those matters have been included make it less likely that a person may achieve bail than was the case before; and, if so, what is the expectation in terms of an increase in the number of persons who are not granted bail in this circumstance in terms of the total number of people that the government expects will be held in custody who perhaps would have been released before? I understand that modelling was done; that was part of the discussions with the shadow Attorney General. As part of that modelling, can the Attorney General explain whether or not he knows how many more people will be held pending their sentencing rather than would be the case before this change?

Mr J.R. QUIGLEY: We are striking out “shall be exercised having regard to the questions set out in clause 1” of clause 4(1), but it is preserved by clause 4(1)(c), “the question set out in clause 1”. The next part of the sentence, “as well as to any others which the judicial officer considers relevant” also exists. What is being added will give more emphasis to “the accused has been convicted of the offence” and “the probable method of dealing with that offence and for any pending offence”. We cannot model how many people will be convicted because this deals with post-conviction. We cannot model how many people the jury will convict in a year; that would be very, very hard. These factors could have been taken into account by a decision-maker, but the amendment in the bill will give them emphasis so that those judicial officers tasked with the melancholy task of striking sentences will have an expression of this Parliament that it is very serious criterion to take into account that the person has been convicted and that the likely disposition is something other than noncustodial.

Mr R.S. LOVE: Regardless of whether or not there is a mathematical equation that can express the number of people who may be kept in custody as opposed to those who may be granted bail under the existing situation, there must be a view that this will in some way change the consideration that they will more likely be kept in custody. I am wondering whether the Attorney General has any idea about the number of extra people.

Mr J.R. QUIGLEY: I am not trying to be evasive, Deputy Leader of the Opposition. The situation is that the courts may have taken those matters into account under any relevant matter but we are giving extra emphasis to that. It is very hard to model whether or not the courts have been taking these matters into account and whether or not these provisions will have a significant uplift. We are not sure. What we want the courts to know is that this Parliament regards as a particularly serious point in the proceedings that post-conviction, if the likely outcome is noncustodial, this should weigh heavily in the decision-maker’s decision whether or not to grant them bail before they go to prison because they could always do a runner.

Mr R.S. LOVE: I think the Attorney General used the term “runner” in his winding up of the second reading debate, which is fine. I seek a simple yes or no answer; is it more likely or less likely that people will be kept in custody under these provision than in the existing provisions?

Mr J.R. QUIGLEY: It is too hard to say. The ultimate object of the bill is to get proper weighted bail considerations and bail conditions. It might be, for example, that the probable method of dealing with the accused for that offence is likely imprisonment, so one of the bail conditions might be to put an ankle bracelet on them and make them stay home. We cannot tell. The purpose of all these amendments is to secure tight enough restraints on the accused to protect victims.

Clause put and passed.

Clause 10: Schedule 2 amended —

Mr J.R. QUIGLEY: I move —

Page 11, after line 6, schedule 2 item 2AAB, before the first row — To insert —

- s. 5(1) Seeking person to act as prostitute in, or in view or within hearing of, public place, if person is a child
- s. 6(1) Seeking person to be prostitute’s client in, or in view or within hearing of, public place, if person is a child

This amendment will add two more offences to schedule 2 of the Bail Act 1982, being offences under sections 5 and 6 of the Prostitution Act 2000—seeking a child to act as a prostitute in or in view or within hearing of a public

place and seeking a person who is a child to be a client of a prostitute in or in view or within hearing of a public place. When involving a child, section 5 attracts a penalty of imprisonment of seven years. Section 6 attracts a penalty of imprisonment of three years when involving a child as the prospective client and prostitute.

The need for this amendment was identified by advisers in their preparation for debate on this bill. This amendment will ensure that these additional Prostitution Act offences are included within schedule 2 of the Bail Act and be recognised as serious in the context of bail. This is broadly consistent with the recognition of those offences as serious in the context of bail and in the context of other legislation, such as the Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021 and the High Risk Serious Offenders Act 2020. I ask the house to join me in supporting this amendment.

Amendment put and passed.

Mr R.S. LOVE: I seek an understanding from the Attorney General about some matters before us. I do not want the Attorney General to go through all the offences, but could he perhaps explain what they represent and why they have been included in schedule 2? What interaction might they have with the rest of the act?

Mr J.R. QUIGLEY: The commonwealth offences proposed to be inserted in clause 10 of the bill were carried over from the now lapsed Bail Amendment Bill 2016. The sexual offences listed under the same amendments are referenced by definition of that term under clause 4 of the bill. This definition was modelled on, but does not precisely replicate, the definition of “sexual offence” at section 10K of the Criminal Code and is directly related to the objectives of the bill. Any divergence from that definition has resulted as a matter of different policy considerations, stakeholder feedback or matters of drafting convention.

I now turn to the reason the amendments are made by clause 10 of the bill, which is how the member concluded his question. Schedule 2 of the Bail Act contains a list of serious offences that are subject to a reverse onus test under clause 3A of part C of schedule 1. Clause 3A provides that bail must be refused for an accused who commits a serious offence while on bail or an early release order for another serious offence unless they can satisfy the bail decision-maker that there are exceptional reasons they should not be kept in custody.

The bill proposes to amend schedule 2 to incorporate a number of additional offences, including sexual offences against children and several other offences in the Western Australian and commonwealth statute books. The practical effect of this expansion is that the test under clause 3A, where relevant, will now apply to a broader range of offences. If a person is on bail for a charge of sexual penetration of a child under the age of 13 years, contrary to section 320(2) of the Criminal Code, and then is subsequently charged with indecently dealing with a child, not penetrating, under the age of 13, which is section 320(4) of the code, on that second charge, because it is the second charge of a schedule 2 offence, the presumption will be against bail unless there is an exceptional circumstance. That is the import of schedule 2.

Mr R.S. LOVE: Again, this is not just related to the charges for sexual offences against a child but any of the charges under the Bail Act—a general list of charges. That is why robbery and certain drug offences are in the Bail Act, but they are clearly not related to, getting back to the primary reason for the bill, a particular situation involving children facing a situation in which a person may be released on bail. Is this part of that tidy up or that change to the act or will it specifically impact a situation in which an accused person who has been accused of a sexual crime against a child seeks bail?

Mr J.R. QUIGLEY: There is a significant expansion of the list under schedule 2 because a lot of these child sexual offences were never in schedule 2. If a person was on bail for a schedule 2 offence and then they are charged with another schedule 2 offence, by reason of clause 3A, there is a presumption running against them. We have included all these extra offences against children and other offences that were not in the bill originally in the list of offences under schedule 2, which will trigger the presumption against bail, except in exceptional circumstances. We have taken the opportunity of this bill to expand the list of offences in schedule 2 but they are not all related to children. Sexual coercion, contrary to section 327(1), might not involve a child but we have included it in the schedule 2 offences. There is also section 330(6), which refers to indecently recording an incapable person. It might not be a child, but if that person is on that charge and then comes up on a child sex abuse charge, the presumption is running against them. They would have to show exceptional circumstances because it is the second schedule 2 offence.

Clause, as amended, put and passed.

Title put and passed.

GOVERNMENT RAILWAYS AMENDMENT BILL 2021

Second Reading

Resumed from 8 September 2021.

MS A.E. KENT (Kalgoorlie) [3.42 pm]: I rise today to speak to the Government Railways Amendment Bill 2021. The purpose of this bill is to increase the maximum fine for trespass on the rail network from \$200 to \$5 000, to introduce modified penalty provisions, and to delete the provision referencing a ticketing regime and classes of travel that were abolished in 2003. Trespass on the rail network is a very serious offence. It impacts on the safety

of the trespasser, the public and railway workers. The current maximum penalty under the Government Railways Act 1904 for trespass is a fine of just \$200. An increase in the penalty for the offence of trespass reflects the seriousness of that offence.

In my electorate of Kalgoorlie, the importance of the railways has always been that of an essential service and necessary infrastructure. My electorate has an area of over 555 000 square kilometres, covering almost one-fifth of Western Australia, which is more than twice the size of Victoria. As members well may realise, given the vast distances between regional towns and remote Aboriginal communities, including to the border town of Eucla, the people of my electorate all depend on some form of transport system to survive. As in the past and in the present, railways will continue into the future to be an important part of that essential transport system, moving passengers, freight and resources to all of my electorate.

In Western Australia, from 1871, a small-gauge steam tram operated from South Perth. From that, it was some 25 years later, in 1896, that Kalgoorlie celebrated the arrival of the steam train. It was only three years earlier, in 1893, that Paddy Hannan had discovered an extraordinary amount of gold at Mt Charlotte. There were no roads, no buildings, no water and certainly no railway. After Paddy Hannan registered his claim, it was not long before fortune seekers arrived in droves, by whatever means, to stake their claims. The demand for shelter, potable water, food and mining tools equally exploded, including the need for a more efficient transportation system that was faster than camel or horse-drawn dray. It all took time, and it was a considerable feat in those days, but in 1897, the Eastern Goldfields Railway was completed. Soon after, plans were in progress to construct a branch railway to Menzies. This was seen as being important to the survival of businesses in both Coolgardie and Kalgoorlie. When all the additional branch railway lines within the Eastern Goldfields Railway network were completed, Kalgoorlie was the central junction. This included branch lines to Kanowna, Menzies, Kookynie, Malcolm, Leonora and Laverton.

In March 1897, Western Australian Government Railways announced it was building a railway from Kalgoorlie, down Boulder Road, and out to the mines, known as the Loopline Railway. This train service made it easier to haul the ever-increasing quantities of machinery, equipment and fuels around the Golden Mile. The Loopline provided some out-of-the-ordinary services for the community, and I love these stories from days gone by in the goldfields. One of these stories was about a lady called Ada Bingley, who was the manager of a boarding house at the Loopline end of King Street, Boulder. Ada had a regular order with a Kalgoorlie butcher, and to save her time travelling all the way into Kalgoorlie to collect her meat, the Loopline train driver would blow the whistle and the train guard would toss the meat package over the fence into her backyard. It meant the workers would have meat on their plates that night.

Another service the Loopline train provided was an irregular stop near Williamstown, to pick up or drop off people who had been playing two-up in a bush hideout. Sometimes even the driver joined in for a few games before continuing the Loopline journey! The Loopline was an essential service, and during the peak of the Golden Mile deep mining activities, the traffic was record breaking. During this peak, up to 100 steam trains a day moved through the station. New inventions, such as diesel motors and electricity, eventually led to the demise of the steam train, with businesses opting to transport their freight by road.

In 2022, railway lines in my electorate still reach far and wide, servicing regions in the Shires of Coolgardie, Dundas, Menzies, Laverton and Leonora, and, of course, the City of Kalgoorlie–Boulder. Railway services that operate within my electorate include the *Prospector*, the *Indian Pacific* and a large freight train network. The first *Prospector* passenger service made its maiden journey on 29 November 1971. I was at the Kalgoorlie railway station to celebrate its fiftieth anniversary on 29 November 2021. The Minister for Transport waved the passengers off at East Perth and I met them. The *Prospector* is a key part of our goldfields history, and I have caught the train to and from Kalgoorlie many times.

With the Perth–Kalgoorlie standard-gauge train line first opening in 1971, the *Prospector* replaced the overnight sleeper service and cut the journey from 14 hours to only eight hours, at the time making it the fastest service in Australia. In 2021, it was announced that the Kalgoorlie railway station would receive \$2.7 million in funding for building works, including refurbished offices, a new accessible toilet and security doors for the heritage facility. I am also told that the much-anticipated wi-fi trial on the *Prospector* is imminent, and it will make a huge difference. We will continue to make improvements to state-owned infrastructure to ensure people have safe and comfortable travel when trains are their best option. I am so pleased to be a part of the McGowan government, which is delivering for regional WA. Touching on the *Indian Pacific*, I am told it is an epic rail journey in every sense of the word. It takes in the remotest parts of Australia, and its route provides a link from west to east through the beating heart of the continent, connecting the cities of Perth and Sydney across a staggering 4 352 kilometres. I hope to travel on it at some stage.

Most people think that railways are important to their region, but they are critical to our economic growth in the goldfields. We rely on trains to transport food, goods, cars and, importantly, freight on behalf of the resources industry. Consequently, rail continues to be vital infrastructure in Western Australia and, indeed, in the goldfields, and, in turn, rail safety is a shared responsibility amongst us all. This bill is one measure to manage a risk to the safety of the public associated with railway operation. By increasing the penalty for the offence of trespass, the bill will discourage the public from accessing parts of the railway where public access is not allowed by law. This is an important piece of legislation, and I commend the bill to the house.

MR D.A.E. SCAIFE (Cockburn) [3.51 pm]: I rise today to speak on the Government Railways Amendment Bill 2021. It is a great privilege to follow the member for Kalgoorlie, whose electorate obviously has a great history of reliance on railways to service both passengers and the resources industry. My electorate of Cockburn also has a long and storied history in relation to railways. People might know that a railway line used to run through Spearwood and connected through Jandakot to Armadale. There used to be a Spearwood train station. That line has long since closed, but thanks to the McGowan government, we are now building and opening more railway lines, including the Thornlie–Cockburn Link, which I will speak about later in my contribution.

Obviously, the purpose of this bill is to increase the maximum fines available for people who trespass on our rail network. Trespass on rail network is obviously a serious offence, but the seriousness of the offence might not be so obvious to other people. People probably think that they can just sneak under the boom gates or jump over the pedestrian gates and run across the tracks to make their train. Some people might be seeking thrills or like a bit of danger in their lives; they think that mucking around on the railway tracks is a way of achieving that, but it comes with enormous risks. There are clearly enormous risks to the individual, but also to train drivers and workers called when there is an incident on the train tracks.

When a person is involved in an incident in which they are hit by a train, the industry refers to it as a “person under train” incident. There are lots of different reasons for such incidents. Regrettably, some are the result of suicide. Some people deliberately throw themselves in front of trains or lie down on the tracks because of mental health reasons. It is incredibly sad. In researching this bill, I found out that when people attempt suicide on train tracks, it is very often fatal. The fatality rate when people attempt to commit suicide by train is something like 90 per cent. Members might have seen literature or articles that comment on the rate of “success” in these cases, but I am very careful, and I do not use that language; I think it is outdated language because there is no success in carrying out a suicide.

