

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

COMMONWEALTH HEADS OF GOVERNMENT MEETING (SPECIAL POWERS) BILL 2011

Consideration in Detail

Resumed from an earlier stage of the sitting.

Clause 84: Commissioner of Police may ask Commission to hold examination —

Debate was adjourned after the clause had been partly considered.

The SPEAKER: The question is that clause 84 stand as printed. I believe the ayes have it.

Several members interjected.

The SPEAKER: I did not hear the member for Girrawheen say “divide”.

Several members interjected.

The SPEAKER: I need to hear these things. I did not hear the word “divide” called, but I will give the member for Girrawheen that opportunity.

Ms M.M. Quirk: Divide!

Clause put and a division taken with the following result —

Ayes (26)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr J.J.M. Bowler
Mr I.M. Britza
Mr T.R. Buswell

Mr G.M. Castrilli
Mr V.A. Catania
Mr M.J. Cowper
Mr J.M. Francis
Mr B.J. Grylls
Mrs L.M. Harvey
Mr A.P. Jacob

Dr G.G. Jacobs
Mr R.F. Johnson
Mr A. Krsticevic
Mr W.R. Marmion
Mr P.T. Miles
Ms A.R. Mitchell
Dr M.D. Nahan

Mr D.T. Redman
Mr A.J. Simpson
Mr T.K. Waldron
Dr J.M. Woollard
Mr J.E. McGrath (*Teller*)

Noes (22)

Dr A.D. Buti
Ms A.S. Carles
Mr R.H. Cook
Ms J.M. Freeman
Mr J.N. Hyde
Mr W.J. Johnston

Mr F.M. Logan
Mr M. McGowan
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O’Gorman
Mr J.R. Quigley

Ms M.M. Quirk
Mr E.S. Ripper
Ms R. Saffioti
Mr T.G. Stephens
Mr C.J. Tallentire
Mr P.C. Tinley

Mr A.J. Waddell
Mr P.B. Watson
Mr B.S. Wyatt
Mr D.A. Templeman (*Teller*)

Pairs

Mr J.H.D. Day
Mr M.W. Sutherland
Mr C.C. Porter
Dr K.D. Hames
Dr E. Constable

Mr J.C. Kobelke
Mr M.P. Whitely
Ms L.L. Baker
Mrs M.H. Roberts
Mr P. Papalia

Clause thus passed.

Clause 85: Commission, on application of police, may summons witness —

Ms M.M. QUIRK: Clause 85 deals with the application of police to summons witnesses before the Corruption and Crime Commission, which is the normal procedure, as I understand it, that applies to CCC hearings. Is it correct that there may be notations on the summons that the witness is prohibited from talking to other people about the fact that they have been summonsed to the hearing?

Mr R.F. JOHNSON: I am advised that that is just the normal procedure under the Corruption and Crime Commission Act 2003; it is the way the commission works.

Ms M.M. Quirk: Can the minister confirm that the normal notation of “witnesses are not allowed to speak to anyone about their attendance to the CCC” will be put on those summonses? It does not have to be.

Mr R.F. JOHNSON: That decision would be made by the Commissioner of the Corruption and Crime Commission. Sections 97 to 99 of the Corruption and Crime Commission Act will apply to a Commonwealth Heads of Government Meeting summons.

Mr J.N. HYDE: My question also refers to sections of the Corruption and Crime Commission Act. Can the minister guarantee that sections 96 to 99 will not be amended in the changes to the Corruption and Crime Commission Act that are proposed to be made before CHOGM occurs?

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Mr R.F. Johnson: I know nothing about the changes to the Corruption and Crime Commission Act that you are referring to. They do not come under my portfolio, as I am sure you are aware. How would I know? How can I give a commitment in relation to an act under another minister's portfolio?

Mr J.N. HYDE: Because the minister is introducing legislation and trying to get us to vote in favour of legislation that is clearly dependent on the CCC act, which is under review by his own government. How can we go on being told to vote for things that the minister does not know will be relevant in six months' time? One of the areas of contention in the CCC act refers to whether someone can inform their immediate superiors or spouse that they have been summonsed to a CCC hearing. If it is not in the government's amendments, it is very likely that when the Corruption and Crime Commission Act comes up for discussion, this house and perhaps the other place will be very concerned with that section.

Clause put and passed.

Clause 86: Examination of witnesses by Commissioner of Police —

Ms M.M. QUIRK: Clause 86 states in part —

- (1) ... the Commissioner of Police is to be represented by a legal practitioner instructed for that purpose, who may be assisted by others who are not legal practitioners but who are under the direct supervision of a legal practitioner.

It goes on to say —

- (2) A person representing the Commissioner of Police may, to the extent that the Commission thinks proper, examine any witness summoned under a CHOGM summons on any matter that the Commission considers relevant to the investigation.

I would like to raise a couple of issues. Is "CHOGM summons" defined? Yes, it is; so that is the "summons" mentioned under clause 85. More importantly, the clause refers to a legal representative who appears on behalf of the Commissioner of Police. Does that mean that the commission does not have its own lawyers doing the examination and in fact the police will conduct the examination?

Mr R.F. JOHNSON: I am advised that, as per normal practice, the police would commission legal counsel to act on their behalf. They would not rely on the Corruption and Crime Commissioner to provide legal representation. Section 49 of the CCC act relates to the examination of witnesses involved in organised crime. It is the same procedure.

Ms M.M. QUIRK: The only way that the so-called expertise of the CCC will kick in is that whoever is hearing the matter will presumably be a commissioner or acting commissioner of the CCC. I understand that CCC personnel will not have any involvement in the hearings; that will be police driven.

Mr R.F. JOHNSON: I am advised that the police would, as is normal practice, give independent instructions to senior counsel to represent police in these hearings. That does not mean that CCC legal people will not be in that vicinity. The normal practice is exactly as I have described.

Dr A.D. BUTI: The third line of subclause (1) states that the Commissioner of Police "is to be represented". It is highly unlikely that the Commissioner of Police will want to personally examine a witness. The words in that subclause make it mandatory that the police commissioner has to be represented by a legal practitioner. I find it strange that it will be mandated in a piece of legislation that the police commissioner has to be represented by a legal practitioner. If that is the case, should there also be a corresponding clause that it is mandated that the witness, not just the police commissioner, will also be represented by a legal practitioner?

Mr R.F. JOHNSON: I am advised that this clause relates only to the examination of witnesses. Clause 142 of the CCC act, "Legal representation for witnesses and others", explains exactly what we are doing here.

Dr A.D. Buti: More importantly, is it mandated under that section that the witness will also have a legal practitioner?

Mr R.F. JOHNSON: As section 142(1) states —

When appearing at an examination a witness may be legally represented.

Ms M.M. QUIRK: In that context, I remember from my reading of the CCC act some time ago in relation to representation of witnesses that the commission can refuse to allow a witness to be represented. Would that also be the case in this instance?

Mr R.F. JOHNSON: Is the member referring to section 142(4)?

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Ms M.M. Quirk: Yes.

Mr R.F. JOHNSON: It states —

The Commission may refuse to allow a witness to be represented before the Commission ...

I am not completely au fait with the CCC act. I am sure the member is aware of what it means, and she is just playing with my time, but that is okay.

Ms M.M. Quirk: I am getting it on *Hansard*.

Mr R.F. JOHNSON: It is in the statute. The member knows the answer. Let me repeat it for the benefit of the member for Girrawheen, who knows this backwards. Section 142(4) of the CCC act states —

The Commission may refuse to allow a witness to be represented before the Commission by a person who is already involved in an examination or is involved or suspected to be involved in a matter being investigated.

Ms M.M. QUIRK: To save time, there is also the capacity, under section 142(2) of the CCC act, for a witness to ask to have a lawyer for legal representation but only if the commission decides it is in the public interest will it arrange for that person to be legally represented. Given that the police will be asking the questions—they effectively will have conduct of the hearing—what will be the role of the CCC staff? If they have no role in the hearing, do they have a role in analysing the evidence or will the police take that away and use it elsewhere?

Mr R.F. JOHNSON: When I say that some commission staff may well be present, they may be used for transcribing the proceedings, exactly as is happening today. They may be used for those administrative tasks within the CCC.

Ms M.M. QUIRK: Does the minister envisage the CCC staff having any role in follow-up investigations or in analysing the evidence or will it all be done by WA Police?

Mr R.F. JOHNSON: Principally, that role will be undertaken by WA Police.

Ms M.M. QUIRK: I have two more questions, to save some time. Can the minister confirm that there is not an equivalent provision in the APEC legislation?

Mr R.F. Johnson: There won't be because they haven't got a CCC.

Ms M.M. QUIRK: It had the Independent Commission Against Corruption. Is there no equivalent power conferred on police?

Mr R.F. Johnson: No.

Ms M.M. QUIRK: Secondly, I refer to the time frame. There is reference in the legislation to the CHOGM period. At what stage will the power to put people before the CCC expire?

Mr R.F. Johnson: It will expire on 5 November.

Mr J.N. HYDE: We have been referring to these special powers of the CCC and the use of the CCC. Will we have a dedicated budget allowance for these extra responsibilities of the CCC? Will the CCC be paying for these extra responsibilities out of its own budget? Will the police be reimbursing the CCC on a cost-recovery basis?

Mr R.F. JOHNSON: That is not an appropriation question to ask when considering the bill before the house. That is an appropriate question to ask during budget time if the member really feels strongly about it.

Mr J.N. HYDE: Minister —

Mr R.F. Johnson: I will not be answering any more silly questions.

Mr J.N. HYDE: Is money a silly issue? Would it not concern the minister if he lost \$10 million out of the police budget?

Mr R.F. Johnson: The member is asking silly questions that shouldn't be answered when we are dealing with this bill. Put a question on notice to me and I will give you a lovely answer.

Mr J.N. HYDE: This is the purpose of having this part of the debate.

Mr R.F. Johnson: No, it's not. We don't talk about budgetary figures in this part of the debate. We are talking about the legislation and this particular clause.

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Mr J.N. HYDE: And the cost of the legislation and the new responsibilities that the government is giving two of the most resource-intensive bodies within the state.

Mr R.F. Johnson: We know you don't support CHOGM, we know you don't support the event and we know you don't support the Queen coming here.

Mr J.N. HYDE: And we know that the minister has no idea of what this legislation is going to do. He has no idea of what the CCC does. Now we discover that he has no idea what it is going to cost.

Mr R.F. Johnson: I do not intend to respond to the stupid comments that you're making now.

Mr J.N. HYDE: So the money will just fall out of the trees?

Mr R.F. Johnson: This has nothing to do with the bill at all. He is just really, really upset and jealous that we have got a true Queen coming to Western Australia.

Mrs C.A. Martin: That's completely inappropriate! How dare you!

Mr R.F. Johnson: What—that we have a true Queen coming to Western Australia? She is a wonderful person.

Mrs C.A. Martin: You're a disgrace!

The SPEAKER: Member for Kimberley, I do not exactly know what led to what you have just said in this place. I do not know. But if you want to ask a question of the minister, I would advise you to seek the call, and I will certainly give you the call. Member for Perth, I do not know whether you have further comments to make.