People might engage in dangerous behaviour on the rail network for those reasons, but others are seeking thrills. There is a lot of dangerous risk-taking behaviour, particularly among young people and young men who engage in activities such as what is referred to as “train surfing”. While I was preparing for this bill, it occurred to me that we possibly need to come up with a better term than train surfing. It makes it sound recreational. It makes it sound entertaining. It makes it sound like a thrillseeking exercise because it uses “surfing”. While that is the language commonly used in the media, we need to think about whether there is a better way of describing that behaviour than talking about train surfing. In any event, this bill was triggered by one of those train surfing incidents in 2018 when a person jumped onto a train on the Fremantle line as it passed over the Swan River and jumped off the train into the Swan River. It was quite shocking and clearly dangerous. It was an unfortunate example of how people take risks on our rail network and why we need to deter people from taking those risks.

I make the distinction between the reasons people engage in this behaviour because the types of regulatory responses that we take are influenced by the reasons people engage in this behaviour. For example, the purpose of this bill is to increase the penalty from \$200 to \$5 000, but increasing the penalty from \$200 to \$5 000 will do very little to deter people seeking to commit suicide because, clearly, they will not suffer the consequences if the incident is fatal. The deterrent effect of the fine is not directed at people who are engaging in dangerous behaviour because of mental health reasons; it is really directed at people who are seeking thrills and engaging in risky behaviour for other reasons.

As I said at the outset, dangerous, reckless behaviour has so many significant consequences. It disrupts our rail network, for one, but much more seriously, it can and often does cause harm to the individual, to the train driver and to the workers who attend the incident, particularly if there has been a fatality. A lot of the literature about injuries and fatalities caused by person-under-train incidents relates to people who have suicided on the rail network, but the literature is useful because it talks about the extent of harm that can be caused to train drivers when involved in such incidents. In researching this, I came across an article entitled “Train drivers and fatal accidents on the rails: Psychological aspects and safety”, which goes through the effects that a person-under-train incident has on train drivers. It refers to the immediate effect it can have on train drivers, the dread it can cause among co-workers and the fact that in many cases, train drivers never get over the incident. Also, there is evidence that it causes serious mental health issues, like post-traumatic stress disorder. I quote a few parts of the article —

The immediate experience of the accident was never easy. Some of the drivers believed that it was easier to endure if you shut your eyes when it was clear that the collision was unavoidable. Others would not use this strategy, as they considered it necessary to check the instrument panel at that point. Looking away was also a strategy mentioned by some, and some considered blowing the whistle when they discovered the person on the rails to be a way of trying to prevent the inevitable. (Braking and blowing the whistle are prescribed procedures.)

When asked how it affects them when a colleague has had a fatal accident, their reactions vary. Most become ill at ease, wondering when it is going to be their turn: “Last December were many fatal accidents, and then I noticed that I was always on edge.”

Debate adjourned, pursuant to standing orders.

MINISTER FOR HOUSING — PERFORMANCE*Motion*

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [4.00 pm]: I move —

That this house calls on the Minister for Housing to address the raft of failures in his portfolio that have pushed Western Australia into a housing crisis.

This is a serious matter. It does not matter where I travel to around the state, there are housing issues. It is a very challenging conversation to have at the best of times, but it is even more challenging in the current environment when we can point to a government that has had an enormous budget surplus at its fingertips, not just once, but twice. I say that in the context of the fact that we have not only a housing crisis, but also a health crisis. More and more people in this state are struggling to make ends meet. I ask the government: how is it that we have quite a number of union members outside Parliament today, rallying for a fair go from a Labor government with a \$5.7 billion surplus? My office overlooks the front steps of Parliament House, and I wonder whether Minister Johnston would care to reflect on the response he got when he addressed those members. One specific member spoke about how she is struggling on her wage to make ends meet to pay her rent, despite the fact that two family members live with her and pay rent to assist. How is it that we are at this point in a state such as Western Australia, which has so much wealth at the fingertips of the state government, but we have massive union rallies and more and more people struggling to make ends meet? We have a health crisis, examples of which the shadow Minister for Health has relentlessly brought to this house, yet we continually get told by the Minister for Health that there is nothing to see here. How is it that we have this challenge?

I think that the union members outside Parliament House today who are already disillusioned—so much so that they have taken time off work to come and express that dissatisfaction—would have been doubly disillusioned when they saw the front page of today's paper. Imagine what they thought when they woke up today and saw that front page with the Premier heading into an intimate soiree with business chief executives to taste wine worth \$1 000 a bottle. That is a far cry from what these workers and the people who we are talking to on the ground are asking for consideration of. It is not a good look. The Premier may say that he is entitled to meet with any number of people in his role, and that is right. But the perception at the moment is that this Premier; Treasurer has a significant amount of funding available to his government, and his priorities are wrong when it comes to looking after people on the frontline—those essential workers and the people who deliver government services, who they regularly stand up in this house to talk about and praise. They receive praise without reward, without adequate remuneration and without the government understanding that these are difficult times in Western Australia for many people due to cost-of-living increases. This government chose not to provide relief through a whole raft of levers that it could pull in its state budget to make people's lives slightly easier. We have a dichotomy of views between what the Premier thinks is appropriate and what everybody else thinks is appropriate. We call that tone deaf. Five and a half years in and I think the Premier has lost touch with what people on the ground are thinking.

It is very challenging. Reports from organisations such as Foodbank and other charities like Anglicare talk about how, for the first time, they are seeing wage earners, who have a job and money, being unable to earn enough to put food on their table and pay their rent. Those statistics are coming directly from the charities that people are turning to for help, because they cannot afford both food and rent. Mark Glasson is the CEO of Anglicare, who we have heard from pretty regularly over the past 12 months and right through the COVID pandemic. I would say it is one of those organisations that sees the people who are struggling the most in our community. He is saying that Anglicare is seeing a new group of people emerging who are seeking support for bills and food assistance whom it never would have ordinarily seen in the past. I keep asking everybody to put that against the fact that we have a state budget with a significant surplus. Organisations are trying to deliver support and services to more and more people who are falling through the cracks, yet this government has the wrong priorities in making sure that we start to reduce the number of people who have to turn to Anglicare and Foodbank. Mark Glasson, the CEO of Anglicare, reports that one in six people who come to Anglicare has a mortgage, and that would have been absolutely unheard of only three or four years ago.

I ask members to contrast that with the commentary that we hear regularly from the Premier around the fact that our state is the best place to live. He is right; we are all from Western Australia and we love living here. We want more people to move to Western Australia, and we want more people to come and fill the jobs that we know exist and to provide those much-needed skills in businesses and sectors that are really struggling at the moment, but there is nowhere to live. It matters not whether they are seeking a private rental or seeking to purchase a home, if they are one of those people who is waiting on an ever-growing social or community housing list or they are a government worker in regional Western Australia; it is more and more difficult to find appropriate, affordable housing, or any housing at all. The houses are simply not available. The social housing list that we talk about continues to grow. There were 13 795 applicants—that is applicants, not people—in June 2019, and, as I understand it, the number is now sitting at around 19 000 applicants.

Work done by the opposition to reveal how many houses remain in the system shows that a significant number are vacant at a time when people desperately need a roof over their head. That picture of a boarded-up vacant house

that is not being turned back into housing stock and being made available is a really challenging discussion to have with constituents when they know that it is a public housing house sitting vacant in their community. There would be people in overcrowded houses not only in my electorate—I know because they come into my office on a fairly regular basis—but also right the way across the state who say, “I know that’s a public housing house. When is that going to be available so that I don’t have to live in a house with two or three other families?” Overcrowding is a serious issue, and they are the ones who have the option to do that. Then we have people who are couch surfing or the people who are turning up, in my electorate, to Share and Care Community Services and it is forced to send them away with a swag or a tent, and not because it wants to or because that this is its procedure. Quite often we see people living under the train lines in communities like Northam or Narrogin, and I have to say that that is not something that I have seen since I have been a member of Parliament from 2008. That has become more and more prevalent in communities in which we would not normally see that kind of street presence. It is challenging when we know that there are vacant houses.

A discussion last week between the shadow Minister for Housing and Nadia Mitsopoulos on ABC radio highlighted the Beaconsfield complex, where approximately 60 homes are boarded up and vacant, with 18 waiting to be demolished and 40 undergoing refurbishment. We have a similar situation in a number of different communities, whether it be Albany, Geraldton or Carnarvon, which we have raised on a number of occasions. I will not miss the opportunity to put on record what we discovered in Carnarvon, because this is a town struggling with overcrowding and its housing. There is a crime issue, despite what the police minister continues to say to this house, much to the dismay of the community leaders and people in Carnarvon dealing with that dysfunction and crime on a daily basis. As of 31 July 2022, there are 308 social housing properties in Carnarvon, of which 43 are vacant undergoing or awaiting to undergo maintenance and repairs, and two will be demolished. For the record, I go back to the point that this is all wound into the crime and dysfunction in some areas of the state. Some of those houses have very nearly been finished in their refurbishment, but have been broken into while they are being refurbished and damaged again. The builders, who are becoming increasingly frustrated, and also quite concerned for the safety of the people breaking in while those refurbishments are underway, are raising these concerns with the Department of Communities and local government. This is a real outcome of the crime issue in that community, and I would dare say that that is replicated across the northern parts of the state.

We have been into communities like Newman, Roebourne, Halls Creek and Fitzroy Crossing, and we know a combination of private sector and public sector houses have been boarded up and left. I am sure that the minister will talk about those that have been transferred across, but 43 houses in Carnarvon are vacant and undergoing maintenance or repairs. It is a serious challenge. I again contrast this statement with the fact that we have a police minister saying that there is no crime issue in Carnarvon, yet we have builders who are trying to do the right thing and get that housing stock back into the mix being constantly plagued by break-ins and really dreadful behaviour. It is simply not good enough.

I move on to the other aspect. We talk regularly in the housing sector about the supply chain and the different types of housing required to have a healthy supply chain—not only to build a house, but across the variety of housing options that we have as a state available to people so that wherever an individual is at in their journey, there is opportunity for them to have safe and affordable housing. Worker accommodation has been one of those issues we have raised again and again. I have to say that the government has been announcement heavy and action light in this. We have finally seen an announcement for the allocation of a tender for Kalbarri, 18 months after a commitment was made and the devastation we saw in the community as a result of cyclone Seroja. Exmouth, as I understand it, is still waiting.

When one meets businesspeople up there, they are at the end of their tether because they are unable to attract workers into the community to allow them to offer the tourism experience or business service that they desire, because there is simply nowhere for them to house their employees. If they are lucky enough to find someone who will move to work in Exmouth, there is nowhere for them to provide housing. In fact, most businesses have had to buy or purchase homes, which takes them out of the mix, to house their workers. It is really having an ongoing and very detrimental impact on people’s mental health. I do not say that lightly. It is evident when one talks to business owners who are forced to close their doors because they simply cannot stretch their staff any further. If one thinks about that in contrast with what this government is asking people to do—namely, to visit these communities—and the impact this has on the tourism experience in the jewels of the crown when one thinks about Exmouth, Coral Bay and places like Broome.

I think we are doing ourselves a disservice by not treating this with more urgency. That is our criticism. This was a commitment from the government at the 2021 state election, and we saw this government move at pace to bring in legislation to remove regional voices from Parliament when it saw it had opportunity to reform or slash voices in the Legislative Council, but when it comes to being able to deliver something to have a real impact on the lives of people living in regional WA right now, the government has dragged its heels for at least 18 months before we have seen an announcement—to the great frustration of the local government. That has been directly reported back to me.

We welcome the fact that there has been an announcement in Kalbarri. We wait on news for Exmouth. For the record, the request for inquiries—or ROIs—for this project were not invited until December last year. Before we broke

for the winter recess in June, the minister revealed that he had to go back and ask for a second round of submissions. I do not know exactly why that was. I can surmise that perhaps the government was not offering a good enough deal or could not make the dollars work in that community. I am happy to be corrected by the minister when he stands up. It has meant that it has delayed responding to that again. I really call on the minister to provide an update on where this project is up to. If he has not done what I have done on numerous occasions, he should go to Exmouth and meet businesspeople who are thoroughly shattered and exhausted and needing additional staff, but have nowhere to put them. It is becoming an enormous problem for that community.

I heard the minister talk about the developments in Kalgoorlie, and, again, these were commitments made prior to the last state election—running into the election. It is all very well to stand in his house and blame the local government, but I think it is a low blow to do so. From our perspective, we have been fully supportive since day dot of the Pringle Village and the project expansion. We worked closely with Masonic Lodge homes when we were in government to deliver that first round, and it did a wonderful job. Since then, it has been talking to government for a significant number of years to try to deliver that second tranche, which it will now have to deliver in an overheated market in which it is very difficult to deliver such projects. Had the government acted with more haste on such projects, perhaps we would have seen more opportunities for those aged-care independent living villages for residents who are currently waiting to move out of their bigger homes and free up housing stock within Kalgoorlie or the goldfields by going into this new facility and we may have seen a better outcome. Kalgoorlie is another one of those communities suffering from a lack of accommodation when workers they so desperately need are attracted.

It is sad to say for people in regional communities that there has been very little investment in Government Regional Officers' Housing properties across the state over the last five years. Some of this accommodation is completely substandard, whether it be from GROH or the Department of Health. I think it is interesting, but I have never understood why the Department of Health insists on managing its own housing stock when it cannot manage to deliver the health services that it is supposed to. It grimly holds on to every piece of housing that it has, instead of putting it into the pool managed for all police, nurses and community service workers that GROH manages in regional communities. Nurses quarters in particular, in various different parts of the state, are still operating on those single-room nursing quarters with very little security.

I had someone who came and spoke to me, terrified, about the fact that they had been broken into, and that was in a regional community with only one security guard. It is simply not good enough to have so little support in an isolated community when multiple people could turn up on someone's doorstep. Not only is the security of our essential workers important, but also the quality of the housing. We do not have to go far to find examples of communities that need investment to bring them up to standard.

Quite often local governments in regional communities are forced to be the provider of last resort, and they will enter into an agreement with the department on a long-term lease. I have seen so much nitpicking going back and forth over whether or not the games room is big enough or whether a hallway or a third bedroom has been built to the specifications. A new build in a community would add to the housing stock, so to me it seems remarkable that local governments would be put through that when they are actually building the housing stock that the state government should be responsible for. It is challenging. When local governments do not have the bank balance or the capability to fund those properties, we see housing shortages for teachers, nurses and police officers in some cases.

I spoke about safe accommodation for government staff, and I think that is really important, particularly in the more remote communities in the north of the state, with vulnerable staff and only a minimal police presence. That is a particularly challenging prospect for an agency nurse travelling and doing shiftwork, and it would not make recruitment easy for the health department. They all talk. As anyone who speaks to the police about this will know, the first question they ask about a posting in regional WA is, "What's the standard of the housing, and what does the police station look like?" Nurses are very similar. They know exactly what the facilities look like. It cannot be something that the government shirks, but, again, the government is found wanting when it comes to delivering what should be a priority for the community.

I spoke earlier about the fact that the government seems to be big on announcements but lacking on delivery. I draw the house's attention back to the Department of Communities, which had a COVID-19 stimulus budget of around \$319 million to spend on social housing initiatives across two to three years. Between July last year and March this year, it spent \$6.42 million, according to the WA Auditor General's report. A significant amount was allocated to increasing the amount of social housing available, yet it was significantly underspent. In fact, the budget for refurbishing 1 500 existing social houses was \$142 million, of which only \$2.8 million—or two per cent—was spent within the time frame that the Auditor General was looking at. There was \$80 million allocated to maintaining 3 800 regional social housing properties, including in remote Aboriginal communities, but only four per cent had been spent, which equated to about \$3.1 million. That was during a period when there were around 15 000 people on the public housing waitlist and the average time for public housing was roughly two years.

We get big announcements and big amounts of money from this government, but when it comes to delivery, we do not see the money hitting the ground. The shadow Minister for Housing has made the point very clearly that the

minister should start reporting on exactly what has been delivered, as opposed to what has been promised. What we have seen in other projects by this government is that it makes the big announcement and then has to come back and say, “Sorry; that’s been delayed. We haven’t been able to deliver that.” There is no point in the government standing up and talking about how passionate it is about the sector and about the projects if it is not getting the dollars on the ground and achieving the outcomes for the community.

My colleagues are going to cover other issues of concern within the portfolio, but by any measure this minister is failing to deliver on the promises that his government is making. As I said, he needs to start coming clean and talking about what has been delivered as opposed to what has been promised. We have heard that again and again. We can all read the media statements. It would seem that ministers in this government have taken to reading their media statements and ministerial statements when responding to Dorothy Dixers in question time, instead of using question time appropriately. There is more than enough information on the record about the announcements that are made and the spin that comes with how great it is that we are all very passionate about delivering an outcome, but intentions and passion are not good enough when the money is not actually hitting the ground for what should be a key priority for a state government of any persuasion. If government does not have safe and affordable housing, then it is failing the people of Western Australia or whatever state it is responsible for. That should be the number one issue. Anything else is just spin and rhetoric.

I talked about GROH just now. One of our first priorities when we came to government was to partner with the Department of Housing through royalties for regions to upgrade housing stock across the state. I suspect that was the last time any of those houses saw a lick of paint, an upgrade or a new build, and that was a long time ago. We are talking about 2008 and 2009, when we came to government. I vividly remember visiting the housing of police, teachers, nurses and other hardworking government employees, only to be completely appalled, when we were in opposition last time around, about the state of housing. It was one of the key things that we took to government to try to deal with. I put on record that at that point in time we were coming out of a Labor government that also had a budget surplus but had chosen to sit on it instead of spending to invest in key public infrastructure. Mr Ripper at the time was more focused on the surplus than on providing appropriate housing for essential workers in regional communities.

I heard the minister talk about opening up new land in towns, particularly those that are impacted by the cyclical nature of mining in the north west. I have to point out that when we came to government and did the same thing, we were criticised. We were criticised again in 2013 by the incoming member for Pilbara, who was very opposed to the way that we intervened in the market in the north west, in Karratha and Port Hedland, to try to get housing prices under control and open up new land so that people could afford to live appropriately in those communities. The member for Pilbara was very vocal on that front. Again, nothing had been done by the previous Labor government to accommodate what was a really big challenge in those communities, and we see the same problem all over again. It is not good enough.

We ran an aggressive land development program right across the state through LandCorp. Where the market fails, the government has a responsibility to step in. In response to the government’s budget this year, which had a significant surplus, the opposition recommended that there should be a long-term regional headworks policy, setting aside \$1 billion over 10 years, to enable businesses to invest in residential developments in regional communities where that market failure exists. That would take the cost of headworks out of the equation so that there is an ongoing pipeline of developments, the private sector and government in partnership, to ensure that we do not see the cyclical approach to investment that we have seen over the last 10 years.

We put forward a long-term investment policy after the state budget and we said that this was something that the government could spend some of the budget surplus on. I think that still has merit and it will certainly be something that we will pursue, because our priority is to deal with preventing these housing lists from blowing out and the rent skyrocketing any further, and addressing those issues with towns crying out for workers’ accommodation. They are the priorities that the government should have but the government is failing on them. The government is failing to address the housing problem whether people live in Beaconsfield, Carnarvon, Joondanna or Jerramungup.

I call on the minister to do better so that we do not have to have conversations with local crisis care providers like Share and Care Community Services, in Central Wheatbelt, which is an organisation that has provided many years of support and is saying that it has never seen it so bad. Do better so that I do not have to have another conversation with the mother of two girls who is currently living in a caravan. I have raised it with the minister. She wants to create stability for her family, who have escaped domestic violence, but she cannot afford to find a house in the town that has given her support and structure. Do better so that people who cannot afford to rent their own home are not forced to couch surf or become homeless. Do better so that the businesses that are the backbone of our communities can actually take advantage of the opportunities that we so often hear about but are falling short on in areas of the state that so desperately need it because they do not have access to the workers or the accommodation they need. Do better so that our state’s growth and the opportunities we know exist are not missed, because the housing sector supply chain has failed under this government’s watch. We are five and a half years in and we have a massive budget surplus, but all we have is a housing crisis in every single sector along that supply chain. It is simply not good enough.

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [4.31 pm]: Since well before COVID, the members on this side of the chamber have been calling for this Labor government to take serious action on housing, rentals and the homelessness crisis in our state. As the Leader of the Opposition has made clear, the Minister for Housing; Homelessness needs to address these issues with actions and not words. We consistently see press releases and statements from this government. I do not know how many; the shadow Minister for Transport could remind us of how many announcements there were about the Forrestfield–Airport Link opening. I think the government announced the opening three or four times; it delayed it and announced it again. We see stellar announcements about housing but we see poor action by this government.

Let us look at some of the basic facts around housing in this state. As of 31 June 2022, there were 19 070 applicants on the public housing waitlist. That includes families, singles and others totalling 33 563 people on the social housing waitlist. As of 31 July—just a month later—it increased to 19 103 applicants. That is an increase that I will talk a little bit about, but 8 519 people on the list are represented on the priority list. The priority list is not just some list of people who really want houses. I went to the government’s website on priority housing assistance. These are people who have been subject to family and domestic violence, people who need to reunite a child with a family, people who are homeless, or people who have a severe and ongoing medical condition caused or aggravated by the housing situation, or, as I suspect in many cases, the lack of housing situation that they are in. This is not an idle statement about priority housing. More than 8 500 people are on the priority waiting list. They are desperate families, many of them single parents and, in particular, single mothers, who are looking for a safe home for themselves and their child. That jump of 33 applicants represents 81 people requiring houses and we can see that this is only going to get worse. We are seeing massive cost-of-living pressures, which this government has contributed to with record increases, well above the rate of inflation, for all government fees and charges over the term of this government. We have seen some pre-election bribes, as I have described them, with pre-election announcements of small amounts of money, but the underlying fees and charges have increased massively for every family in the state. Interest rates are going up. All of this translates into fewer families that will be able to afford housing. We are going to see people pushed out the end and an increase in homelessness because people literally have nowhere to go and will not be able to afford a house. We have seen a substantial increase in priority applications.

Let us just go back in history a little bit. I want to contextualise just how dramatic the increase is under this government. As of 30 June 2018, just after this government was elected, there were 1 437 priority applicants. Under questioning in the other place, the numbers listed show that from 31 July there were 4 212 priority applications. It has gone from 1 437 to 4 212. That is after this government has been in power for more than four years. It has been here and it has had the opportunity to see what the problem is, yet we have seen a dramatic increase. It is a massive failure by this government. That is almost a 300 per cent increase in priority public housing applications. It is a massive increase under this government. As I said, this is a government that is big on announcements but absolutely appalling on performance. A year in, a new government can blame the previous government; two years in, it may be able to blame the previous government; three years in, it must start to own the problem; but four or five years in, it is the problem. That is an unacceptable situation. Those numbers actually tell the real success or, should I say, the lack of success of this government. If this government cared, it would do more. It would have done more and it would be doing more now. I will not go through all those numbers.

The minister complains about statements about whether we think he or the government cares, but what is quite clear by performance is that they do not. The minister might say he cares and express those opinions with some vigour, but the reality is that actions speak louder than words. It is no surprise that the housing waitlist has blown out so dramatically under this government. We know that ever since the Labor government was elected in 2017, it has sold off public housing. As I have said in this place a number of times, the government sold over 1 300 public houses in its first term. Government members come into this place and boast about the number of houses they have replaced. I want to go into a little bit of discussion about that. The government says it has actually replaced that with 600 homes, through new housing and purchases. Let us dwell on that for a second. What does it mean when the government is actually purchasing existing homes for social housing? Yes, that increases the public housing stock—it recovers it, at least, back to some level from before—but the government is simply removing other homes that are available for other people. We know there is an enormous housing crisis in this state, so that does not solve the problem. It is robbing Peter to pay Paul. It simply moves the problem somewhere else.

Mr J.N. Carey: Can I ask one question? Why is Hon Steve Martin calling for an increase in stock quality?

Dr D.J. HONEY: I am not here to answer for Steve Martin.

Mr J.N. Carey: He’s your Liberal colleague.

Dr D.J. HONEY: Thank you for that, minister. I heard what the minister said and I do not need to hear any more.

In this debate, I am talking about the minister’s performance and the government’s performance. As I said, by purchasing those homes and taking them out of the market, the government is simply pushing the problem somewhere else. That is not solving the problem. The problem will be solved by the government actually getting more houses. Based on the numbers the government has reported, it will not get back to replacing the houses that

were sold in its first term by the end of this year. If I recollect the numbers correctly, the minister said that there are 600 more houses and that 400 more, or thereabouts, are due by the end of the year. I do not see how the government can say that it is providing a meaningful response to the problem when that is the case.

One thing we consistently see whenever government members are under pressure is that they get personal; they get nasty. The Premier of the state comes in here and calls members on this side stupid, idiots and fools—gratuitous, juvenile insults—rather than facing up to the real problems and dealing with the issues we face. I have had private discussions with the minister. I have said in this chamber that there are opportunities for social housing. I have been challenged to say whether I would care if there was more social housing in my community. I have made it very clear that I have no issues with that whatsoever. My electorate has 50 per cent more social housing in it than the electorate of Rockingham—the Premier’s own electorate—at 3.4 per cent. I have discussed with the minister that I think there is a golden opportunity to redevelop social housing, particularly in the southern part of Mosman Park, and to house more people there. I have no problem with having social housing in my electorate, despite the fact that some members of this place—I am not accusing the minister, but others—have tried to make out that I would somehow have a problem with it. The Labor Party portrays itself as having a social conscience, yet we have seen more social housing sold than replaced under this government.

We see PR spin from the government over substance. Let us talk about the Common Ground project. I and others on this side have raised concerns about that project. On my count—we did a quick search—there have been 15 media announcements by Labor on that project. There were glossy shots of Labor members wearing hard hats and fluoro vests—all of that. There have been 15 announcements, but what do we now hear? The project is on hold. The minister has made much of the fact that he believes opposition members are saying that the government has stopped the project. We have not said that the government has stopped the project; we have said that that project has not started. The minister may want to quibble over the definition of a word, but if the project is on hold, it has been indefinitely on hold.

I will go through a little of the history of that project to see how far it has gone. That project is a priority of this government! The minister said in this place, “You’ve got to realise it’s an overheated market in terms of demand for labour and for builders.” The perverse thing about that statement and the minister complaining about that as a cause is that it is other ministers in his government who are competing for the very workforce—the labour pool—that would build those houses. We have the ludicrous situation of a Metronet project that has ballooned out from \$3 billion to over \$10 billion. None of it has been delivered on time. The Auditor General did her report. She looked at 14 projects; seven of them were more than a year overdue. The Forrestfield–Airport Link was 2.5 years overdue, and I assume it will be three years overdue by the time it opens, or something like that. Metronet is billions of dollars over in terms of cost. The Labor government, not content with the fact that it cannot actually deliver the project it promised back in 2016 before it came to office and was its priority once it came into office, and despite the fact that it has now had to push back the commencement date of a number of those projects by a year or more, has announced a \$2 billion project for the Armadale rail line. It is competing for even more labour. I tell you what, Minister for Housing: the Minister for Transport is winning this battle.

This government is prioritising its vanity project of Metronet over public housing. That is what it is doing. It is prioritising not the acceleration but a desperate catch-up on Metronet over public housing, and has committed even more money on another project. Does the government have its priorities where it says they are—that is, with the people? It used to say that, but I do not think it says that much anymore. Labor used to say that it was here for the people who were struggling and doing it tough—that the Labor government would stand up for them. What do we see, aside from the minister going to \$1 000-a-bottle wine-tasting events at a billionaire’s house? We do not see this government prioritising public housing over the Metronet project. That is simple. The Metronet project is competing directly for the same labour, outside of a couple of skilled positions, that would go into helping the government build public housing. Make no mistake: when we talk about competition for resources, the government is the biggest competitor. I have had numerous complaints from people in the construction industry that because the government is so desperate to try to recover some face on the Metronet project, it is outbidding the private sector for workers to come into the Metronet projects. This government cannot resile, at any level, from the fact that it has made a conscious point to prioritise the Metronet project over the critical work that needs to be done in public housing.