Point of Order

Mr W.J. JOHNSTON: Mr Speaker, are you going to request the minister to withdraw the comment that he made? He knows what he said.

Mr R.F. JOHNSON: Mr Speaker, I withdraw.

The SPEAKER: Thank you, minister, because I did not hear what the minister said. I have given the call at this point to the member for Perth. If the member for Perth has further comments to make, he has three minutes and 24 seconds.

Debate Resumed

Mr J.N. HYDE: In the spirit of hoping that we will get home before 10.00 pm, will the minister take that question on notice?

Mr R.F. Johnson: If you want an answer to those sorts of questions, you should put them on notice.

Mr J.N. HYDE: We were told yesterday that at least 500 police from outside of the state will be coming here, with their own IDs —

Ms M.M. Quirk: Up to 700.

Mr J.N. HYDE: We are up to 700 now. So the minister misled the house when he told us it would be 500. Seven-hundred police will be coming to this state, no doubt with their on-costs, but it does not matter what that will cost; it does not matter what it will cost the CCC; it does not matter what the extra cost will be to the police. So, if people in Wanneroo and Canning Vale are burgled, the police will not be there, because they will all be in the central business district—in my wonderful electorate—but the minister does not care.

Mr R.F. Johnson: I am not going to answer stupid questions like that.

Mr J.N. HYDE: The minister's performance has been a joke. The minister's commitment to this legislation —

Mr R.F. Johnson: You do not like the Queen, do you? You have no respect for the Queen whatsoever.

Mr J.N. HYDE: The minister seems to have a bit of a Queen focus.

Mr R.F. Johnson: She is a wonderful person.

Several members interjected.

Mr J.N. HYDE: I was shying away from the banter between the minister and the member for Mindarie, but the minister's performance is very shallow.

Mr R.F. Johnson: I think yours is dreadful, and so do a lot of other people.

Mr J.N. HYDE: The minister will not go into any amount of detail. I think it is reasonable for a member of this Parliament to ask what it will cost.

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Mr R.F. Johnson: Ask in the appropriate area, not while we were dealing with legislation.

Mr J.N. HYDE: What is the appropriate area?

Mr R.F. Johnson: Put a question on notice. Are you too lazy to ask?

Mr J.N. HYDE: We have been putting many questions on notice, and we have been getting back rubbish answers from the minister's mates, like the former Minister for Transport, who just says, "Go and look at my press releases. I am not going to deign to answer questions in this Parliament." Mr Speaker, I hope I get some leadership from you that that sort of answer from a minister is not appropriate. Members are taking the time to put questions on notice, and we are being fobbed off and told, "You are not going to be given answers in Parliament. Parliament does not matter. We are a government by press release." As we have discovered, the press releases are misleading and deceptive. We are being fobbed off by being told to put questions on notice, and now we are being fobbed off during this parliamentary debate.

Mr D.A. TEMPLEMAN: I am surprised that the minister is not answering questions and instead seeks to be offensive. The CHOGM bill is a very important bill. The questioning from this side of the house has been very appropriate and transparent and accountable.

Mr R.F. Johnson interjected.

Mr D.A. TEMPLEMAN: Does the Minister for Police not think it has?

Mr R.F. Johnson: I think you have been filibustering this bill, not only for the whole of this week, but also for the last sitting that we had in this Parliament. You are supposed to be supporting this bill. You should be ashamed of yourself. Your federal colleagues are very upset with you.

Mr C.J. Barnett interjected.

Mr D.A. TEMPLEMAN: What was that, Premier? I did not hear what the Premier said. What was the Premier's comment? The Premier is not answering.

The SPEAKER: Take a seat, member for Mandurah. I will give everybody in this place an opportunity to stand and talk during this consideration in detail, but what I want to hear, when a member stands and asks a question of the minister and makes some comments, is content that is related to the particular bill that is in front of us.

Mr D.A. TEMPLEMAN: Thank you, Mr Speaker. We are discussing clause 86. I have been following the debate on this bill right through—very closely. As you would know, Mr Speaker, I have been in the house for most of the time, and I have been following the debate right through. I am very interested in what the Premier had to say earlier when he was sniping from behind the Minister for Police. How was the Lionel Richie concert last night, Premier?

Mr C.J. Barnett: Fantastic!

Mr D.A. TEMPLEMAN: Was it?

The SPEAKER: Member for Mandurah, I am not going to sit you down at this stage, but I will sit you down if you do not return to the bill that is in front of us. I am interested in it, and I think everybody in this place is interested in it. Please continue, member for Mandurah.

Mr D.A. TEMPLEMAN: Clause 86 talks about telling the truth—being truthful. Clause 86 talks about making sure that what we actually mean, we do. I was very interested to hear the Premier's outburst then. I am glad he enjoyed the Lionel Richie concert last night. The Premier had a go at us this morning about pairs. The Premier told me that he was attending a function.

Mr C.J. Barnett: I did.

Mr D.A. TEMPLEMAN: Did the Premier meet with Lionel?

Mr C.J. Barnett: Yes.

Mr D.A. TEMPLEMAN: What did he have to say? Did the Premier dance on the ceiling with him?

Mr C.J. Barnett: My wife did!

Mr D.A. TEMPLEMAN: Were you there all night long? But I bet he is stuck on you!

The fact is that there are members in this place who have been going through this bill in great detail and asking appropriate questions, Premier, and the Premier sniped from the back saying that we do not believe in CHOGM and we do not support it. That is not true. The fact is that we have already moved a number of amendments,

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which the government has rejected. Our job is to be accountable—yet the Premier can go away to attend a function! From now on I will be looking at the Premier’s pair requests very carefully! I will be checking the gig guide first to see what is on on the same night!

Mr M.J. Cowper: So there is no endless love?

Mr D.A. TEMPLEMAN: There will be no endless love from this side, penny lover! The fact of the matter is —

Mr P. Papalia: Hello!

Mr D.A. TEMPLEMAN: Hello, is it me you’re looking for? I was looking for the Premier last night! We had a division, and I said, “Where is the Premier?”, and I was told he is attending an official function—6.00 pm to rise! I wondered why he was looking a bit tired this morning; he was dancing on the ceiling!

Mr C.J. Barnett: It was a great show!

Mr D.A. TEMPLEMAN: What happens? While some of us regional members have to sit here day in and day out while everyone else can dance on the ceiling and do wonderful things —

Mr M.J. Cowper: Member —

Mr D.A. TEMPLEMAN: What is wrong with you?

Mr M.J. Cowper: Say you, say me—we go home!

Mr D.A. TEMPLEMAN: We have done that on a number of occasions, have we not! There is an endless love between you and me!

Mr M.J. Cowper: Sshh!

Mr D.A. TEMPLEMAN: There is!

We are getting towards the end of this debate and the end of this bill. I have already announced in this place my strong support for the monarchy. I find it offensive when the minister attacks members on this side for their commitment to CHOGM. I have said to the people of Perth that they should get out of Perth during the chaos of CHOGM and spend the weekend in Mandurah. That is what I have said.

Mr J.J.M. Bowler: Kalgoorlie!

Mr D.A. TEMPLEMAN: No, too far! It will only be a three-day long weekend.

Mr C.J. Barnett: Some of them will probably stay there.

Mr D.A. TEMPLEMAN: We want them to; we are encouraging them to. I am sure someone will speak to enable me to continue.

Mr P. PAPALIA: Mr Speaker, I am sure the member for Mandurah was just about to get to a very salient point.

The SPEAKER: I am looking forward to that.

Mr D.A. TEMPLEMAN: I will not take up the time of the Parliament for too much longer. There was a tremor earlier on this afternoon. I do not know whether members are aware—a tremor.

I do not know what the cause was—I do not even know whether it had anything to do with last night—but all I can say is that as far as I am concerned, the debate and the discussions and the questioning on the Commonwealth Heads of Government Meeting (Special Powers) Bill 2011, including clause 86 which is towards the end of the bill, have been appropriate. It has been a little sad that some people in this place have used the opportunity to go off on tangents and discuss things totally unrelated to this bill.

Mr C.J. Barnett: Like Lionel Richie?

Mr D.A. TEMPLEMAN: Absolutely.

I have to warn the Premier, because he accused the opposition of not honouring pairs this morning —

Mr C.J. Barnett: No, I did not; I didn’t accuse you of that at all.

Mr D.A. TEMPLEMAN: — yet how many ministers are out today? Porter, Hames, Constable and Day! Four of them are out, all on important business, all honoured by this opposition.

Mr M. McGowan: Is there another concert on?

Mr D.A. TEMPLEMAN: There could be a concert on! I did not know that Lionel was perhaps playing somewhere else tonight and maybe they have darted off looking for him! I should have looked in the gig guide!

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Mr F.M. Logan: They're in the mosh pit!

Mr D.A. TEMPLEMAN: They probably are in the mosh pit!

The fact of the matter is that the questions asked by the member for Girrawheen—I congratulate her, and other members who have made excellent contributions, for her stewardship of this bill on behalf of the opposition—have been relevant. On this clause and others the Minister for Police has continually tried to portray the opposition as being non-supportive of the Commonwealth Heads of Government Meeting and non-supportive of the important job that the police service will play. That is absolute rubbish; it is not true. I think the minister should answer the questions that have been asked. Can the minister give us an estimate—even if he cannot give us direct figure—of the sorts of costs that provision might be made for in the budget? Surely there must be some estimation. I know this is the biggest event probably in Australia in terms of the logistics and the scope, but I would be interested in the minister's comments in giving us even some idea of the sorts of costs that we might be asked to support in the budget process. I think the member for Perth's question is relevant, and it does not reflect well on the minister to try to make inappropriate innuendo.

Mr R.F. Johnson: Not while we are discussing the bill and going through the bill. That question should be directed to the Premier, who has overall control of this particular event.

Mr J.N. Hyde: This is consideration in detail.

Ms M.M. Quirk: You're talking about hiring QCs; what does that cost?

Mr R.F. Johnson: Oh, don't!

Mr D.A. TEMPLEMAN: I will leave it there because it is getting late and the traffic is building outside; I have darted out to check.

Mr R.F. Johnson: We have the Building Bill to do after this; you know that.

Mr D.A. TEMPLEMAN: Indeed, and I hope you enjoy it!

Mr R.F. Johnson: You won't be here?

Mr D.A. TEMPLEMAN: I have been watching the minister over the past few days and he is at boiling point and frustrated.

Mr R.F. Johnson: No, I'm not; I am just getting concerned at the time that our specialists and the Deputy Commissioner of Police have had to spend in this place.

Mr D.A. TEMPLEMAN: He is a fine man.

Ms M.M. Quirk: He has been very generous with his time.

Mr D.A. TEMPLEMAN: He has, and he has been excellent.

Mr R.F. Johnson: I think he is far better off being out doing other jobs than sitting in this place listening to the filibustering that has been going on.

Several members interjected.

Mr D.A. TEMPLEMAN: If the minister had answered the questions succinctly and quickly, the bill would have been through by now. I will leave it there.