I have asked a number of questions about housing in this place. I asked a straightforward and important question last week of the minister, hoping to get him to address housing and hopelessness—“housing and homelessness”, I should say, although it is a Freudian slip because many of those poor people do feel hopeless and their lives are in disarray. My questions were about Labor’s 10-year strategy on homelessness and the East Perth Common Ground facility, which has been delayed once again—it is still nowhere after 2.5 years. One would think that there has been ample time to get support for that project and achieve it. In fact, the minister could not provide the details on the social housing that had been provided, although he subsequently provided that information, in part, in response to a Dorothy Dixer asked by one of his colleagues. I note that what we again see from the minister is that rather than facing up to the issue, he wants to get in there and criticise my colleague in the other house, the very good shadow Minister for Housing. We saw a little bit of that a moment ago. The minister is the minister. He has his hand on the tiller. He is the person in charge. Rather than focusing his efforts on someone in the other place, maybe he could focus more on this issue.

The Common Ground project was a key part of the Labor government's response to homelessness in our state. It is a significant problem. On 15 July 2020, Minister McGurk announced in a press release —

... the location for the new supported housing ... along with additional funding for homelessness services in response to the COVID-19 pandemic.

The minister added —

People with complex needs will be housed and supported alongside low-income earners in the purpose-built Common Ground complex, which will include at least 70 self-contained apartments.

The press release continued —

The East Perth facility is one of two Common Grounds funded as part of the record \$71.7 million State Government funding boost for homelessness services announced in December to support the implementation of WA's first 10-year strategy on homelessness.

[Member's time extended.]

Dr D.J. HONEY: What did we see once again? An announcement of dollars! If the announcement of dollars was achieving things, I would give the government a gold star, but for the announcement of things that have been completed, I am afraid it gets a complete fail.

This project was first mentioned in late 2019. As I said, this was a key plank—not some small, ancillary thing on the edge—of Labor's so-called 10-year strategy. Here we are, two and a half years in, and it is not even off the ground. That is extremely disappointing. The Premier says that he is alert to the issues. Indeed, in 2019 he said —

Safe and stable accommodation is fundamental to the health and wellbeing of people in our community.

It is so fundamental that the Premier is prioritising the Metronet project over public housing. If it was truly a key plank of the Labor Party, that project would be underway; in fact, it would be well on the way to completion.

It is not a surprise that this is a challenge for the Labor Party. The challenge for Labor in this state sits at the feet of this government. At the start of the pandemic, I said in this place that it is prudent that the government takes action to prevent general travel into the state, but it should not prevent critical workers coming into the state. I outlined that those critical workers were in the horticulture and construction industries. That was at the start of the pandemic. But for the sake of politics, the government played the game of saying, "We're going to be tough. We're going to keep everyone out" and it kept out those critical workers. I was never critical of the government for keeping out people who wanted to come to the state to attend a birthday party or as a guest of a wedding, but it was readily apparent that keeping those critical workers out of the state would lead to harm. I said that when this pandemic is over, we would see critical impacts on the state's economy because the government had kept out those key workers. It sits at the feet of the government that those critical workers were not here to build houses and now we have an exacerbated housing crisis.

Homelessness is a distressing issue. As a small aside, one of the criticisms I have heard from members on the other side of the chamber is that opposition members repeat stuff from *The West Australian*. I can tell members how grateful I am for the good work that *The West Australian* does in bringing forward issues.

Ms C.M. Rowe interjected.

Dr D.J. HONEY: I can tell members how grateful I am, government Whip, that *The West Australian* does that good work and that it is holding your government to account, and no more so than in an excellent article by Rebecca Le May of Sunday, 17 July 2022. I will go through a bit of that article, but I thank *The West Australian* for the good work that it is doing to hold this government to account. I will happily quote from *The West Australian*. When it raises issues, I will happily bring those issues into this chamber and challenge ministers and others on those issues. If members opposite think that it is some kind of defence to criticise us because we use *The West Australian*, they are completely wrong. I gladly use it as a reference because it raises issues that are important to this state.

The Rebecca Le May article to which I referred is titled "Perth homeless crisis: Piece by piece approach as government, councils scramble to tackle surging crisis". It contains some awful stories, including that of Elaine, who became homeless after her grandparents, who raised her, had died and then her boyfriend attacked her with his steel-capped boots. She now travels with only her footy boots and some everyday clothes and sleeps out in the street. She does not have a place to stay. Many members in this chamber tell me that they care about these things, but that poor lady is in a desperate situation. She has been subjected to violence and abuse and has to sleep on the streets. Members all know that being out on the streets can be a threatening situation for anyone, but it is even more so for women.

It is interesting that often in this chamber, the Minister for Housing seems more concerned about his own reputation. On a couple of occasions at least, he has come into this chamber and said that I claimed that he had caused 100 homeless deaths on the streets of Perth. That is completely untrue. For the sake of the record, I will read out the tweet that referred to what the shadow Minister for Housing, Hon Steve Martin, had said.

The tweet said —

@SteveMartinMLC, is correct when he says the housing & homeless situation in our State is an emergency. With 100 homeless deaths in WA, it's time for @WALabor to ditch their rookie Housing Minister and replace him with someone capable of fixing his mess

Mr J.N. Carey: Member for Cottesloe, you are quoting the wrong tweet. I have got it right here.

Dr D.J. HONEY: I am quoting the tweet here.

Mr J.N. Carey interjected.

The ACTING SPEAKER (Mr D.A.E. Scaife): Minister! You will get your opportunity —

Mr J.N. Carey interjected.

The ACTING SPEAKER: No, no, no! Minister!

Mr J.N. Carey interjected.

The ACTING SPEAKER: Minister, I call you to order for the first time. If you are not careful and you continue behaving like that, you will not get the opportunity to respond. Leader of the Liberal Party.

Dr D.J. HONEY: Thank you very much, Acting Speaker.

We will find out whether that was the tweet the minister was referring to, but certainly when we did a search on it, that was the only tweet we could find in relation to that matter.

Comments have been made in this place about Boorloo Bidee Mia. Hon Steve Martin has been asking the question: how many Aboriginal people are housed in that facility? The facility was announced as being a major solution because it has 100 beds. What have we seen? The facility opened last August and, in early June, it was able to accommodate only 56 Aboriginal people. It is excellent that 56 Aboriginal people had the chance to be housed in that facility, but we understand that somewhere around 60 or so is the maximum number of people who can be accommodated safely in that residence. I understand that people who are homeless often have complex histories and that it is a difficult environment, but why say that the facility is suitable for 100 people when it seems apparent that it is not? I am happy for the minister to tell me that it can take 100 people but, once again, saying that it can accommodate 100 people sounds like spin because, in fact, it cannot. That means that somewhere around 40 places in that facility are not usable, which means that we do not have adequate facilities and we need more.

Earlier this week, the Standing Committee on Estimates and Financial Operations of the other place held a hearing for its inquiry into the financial administration of homelessness services in Western Australia. The inquiry heard impassioned pleas from Shelter WA for more government funding. It said that service providers are struggling and not getting enough to cover rising costs when contracts are rolled over. It warned that homeless people would suffer. I will read a bit of testimony that was covered very well in an article by Rebecca Le May in *The West Australian* of Monday, 15 August 2022. She cares about this issue and is bringing it to light. The article covers some of the quotes from the hearing and states —

“At the moment, the funding of homelessness services is not sustainable”, chief executive Michelle Mackenzie said.

There's a 12.2 per cent gap between what they get with their contract and the cost of delivering the service, so that's just woeful.”

That means that sector cannot provide the services they need. She added —

“And we know already that two out of three requests for accommodation can't be met. So it's going to get worse.”

In an article by Rebecca Le May in *The West* online on Wednesday, 17 August, she again covered this issue. The article is titled “State Government cuts funding to Homeless Healthcare's Highgate clinic”. I will not go through the whole article, but I want to highlight particular sections because, again, it goes to the core of this government and how much it genuinely cares about homeless people and the impact they have on health services. Dr Andrew Davies, the founder of that centre, said about the government —

“They think that they're saving money ... but they're going to be spending millions if these people start presenting back to ED like they did in the past, which is highly likely.

“I just can't fathom why they would do this.”

The article continues —

An analysis of the effectiveness of the clinic by Notre Dame University showed that before visiting the clinic individual patients' hospital bills were costing governments a staggering \$13,100 a year.

Over that time, emergency department presentations, inpatient admissions and inpatient 'bed' days rose— a finding in-line with the fact health deteriorates the longer people remain on the streets.

But comparing their hospital use between the first and third years of going to the clinic, ED presentations dropped by 40 per cent, ambulance arrivals fell by 29 per cent, inpatient admissions sank by 41 per cent and admitted inpatient days were halved.

One Hub patient costs just \$831 a year—less than a single emergency department presentation costing \$922.

What do we see from this government? We hear lots of spin and statements about how it cares about the people.

Ms C.M. Rowe: Who was your Minister for Homelessness? That's right. That's how much you cared about it.

Dr D.J. HONEY: I am not soliciting interjections from the member for Belmont.

The ACTING SPEAKER (Ms C.M. Collins): Members, the member for Cottesloe does not want interjections.

Dr D.J. HONEY: The government claims that it cares, but it will cut a service that will see homeless people suffer worse health outcomes and the hospital system that is already overloaded will be more overloaded with unnecessary hospital presentations. That is the record of spin over actual action. In this case, the government has cut funding to that critical service. The government talks in this place about how much it cares about Indigenous people in this state.

Ms C.M. Rowe interjected.

The ACTING SPEAKER: Member for Belmont!

Dr D.J. HONEY: Thank you very much, Acting Speaker.

One in three homeless people are Indigenous people.

Ms C.M. Rowe: Don't go there.

Dr D.J. HONEY: Your lack of care —

Ms C.M. Rowe interjected.

The ACTING SPEAKER: Member for Belmont!

Dr D.J. HONEY: The government's lack of care for homeless people translates into a lack of care for those Western Australians who are suffering most. It is an absolute disgrace.

The previous Liberal government increased social housing by 35 per cent during its term in government and this government has cut it. This government does not care about the issue of homelessness in Western Australia. It does not care about providing the critical housing that is needed for workers in regional Western Australia. Unfortunately, I do not have time to go through that in the detail that I should, but housing availability in nearly of all of Western Australia is almost zero.

MR P.J. RUNDLE (Roe) [5.02 pm]: It does not give me a lot of pleasure today to speak to the motion that the Leader of the Opposition has brought on, but it is very necessary and, quite frankly, needs to be addressed. We keep talking about it, but, unfortunately, as the member for Cottesloe pointed out, every day in question time rather than answering questions, the Minister for Housing deflects by abusing members of the opposition. He runs people down rather than addressing the issues at hand.

As the Leader of the Opposition pointed out today, it is quite interesting how the supposed party of the people does not have the backing of the people. Thousands of public sector workers were out the front of Parliament House today demonstrating about their wages. There are shortages of teachers, police and nursing staff and the party of the people has thousands of people from the public sector complaining about wages while there is a \$5.7 billion surplus. The Labor Party claims that it is the party of the regions, but what does it do? The first thing it did when it came to government, despite the Premier claiming again and again that it was not on the agenda, was to bring in electoral reform to reduce regional representation in the upper house. We get mixed messages from the government; but, in fact, the clear message is that this government is not the party of the people and it is not the party of the regions either.

The Leader of the Opposition pointed out that organisations such as Foodbank and Anglicare are coming to the fore and giving this government an understanding of the grief that is happening out there at the coalface.

I am a bit disappointed that the Minister for Commerce just left the chamber, because we have heard that cabinet is considering changing the tenancy laws. If those claims are correct, that will change the balance in tenant and landlord relationships. Potentially, that could reduce even more the number of available houses and exacerbate the homelessness problem. I am very curious. I think that the Minister for Commerce and the cabinet are in a quandary at the moment. There will be real issues if WA tenancy laws are changed, as we have heard. A lot of people will take their rentals off the market and transfer them to Airbnb and all sorts of effects will be created. As I said, I am disappointed that the commerce minister left the chamber because I am very curious to hear about what cabinet has come up with for those tenancy laws.

The member for Cottesloe also pointed out that the government is competing with itself. Metronet is said to have blown out by more than \$6 billion but the government keeps announcing large projects. It competes with the private sector and itself on housing. It cannot deliver.

The member for Cottesloe referred to articles in *The West Australian*. An article in *The Guardian* on 3 August titled “McGowan government says it cannot find builders for social housing developments” states —

A spike in demand and rising costs for material are impeding efforts in Western Australia to address a housing waitlist with almost 19,000 applicants.

...

John Carey, the state’s housing minister, has told a forum organised by Shelter WA “massive cost escalations” are forcing a rethink of how best to provide social housing.

WA’s social housing waitlist has grown to almost 19,000 applications, with the average wait time exceeding two years.

University of Western Australia research this week highlighted an almost 40% increase in the number of homeless people accessing services in WA over the past five years.

It is very interesting that during question time the minister throws around these figures. The article in *The Guardian* said that women sleeping rough were more likely to experience violence and health problems, with more than 84 per cent reportedly being attacked on the street since 2020. The minister criticises Hon Steve Martin, the member for Vasse and the member for Cottesloe when they question his statistics. An article in *The West Australian* on 18 August, just a few days after Minister Carey made his accusations, confirms that the number of people forced to sleep rough or couch surf in the metropolitan area was about 1 000.