Mr W.J. JOHNSTON: Clause 86 allows for examination of the witnesses, which is key to the additional functionality being provided to the Corruption and Crime Commission. As we know from the briefing that we received from the police, this power was requested not by the WA Police but rather by the CCC. During the briefing I asked the police, and I want to ask the minister so that it will be in *Hansard*: will there be any circumstances in which a person would be referred to the CCC for examination on a matter, but that matter would not be referred to the Australian Security Intelligence Organisation?

Mr R.F. Johnson: Yes.

Mr W.J. JOHNSTON: Sorry; I cannot hear you.

Mr R.F. Johnson: Yes.

Mr W.J. JOHNSTON: Am I still on the same clock or is it a fresh clock, because the minister did not stand? Am I still on the same clock?

The SPEAKER: New clock.

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Mr W.J. JOHNSTON: Well, I cannot speak, because nobody else has spoken.

The SPEAKER: The minister did speak, I believe.

Mr R.F. JOHNSON: The answer is yes.

Mr W.J. JOHNSTON: So, can the minister provide examples of matters that would be referred to the CCC that would not also be referred to ASIO?

Mr R.F. JOHNSON: I read all those examples out before. If the member looks at *Hansard* tomorrow, he will see exactly the answer to the question he is putting. I do not think the member was in the chamber when I read them out, but that is not my fault; that is the member's fault. I am not going to keep repeating the same answers over and over again.

Mr W.J. JOHNSTON: There is an important issue here. The sorts of offences that the minister is going to refer to the CCC are not offences that relate to terrorism acts. They are not offences that relate to attacks on leaders of other governments. They are also not offences that relate to the type of protests that we have seen at G8 meetings—not that those protests will happen here, because this is not a G8 meeting; this is a meeting of the Commonwealth of Nations.

Mr C.J. Barnett: How do you know? Look at some of the countries that are coming.

Mr W.J. JOHNSTON: The Premier should go and do some work; he should go to Google and put in “CHOGM violence” and see what comes up. He will find that the number one search result is the declaration from the last CHOGM regarding domestic violence. There is no history. The Minister for Police has already told us that there is no history of violence regarding the royal family and there is no history of violence regarding CHOGM. The only violence that the minister has ever referred to is the 1978 bombing in Sydney, which related to the particular circumstances of that time. The powers of the CCC for matters not related to terrorism are an overreaction. It is not necessary to have these sorts of extensive powers when we are not talking about terrorism events. Let us face it, all those types of issues will be dealt with by the Australian Federal Police and by the federal terrorism authorities through ASIO. These are lower-level, non-terrorism matters that will be dealt with by the CCC, and, given that they are not for the serious terrorism matters that will be dealt with by ASIO, this is just an overreaction. The power given in this clause is the power, for example, to call union officials in to ask them what demonstrations they are going to plan. The wording of this bill is so broad and so badly constructed as to be a disgrace. The reason it is so broad and the wording is in this form is not that parliamentary counsel has done a bad job; it is that cabinet did a bad job. The drafting instructions given to the parliamentary draftsmen were badly thought out and did not properly examine any of the issues.

The Premier says, by way of interjection, “Oh, you're not supporting CHOGM and your commonwealth colleagues.”

Mr C.J. Barnett: Clearly you're not.

Mr W.J. JOHNSTON: That is just rubbish.

Mr C.J. Barnett: You've been rubbishing it continually for the last two weeks.

Mr W.J. JOHNSTON: The Premier simply does not know what he is talking about. It is another example of where he should do some work instead of just coming in here and making these bland interjections. I am very pleased he is sober.

Mr C.J. Barnett: Oh, charming, charming.

Mr W.J. JOHNSTON: I am very pleased that he has not been drinking before he comes in here—that is a good thing. That is not a bad thing, Mr Acting Speaker; that is a good thing.

Mr R.F. Johnson interjected.

Mr C.J. Barnett: No. I wouldn't take a point of order against a sleaze.

Mr W.J. JOHNSTON: I have not made any sleazy —

Withdrawal of Remark

The ACTING SPEAKER (Mr J.M. Francis): Okay! Member for Cannington, and Premier, I can open this book right now and I can tell you the standing order if you require me to. I am not going to do that; I am going to ask you to withdraw those comments.

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Mr W.J. JOHNSTON: Sorry, which? I withdraw that the Premier is sober; is that what you are asking me to withdraw?

The ACTING SPEAKER: No. Member for Cannington —

Mr W.J. JOHNSTON: I am not certain what it is I said. “I am pleased that the Premier is sober”; they are the words I used.

The ACTING SPEAKER: I am going to read you standing order 92 —

Imputations and personal reflections

92. Imputations of improper motives and personal reflections on the Sovereign, the Governor, a judicial officer or members of the Assembly or the Council are disorderly other than by substantive motion.

I ask you to withdraw your comments without remark.

Mr W.J. JOHNSTON: I withdraw.

Mr M. McGOWAN: The Premier referred to the member for Cannington as a sleaze, and I would ask him to withdraw that; I regard that as unparliamentary language.

Mr C.J. BARNETT: Mr Acting Speaker, I did say I would not take a point of order from a sleaze. It was not specifically at the member, but I will withdraw.

Mr W.J. JOHNSTON: Thank you very much.

Debate Resumed

Mr W.J. JOHNSTON: It is an easy and cheap shot for the Premier to come into this place when he has not been witness to the poor job done by the minister. The fact is that this legislation is badly constructed and goes much further than the APEC laws in New South Wales. Remember that there was a review of the APEC operation and it did not recommend any of the additional powers being provided by this bill. It is justified for those on this side of the chamber to say that the extensions of those powers in this bill and the bad drafting—the way in which cabinet instructed the draftsman to construct this bill—are wrong. And they are wrong. Furthermore, those issues will hamper the operation of this event. For example, there is no ability to have a security cordon for the Commonwealth Business Forum, the Commonwealth Youth Forum and the Commonwealth People’s Forum because these events are not covered by the special powers in this bill. That is an example of what has happened here. These CCC powers are an overreaction—they are unnecessary, they are not requested by WA Police and they are not the result of the APEC review.

Mr R.F. JOHNSON: The member said to Google “no violence” and “CHOGM”. Maybe Google does not have all the details. What does the member call a bombing in 1978 at the commonwealth heads of government regional meeting in the Sydney Hilton? Three people were killed; one was a police officer.

Mr W.J. Johnston: It was in 1978.

Mr R.F. JOHNSON: Therefore, will it never happen again? For goodness sake!

Mr W.J. JOHNSTON: The minister does not get it, does he? If there are terrorism issues, we already have powers to deal with terrorism issues. The Labor Party has made it a hundred per cent clear that we agree with having the special zones for CHOGM events. We want to apply those special zones to the Commonwealth People’s Forum, to the Commonwealth Youth Forum and to the Commonwealth Business Forum. They are not provided for by this bill, but we would give them that zoning. We believe it is appropriate for these powers to extend to those events. The minister cannot justify the additional powers that he is giving to the CCC. The police have not asked for these powers.

Mr C.J. Barnett: The federal government wants the legislation in place.

Mr W.J. JOHNSTON: The Premier should tell the truth to this chamber; he has an obligation to tell the truth. The provision in clause 86 —

Mr C.J. Barnett: There are special security measures required for CHOGM that were part of our negotiation with the commonwealth. You are standing in the way of Australia protecting international visitors; it is as simple as that. It is a short-term event. The national government and the Western Australian government agree that we require special policing powers and security measures. WA Police, the Australian Federal Police, the Australian Security Intelligence Organisation and other organisations are involved. There is only one group in this country

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

willing to put people at risk and that is the Labor Party of Western Australia; that is the only group in the whole country.

Mr W.J. JOHNSTON: The Premier once came into this chamber and said that the lowest form of debate was to put words in somebody else's mouth. See what he does! We hear the lowest form of debate from the other side of this chamber—the flapping gums and the empty rhetoric. We have made it a hundred per cent clear.

Let me ask the question: has the commonwealth said that it wants the CCC involved in this matter? No. Have the police asked for the CCC to be involved in this matter? No. Has the federal Minister for Foreign Affairs asked the CCC to be involved in this matter? No. Was there a recommendation in the APEC review that the CCC be involved in this matter? No. The only people who want the CCC involved in these matters are those in the cabinet of Western Australia. Nobody else supports it. The Premier stands up and walks out because he knows the truth of the things I say. He is not prepared to contradict me. He walks out because he knows that I have told the truth at every time. Remember, I am the only member of this chamber to have been investigated and proved to tell the truth—the only one—on the motion of the Leader of the House, a motion that I supported. I was investigated and I was proved to have told the truth. The Premier, on the other hand, walks out because he knows that he cannot interject on me, because he knows that I am telling the truth. The Labor Party supports CHOGM, but we do not support the ridiculous overreaction by the government regarding these CCC powers. Clause 86 is unnecessary; it does not deal with terrorism matters, let us make that clear. Anybody who comes into this chamber and says that clause 86 deals with terrorism is being untruthful. Clause 86 does not apply to terrorism matters; a separate arrangement already exists. The police explained this to me when I had a briefing. There is already a separate arrangement to deal with terrorism; therefore, we do not need these powers to deal with terrorism. The one thing that the minister cannot do and the one thing that the Premier cannot do is to stand and say that these provisions are related to terrorism. They are not related to terrorism. No-one can stand in this place and say that the powers in clause 86 relate to the safe functioning of the CHOGM and related events in this state, because they do not relate to those matters. They relate to other issues and that is the problem that the minister has. These are unnecessary powers—they go too far, they are not warranted by the events, they are not even asked for by the police. It is interesting that the Minister for Police never contradicts me when I make that comment, because the Deputy Commissioner of Police told me that when we had our briefing. He explained that these were not powers sought by the Western Australian police. If they are not sought by the Western Australian police and they do not relate to terrorism, why do we do this? We do it because the minister thinks it is a good idea and cabinet considers it a good idea; no-one else does.

Clause put and a division taken with the following result —

Ayes (25)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr J.J.M. Bowler
Mr I.M. Britza
Mr T.R. Buswell

Mr G.M. Castrilli
Mr V.A. Catania
Mr M.J. Cowper
Mr J.M. Francis
Mr B.J. Grylls
Mrs L.M. Harvey
Mr A.P. Jacob

Dr G.G. Jacobs
Mr R.F. Johnson
Mr A. Krsticevic
Mr W.R. Marmion
Mr P.T. Miles
Ms A.R. Mitchell
Dr M.D. Nahan

Mr D.T. Redman
Mr A.J. Simpson
Mr T.K. Waldron
Mr J.E. McGrath (*Teller*)

Noes (22)

Dr A.D. Buti
Ms A.S. Carles
Mr R.H. Cook
Ms J.M. Freeman
Mr J.N. Hyde
Mr W.J. Johnston

Mr F.M. Logan
Mr M. McGowan
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O'Gorman
Mr P. Papalia

Mr J.R. Quigley
Ms M.M. Quirk
Mr E.S. Ripper
Mr T.G. Stephens
Mr C.J. Tallentire
Mr P.C. Tinley

Mr A.J. Waddell
Mr P.B. Watson
Mr B.S. Wyatt
Ms R. Saffioti (*Teller*)

Pairs

Mr M.W. Sutherland
Mr C.C. Porter
Dr K.D. Hames
Dr E. Constable
Mr J.H.D. Day

Mr M.P. Whitely
Ms L.L. Baker
Mrs M.H. Roberts
Mr D.A. Templeman
Mr J.C. Kobelke

Clause thus passed.

Clause 87: Examination of witness about offence with which witness is charged —

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Ms M.M. QUIRK: This provision enshrines standard practice for the status of evidence given by witnesses appearing before the Corruption and Crime Commission and states —

- (1) A person summoned on a CHOGM summons cannot be examined about matters that may be relevant to an offence with which the person stands charged, but this section does not prevent any other person from being examined about those matters.

Mr R.F. Johnson: Yes.

Ms M.M. QUIRK: This clause is about having other people give evidence on matters that might be able to cast light on the offence. When a person stands charged with an offence and there is a witness who is not charged but who might be a co-conspirator, can that person claim privilege from self-incrimination or is he compelled—especially in the case of a co-conspirator—to answer questions?

Mr R.F. Johnson: I am told it is a replication of section 50 of the Corruption and Crime Commission Act.

Ms M.M. QUIRK: Perhaps the minister can explain why it needs to be inserted in this legislation and why we cannot rely on what is already in the CCC act.

Mr R.F. JOHNSON: It has to be included because this clause refers to a CHOGM summons. We could not completely replicate the section in the CCC act because it refers to organised crime. This clause refers specifically to a CHOGM summons.

Ms M.M. Quirk: While the minister is on his feet: what is the position for a co-conspirator who has not been charged but who is being asked to give evidence before the CCC against a person who has been charged?

Mr R.F. JOHNSON: I am advised the evidence he gives could not be used against him.

Ms M.M. Quirk: But he would still be compelled to answer.

Mr R.F. JOHNSON: Yes; he would.

Clause put and a division taken with the following result —

Ayes (25)

Mr P. Abetz	Mr G.M. Castrilli	Dr G.G. Jacobs	Mr D.T. Redman
Mr F.A. Alban	Mr V.A. Catania	Mr R.F. Johnson	Mr A.J. Simpson
Mr C.J. Barnett	Mr M.J. Cowper	Mr A. Krsticevic	Mr T.K. Waldron
Mr I.C. Blayney	Mr J.M. Francis	Mr W.R. Marmion	Mr J.E. McGrath (<i>Teller</i>)
Mr J.J.M. Bowler	Mr B.J. Grylls	Mr P.T. Miles	
Mr I.M. Britza	Mrs L.M. Harvey	Ms A.R. Mitchell	
Mr T.R. Buswell	Mr A.P. Jacob	Dr M.D. Nahan	

Noes (22)

Dr A.D. Buti	Mr F.M. Logan	Mr J.R. Quigley	Mr A.J. Waddell
Ms A.S. Carles	Mr M. McGowan	Ms M.M. Quirk	Mr P.B. Watson
Mr R.H. Cook	Mrs C.A. Martin	Mr E.S. Ripper	Mr B.S. Wyatt
Ms J.M. Freeman	Mr M.P. Murray	Mr T.G. Stephens	Ms R. Saffioti (<i>Teller</i>)
Mr J.N. Hyde	Mr A.P. O’Gorman	Mr C.J. Tallentire	
Mr W.J. Johnston	Mr P. Papalia	Mr P.C. Tinley	

Pairs

Mr M.W. Sutherland	Mr M.P. Whately
Mr C.C. Porter	Ms L.L. Baker
Dr K.D. Hames	Mrs M.H. Roberts
Dr E. Constable	Mr D.A. Templeman
Mr J.H.D. Day	Mr J.C. Kobelke

Clause thus passed.

Clause 88: Application of provisions of CCC Act —

Ms M.M. QUIRK: I will be very brief. I will not take up anymore time, minister, other than to say that because this clause applies provisions of the CCC act, which we do not regard as necessary, we do not intend to support the clause.

Clause put and a division taken with the following result —

Extract from *Hansard*
[ASSEMBLY — Thursday, 7 April 2011]
p2667c-2694a

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Ayes (25)

Mr P. Abetz
Mr F.A. Alban
Mr C.J. Barnett
Mr I.C. Blayney
Mr J.J.M. Bowler
Mr I.M. Britza
Mr T.R. Buswell

Mr G.M. Castrilli
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Mr A.P. O’Gorman
Mr P. Papalia

Mr J.R. Quigley
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Mr M.W. Sutherland
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Dr E. Constable
Mr J.H.D. Day

Mr M.P. Whitely
Ms L.L. Baker
Mrs M.H. Roberts
Mr D.A. Templeman
Mr J.C. Kobelke

Clause thus passed.

Clause 89 put and passed.

Clause 90: Judicial review excluded —

Ms M.M. QUIRK: Is judicial review excluded for all time or just during the CHOGM period?

Mr R.F. Johnson: It is just during the CHOGM period.

Ms M.M. QUIRK: Where does it say that?

Mr R.F. Johnson: This entire legislation—other than the provision that ensures that the Commissioner of Police carries out a review within three months and presents it to me to present to Parliament, and any evidentiary averments—will fall away on 5 November. The provision for the expiry of the legislation is in the last clause.

Ms M.M. QUIRK: Subclause (2) states that subclause (1) does not apply after the completion of the investigation. In fact, the investigation may well go on long after the CHOGM period has expired.

Mr R.F. Johnson: They will do, but they will not be able to use the CCC act powers.

Ms M.M. QUIRK: I am not talking about the powers; I am talking about the right to make a declaration or get an injunction under subclause (1). I think that is ambiguous. I do not intend to make a big issue of it, but as the minister is cleaning up the legislation before it goes to the other house, he might also want to make that a bit clearer than it currently is.

Mr R.F. JOHNSON: It is basically a copy of section 83, “Judicial review excluded”, of the Corruption and Crime Commission Act. We have simply put it in this bill to mirror the CCC act.

Clause put and passed.

Clauses 91 to 93 put and passed.

Title put and passed.

Leave granted to proceed forthwith to third reading.

Third Reading

MR R.F. JOHNSON (Hillarys — Minister for Police) [3.52 pm]: I move —

That the bill be now read a third time.

MS M.M. QUIRK (Girrawheen) [3.52 pm]: I will not delay the passage of this bill any further. But I will say that the issues in this bill with which we were in contention were the significant departures from the Asia-Pacific Economic Cooperation group legislation. It seems to me from comments that the Premier made earlier today that he is attributing to the opposition some blame for the scrutiny of this legislation and the time it has taken to pass through this place. On 23 January this year, I put out a press release that basically indicated that we would

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

support the CHOGM legislation and recommended that legislation similar to that which was adopted at APEC be introduced. We believed that that would certainly deal with the situation. I was hopeful that when Parliament resumed on 15 February, we would see the legislation. It was another month after that before it was introduced. I do not think the government is in any position to criticise the opposition for spending what I believe is valuable time on this legislation. If members analyse *Hansard*, they will find that most of our concerns were with the departures from the APEC act. As we have said, we believe that those departures were unnecessary. One departure that I think is germane is that under the APEC legislation, only police officers were authorised to use these powers. This chamber has certainly extended those powers to not only police officers, but also authorised officers, who can include, for example, security guards, bouncers and police auxiliary officers. We need to be mindful of that point, and that is partially due to the size of the state and the number of police officers who will be available. We made that concession, but it is not a small concession by any means. I think some members of our community will be uncomfortable that people who are not police officers will be able to exercise those powers. We support CHOGM, and it is very mischievous and dangerous to say otherwise.

The other reason we had to spend some time on this legislation is that the so-called stop-and-search legislation is still on the notice paper in the other place. It would not be beyond the Minister for Police to ask at a later stage why we objected to this provision in his stop-and-search legislation when we supported it in the CHOGM legislation. It was very important for us to put that on the record, if only to preclude the minister from being mischievous and disingenuous at some time in the future by contrasting our support for the CHOGM bill with our objection to the ill-fated and flawed stop-and-search legislation languishing in the upper house. For that reason, we had to give this bill a level of scrutiny and make our concerns clear. If that was a problem, I make no apologies for it.

I thank the minister's advisers, in particular Charles Marks and Richard Simms and, most especially, Deputy Commissioner Dawson, who has been very generous with his time. He is a very busy man. We all know from the debate in this place how much work there is ahead of him with CHOGM in the next few months. I know that he and his team will do an exceptional job in ensuring that everything runs smoothly. I thank them for their expertise and for providing assistance to not only me, but also the minister. I think the minister would have been floundering even more had that assistance not been forthcoming. I wish WA Police and all those involved in CHOGM godspeed and good luck. We of course support CHOGM. It is an important way of showcasing Western Australia. We cannot be accused of being un-Western Australian or un-Australian just because we raised concerns about provisions in the legislation. The evidence of the time and energy that we have put into the bill shows the complete opposite. We want CHOGM to run well, we want it to be successful and we want people to say that it was the best CHOGM ever.

MR M. McGOWAN (Rockingham) [3.57 pm]: I congratulate the member for Girrawheen on the work she has done on this legislation. I admit that I have not played a particularly strong role in this debate; in fact, I have played no role at all. However, I admire the dogged way that members on this side of the house have taken up the issues during debate on this legislation. If the minister has a difficulty with that, or if he has a difficulty with the bill going through the consideration in detail stage, he is in the wrong business. That is what Parliament is about. There is a consideration in detail stage and members debate legislation, particularly legislation that impinges on people's civil liberties and rights. That is the role of a Parliament. If the minister does not like it, he needs to get another job. I recall sitting at the table when I was minister and witnessing the most bizarre carryings-on by members of the then Liberal opposition during debate on legislation, but that is just the job ministers have to do. This legislation will impinge on people's civil liberties, so there is an obligation on members of the opposition to get to the bottom of it. We have concerns that the powers contained in this CHOGM legislation go beyond those necessary for events that, if we are frank, were bigger and were attended by more significant world leaders, such as APEC. Was it not fair enough for us to ask why there were certain powers for APEC, which was attended by the President of the United States?

I heard the Premier say a number of times that the one group in this state that does not support the Commonwealth Heads of Government Meeting in Western Australia is the state Labor Party. I put on the record that that is completely and utterly untrue. I stand here today as the manager of opposition business and shadow minister in the state opposition and say that that is completely and utterly untrue. We are totally supportive of the Commonwealth Heads of Government Meeting.

Mr C.J. Barnett: The member for Perth got up yesterday and spoke against it. He argued against the arts festival. He stood in this chamber yesterday and said that he was not in favour of CHOGM.

Mr M. McGOWAN: This is a bloke who thinks water flows on flat ground from the Kimberley to Perth. So, I think we have to take with a pinch of salt what the Premier has to say about anything.

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Mr C.J. Barnett: I've never said that, as you did the other day. You are infamous in this place for fabrication.