It is all right for the minister to fall back on the methodology of the Premier and make personal attacks when answering a question. He never answers the question; he just attacks the person who is asking the question. It is quite disappointing. When I first came here five and a half years ago, we would hear the line that the previous government had left us \$40 billion in debt. We heard that for about four and a half years. The modus operandi of the government has changed. Now it attacks the person. It attacks the Leader of the Opposition. It attacks the Leader of the Liberal Party. That is the answer to the question. It does not worry about dealing with social housing or dealing with statistics.

I must say that as an elected member who came in here thinking that if I ask a question, I will get an answer, I am fairly disillusioned with what has developed. I am disillusioned by a government that attacks the credibility and the person, instead of just answering the question. That is all we are asking for at times. Anyway, I am slightly going off track.

Several members interjected.

The ACTING SPEAKER: Members!

Mr P.J. RUNDLE: I am trying to —

Several members interjected.

The ACTING SPEAKER: Members! Hansard will find it very difficult to hear the member for Roe.

Mr P.J. RUNDLE: I am just trying to alert the government to the disappointment of not only the opposition but also Western Australians with the arrogance that has developed. We saw the COVID situation; we all understand that. We all understood people flocking to the polling booths to support the Premier. We saw it, but the arrogance that has now flowed on from that is really quite disappointing. It is disillusioning for people who watch Parliament and see some of those very ordinary answers. I think the Minister for Housing is leading by example with the way he attacks people; he probably comes a close second to the Premier, I must say.

I want to focus today on the regions because as far as I am concerned we are the party of the regions, not the party that has brought in electoral reform and wiped out regional representation in the upper house. We are the party of the regions. I want to refer —

Several members interjected.

The ACTING SPEAKER: Members! Thank you.

Mr P.J. RUNDLE: I want to refer to a few of the towns in the electorate of Roe, such as Narrogin where 29 individuals are waiting for single-room accommodation; 32 waiting for two-bedroom accommodation; three seniors waiting for one-bedroom accommodation; and 11 families waiting for three-bedroom accommodation. I also know of one family living in a tent in subzero conditions, and most of those people who are waiting are couch surfing. In Narrogin there are three houses and one unit to rent. There is a three-by-one for \$420 a week. There are two houses for around \$360 a week. There is one house in Cuballing, which is on the main highway and has had numerous renters over the previous years; that is \$230 a week. There are no houses for rent in the surrounding towns. That is an example of one of our regional towns in my electorate and what we are up against.

When we look at some of the other figures from around some of the other towns in the electorate of Roe, it is quite disturbing because after rental searches this week I found not one house to rent in Kojonup, Gnowangerup, Nyabing,

Bremer Bay, Cranbrook, Lake Grace, Pingrup, Newdegate and Borden. As I said, Narrogin seems to be the place where we have a handful of places to rent. I mention Bremer Bay, which has zero rentals available but has 40 Airbnb vacancies. This is why I raised the tenancy laws that no doubt your cabinet will be considering now, Minister for Health.

Ms A. Sanderson: What is your position on them?

Ms L. Mettam: Are you taking interjections?

Mr P.J. RUNDLE: I am not taking interjections. I have a lot of things to cover here. My concern is we are seeing a trend unfold; and if the tenancy laws that I am hearing about come into being, we will see an increase in the number of Airbnbs, a decrease in the number of houses available for rent and more people out on the street. I am very interested in the government's position when that comes to be. That is why I am disappointed the Minister for Commerce has left the chamber. They are the sorts of figures that are starting to come out of the regions.

I want to go onto the topic of schools, because back in March this year, the Principals' Federation of Western Australia called out the McGowan government on the limited availability of GROH properties and the president, Bevan Ripp, said that regional schools faced a huge struggle to attract staff amid a dearth of suitable accommodation. The Leader of the Opposition pointed this out in relation to nursing accommodation. We have a similar scenario in accommodation for our teachers, and violence issues in the north west of the state are really putting our nursing and teaching staff off even going there. I have heard some horrific stories of some of the threatening behaviours that have taken place in some of those communities in the north west. As the Leader of the Opposition pointed out, that is another example in the regions of attempted violence to one of our nursing staff. These are the sorts of issues we have. From 2016 to 2020, the number of available GROH properties shrank by 600 in the regions. The south west and the midwest were the two areas that recorded the biggest drops, as referred to in the *Countryman* of 28 April 2022. The minister knows—I have spoken about it before—that security is a real issue as is the timing of when security is dealt with and building maintenance. Teachers are leaving the sector. I have spoken about it before. Twenty-five per cent of our graduates have left within five years, and a large part of it is the lack of suitable housing and the grief that they find with security issues and the like in these north west communities and other communities. We have some real headaches there.

I will say one slight highlight was the Nyabing school. A principal has not been able to live in Nyabing; they have had to drive in and drive out for the last few years, so I welcomed the minister's announcement. Especially after the shire and the community took up the reins, I welcomed the minister's announcement that he was going to come onboard and help build a couple of houses for teachers and their principal as well. That was a rare highlight, I would call it, in the GROH space.

I want to highlight some of the other things that are happening in our communities. This is more in relation to our doctors. In somewhere such as Katanning, through royalty for regions we spent over \$30 million on a new emergency department and a new hospital, and we are still having challenges with our doctors and our ED staff having to drive in and out. Our smaller regional towns are looking at \$3 500 a day for a locum to fill the gap. They come in from a larger metro or regional centre. This drive-in drive-out scenario is a real concern and I think there is no two ways about it. Our doctors, our nurses, our police and our teachers need attractive packages to attract them to their towns and bring their families to the towns as well. Some of these scenarios that are now playing out in the space of the emergency regional accommodation are pretty concerning. I know the Minister for Community Services is well aware of the Katanning Regional Emergency Accommodation Centre. It offers three-day stays for up to 20 people a week, as well as assistance in securing safe, long-term accommodation and rentals. But, once again, the housing crisis is limiting its ability to help families find a new home away from domestic violence and abuse. Basically, people have nowhere to go; the centre has nowhere to send people. This is a real challenge because local housing is not available. I congratulate those who work at Katanning Regional Emergency Accommodation Centre. They do a fantastic job. They protect and help out those people suffering domestic violence. They also have a little building to the side, where they can sometimes accommodate the father or the male perpetrator, which allows the mother and the family to stay in their own house.

[Member's time extended.]

Mr P.J. RUNDLE: They run a valuable service, but what worries me is the delay in housing maintenance. I have brought this up many times with the minister. He likes to deny there is any problem there. This is all about using locals. If I have said it once, I have said it 10 times in here. If we have a house with a tap leaking in Katanning, it should not be maintained from Bunbury, which is a three-hour drive away. We have local plumbers who can walk down the road and fix it; but, no, we have to have this structure in place. It is not on. The government needs to restructure this maintenance regime.

Several members interjected.

The ACTING SPEAKER: Members! The member for Roe is not seeking interjections.

Mr P.J. RUNDLE: That is correct. I am not taking interjections. I do not have enough time for it today.

The government needs to restructure the housing maintenance regime and get locals to fix local issues. It will get its houses back on track much more quickly. It is pretty straightforward.

On a good news basis for our industries, we have quite a few things happening in the great southern. We have WAMMCO International. It is flat out, and a lot of Pacific workers have come in; but, of course, they have taken up a lot of spare housing stock in and around Katanning, Wagin, Woodanilling and Dumbleyung—the towns that provide easy access. It is good we have industry there, but we also have a shortage of housing. We have Ausgold, which is looking at a long-term goldmining operation around the district. It could potentially employ 120 to 150 people. That will also soak up some housing stock. Then, of course, we have the Flat Rocks Wind Farm, which is 35 kilometres from Kojonup. It goes across the Kojonup and Broomehill–Tambellup shires. That will be a massive project, with an investment value of around \$200 million. It has an estimated construction time frame of 18 months and plant operational life of approximately 30 years. The Shire of Kojonup CEO, Grant Thompson, who is very supportive of the project, expects 120 jobs will be created. He said that the shire will have positions for 10 ongoing roles. There will be 120 people looking for accommodation around the region. They will soak up absolutely every accommodation option and then, of course, the shire has those 10 ongoing roles.

I look forward to those industries coming forth over the next few years, but I am worried about the pressure this will create. That is why we need to deal with social housing in our regional towns in a more efficient way. We need to understand that some of our renters are being forced out of the market. We need to understand that on a metropolitan level, the government is competing with itself on these large Metronet projects and other building projects, while at the same time cannot fill its tenders for the likes of the Common Ground facility. This is a real challenge for the minister. I look forward to hearing answers when we ask a question, rather than abuse of members as a defence. What about answering a question that has been asked in good faith?

Several members interjected.

The ACTING SPEAKER: Members! Minister for Housing! You will have your opportunity to speak in a moment.

Mr P.J. RUNDLE: Those people who are on the street, those people who are couch surfing and those people who look to us as members of the opposition to ask a reasonable question and get a reasonable answer are as disillusioned as I am. The Labor Party says it is the party of the people, but looking at the demonstration in front of Parliament House today, I can tell government members that I think they have lost their way. The Labor Party has lost its grasp on being the party of the people. It has lost its grasp on being the party for the regions, as we have seen with electoral reform. I look forward to seeing some good honest answers come up in the weeks ahead.

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [5.25 pm]: I rise to support this motion that this house calls on the Minister for Housing to address the raft of failures in his portfolio that have pushed Western Australia into a housing crisis. I want to focus on a range of issues that have been raised with me in the electorate, but I will also touch on some of the broad concerns that have been raised by my colleagues in the opposition and express my support for this valued motion.

This motion comes at a time when the most recent figures show we have 33 600 people on the public sector housing waitlist, which is an increase of over 9 700 people since June 2020 and nearly 1 900 since the start of the year. The average wait time for people on the list is two to three years and over 2 100 applicants have been waiting five years. The figures show a 40 per cent increase in the number of people trying to access public housing. We are faced with a significant challenge—a challenge this government has failed to meet in the housing portfolio.

We know that upon coming into office the McGowan government sold off 1 300 houses, and these have not all been replaced. We know this government is big on announcements and big on promises, but very poor when it comes to delivery. Now it has been in power for five years it is fair to ask about and raise these concerns about a crisis that is happening in this critical portfolio, which is having an impact on so many different areas across the state.

The West Australian today once again highlights issues relating to some of our most vulnerable people, reporting a cut in state government funding for a Highgate medical clinic for homeless people. It is extraordinary to see a cut in funding when there is so much pressure on not only our most vulnerable people, but also our emergency departments. Dr Andrew Davies is the founder of Homeless Healthcare's clinic, the hub. He has been running the hub for some time. More than 1 200 people were cared for last year by the two FTE doctors and the nurses. The hub not only makes a significant contribution to the homeless, but also provides value through the savings related to preventing people presenting at emergency departments. According to the hub's figures, one patient costs \$831 a year, which is less than a single emergency department presentation, which is \$922. In the article, Dr Davies highlights the real value that the hub has provided to the homeless over the last 12 months. The figures also back up the great value it has provided over the last five years. Over five years, there were nearly 41 000 appointments—94 per cent with a general practitioner or a nurse. There was a significant uplift of 42 per cent in the number of patients seen by the hub and a 22 per cent increase in the number of appointments as well. There was also a significant associated cost reduction in the health system associated with the hub. The hub estimates that there was a saving of \$20 000 per person in its first year and \$10 000 for the following three years, and an overall reduction of about 48 per cent in hospital costs as a result of the role it plays in preventing hospital admissions or ED presentations.

It is very fair that the founder of the service, Dr Davies, is so exasperated by the cruel cut that this government has made to such a valuable program, given the obvious value outlined in the “Homeless Healthcare hub evaluation snapshot: August 2022”. The impact of this site on reducing hospital use is outlined in the document. The example is given of Greg’s experience. The document states —

Greg ... had a history of childhood trauma, family breakdown, early drug use. He first saw HHC on a GP hospital ward round in 2017, at which time he had been homeless on and off for years. Between mid-2016 and 2018 he had 16 ED presentations and 12 hospital admissions ... the latter accounting for 60 inpatient days. Most of his hospital use was associated with alcohol dependence; however, a lengthy admission for a severe lung infection at one point saw him transferred to a palliative ward ... As noted by HHC GPs, homelessness was a stressor that exacerbated his drinking, perpetuating a cycle of hospital use, stress, and deteriorating health.

Support Provided: In the first year after HHC contact, there was considerable liaison between the RPH Homeless Team and HHC GPs to support him with alcohol withdrawal, manage his alcohol and source accommodation.

The document goes on to outline the great outcomes for Greg. He has sustained his accommodation in a semi-supported unit. That example paints a picture of the great value of this service and highlights why it so extraordinary that the McGowan government has made a cruel cut to the funding of this service.

In my electorate, the affordability and availability of housing has a huge impact on women and children escaping family and domestic violence, with many forced to choose between staying in an unsafe home or facing homelessness. The shortfall in funding for this area hurts our most vulnerable as well as the networks that support them. This is the experience of the South West Refuge centre, which has been running on the same contract for the last seven years. I will give a picture of the demand for accommodation. Since the beginning of this year, 332 individuals have requested accommodation, with 120 provided accommodation and 212 refused simply because nothing was available. That raises some real concerns about people living in cars or seeking other very desperate options. We are told that women are being forced to share accommodation with other women and their children, move into overcrowded environments with family or, even worse, return to the perpetrator. That is a real issue. It is a grave concern that I know the Minister for Prevention of Family and Domestic Violence is aware of. The other outcome is the other reason why these issues are of such grave concern.

We know that the mobile domestic violence outreach service has supported over 260 women to date. It is a two-year funded program that I understand will end in November this year. There is concern that the program will not be extended. We hope to hear that that program for vulnerable women in our community will be extended, given the ongoing demand we are seeing well beyond the peak of the COVID-19 pandemic and the obvious shortage of housing.

Housing availability remains an issue around the country. In my electorate, the vacancy rate is about one per cent and more and more people are being caught in housing stress associated with the significant cost-of-living pressures as well. Anglicare WA’s chief executive officer, Mark Glasson, is reported as saying —

“In the last 12 months, we’ve also seen a growing cohort of so-called ‘working poor’ employed in insecure or casual jobs, and even those working full-time on minimum wage, struggling to pay the rent.”