Mr M. McGOWAN: I am?

Mr C.J. Barnett: You are.

Withdrawal of Remark

Mr W.J. JOHNSTON: The Premier has just made a direct imputation about the member for Rockingham. He should be directed to withdraw.

The SPEAKER: Member for Rockingham, you have the call.

Debate Resumed

Mr M. McGOWAN: I find it extraordinary that the Premier would say that.

Mr C.J. Barnett: Do you want one example this week?

Mr M. McGOWAN: The Premier should tell me.

Mr C.J. Barnett: On Tuesday you accused Nicky Cusworth, a senior public servant, of making all sorts of statements. She did not make any of those statements. You were totally wrong.

Mr M. McGOWAN: I had a document that she presented to the Western Australian Council of Social Service.

Mr C.J. Barnett: No, you were totally wrong. You were referring to comments made by WACOSS speakers, not Nicky Cusworth. You were totally wrong and you owe her an apology.

Mr M. McGOWAN: I was given advice that the document was hers.

Mr C.J. Barnett: You owe her an apology. You were totally wrong.

Mr M. McGOWAN: I will tell the Premier what I said about her.

Mr C.J. Barnett: I know what you said.

Mr M. McGOWAN: I actually praised her.

Mr C.J. Barnett: You quoted her and the quotes were not from her speech.

Mr M. McGOWAN: I praised her.

Mr C.J. Barnett: You owe her an apology. She did not say the things you attributed to her. I have seen her speech and she did not say those things.

Mr M. McGOWAN: I praised her.

Mr C.J. Barnett: It doesn't matter. You misquoted her and you owe her an apology.

Mr M. McGOWAN: I do not want to delay this legislation but I want to put on the agenda that the Commonwealth Heads of Government Meeting in Perth is something we support. It was offered to Western Australia by the federal Labor government who, in turn, offered it to Perth.

Mr C.J. Barnett: Yes; it is a national event, with the support of the Western Australian government.

Mr M. McGOWAN: The Minister for Defence—Minister for Foreign Affairs and Trade as he then was—offered it to the Premier for Western Australia, as he rightfully should.

Mr C.J. Barnett: No, he didn't. He contacted me and suggested there was a chance that Perth would get it and asked whether I was in agreement. I said yes and that he would have my full support. He went back into the meeting and achieved it; and well done Stephen Smith.

Mr M. McGOWAN: Okay; he could just as easily have gone to Melbourne, Sydney, Adelaide or Brisbane.

Mr C.J. Barnett: Exactly.

Mr M. McGOWAN: Or Hobart.

Mr C.J. Barnett: No, he couldn't have.

Mr M. McGOWAN: Okay; perhaps not Hobart.

Mr C.J. Barnett: That is because there was an understanding in the commonwealth that because Sri Lanka had pulled out due to internal problems, it needed to be an Indian Ocean country. That was the consensus at Trinidad: it had to be an Indian Ocean site, and that meant only Perth.

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Mr M. McGOWAN: All those places were considering a country that sits on the Indian Ocean.

Mr C.J. Barnett: No, an Indian Ocean city. You don't know what you're talking about.

Mr M. McGOWAN: I will check that one out.

Mr C.J. Barnett: You don't know what you're talking about.

Mr M. McGOWAN: In any event, it was the federal Labor government who made it available to Western Australia.

Mr C.J. Barnett: Of course it was; it's a national event.

Mr M. McGOWAN: It was not the Premier's decision; it was the federal Labor government's decision.

Mr C.J. Barnett: Of course it wasn't my decision.

Mr M. McGOWAN: I congratulate the federal Labor government on that.

Mr C.J. Barnett: It wasn't Stephen Smith's decision either; it was the decision of CHOGM in Trinidad.

Mr W.J. Johnston: No, it wasn't.

Mr C.J. Barnett: Of course it was.

Mr W.J. Johnston: CHOGM was two years ago.

Mr C.J. Barnett: And that's when they decided that it would happen in Perth.

Mr W.J. Johnston: It was Sri Lanka.

Mr C.J. Barnett: No, you're wrong. Sri Lanka pulled out at CHOGM in Trinidad. Stephen Smith, to his great credit, put forward Perth as an alternative on the Indian Ocean.

Mr M. McGOWAN: Good on him!

Mr C.J. Barnett: And it was supported by CHOGM in Trinidad. Stephen Smith and I had conversations during that meeting. That's what happened.

Mr M. McGOWAN: Okay. It was not the Premier in Trinidad getting the event.

Mr C.J. Barnett: I've never claimed that.

Mr M. McGOWAN: It was the federal government.

Mr C.J. Barnett: I've never claimed that; it's a national event. Never.

Mr M. McGOWAN: The Premier is a very angry man today.

Mr C.J. Barnett: I'm not.

Mr M. McGOWAN: You are.

Mr C.J. Barnett: I don't like people who come in and attack public servants, as you did, and misquote them.

Mr M. McGOWAN: I did not attack any public servant. All I say is that CHOGM will be a good event for Western Australia. I am supportive of it.

Mr C.J. Barnett: I'd just like Labor to support it.

Mr M. McGOWAN: We are supporting it.

Mr C.J. Barnett: I'd like you to come out and say it. You've shown no support for it. For the last two weeks you've done everything you can to frustrate Western Australia Police having the powers they need and for the Australian Federal Police to have the powers they need to administer CHOGM. You have done everything you can to frustrate it.

Mr M. McGOWAN: There you go!

Mr C.J. Barnett: The Western Australia Police, the emergency services, the Australian Federal Police, other agencies, even perhaps the military, require special powers, and you have spent two weeks trying to frustrate an event that goes no more than a week. You'll probably do the same in the upper house. Meanwhile, good people, like the police officers here today, are working flat out trying to put into place a very complex security arrangement, and they are aware of the lack of support from members of the Western Australian Labor Party. It's there for everyone to see, and you should be ashamed. You can raise points and you should, but the way in which you have frustrated a great national event for Australia and for this state, I think, is disgraceful.

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Mr M. McGOWAN: That is absolute rubbish! There the Premier is pontificating—the little fat man sitting there! We have people on our side, former Special Air Service officers, who actually served in counter-terrorism. We have a member here, the member for Warnbro, who never avoided service like the Premier did. He actually served his country, unlike the Premier who avoided service for this country. Yet the Premier has the gall to attack members like the member for Willagee and the member for Warnbro who actually have credit in serving this country; unlike the Premier sitting there pontificating and attacking members on this side—good people like the member for Warnbro and the member for Willagee—who agree with raising issues about civil liberties, even if they support this great event for Western Australia. It is right for a Parliament to have a go at examining legislation. That is our role and that is our job. The Premier does not believe in accountability. He sits there on his high horse never having done the job the member for Willagee or the member for Warnbro have done in relation to these things. He has no right to criticise those members.

Mr C.J. Barnett: I didn't.

Mr M. McGOWAN: Yes, you did.

Point of Order

Mr C.J. BARNETT: I have never reflected on the members or their military career. I admire their military service, and I want to place that on the record

Debate Resumed

Mr M. McGOWAN: Obviously there is no point of order, Mr Speaker.

Mr C.J. Barnett: No.

Mr M. McGOWAN: The Premier attacked both those members who are members of the opposition. The Premier said that the state opposition does not support this event, even though both those members have indicated that they did support it, even having regard to their record in backing and defending those sorts of events.

Mr C.J. Barnett: Yes; I listened to the debate for two weeks.

Mr M. McGOWAN: That reflects upon the Premier more than anyone else.

Mr C.J. Barnett: Everyone can see the Labor Party's attitude to this bill.

Mr M. McGOWAN: It reflects upon the Premier who has never had the guts to do what those members have had to do in their lives in actually defending this country in the way that they have.

MR J.N. HYDE (Perth) [4.06 pm]: I also rise to add to this debate, as we have experienced the verballing of the Premier! The Premier has had the opportunity to show the benefits for Perth from CHOGM. What are the costs? We have had the Minister for Police here during this debate and we have tried to get from him exactly what the costs are for the government's involvement in CHOGM. The Premier has wheedled himself into CHOGM now and he will be hosting the foreign ministers drink-up.

Mr C.J. Barnett: That's very respectful, isn't it?

Mr J.N. HYDE: The great Premier of this state has wheedled himself into one of the social events at CHOGM.

Mr C.J. Barnett: Do you know why? It's because the Australian government requested the state to do that.

Mr J.N. HYDE: The Premier has not answered some other questions during this debate. One of the great strengths of CHOGM is that it promotes democracy.

Mr C.J. Barnett: Yes.

Mr J.N. HYDE: It promotes democracy and transparency. What have we seen during this debate? We have seen the shutting down of openness and a shutting down of financial transparency. Of course, the Premier has not yet bothered to answer the questions on notice I asked about whether he will reveal all the donations made by Perkins (WA) Pty Ltd and its associated companies to the Liberal Party and the 500 Club.

Mr C.J. Barnett: Who are you talking about?

Mr J.N. HYDE: This is the company to whom the government has given the tender to build the little building at Kings Park, without going out to a full tender and without going out to public consultation.

Mr C.J. Barnett: That's disgraceful!

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Mr J.N. HYDE: Yet again no transparency. The Premier does not even bother to answer questions on notice.

Mr C.J. Barnett: Can I just ask you a question, member for Perth? Are you accusing that contract of being corrupt? Are you making an accusation of corruption in that contract?

Mr J.N. HYDE: Why did the government fail to go through the proper environmental approvals necessary? Why did it fail to go through all the planning requirements at Kings Park?

Mr C.J. Barnett: Because we had to build it in six months.

Mr J.N. HYDE: Why is the Premier letting down Western Australians once again on local content by failing to ensure local content for the one showcase building we are getting out of CHOGM? Out of the great Empire Games we got magnificent facilities at Beatty Park, at Perry Lakes and elsewhere. At the time of the America's Cup we saw the huge revitalisation of Fremantle and heritage in this state. The one little infrastructure benefit we are getting out of CHOGM is a bigger facility for a private company, Fraser's, as a venue for it to make profits.

Mr C.J. Barnett: So, you don't support it?

Mr J.N. HYDE: The Premier had the chance to make sure the tender was transparent when he gave it out. Of course it was given out; it was not transparent or open. The tender went to a Liberal Party donor, Perkins. The Premier had the chance to ensure that the fit-out of the facility was made in WA and that it would showcase WA when hosting drinks for foreign ministers, and anything else for which the state government is suddenly having a role to play that it has never had before. The Premier has not used that chance and he has not value-added from this event.

During this debate the minister also failed to come clean on any of the real costs. It was interesting that he decided to chide and correct somebody who said that it was determined at CHOGM in the Republic of Trinidad and Tobago when the next CHOGM was going to be held. The person who hosted the drinks for the foreign delegates at CHOGM in the Republic of Trinidad and Tobago said that the cost blow-outs in CHOGM led to him losing the next election. I will be reminding the minister of this because he has not come clean on the costs of the government's involvement in CHOGM. He has not come clean on any of the costs related to police resourcing, Corruption and Crime Commission resourcing or anything else. He has created this great amount of untransparency and is giving this great beat-up of CHOGM without saying what the benefits will be.

Mr C.J. Barnett: You don't support it, do you?

Mr J.N. HYDE: The minister is softening up people when discussing the traffic and everything else. I support the residents of Perth first, and the Premier should be supporting the people of Western Australia, not his mates who will be flying in from overseas that he is trying to impress. He is constantly saying that this is about the visitors. His other great thought bubble came during an interview on 6PR yesterday. What does Perth need? Perth needs international visitors arriving at the airport coming straight into the CBD without going through a traffic light.

Mr C.J. Barnett: That's right.

Mr J.N. HYDE: Correct. The Premier has promised that. When is the opposition in this state going to start questioning the Premier? What is the route of this new Colin Barnett freeway from the international airport to the CBD? What private property will he be purchasing to ensure that his new freeway goes through without any traffic lights? Like the wonderful new overpass that the member for Collie-Preston has achieved in Bunbury that will be opened tomorrow morning—it happened instantaneously in this Parliament—which intersections and overpasses will the Premier be building between the international airport and the CBD to achieve this great announcement he made on 6PR yesterday? Is that Saturday's announcement?

Mr V.A. Catania: It's visionary.

Mr J.N. HYDE: It is visionary but there is no financing.

Point of Order

Mr C.J. BARNETT: Mr Acting Speaker, under standing orders, a third reading debate should reflect on the passage of the legislation, particularly, and any further comments. It is not an opportunity to discuss transport planning in Bunbury. I know that members opposite are a little sensitive because they have been seen to be not fully supportive of CHOGM, but I request that you ask them to speak to the bill.

The ACTING SPEAKER (Mr A.P. O'Gorman): Member for Perth, it is true that in your speech on the third reading you should be reflecting on the legislation before us. I ask you to bring your comments back to that.

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Debate Resumed

Mr J.N. HYDE: I will certainly do that. We have asked and asked and asked for the details but we have not seen any in this debate. As is so evident from this government, we are not getting the details. We were told that 500 police from the Australian Federal Police and elsewhere from interstate will be here. The latest figure from the minister is that there will be 700 police here. What are the cost implications relating to those officers? Where will they be housed?

One of the other blow-outs in the Republic of Trinidad and Tobago was the lack of accommodation and housing, so the government had to hire two luxury cruise liners to house people. Where will these 700 police from interstate and the AFP be housed during their time in Perth? These are all valid issues that were raised during the debate that the minister failed to address.

Mr C.J. Barnett: Do you think it would be a good thing in this Parliament to divulge details of security arrangements for CHOGM?

Mr J.N. HYDE: Like how much it is going to cost?

Mr C.J. Barnett: Where the police are going to be located and whatever else goes on.

Mr J.N. HYDE: All we are asking for is the cost. The minister does not have to tell me where they are staying. All he has to do is give the cost. The government needs to sign up to being a transparent, open and non-corrupt government. The Premier of the state is backing his police minister that there is an open cheque for CHOGM expenses.

Mr C.J. Barnett: The commonwealth meets the security costs. We meet part of it.

Mr J.N. HYDE: Here we go again with the federal cost and the state cost. The government meets part of it but it will not tell us what part.

Mr C.J. Barnett: It is a commonwealth event.

Mr J.N. HYDE: The Premier is hosting the drinks for the foreign ministers. It is a national event when it comes to the costs. When it comes to the important parts of this legislation —

Mr C.J. Barnett: I am happy for you to not participate in any CHOGM event.

Mr V.A. Catania: It's clear you don't support it.

The ACTING SPEAKER: Members, I have allowed a certain level of interjection across the chamber because the member on his feet was accepting them and responding to them. Now we seem to be getting a chorus from my right-hand side. Member for North West, I call you to order for the first time.

Mr J.N. HYDE: The Premier keeps trying to imply that I do not support CHOGM. If he had read —

Mr C.J. Barnett: We all read about it in the newspaper.

Mr J.N. HYDE: We did not read about it. If the Premier had read his wonderful question, the most important issue for the Liberal–National independent government of Western Australia was what the member for Perth said in his local newspaper. I thank the member for Scarborough for raising that question. If the Premier had read the article, he would have noted that it said that yes, CHOGM is important; however, our relationship with China, the US, Indonesia and Japan is imminently more important. If we reflect on it, what happened yesterday while I, the member for Girrawheen, the member for Cannington and the excellent member for —

Mr P. Abetz: Southern River.

Mr J.N. HYDE: No, not the member for Southern River. The only government member who was sitting through the debate was the member for Swan Hills. The rest of the members were off at dinner with the Chinese. Instead of supporting the CHOGM debate, they were at the important function of the Chinese.

Mr C.J. Barnett: It was important.

Mr J.N. HYDE: Of course it was important. It was much more important than the CHOGM debate. So the Premier of the state, rather than paying attention and rather than being involved in this CHOGM debate, was dining with the fourth–highest ranked Chinese official.

Several members interjected.

The ACTING SPEAKER: Members, it is getting more and more difficult to hear the member for Perth, and he normally has a fairly loud voice. I ask members on my right to hold their interjections. I also instruct the member

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

for Perth to come back to the third reading debate, which is reflecting on the legislation as it has passed through this house so far.

Mr J.N. HYDE: It is very clear that the Premier is endorsing the philosophical stance that I raised in that article. He knows that our future is clearly entwined with China and the important trading partners that we have in this region.

Mr C.J. Barnett: I think there are 24 Indian Ocean and South-East Asian nations, including countries such as India, at CHOGM and there will be their presidents, prime ministers and their foreign ministers. I think that's pretty important to Western Australia.

Mr J.N. HYDE: Yes, the Premier has said that. Instead of coming in here to tell the Parliament, he was with the number four from China yesterday.

The opposition has done its job properly in a democracy, or as much as we are allowed to in what passes for a democracy in the very limited democracy that we have in this Parliament. The Premier continues to not answer questions on notice, he continues to not answer very important questions regarding costs throughout this bill and he continues to show that the very values that underpin the commonwealth—democracy, transparency and constitutional law—are not being adhered to.

Mr C.J. Barnett: I found your article.

Mr J.N. HYDE: It was tabled the other day.

Mr C.J. Barnett: It is headed “The Great Big CHOGM Hoax” and states —

The much-touted CHOGM in Perth slated for October will prove as beneficial to the world's most isolated capital city as a well-attended conference of undertakers ...

That's overwhelming support, isn't it?

Mr J.N. HYDE: That is tedious repetition.

Mr C.J. Barnett: Tedious repetition! Here it is, “The Great Big CHOGM Hoax”, and you reckon you support CHOGM. Give us a break!

Mr J.N. HYDE: What has the Premier got against undertakers?

Mr V.A. Catania: He doesn't want the Lord Mayor to take any credit for it; that's why.

Mr J.N. HYDE: I thank the member for that interjection. The one person who should be congratulated is the Lord Mayor. It is very much the Lord Mayor and the Prime Minister who are behind making CHOGM a success in Western Australia. It is the host city that has responsibility under the CHOGM legislation. There is nothing in the legislation about a state; it refers to the host city. We have a wonderful Lord Mayor, who does great work. In fact, the Lord Mayor does miles more than any Minister for Tourism on the Premier's side of the house has done in getting people into this wonderful city and celebrating its great attributes. I thank the member for North West for that interjection, because the Lord Mayor and the Prime Minister have very important roles and I support both of them.

Mr C.J. Barnett: You describe it as the “CHOGM circus” and you are trying to tell us that Labor supports it!

The ACTING SPEAKER: The member on his feet has taken a number of interjections. A point of order was taken and I have been asked to pull the member back to talk to the third reading on this particular bill, which I have done a number of times. However, the interjections give him the opportunity to go off on tangents. Therefore, if the Premier wants the member to stick strictly to the debate, he should not interject and give the member the opportunity to go off on tangents. I draw the member for Perth's attention to the third reading on this particular bill and the stages that it has passed so far. It is as tight as that, please, on the debate.

Mr J.N. HYDE: The only circus being provided in CHOGM is by the Premier; he has announced wonderful things in the Perth Cultural Centre. We will have jugglers and fire-eaters.

Mr C.J. Barnett interjected.

Mr J.N. HYDE: In my closing remarks, I draw attention to the fact that yesterday the Premier had the chance to show his support for CHOGM, but while we were in here debating it he was off with number 4 in China. The Premier very much articulated the philosophical argument that I made that the government of China, and the investments by the United States, Indonesians and Japanese are more important, every day and every month, to the overall development of Perth than a three-day festival of circus.

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Mr C.J. Barnett interjected.

The ACTING SPEAKER: I call the Premier to order because I have specifically asked that we do not continue to have interjections that lead to tangents. I ask the Premier to hold his interjections so that we can hear the rest of the member's speech as quickly as possible and so that it is confined as tightly as possible to the piece of legislation in front of us.

Mr J.N. HYDE: A number of divisions were called during this debate. We divided on very important issues and we feel very strongly about civil rights and the proper conduct of a major event in Perth. The government has failed in its prosecution of this bill. It has failed to serve the people of Western Australia and, in particular, it has very poorly served the inner-city residents in my electorate of Perth.

DR A.D. BUTI (Armadale) [4.22 pm]: I categorically state that the Australian Labor Party and I support the Commonwealth Heads of Government Meeting. There is a difference between supporting CHOGM and undertaking our obligation to scrutinise the legislation; they are two different things. We fully support CHOGM. I congratulate the government, whether it is the federal, state or local government, and other parties that have managed to bring CHOGM to Western Australia. It will be a great event; that is not disputed by this side of the house. The issue we have been dealing with for the past two weeks is the legislation. As mentioned yesterday in an interview with Hon Michael Kirby, former Justice of the High Court, on the launch of his biography, we can have differences of opinion; it does not mean we are bad people or wrong. We just have a difference of opinion. We have a difference of opinion on certain parts of the legislation. It does not mean we do not support CHOGM. We support CHOGM.

Mr C.J. Barnett: Trying to get back on the invitation list, are you?

Dr A.D. BUTI: Premier, have I ever said that I did not support CHOGM?

Mr C.J. Barnett: Well, I have been listening to you for two weeks over there.

Dr A.D. BUTI: That is the legislation, not the CHOGM event. The Premier has not listened. In respect to our scrutiny of the legislation over the past two weeks, I got a commitment today from the Minister for Police that he will go back and look at what is meant by "associated event". Over the past two weeks the minister and his advisers have realised that there may be a flaw in the legislation and the definition of "associated event". We raised this issue in the last sitting week. The Premier was here for part of that debate. A number of answers were given by the Minister for Police and the Premier on what "associated event" meant. The definition was a major defect in the legislation. We, as the opposition, were scrutinising legislation. We are in favour of CHOGM. It is not CHOGM that we were debating; we were debating the legislation. For the Premier to come in here, after we have gone through the second reading and consideration in detail stages and are now at the third reading stage, and say that this side of the house does not support CHOGM is a complete diversion from what we have dealt with for the past two sitting weeks. As the member for Cannington often stated over the past two sitting weeks—I have not personally heard the Premier state this, but I am told he has—the lowest form of debate is trying to put words in someone's mouth.