That is certainly very evident across the Vasse electorate, with many really desperate families living in cars or with extended family members or friends. We know that the situation is also having an impact on small businesses being able to attract workers, and they have been let down by a supply of housing.

We have spoken in this place before about the Youth and Community Activities Building on the foreshore of Busselton that opened in January 2018. Its opening highlighted a range of issues experienced by our most vulnerable youth. The community has been calling for some investment by the government, along with the local government, to address the homelessness situation in the region. I appreciate that it is much easier to resolve and support these measures if we have an idea of the size of them. That is why, in 2020, the Department of Communities undertook a project to collect data on the extent of homelessness across the electorate. It is disappointing that that project stalled and has now been dropped altogether by the Department of Communities. There is certainly a lot of support in seeing that project continue, and I have raised this issue a number of times with the local government as well because of the vulnerability of not only many of our youth, but also many single women and a range of aged groups, both men and women.

I have touched on the opening of the activities building, which revealed that a number of children were couch surfing or sleeping rough. In 2018, Accordwest opened emergency accommodation at Simon Street, Busselton. This was proposed and planned as a pilot project to house five to six homeless youth. The criteria to stay at the accommodation was that the youths had to be in education or training or have work. As I understand it, this facility was always full. However, I have recently been advised that that trial has finished. The local feedback that I have received is that there is an obvious and real concern about the gap of the provision of youth housing.

In relation to other issues surrounding the local impact of youth homelessness, local housing prices have significantly increased.

[Member's time extended.]

Ms L. METTAM: There has been a 5.5 per cent rise in the median house price for the March quarter. According to Joe White, local real estate agent and representative for Real Estate Institute of Western Australia —

“Listings are 21 per cent lower for the quarter and down 42 per cent from the same quarter last year.

This has had a significant impact on the availability of rental properties. I have received some comments about this from local advocates as well. Morwenna Richardson from Anglicare WA raised concerns about the crisis point that the region is facing. She is concerned that people are not just moving to caravan parks; they are couch surfing. Kirsty Watson and her partner, a plasterer, have been living in Busselton for over 12 years and are now calling a caravan park home. But they are very grateful for at least having accommodation. This is now more than ever becoming the new normal for families in not only the region, but also across the state.

Rob Reekie is a local advocate and a coordinator of a team in the region that did some work for the census to put a spotlight on this issue. The census revealed that 250 people were homeless in the City of Busselton, which again highlights the importance of data collection as there is real concern that the extent of the issue is much more significant. As I stated before, the Department of Communities had started a data collection project, but that conversation with the City of Busselton ceased in 2020, which is a real concern. The City of Busselton also applied to the Department of Communities for a homelessness fund but was notified that it was not successful.

Our community has stepped up to provide some local support, and I will take the opportunity to acknowledge the Rotary Club of Busselton Geographe Bay. It has invested in a Shelterbag project in response to the real concern throughout the community about homelessness, which impacts vulnerable women and youth in particular. It formed a steering committee with the Combined Churches of Busselton's welfare committee and the City of Busselton to invest in 750 Shelterbags, which required funding of almost \$60 000. They have already started delivering the Shelterbags throughout the community of Busselton. This issue has become prevalent and is of great concern among the community.

The next project that this group is investing in is a free community mobile laundry. The project is still in its planning stages, but it will be available to the countless homeless and vulnerable people who are struggling to make ends meet. A committee of very dedicated volunteers are working on this project to provide laundry services and they hope it will also offer shower services. With the support of key welfare groups and potentially the local government, this project will certainly be of great benefit.

At a local level, the Busselton CafeSmart fundraiser is designed to help raise money for local charities during Homelessness Week and has been very well received locally.

Just Home Margaret River is just outside my electorate. It is a not-for-profit organisation that has been looking at accommodation solutions, advocating for more social housing and crisis shelters for the region. The chair is Naomi Godden, and she has stated —

... John Carey's position as WA's first Minister for Homelessness and a new office recently established raised hopes that the State Government would outline further direct action to address the rising social cost on families in the housing crisis.

“Margaret River has been struggling with housing unaffordability for years, and with the cost-of-living crisis at our door, as well as rising inflation, it is likely more families will become impacted,” ...

She goes on to underline just how desperate this community is, as are many others. This is underlined by the voices of community advocates who are now providing Shelterbags for youth and for single women, in the wake of what they are seeing at a local level. We are also seeing the impacts on local businesses, which are facing challenges in attracting staff from outside the area because of the lack of housing supply. It is also evidenced by the many individuals who are waiting on the housing list—a list that continues to grow under this government. There are myriad challenges.

Dr Andrew Davies of the hub in Perth is exasperated by cuts to funding for a service that was not only helping the homeless in Perth with their health needs, but also reducing the number of people presenting at our emergency departments. I cannot imagine what living on the street would be like. It must be very distressing. It would obviously have a significant impact on the deterioration of one's health, which is why the health hub is so important.

There is a new wave of people experiencing homelessness. I heard from a local, 39-year-old Rebecca, who is one of those desperately needed health workers, juggling work and raising four active children under 18. She was living in a car. It took three life events for her to get into that predicament. Amongst other things, she had the trauma of an abusive relationship and a rental increase that put her new home well beyond her budget's reach. This was a local story reported online by the ABC. It just goes to show how vulnerable the community is when it comes to increases in the cost of living and the lack of support for those who are vulnerable.

That is why we have brought this motion to the house. This government has now been in for five years. It has been very big on promises and very poor on delivery. The issues that I have just captured, many at a local level—family and domestic violence, youth homelessness due to the gap in youth housing, and community groups raising funds for Shelterbags in response to widespread vulnerability—point to a government that has failed in this area. That is why I am supporting this valuable motion brought forward by the opposition.

MS A. SANDERSON (Morley — Minister for Health) [5.55 pm]: I rise to contribute to this motion and aim to breathe some life into the debate and into the chamber, after the opposition almost killed us all with its lack of enthusiasm or commitment to the issue. I do so in the spirit of acknowledging the deep understanding of the Minister for Housing; Homelessness. He commits himself with energy, integrity and enthusiasm to all his portfolios. Indeed, that is the way he has approached all his roles in public life. Prior to entering this place as the member for Perth, as the Mayor of Vincent he was quite reforming and transformational. He has brought to the cabinet a deep understanding of the processes of local government, planning, homelessness and housing and how all those things intersect with each other and require a systemic approach.

I have a deep sense of empathy for anyone who finds themselves in the most awful and devastating situation of not being able to house themselves and, more frighteningly, their children. For a parent to find themselves living with their children in a car, or homeless, is a terrifying and devastating life event, and it can take just one catastrophic event. People can find themselves in that very precarious situation through no fault of their own. It is the Labor government and the labour movement that have championed supporting people and families who are vulnerable. We have done that on the record, both at the commonwealth level and at the state level. It is the Labor government that supports our vulnerable communities, without question. The fact that the Liberal and National Parties have just realised there are vulnerable people is extraordinary. I remember the former police minister in the Liberal government, Liza Harvey, blaming the not-for-profits for homelessness: “What are the not-for-profits doing? They get lots of money.” There is such a deep lack of understanding or even willingness to try to understand the complexity of this issue and the fact that there are many different reasons people find themselves in that place.

When it comes to the context, it is important that we provide context with examples. That is something that this opposition always fails to acknowledge. That is partly because those opposite are faced with every opposition’s worst nightmare. They are down to a raw husk of members on their side. They cannot even muster the numbers to bring a motion to the house; they require the government to support them to do that. The government provides that support, in good grace, to ensure that the good functioning of Parliament goes on. I have been here in opposition when the Liberal and National Parties were in government, and they were not nearly as cooperative as this government and this Leader of the House. The husk of members opposite are faced with, by their own admission, some talented, competent ministers, certainly leading up to the 2017 election; a disciplined caucus; disciplined government benches; and a wildly popular Premier. That was in the Liberal Party’s own report. It is literally every opposition’s worst nightmare, and the opposition is not doing well rising to the challenge. But government members are here and we respect the Parliament and the processes. We will continue to debate and to work and to make sure that we participate appropriately.

It has been a challenging environment in which we have had a pandemic. We have seen a huge number of Western Australians returning to Western Australia, which is a great thing because it has brought people home and reunited families in Western Australia. That has meant that a lot of the people who had invested in private rentals and moved overseas have come back and returned to those private rentals. That is one of the impacts on the private rental market. We have also seen significant supply chain disruptions around the world, and that is particularly and acutely affecting the construction industry. We have seen an increase of up to 50 per cent in the cost of products and essential materials like timber and steel. We have seen a labour shortage, partly because of the construction boom and partly because of some of the measures that we put in place to keep the community safe. Those measures have contributed a small amount to that labour shortage. We have also had market stimulus from the federal and state governments. In 2020, we were expecting economic devastation. The construction and building sector came to us and said, “We need stimulus, stimulus, stimulus. We’re going to be devastated and wiped out. We need to start building homes.” Both the state and federal governments stepped up and provided that significant market stimulus, which helped a lot of first home buyers enter the market.

This government and this Premier kept the resources industry and the construction industry open, despite the bullying from Scott Morrison in Canberra under the former Liberal government and from Clive Palmer. In the short times when we had lockdowns, we kept the construction industry open because we knew that that essential business and work needed to keep going to ensure that people continued working and that we could get houses built. The building industry shut down in Victoria and other places, but we worked constructively with that sector to keep that industry operating safely.

Amongst all that was a confluence of circumstances that contributed to the slowing down of new houses coming online, but we are working with the construction sector to help ease that problem. When the pandemic hit, we were concerned about widespread unemployment and people losing their jobs immediately and for months on end, but that did not happen in Western Australia, to a large extent, because of the measures that we put in place. We were watching what was happening over east and we put in place emergency provisions for tenants and landlords that

kept tenants in their homes so they would not be kicked out if they lost their job. We also provided financial assistance to landlords because we know that the private rental sector is a really important part of the housing mix. We have very few levers over the private rental sector. The opposition seems to think that we can somehow control the private rental sector, but there are few levers to do that. It is an important sector and we need people to invest in it. We know that a lot of people have either a single investment property or maybe two investment properties, and they are really important to the whole rental mix. We provided certainty and financial support for both tenants and landlords. In addition, we have provided tenants with support funding, which keeps vulnerable tenants in their homes. We worked with landlords and the commerce department did an outstanding job working with Anglicare to keep families who were under significant financial pressure in their tenancies, because we know that once people lose their tenancy, it is harder to get back in. I am sure that the minister will provide an update, but I think that the initial funding to keep people in their homes was around \$30 million. We also supported them by providing financial counselling services, which were cut under the previous government. I do not need to understand the on-cost of people losing their homes; we know that. It is inherent in our belief that we support these people, and that is exactly what we have done. We have had a confluence of challenging issues and we are absolutely committed to increasing our housing stock and our social housing stock. To somehow say that it is up to one minister to fix what is a global crisis is just nonsense. It is ridiculous.

I will respond to the member for Vasse's comments about the 2020 Homeless Healthcare temporary COVID grant. The services the member described are primary healthcare services for homeless people—primary healthcare services. That is well and truly the commonwealth's purview. Like with the many, many things that the last commonwealth government did not do, the states have stepped in and funded that. We saw an issue emerging with the commonwealth government not doing what it should have done and we provided more funding for those services to deliver more primary health care, vaccinations, COVID testing and the management of chronic disease for a very vulnerable community. The federal government refused to even acknowledge that there was a problem, let alone fund it, so the state government significantly funded that primary healthcare service. We provided a six-month grant of \$735 000 and \$317 000 for a transition clinic. That was always a temporary COVID measure, and the coordinator of that clinic is aware of that. The clinic still provides an outstanding service, but this was always a temporary measure. We have also delivered on our election commitment to secure \$3.65 million in funding for the 360 Street Doctor program to operate free medical services in Perth and Fremantle. We provide that health care through Street Doctor. We are investing a record \$2.4 billion over four years to improve the quality of and accessibility to social housing and for homelessness services. Under the Minister for Community Services, we developed and launched the first 10-year plan for homelessness. That is a comprehensive and systemic strategy, because that is what it takes. The member for Vasse is right to say that we can fix one part of the issue but have it shift to another area of government that has to deal with the strain. Therefore, we need a systemic strategy, and that is exactly what this government is doing. That is what the former homelessness minister did and what the current homelessness minister is continuing to do.

The member for Cottesloe is quite fixated on the Centre for National Resilience—the Bullsbrook quarantine facility—that was built by the former federal Liberal government, although it was built too late for the pandemic. That facility has been completed and handed over to the state to use. A huge amount of work has been undertaken to ascertain an appropriate use for that facility. What I can guarantee members is not an appropriate use of that facility is to just scoop up homeless people and put them in there. That is the opposition's solution. It wants to scoop them up and put them in there. It is extraordinary. If solutions were that easy, homelessness around the world would have been solved. There is a complexity of issues. Some people have deep and complex traumas, a mental illness, a chronic disease or drug and alcohol issues, and others have suffered from family and domestic violence. We cannot just scoop them up and plonk them in an isolated facility like a university dorm. It is not like the first year at university halls where everyone pops in and has a roof over their head. The reasons we cannot do that are that the facility is far from shops, services and shopping centres—all the things needed to help support people and integrate them back into the community and into society. In addition, because it is so isolated it is not suitable for any length of time due to the safety risks for young people, children and adults who have endured family and domestic violence, and it is accessible by only a single road in and out. Accommodation services for rough sleepers require wraparound support focused on individuals and the case management of individuals. A blanket cookie-cutter approach cannot be taken to those services. The individuals need health care, mental health care, social support, drug and alcohol services, and their individual needs must be dealt with. It is a complex issue and that is not an appropriate facility. I understand that a simplistic solution is one that the opposition appreciates because of the simplicity on the other side. Opposition members do not listen to answers. They live in a world of alternative facts that they then continue to peddle. One of the alternative facts claimed by the Deputy Leader of the Liberal Party, the member for Vasse—not known for her accuracy in commentary—was that there was around 1 000 rough sleepers in Perth! We have data that is collected by the not-for-profit sector that shows that that is just simply not true, but she was still willing to peddle it outside. Actually, we know from the by-name list data that the number is around 280 in Perth. That is far fewer than the 1 000 that the opposition continues to peddle. The other mistruth, or misinformation, that is peddled by this government in a press release —

Mr R.S. Love: By this opposition.