Mr C.J. Barnett: Yes, I say it often.

Dr A.D. BUTI: Premier, you have done that today.

Mr C.J. Barnett: How?

Dr A.D. BUTI: By saying that we do not support CHOGM.

Mr C.J. Barnett: We have listened to it for two weeks. Read the member for Perth's article!

Dr A.D. BUTI: The other day in question time the Leader of the Opposition made it quite clear that the Labor Party supports CHOGM.

Mr C.J. Barnett: Your spokesman on arts criticised the arts events!

Dr A.D. BUTI: The other day in question time the Leader of the Opposition said that we support CHOGM. Let it be known and made quite clear that this side of the house supports CHOGM.

Mr C.J. Barnett: I don't think you do.

Dr A.D. BUTI: Fine; the Premier may disagree, but where is the evidence that the Labor Party as a whole does not support CHOGM?

Mr C.J. Barnett: Two weeks of pointless debate.

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Dr A.D. BUTI: That is the scrutiny of the legislation!

Mr C.J. Barnett: You have been here five minutes and you are yet to make a decent contribution to the Parliament.

Dr A.D. BUTI: It is not in regards to the CHOGM event. What is the use of having a second reading debate and consideration in detail stage if the government will not allow scrutiny of the bill? We may as well not have those stages if we are not allowed to scrutinise the bill. According to the Premier, if we scrutinise the bill, we are criticising CHOGM.

Mr C.J. Barnett: For two weeks?

Dr A.D. BUTI: Unfortunately, the bill was drafted in such a way that needed that scrutiny. Many, many clauses of that bill needed to be tested in this house. Those clauses have been tested and divisions have been called. Those divisions have come and gone. We have gone through the second reading stage and we are now at the third reading stage. That is what the process should be. From my understanding, that is how this Parliament works. The Premier is one of the longest-serving members, so he knows how it works. We are not criticising CHOGM; it is the legislation we are criticising.

Mr C.J. Barnett: Member for Perth—read his article! We'll give you a copy of the article. Read it! He's in the shadow cabinet!

Dr A.D. BUTI: The member for Southern River has a certain view on franchise; does that mean the whole party agrees with his view? No. The member for Southern River has a certain view on regulating franchisees that is different from other members of the Parliament.

The ACTING SPEAKER: Again, this is deteriorating into a rabble. I call the members for Swan Hills and Wanneroo to order. I call the member for North West to order for a second time.

Dr A.D. BUTI: I am really quite surprised that the Premier has taken this line of attack this afternoon. Under the Premier's logic, if one Liberal Party member believes in the regulation of franchisees, the whole Liberal Party supports that position. The Premier knows that is wrong.

Mr C.J. Barnett: He is a great member, but I don't think he's a minister.

Dr A.D. BUTI: Is that the difference now?

Mr C.J. Barnett: The member for Perth is a member of your shadow cabinet!

Dr A.D. BUTI: A lot of lasting benefits might come out of CHOGM. Last week the Minister for Police confirmed the addition to the police numbers. We need those. We also discussed trying to get extra police to Armadale, but I know that is an operational matter and the minister may not be able to achieve that. However, hopefully after CHOGM some of the extra police will find their way to Armadale, because we do need extra police in Armadale. There will be long-lasting benefits. That is not in dispute. It was the wording of the legislation that was in dispute. As the Premier mentioned this afternoon, this legislation will last for roughly two weeks. It is a specific piece of legislation that involves the police having very strong powers, because of course we need to protect the commonwealth heads of government.

Mr C.J. Barnett: And the people of Western Australia.

Dr A.D. BUTI: And the people of Western Australia.

Mr C.J. Barnett: Which is something you seem to ignore.

Dr A.D. BUTI: If the Premier read *Hansard*, he would see that we have mentioned that numerous times. Some of us were here for nearly the whole debate. Maybe the Premier should read *Hansard* before he once again tries to put words into our mouths.

In respect to these special powers that should last for two weeks, one of the powers that has been drafted in this legislation is the stop-and-search power; that is, stop and search without necessary, reasonable suspicion because of the particular circumstances of the CHOGM event. We agree with that, but of course we know this government wants stop-and-search powers not just for two weeks; it wants them to be continuous. The government has used an argument in this debate that stop and search is required because of the special circumstances of CHOGM. Yes, we agree with that, but that does not mean we should have it for an indefinite time as was proposed under the stop-and-search legislation. As is quite obvious from the debate in the past two weeks, the legislation is flawed in parts. I congratulate the police minister today for agreeing to provide a commitment to go back and look at the legislation on the definition of "associated event". By looking again at that definition, it will be apparent that a number of clauses in the legislation need to be changed. The bill refers

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

to “CHOGM event” in a number of clauses and does not refer to “associated event”. If we are to properly protect the commonwealth heads of state and the Western Australian public, we need to ensure we have proper security at those associated events. That is why we need to look again at a definitive definition. I welcome that.

In conclusion, I reiterate that the government can say what it wants, but the Labor Party supports CHOGM. The Labor Party had issue with the legislation. If government members do not have the ability or the commonsense to understand there is a difference, maybe they had better go back to law 100 in kindergarten! It is unbelievable that members cannot understand there is a difference. The member for Swan Hills sat in this place throughout the debate but did not say a word. Now he has suddenly got a bit of wind in the third reading debate. I hope he is going to stand and make a contribution. We are here to scrutinise the legislation. If the government is now going to criticise the opposition for scrutinising legislation —

Mrs C.A. Martin: Which is our job.

Dr A.D. BUTI: — which is our job, we might as well all go home. We may as well not have Parliament, which I am sure the government would prefer because it has to actually read legislation before it tries to pass it in this place! If we do not have any opposition, the opposition will be accused and vilified. We have been vilified this afternoon because we did our job. I understand, police minister, that it was laborious and it went for a long time. I appreciate that the minister’s advisers —

Dr M.D. Nahan: It was a waste of time.

Dr A.D. BUTI: Was the member here the whole time? No. The member for Riverton is a libertarian, but of course he is a libertarian when it comes to economics; when it comes to civil liberties, and when it comes to what libertarianism is really about, which is individual freedom, he suddenly goes quiet!

Dr M.D. Nahan: It was tedious.

Dr A.D. BUTI: That was maybe because the minister did not understand the clauses! I could understand why members of the government —

The ACTING SPEAKER (Mr A.P. O’Gorman): Members, part of my job up here in this chair is to make sure Hansard records this debate correctly. It is exceedingly difficult to do so when a rabble shouts across the chamber continuously. Members for Swan Hills, Riverton and Wanneroo, I call each of you to order for the second time.

Dr A.D. BUTI: Thank you, Mr Acting Speaker.

As I was saying, the accusations made today by the Premier and other people in the government have been amazing. This was a long debate—longer than the police minister wanted; I can understand that. I can understand the police minister being annoyed because it went longer than he would have hoped, but for government members to now criticise this side because we did our duty, and then, even worse, to try to equate opposition to the legislation to opposition to CHOGM, is just amazing. There is no logic. If that is the logic of the government, so help the public of Western Australia. All that government members are doing is vilifying Her Majesty’s opposition for undertaking its duty. It is about time members understood that a person can have a different point of view without being a bad person. The member for Riverton can flip, flip, flop this little article by the member for Perth and try to argue that that is the opposition’s position, but that is not the position of the Labor Party. The Leader of the Opposition stated in question time that we support CHOGM.

Dr M.D. Nahan: We don’t listen to him anymore!

Dr A.D. BUTI: We will not be listening to the member for Riverton—thank goodness.

In conclusion, it has been a very tiring experience. I congratulate the member for Girrawheen for her leadership of the debate on our side of the house, and also the important contribution made by the member for Cannington and others in the debate from our side. We support CHOGM. Through taking our job seriously, we have actually improved the legislation, or we have a commitment that the legislation will be improved. We of course still have major concerns, especially in regard to the Corruption and Crime Commission’s involvement. To this government’s credit —

Mr R.F. Johnson: In fairness, that is not against the quality of the legislation. That is an ideology that is coming in because the Labor Party has an opposition to the CCC and the way it operates.

Dr A.D. BUTI: Minister, to the government’s credit —

Ms Margaret Quirk; Mr Rob Johnson; Mr John Hyde; Speaker; Mr David Templeman; Mr Bill Johnston; Acting Speaker; Mr Mark McGowan; Mr Colin Barnett; The Acting Speaker.; Dr Tony Buti; Mr Peter Tinley; Mr John Quigley

Mr R.F. Johnson: You do not agree with the legislation itself, but it is accurate. I think you would agree that you just do not like the fact that these things can happen under the clauses. Do you understand what I am saying?

Dr A.D. BUTI: I understand what the minister is saying in regard to the CCC part of the legislation. We may not have an issue with the drafting itself; we have an issue with the effects of that part of the legislation.

Mr R.F. Johnson: Yes.

Dr A.D. BUTI: To the government's credit, it is seeking to move the CCC's operation into organised crime, which is really where it should be.

Ms M.M. Quirk interjected.

Dr A.D. BUTI: That is not our position, either! There you go! It shows that I do not know everything!

Mr R.F. Johnson: But you can have whichever position you want; don't worry about it!

Dr M.D. Nahan: What is the Labor Party's position?

Dr A.D. BUTI: Our position is not to have the CCC involved in the CHOGM event. There is definitely no need for it. The police do not want it. From what the member for Cannington said earlier today, no-one wants it except this government. One would have to wonder what justification there is for having the CCC —

Mr R.F. Johnson interjected.

Dr A.D. BUTI: The extraordinary powers of the CCC have no place in the CHOGM event. The CHOGM event will be a great celebration for Western Australia and for the nation. It is also important that we have the ability to protect the commonwealth heads of government and the public of Western Australia. The CCC's involvement will not do that, and it should not be there.

MR P.C. TINLEY (Willagee) [4.38 pm]: Thank you, Mr Acting Speaker, for the opportunity to make a short contribution to the third reading of the Commonwealth Heads of Government Meeting (Special Powers) Bill 2011. I have sat in this chamber for the past two weeks, of which "some" part was devoted to this bill. I made an opening comment about this bill, about my initial impressions, like many members on this side did. I came to the conclusion that this bill in fact was simply a barrier bill. It simply provides the final barrier around which events could be conducted safely, not only by the participants and observers, but also by anyone who may want to make a public statement via methods held very true in our Westminster system—that is, protest. One of the things we have seen with this bill, though, is that it does not necessarily protect the rights of those people who want to voice their democratic right to make public comment to elected members at a time and place of their choosing. What it does is shackle them to what we see in clause 8 of the Commonwealth Heads of Government Meeting (Special Powers) Bill 2011, which is the great threat of what people saw in 2002 in Queensland—the advent of what could be called something like the special branch that they had there. People were hanging banners in the Queensland university weeks before CHOGM—in fact, in 2001, a year before CHOGM—and they were dragged in and questioned under duress, without charge and without legal representation, only to have the charges dropped, after which they were financially compensated. They absolutely had their civil rights trashed.