Ms A. SANDERSON: Sorry, by the opposition, yes!

Mr R.S. Love: At least I'm listening!

Ms A. SANDERSON: I have lost my piece of paper.

Mr J.N. Carey interjected.

Mr R.S. Love: You use the same one!

Mr J.N. Carey: It is actually your media release.

Ms A. SANDERSON: It is actually your media release. Hang on, I might have it. Yes, here we go. It is a media release that was put up today, and removed today, on the LOOP website—full of misinformation. It was about the Common Ground facility, which is going out to tender, and states —

Shadow Housing Minister, the Hon Steve Martin MLC said the project's cancellation was an insult to the nearly 1,000 Western Australians sleeping rough of WA streets.

There are two bits of misinformation in one sentence. Two things are wrong in that sentence. It is not cancelled and there are not 1 000 on Perth streets!

The next sentence is —

“We have around 1,000 rough sleepers around the greater Perth area who will undoubtedly be feeling less optimistic this Government is looking out for them.

Again, there is more misinformation. What is the greater Perth area? The opposition is shifting the boundaries because it knows that the 1 000 figure is not true. It continues —

“The Boorloo Bidee Mia homeless shelter that was opened last year is also operating below 50% capacity,” said Mr Martin.

Not true! I notice that the opposition took it down, but not in time. There is no quality control going on over there. People make mistakes, but this is constant and consistent misinformation that is peddled.

Another bit of misinformation is that the Leader of the Liberal Party personally blames the Minister for Housing for 100 homeless deaths. He personally blamed him on 10 January 2022—and the opposition calls us grubby! I mean, honestly, members opposite need to have a look at themselves.

[Member's time extended.]

Ms A. SANDERSON: I know that my other colleagues want to make a contribution and, certainly, the current Minister for Homelessness and the Minister for Community Services. I am proud to stand on our record in this portfolio, through what has been an exceptionally challenging time. The state has not seen more challenging times when it comes to delivering housing. This minister has the energy, vitality, integrity and enthusiasm. Most importantly, he has the drive and ability to look at things in a different way and deliver things in a different way and to be innovative and work with other levels of government and other sectors to deliver good housing solutions for our community.

MR J.N. CAREY (Perth — Minister for Housing) [6.13 pm]: I rise as the lead speaker to not only address the issues raised by the opposition, but also outline our position, as I have done extensively in this Parliament. I want to address one claim by the Leader of the Liberal Party, which was that we do not care. I actually believe that everyone in this chamber cares about social housing and homelessness. I do not think anyone on any side of politics—the Nationals, Liberals, Labor—does not genuinely care about the most vulnerable people in Western Australia. I just think it is absolutely wrong for the Leader of the Liberal Party to make the claim that I, or the government, do not care. I actually think across politics, and I had a great meeting today with one of the upper house members who does not belong to one of the major parties and we talked about homelessness solutions. In fact, I have always had an open door to any members of Parliament, regardless of their politics, to talk about reform, homelessness and housing projects in their local communities. I have always done that and I will continue to do that.

I want to put on the record that the housing challenge that we currently face is not just a challenge for Western Australia. The opposition makes it appear that it is unique or historically unique to WA, but it is not. When I went to the first ministerial meeting of housing ministers in a very long time, with the new federal minister, Julie Collins, it was clear that Liberal, National and Labor ministers all face similar pressures because of the COVID pandemic. People have returned home to their states because of the skilled labour shortage and the international border closure, which was the right decision by the federal government at the time. More people are returning to Australia and trying to squeeze into skilled labour, which has created overall housing supply issues. On top of that, expenditure started to escalate in the home renovation market because people could not travel overseas, so there was greater demand for trades. There were also deep fears of potential recession. We have to remember that prior to COVID, there were deep fears about the state of the economy. We did the right thing. The Master Builders Association said it was the right decision to provide support to grow housing supply and to support jobs. As the Minister for Health indicated,

unlike other states, we did not see a shutdown in the construction industry. Our building bonus grant enabled 27 000 building approvals, 4 000 of which were in the regions. They are being completed, but, obviously, that boom is also creating demand in the trades market.

The other thing we know, because of the tight rental market that all states face, is that the waiting list is connected to the rental market. That is a fact. When the rental market tightens, people start to feel that they would like to apply for public housing. We have to be clear on this: it has fluctuated. In 2010, under the former government, it peaked at 24 000 at another boom time. It was directly related to the state of the economy and the rental market. As even Hon Steve Martin recognised in the other place only this week or last week, the majority of people on that waiting list are not homeless; they have a roof over their head but they have a preference for social housing. We face huge challenges in our social housing stock. I think successive governments have faced this.

We have an ageing stock system. Ageing stock refers to houses aged 30 to 40 years. Ordinary community members look at that and think that is not that old, but given the churn and the number of tenants going through, there is far more significant wear and tear. We made some tough decisions in our first term of government, like closing down Brownlie Towers. I have not heard anyone suggest that that was the wrong decision; everyone has said that high concentrations of social housing like the Beaconsfield project is necessary. The previous government did it and we are also doing it, in particular areas like Beaconsfield, Subiaco East, Spalding, Withers and Spencer Park. Overall, it has been welcomed in all those areas because we need to create more vibrant and dynamic communities. We have made a very clear investment—that is, an \$875 million injection, with \$2.4 billion for 3 300 homes. Contrary to the member for Roe's claim, I actually have provided detailed answers, even in this week, when he asked about vacancies. I gave the numbers and I went through a whole range of reasons for that.

I do not know what else I could have done. The member for Roe did not seem dissatisfied by my answer. In this Parliament I constantly report on the social housing economic recovery package and other programs. Despite the most heated construction market that I think the industry said we have ever faced, we delivered 600 social homes in the last year, and 860 are under contract or construction. Critically, 429 of those were in the last four months. Our program is kicking in. We also support the community housing sector and have already given \$39 million in grants for the delivery of 173 new homes. Over the next few years, the sector will roll out those homes.

As the minister, I have come in with a fresh set of eyes and sought to drive reform in any way I can. There has been no recognition by the opposition of the reforms, such as the timber frame program that we brought in that sees homes knocked out in four months after the concrete pour, or the modular program, which obviously make things faster because we build them offsite. The \$100 million modular program has resulted in 200 new homes being built, the majority in the regions, with 60 already being contracted across the state in the Pilbara, the great southern, goldfields—Esperance, the south west, the wheatbelt and the midwest. In addition, the spot purchasing program is a critical part of that. We look for whole blocks of units that are for sale and are not going on the individual market because they are a good opportunity for the government to buy social housing. The Leader of the Liberal Party criticised this and said that we would affect the market. There are a couple of things to say here about that. Number one, obviously, is that we spot purchase in some markets but not others. We recognise that; we take that seriously. We do not want to compete with buyers looking for low-priced and affordable properties. That is why we buy complexes if we can, because obviously a homebuyer looking for an affordable home will not be able to buy a complex. But I also say genuinely that the member for Cottesloe's statement contradicts what the opposition has said on four occasions. On 8 September, Hon Steve Martin welcomed the investment in spot purchasing. In two media releases, one on 21 April and another on 13 May, the opposition said that we should do more spot purchasing. Both the member for Cottesloe and Hon Mia Davies have called for an increase in spot purchasing. The position that the member for Cottesloe has taken today, I must respectfully say, contradicts his position and the position of the opposition leader and Hon Steve Martin.

Dr D.J. Honey: It does not change the total stock of housing, minister, which is the point I made.

Mr J.N. CAREY: The member called for an increase in social housing. The shadow spokesperson called for an increase in social housing by spot purchasing. The Leader of the Opposition called for it. I have done it as one mechanism in addition to modular and timber-framed homes.

I also want to address the Leader of the Opposition's comments regarding SHERP. The Auditor General's report in November referred to data from March. We are getting the money from the SHERP program out the door. We provided a grants program to support 47 community housing providers to undertake 805 refurbishment projects and the construction, as I said, of 173 new purpose-built houses. Through all programs in the last financial year we invested over \$200 million in maintenance. That included almost 2 500 delivered through the SHERP program. In the last financial year through the SHERP and the Housing First Homelessness Initiative programs, over 500 major refurbishments were completed to a value of \$40 million. That is the investment we have done through SHERP and refurbishment.

Again, I come back to what the opposition said. Hon Steve Martin was put on the spot and asked by Nadia Mitsopoulos on the ABC, "What are you going to do about it?" His reply was, "I think we can look at maintenance work." I just demonstrated the level of investment in maintenance work. On top of that we are investing \$12.8 million to fund

building assessments on around 10 000 properties so that we can not only plan for the future, but also minimise the loss of ageing stock in the system. It is very clear: money is going out the door. As I explained in the Parliament this week, we are seeking to refurbish property and to address vacancies. It is interesting to note that the Leader of the Opposition referred to the ABC story in which Hon Steve Martin got his facts completely wrong and claimed that there was a doubling of vacancies. The ABC had to correct the public record the next day because he simply compared the wrong datasets. That followed the member for Vasse claiming the wrong statistic in her column. I have said again and again that I will call out members of the opposition who distort or mislead on these issues. It is ongoing. There are repeated mistakes. In fact, we have heard from journalists that they do not know whether to trust what the opposition says on housing and homelessness because they get basic information wrong.

I want to address what was said about the Common Ground facility. The Leader of the Liberal Party said that there were 100 beds. We have always said that it has 64 beds. It is at near capacity. There are 66 beds and 64 are currently occupied. Depending on singles and couples, the number of people residing at Boorloo Bidee Mia changes, but it is at near capacity.

I note that a media statement that was put out today by Hon Steve Martin has now been taken down. It made three errors. First of all, it said that the East Perth Common Ground project had been scrapped. That is false—resolutely false. That was the headline. Secondly, it said 1 000 Western Australians were sleeping rough on WA streets. It did not provide clarity at all about the particular area and did not refer to the raw data. It then said that the Boorloo Bidee Mia shelter that opened last year was operating below 50 per cent capacity. That is not the case—64 out of 66 beds.

I do not know whether this has happened before, but I think that this is the first time in maybe a long time that the opposition has put up a media statement and then taken it down because it was false.

Dr D.J. Honey: Do you want to know the background, minister?

Mr J.N. CAREY: No. I am not taking interjections.

Several members interjected.

The DEPUTY SPEAKER: Members! Leader of the Liberal Party, the minister is not taking interjections. You had your chance to have your say. It is his chance to respond.

Mr J.N. CAREY: I think that it is a first that a media statement has come out and it has had to be taken down. I note that it has been taken off the Leader of the Opposition's page but not the Liberal Party's page, so they might want to run over and fix that. Hon Steven Martin got it wrong today. He got it wrong on the ABC and the ABC had to correct it. The member for Vasse wrote a column—she clearly did not write all of it; one of her staff did—that referred to a wrong figure. She did not correct the public record.

Ms L. Mettam interjected.

Mr J.N. CAREY: The member should correct the public record.

Ms L. Mettam: I did before it went to print.

Mr J.N. CAREY: She corrected it, did she?

Ms L. Mettam: I sent an email well before the deadline.

Mr J.N. CAREY: "I tried. It apparently made the paper, but I was trying to fix it"!

Ms L. Mettam: I did!

Mr J.N. CAREY: Okay; I take the member's word for it.

I also want to say this. I will come to one last part before I talk more about our delivery. In January this year, the Leader of the Liberal Party did another social media tweet—not the one that I accept now about the 100 deaths. In his tweet, he said that homelessness was up by between 30 and 40 per cent from September to January. I want to tell members why datasets and facts matter. I have not put out a media statement about how there has been a decline. I notice that the opposition only does that, as it did when it said there was a homelessness increase of between 30 and 40 per cent from September to January. That is what the opposition has done, and it does this. Between January and July, there has been at least a 40 per cent reduction. I do not go out to the media or do anything like that. Why? It is because I understand that the figures for rough sleepers fluctuate due to a number of factors, including the season. The opposition seeks to exploit and spread fear. I predict that what will happen coming up to summer is that the Leader of the Liberal Party will do another tweet and the opposition spokesperson will attack me for the increase. We know that we need to look at the overall trend and that it fluctuates during the year. I do not think anyone in this chamber believes that it is acceptable to have any rough sleepers on the streets. We are all doing everything we can to address that. It is time that the opposition looked at the evidence and at the datasets, rather than trying to distort the figures on housing and homelessness whenever it can.

I have talked about the alternative delivery methods. I have talked about modular homes. I also want to talk about regional renewal. We are investing in regional communities, with \$9 million for Spalding in Geraldton, \$5 million

for Withers in Bunbury and \$4 million for Spencer Park in Albany. All these communities have faced challenges because of their high social housing concentrations. We are working hard to address the liveability of those communities. In some cases, homes have been demolished. I will give members an example. In Spalding, that has been with the support of the—I cannot say the word!—effervescent and energetic member for Geraldton. Do not get me to say the word “Congo” or “chi-chuana”! That is a dig at both of us, member for Cottesloe. The Geraldton mayor and council have been supportive of this. We demolished some homes so that we could get a better road built to encourage better pedestrian and traffic flow for safety reasons. We are investing in regional renewal programs. However, in doing so, we may lose some houses because they are beyond repair or need to be demolished for traffic amenity and liveability. I do not hear anyone criticising those sorts of projects.

I now turn to Government Regional Officers’ Housing. We are constantly reviewing how the GROH system operates. The Leader of the Opposition said that she did not think there had been a new build or a lick of paint on GROH properties. We are investing \$200 million over four years in Government Regional Officers’ Housing, whether it is maintenance, delivering improvements or expanding availability. Whether it is our government, the previous government or governments before that, governments have always leased, spot purchased or built. Governments look at the market. That has always been the case and that has not changed. I have done a review of Government Regional Officers’ Housing. Again, that is a different lever. As a result of that review, I was able to transfer to social housing 39 homes that were surplus to needs. We also made GROH homes available to regional local governments and other non-government organisations. We have been going out of our way to look at vacant stock. If we cannot use it for social housing, could a not-for-profit or a local government use it? That is good reform because it shows we are trying to be flexible.

The Leader of the Opposition again crowed about the coalition’s record on GROH but I note that the previous government’s GROH program collected a debt of \$180 million and that it then commissioned and kickstarted an aggressive sales program. Clearly, it was worried about its books. We saw the largest number of GROH homes sold in any year for the wheatbelt in the first year—around 44 homes. The previous government panicked, realised it clocked up an enormous debt and then commissioned an aggressive sales program for GROH.

The latest budget includes the remote communities fund, which was allocated \$350 million. I am deeply proud that our government, using that budget surplus, has created a new fund that will invest in energy, water and housing because we understand that there are challenges and overcrowding issues.

We have to remember that this issue has been created because the former federal government vacated the space in 2019 and said, “That’s it. We’re not doing it anymore.” Our government is responding. We are getting in there. Along with the Minister for Water and the Minister for Energy, I am working with Aboriginal remote communities. Power and water is a key focus and a significant investment. That is on top of the \$100 million of recurrent funding for housing services and essential and municipal services for Aboriginal communities. That includes tenancy management and property management. We are working very hard in this space.

We also have a range of other initiatives for remote communities and Aboriginal housing through the north west housing fund. I am very proud that we are funding three new Aboriginal short-stay accommodation facilities. That was raised by members opposite. We understand that we need supportive, transitional accommodation to assist people coming out from country, who may be visiting family, friends, health services or travelling for other cultural reasons. That is why we are funding three Aboriginal support accommodation facilities, including one in the city. I think it will assist with homelessness in the city. People coming down on country sometimes get stuck in that city cycle and system.

On the lands front, we have been very innovative in boosting housing supply. I have worked with the Minister for Planning on the housing diversity pipeline. We are looking at lazy government land, going to the market and asking, “What can you do for us?” But we want a one-in-five social housing return. This is innovative. I note that the editorial of *The West Australian* said that this is the kind of innovation that is needed in housing delivery and in government. I am deeply proud that we are pushing on with that, including a site in Busselton, which has incredible potential. I think that would be welcomed by the member for Vasse. We are looking at a second tranche of potential lazy land.

That also complements all the work involving land supply that we are doing for housing in the region. I have gone through it. Our \$166 million Regional Land Booster program has seen more than 460 lots contracted, including 77 in Karratha, 46 in Kalgoorlie, 40 in Broome and 30 in Onslow. We have provided \$19.1 million to DevelopmentWA to deliver that land. For the member for Cottesloe, we have 35 additional residential lots in Kalgoorlie and 62 residential lots in Karratha. The government supported the transfer of 15.6 hectares of crown land in Kalgoorlie–Boulder for a major expansion of Pringle Village. Of course, we have the release in Broome north of 33 more lots. In addition, we are releasing land across Western Australia in places such as Oyster Harbour and Clydesdale Park in Albany and across regional towns in Western Australia. I am also working with local government, like in the City of Karratha, where we made land available at a discount so it could build workers’ accommodation. We also made a grant towards an innovative project that received excess housing from the mining industry and is refurbishing it and creating workers’ accommodation. Of course, in Kalbarri, we worked with the Shire of Northampton, and I went through those details today.

We have also brought in tax reforms and incentives in this budget, which includes building up supply in the apartment market for social housing. It is not just for families, but units for singles and couples. We brought in a 100 per cent rebate for apartments in multi-dwelling developments valued below \$500 000, tapering to the existing 50 per cent rebate. We brought in a 50 per cent land tax concession for build-to-rent, which is often targeted at affordable rentals. We are working on an at least five per cent density bonus for social or community housing as part of the planning system. We also released a new Keystart loan created specifically to assist people to purchase infill product, with increased income eligibility limits for singles and couples. That is extraordinary work. That is a lot of work in the housing and land areas, and it is on top of lots of other smaller reforms I have talked about.

We are creating the small and medium builders panel, which is about encouraging smaller and medium businesses to participate in construction or refurbishment, working with my department. We have tried to increase the churn rate by saying to the department that if there is only minor painting or Spakfilla—my favourite vocab at the moment—to get people into that vacant housing and then do the works. We have been looking at every opportunity to accelerate the delivery of social housing.

The opposition does not recognise any of those reforms. It just says we need to do maintenance. That has been its policy suggestion on social housing—we need to do maintenance! On the homelessness side, I acknowledge the significant work by the former Minister for Community Services, who had carriage for homelessness, because for the first time in our state's history we had a clear 10-year plan. I note the sector's theme for Homelessness Week this year was, "To end homelessness we need a plan". They were talking about the national policy arena, but at a state level we have a clear 10-year homelessness plan that was co-worked and designed with the homelessness sector. That was a result of the extraordinary work by the former minister and the sector. We are backing that in with an investment of \$225 million to fund a range of broad projects and programs this year. We are working through that. That is all based around the Housing First approach.

I will address Common Ground. We are absolutely committed to that project. We have seen the claims by the opposition that it has been shelved or scrapped. That is not the case; that is false. The clear advice to me from the assessment panel was that the current process would not deliver for the government or for that project, so as explained to the Standing Committee on Estimates and Financial Operations in the upper house, we are going through that process, reworking it with Treasury and Finance and listening to the advice to ensure we can go back out as soon as we can with the best procurement model, given the heated construction market we face. I talked about Aboriginal support accommodation, because that is part of the picture, as I have said. We know, as the member for Cottesloe identified, a cohort of rough sleepers are Indigenous people, and we want to provide support and break that cycle. That is why we are building Aboriginal support accommodation. That is why we funded Boorloo Bidee Mia, an innovative project of 66 beds. For the first time, an Aboriginal-controlled organisation is running homelessness accommodation with wraparound support. That is the kind of project I am talking about. Of course, we also expanded Koort Boodja, which is homeless accommodation close to the city.

We have also increased homelessness outreach. In December 2021, we announced a funding boost to expand homelessness outreach to seven days a week in the city, with two mobile teams. This includes two dedicated homes coordinators within communities and the outreach program, and they work with a range of other groups to identify and assist rough sleepers and transition them to accommodation. It is not the case, as the opposition appears to claim, that this is about plonking people in a building. I note that the opposition criticised Boorloo Bidee Mia because it was not just a drop-in centre. That is because, to make the model work, we need a referral service, and that referral service came from our housing first rapid response team—our HEART team. As at 22 July this year, the combined programs—the Safe City initiative and the HEART outreach team—have supported 104 people into short, medium or long-term accommodation, and 29 people into longer term accommodation. That is producing results on the ground. That demonstrates that we are assisting the most vulnerable people in Western Australia.

The opposition, on a repeat basis, has used completely different data and facts; it is all over the place. The member for Vasse, the member for Honey —

Several members interjected.

Dr D.J. Honey: A new seat!

Mr J.N. CAREY: I know; it is very sticky! It has been a long day.

I say to the member for Vasse, the member Cottesloe and Hon Steve Martin—or Hon Steve "repeat offender" Martin: "I have to take my media statements offline in a hurry!" He is going to need a bigger badge!—that the data we look at is the Ruah Community Services by-name list. That indicates that there are currently 280 people on the rough sleeper list. We know, as we get close to summer, that that number will increase, as it has done every other year because of the fluctuations. We have to understand and respect that data. That is what helps drive our approaches.

As the new Minister for Homelessness with a new Office of Homelessness, I am working with the sector to bring about better coordination and ways in which to leverage the huge number of organisations that work in the rough sleeper space. What are the things that we can do better to assist more people to get off the streets? I will continue to have those conversations. Of course, I have also addressed the issue of stock vacancies that the opposition got

wrong last week when it said there was a doubling. As I have already put on the record, in the 2016–17 financial year, the last year of the previous government, the figure was higher than it is now. However, it fluctuates; it fluctuated under the previous government, and it has fluctuated under ours, but as I have demonstrated, we are doing everything we can to get that stock back into the system or get tenants back into those properties, despite all the challenges we face from tradies, location, and the level of damage or refurbishment required.

Overall, I think I have given a very detailed display of what we are achieving through this range of reforms. It is a significant reform program. We are looking at what the market is throwing at us and trying to adapt every which way we can. We have a heated construction market with an unprecedented number of people coming back to Western Australia. We have had a skills labour shortage because of international border closures. Despite all of that, reforms we are getting through include timber frame programs; modular programs; reviewing vacant housing stock through the Government Regional Officers' Housing system; a spot purchasing program, where appropriate; a small and medium builders panel; and looking at every other way that we do procurement. All of that is about accelerating the delivery of social housing in Western Australia. I note that the homelessness sector and the construction sector can see that change flowing through. They know it is flowing through. They can see some of the results coming from that big new injection and I am deeply proud to work with them to continue the delivery of the biggest ever social housing injection in our state's history.

MS S.F. McGURK (Fremantle — Minister for Community Services) [6.51 pm]: I rise as Minister for Community Services, but I will cover a number of different portfolio areas that I am responsible for. I am very pleased to make a contribution on this motion because, as I think has been very competently outlined by the Minister for Housing; Homelessness and also the Minister for Health, there is a lot to talk about that is addressing the complex issues that have come together to put pressure on our housing market. In many ways, the economy is in rude health, there is no doubt about that, but on the other side of the coin of many healthy economic indicators that our state is enjoying are pressures. These are pressures that everyday households are feeling. They are felt even more acutely amongst vulnerable members in our community. I know that very well as a local member and because of my portfolio responsibilities, including in community services, but most particularly in child protection and the prevention of family and domestic violence.

I agree with what the previous speakers on our side said about their frustration at the very shallow analysis by the opposition of the problems that we are facing in our community and the solutions that are demanded of policymakers who are either in government or want to be in government. We actually have to come up with solutions. We actually have to come up with practical answers to complex issues, for instance, in the heated market that we are in, how do we move through and deliver—I was going to say bricks and mortar, but it could be any range of materials—to get people a roof over their head? I am absolutely confident that the current Minister for Housing is the right person to deliver in these very challenging times. As the Minister for Health said, the current Minister for Housing; Homelessness has shown a focus, a drive, an energy and the innovation needed to deliver for Western Australians.

I could talk about a number of areas, but this government in particularly this term, but also throughout its period in office, has delivered a commitment to investment in housing, with \$2.4 billion in four years. Sometimes these figures can just sound fantastical. They can sound unreal; but what does \$2.4 billion over four years actually mean? It is a significant amount. As the Minister for Housing said, this is a record amount of investment in public housing and housing reform overall. Hearing the minister say that last financial year, 600 additions to the social housing stock were delivered, with the additional capacity to accommodate 102 people in the homelessness system, really needs some acknowledgement. That is a massive improvement. I know we will get others, particularly members of the opposition, saying, “What about the loss of stock since we have been in office?” In fact, there is always a loss of stock because stock ages. As the Minister for Housing said, it is put through its paces with the clients we put in them. Old stock needed to be retired, and that was a challenge because the amount of old stock means that we are forced to bring back that stock and more if we want to make gains.

This financial year, the government is investing around \$225 million to fund a broad range of community sector organisations to deliver homelessness services to not only support the additional stock and investment in homelessness services, but also make sure that people have the right supports around them to keep them in that housing. We know it is difficult, but that is why we are making record investments. We have heard about Common Ground and the additional dollars. The innovation around Common Ground facilities is significant. They are difficult projects to deliver. We have a responsibility, particularly in this constrained market, to make sure that the taxpayer is getting value for money. It will be a great project. A number of us have visited other Common Ground projects and, when it is finalised, it will deliver good, solid housing for some of our state's most vulnerable people. Of course, we will deliver another facility in Mandurah.

I have heard a few speakers on this side talk about the Aboriginal short-stay accommodation. Again, that is a very successful model. We are committed to investing more money to deliver more of that accommodation. There is \$65 million to establish new Aboriginal short-stay accommodation in Geraldton, Kununurra and Perth, in addition to the existing facilities in Broome, Kalgoorlie and Derby. What we see with Common Ground and Aboriginal short-stay accommodation is the coming together of investment and reform.

I am proud of the work we have done across government to join together through different ministerial offices and portfolios to make sure that we are doing our best and delivering twenty-first-century solutions to some of society's most challenging problems. That really comes together with homelessness, embedding the Housing First approach in our reform and not just doing more of what we have done before. It is all we hear from members of the opposition, who want us to put more in, doing what we have done before, and wonder why it does not work. We are committed to putting in more resources, but we are also committed to reform. Adopting the Housing First approach is a good example of that reform and I am committed to it.

Another example of the reform we are committed to in government is the Home Stretch approach. It will be a significant change to the child protection system and only a Labor government could have committed to and delivered it. I am interested in the quotes made by Mark Glasson. He is not one to readily heap praise on us in government. He is very quick to criticise and call for more money, but what he said about Home Stretch was —

Today's announcement will be an enduring legacy of the McGowan Government, with the roll-out state-wide of the Home Stretch WA Model to provide certainty and stability for the nearly 250 young people who leave state care each year on their 18th birthday.

...

It is important to recognise Minister for Community Services Simone McGurk, —

Thank you —

who has championed the case for extending support to care leavers since entering government in 2017 and has supported the development of a Home Stretch model unique to WA ...

He went on to talk about how good the program is. I thank him for that support and his work on that project, because that is really what it took. It took advocacy by the not-for-profit sector. It took a government that is prepared to listen and invest, and then to roll out that change. It was important that we were also committed to incorporating Aboriginal-controlled organisations in that rollout. I am proud of that initiative. I think it will make a huge difference to people's lives in practical terms.

The way we are approaching domestic violence is also where we see the coming together of investment and reform. That is another key reason that people end up being homeless. It really is a challenging area, but one that we are committed to across a range of different portfolios.

Debate adjourned, pursuant to standing orders.

House adjourned at 7.00 pm