I note that the Premier is not in the chamber at the moment. I was briefly out of the chamber, but I heard his comments about how he thinks that this side of the chamber—the state Australian Labor Party—somehow does not support CHOGM. I, like the member for Armadale and every member on this side as represented by our leader, absolutely and completely commit myself to the idea that CHOGM is nothing but a good thing and nothing but a fillip for the advancement and profile of this state. It is, at the very least, a marketing activity for this state. The world's attention will be directed at this city.

Mr T.R. Buswell: Some of the world's attention.

Mr P.C. TINLEY: I would say a lot of the world's attention, member.

How we conduct ourselves during that three-day period, or the couple of weeks in which this particular legislation will be enforced, is particularly important. It is particularly important that the showcase that we present—the window-dressing, if members like—should demonstrate what this state is all about; what a living, working democracy is all about. If people wish to dissent from the view of the government of the day, it is their absolute given right to do so. What better representation of dissent and the right to dissent is there than to question the government on a piece of shabby legislation that it wants to bring in? Why have I called it shabby? I do so because the Minister for Police sat there for a two-week period and could not and would not answer, for clarification, the simplest of questions, which demonstrated to me a complete lack of basic competence. I am

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almost convinced, after sitting through the debate, that he did not even read the bill. I reckon he based his entire stewardship of this bill through this place on the basis of briefing notes and whispered advisory points from people who know the bill backwards. He has shown his lack of leadership during the drafting of this bill. I would love to see the briefings he gave to parliamentary counsel, his staff and the department to ensure that the people of Western Australia were duly represented and duly protected by this legislation, as they should be by any legislation put before this Parliament.

I find it offensive that the Premier should say at any stage—because of any voice of dissent from this side—that the Australian Labor Party is somehow against a showcase event for this state. I find it deeply offensive that he should lampoon—yes, lampoon—people on this side who have given much of their adult lives to focusing on and furthering the social worth of their constituents. I can tell members now that the people of Willagee would be outraged if I allowed a piece of legislation to go through unquestioned.

Mr T.R. Buswell: Which ones?

Mr P.C. TINLEY: There it goes again—the bullhorn of a clown, squawking away in the background!

Mr T.R. Buswell: I only asked you who.

Mr P.C. TINLEY: He wafts in and out of this chamber! The “Vacuous Vacillator from Vasse” walks in and out of this chamber and just poms on and poms off, and then wanders out. He drives a bit of afternoon tea into his face and then wanders back in, slams into some poor unsuspecting backbencher, and then waddles out into the bar, has a couple of quick quips at a few people, and then wanders back in here! He looks at the monitor and thinks, “I’ll have a crack at her! Saffioti’s on her feet—let’s have a go. Let’s get back in there!”

Mr T.R. Buswell: I haven’t said anything to her! I got Mabel her bus stop back!

Mr P.C. TINLEY: The “Vacuous Vacillator” continues to pomp on! I have been thinking about this, member.

Mr T.R. Buswell: I went to Willagee the other day!

The ACTING SPEAKER (Mr A.P. O’Gorman): Members, this is exactly why interjections are unparliamentary. The member was addressing the bill specifically at the third reading stage. We had an interjection from the member for Vasse that the member for Willagee felt he had to defend himself against. Now we have gone away from the bill. I ask that the member come back to the debate at hand. Member for Vasse, I am going to call you to order. The member for Willagee has the call.

Mr P.C. TINLEY: I actually accepted the member’s inane interjection for a particular reason, which was to underscore the very point that dissenting voices, interjection and input into this place are absolutely the lifeblood and the undercurrent of democracy in this very chamber.

This bill is shabby, and it is shabby because it has had limited leadership from the minister. He did not lead the process right from the outset and he did not give clear instructions about what outcomes he wanted. I know that because when we went through it in excruciating detail, he could not answer some of the most simple questions on definition, application, protection, span, scope, or any other related matter in this or any other bill. He could not talk about the potential costs; he could not even say, “Yes, there is a cost-sharing arrangement with the commonwealth. It is funding the security.” He could not even bring himself to say, “Let me get back to you. I’ll take that question on notice and get you an answer.”

The Premier also decided to employ some sort of syllogistic logic by saying that just because one member on this side had a dissenting voice and just because one member on this side had a particular opinion about this bill and CHOGM, we are all somehow tainted. The very fact that we can have an alternative view on the same piece of legislation or the same event in this state is exactly why I sought election. The idea that democracy should be alive and well needs to be demonstrated in this chamber, otherwise we might as well just go home, get on Facebook and make our comments, and then the legislation will just chug on through. It is important that when people review the *Hansard*, should there be some legal issue or some review undertaken, they actually get the minister’s words on his position on this bill.

The Premier lampooned this side of the Parliament for that particular reason, which was the syllogistic logic that just because one person is opposed to the bill or has an alternative view, we all must, therefore, disagree. He has acted absolutely disgracefully, with his inability to recognise that the people on this side of the chamber have been elected by the people of Western Australia, just as the people on that side of the chamber have. Every time he denigrates the people on this side and the Labor Party, he is four-square demonstrating his absolute disdain for Labor voters and for working men and women who support the Labor cause which is pushed in this chamber day in and day out and which, in this particular part of the electoral cycle, holds the government to account for

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what it says it is doing on their behalf. That is not government for all; that is not leadership for everyone. I find it deeply offensive that the Premier should tell me, as a member of this party on this side of the chamber and as a representative social leader for my constituents in the seat of Willagee, that I am somehow un-Western Australian and that I am, by syllogistic inference, somehow un-Australian, and that I somehow do not wish to showcase this state in its best possible light.

I think it is a complete sham, and, minister I look you in the eye right now and tell you that you have failed in your leadership of this particular process. You could not answer a simple question and you could not describe to the thirty-eighth Parliament of this state exactly what the intention of this bill is, exactly what the scope of this bill is, exactly what definitions this bill has, and exactly what protections this bill provides for the people of Western Australia! I think you really ought to consider your future!

MR W.J. JOHNSTON (Cannington) [4.50 pm]: I want to make some remarks in this third reading debate on the Commonwealth Heads of Government Meeting (Special Powers) Bill 2011. Firstly, this bill has not been in front of this chamber for two weeks. This bill has been dealt with in two weeks of sittings, during part of those sitting days, but it has not been in front of this chamber for two weeks.

Secondly, it is interesting that a while ago, the Premier said in an interjection that the member for Perth's call for a withdrawal of this state Parliament from the Commonwealth Parliamentary Association somehow has something to do with CHOGM. I inform the Premier that the Commonwealth Parliamentary Association is unrelated to CHOGM. It has absolutely nothing to do with the organisation, the participation, the events or any other aspect of CHOGM. The Commonwealth Parliamentary Association is an organisation that unites the individual members who sit in Westminster Parliaments around the world. It has nothing to do with CHOGM. Therefore, I am not sure what inference the Premier was trying to draw from the member for Perth's position on this state Parliament's engagement with the Commonwealth Parliamentary Association, because clearly the Commonwealth Parliamentary Association has nothing at all to do with this bill.

I want to make a number of other points. I will not say that this bill has been badly drafted, because the minister will say that I am insulting the people who drafted this bill. I accept that the drafting of a bill is done in accordance with the instructions of cabinet. The problem is that the instructions of cabinet for the drafting of this bill are not in the best interests of the people of Western Australia. A straw-man argument has been put today that members on this side of the chamber are not in favour of CHOGM. I remind members about the Singapore Declaration of Commonwealth Principles 1971. Principle 6 of that declaration states —

We believe in the liberty of the individual, in equal rights for all citizens regardless of race, colour, creed or political belief, and in their inalienable right to participate by means of free and democratic political process in framing the society in which they live. We therefore strive to promote in each of our countries those representative institutions and guarantees for personal freedom under the law that are our common heritage.

We need to look at the powers that will be given to the police under this CHOGM bill in light of that statement of principles that governs the Commonwealth Heads of Government Meeting. They will also be the principles that will govern CHOGM in Western Australia. I am sorry the Premier is not here to listen to this debate, because I want the Premier to understand that not once has he explained to the people of Western Australia that, although this state might get some tourism benefits and some publicity benefits from this event, the fundamental benefit is that we are celebrating our freedom. However, how can we celebrate our freedom when we have a law that will allow 16-year-olds to be dragged in front of a kangaroo court, with no legal representation? That is what is provided for in this bill. The Minister for Police needs to understand that there is a fundamental contradiction about the fact that he has presented legislation to this house—well-drafted legislation—that will fundamentally deny people their democratic rights. I am not the one who has a problem. I am not the one who is not a patriot. I am not the one who is not supporting the meeting of the commonwealth heads of government. It is the minister. The minister is the one who does not understand what is happening. The Minister for Police has suggested that the Labor Party does not support CHOGM. We are not debating CHOGM. This bill has nothing to do with CHOGM. This bill is about the additional powers that we will be providing to the police to manage risk.

Mr R.F. Johnson: For CHOGM.

Mr W.J. JOHNSTON: What is the risk?

Mr R.F. Johnson: Of course it has to do with CHOGM. This is about the security arrangements for CHOGM. We need extra powers for CHOGM. You said that it has nothing to do with CHOGM.

Mr W.J. JOHNSTON: That is right. It does not have anything to do with CHOGM. It has to do with exactly what the minister has said—the security arrangements for CHOGM.

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Mr R.F. Johnson: Exactly.

Mr W.J. JOHNSTON: It is not the same thing. This is the point that I made to the minister. During the discussion on this bill, I raised with the minister why there is no comment in the bill about the purpose of CHOGM, and the minister rightly said that this is not about CHOGM; it is about the security arrangements. I am reminding the minister that that is what this bill is about. The minister is the one who pointed that out to the chamber. I am agreeing with the minister's comment. I asked the minister why there are no provisions in the bill to deal with, for example, demonstrations, and that was the point the minister made back to me. I am agreeing with the minister. I am saying that the minister is right.

Mr R.F. Johnson: I can't believe that! You agree with me?

Mr W.J. JOHNSTON: That is right. Sometimes the minister gets advice, and that means that the comments he makes are correct. I am happy for us to understand that. But there is another point that I need to make. We know what will happen here. We are not prepared to support an unfettered right for the police to introduce stop-and-search laws beyond the very narrow needs of the CHOGM event. I want to remind the chamber of the comments of the Minister for Police as reported in *The West Australian* of Monday, 24 January 2011. The article reports the minister as follows —

Mr Johnson said it was a “disgrace” the Labor Party were prepared to support stop and search measures for the protection of foreign dignitaries but not for the protection of Western Australians.

“The hypocrisy of the Labor Party on stop and search laws is quite astounding,” he said.

That is the point. We are not being hypocritical at all. We are not the hypocrites in this debate. We are not the ones who are coming in here with false positions and with treachery and dishonesty. We are the honest ones. We are the ones on the side of the angels in this debate. No amount of cajoling and berating and dishonest commentary from the Premier is going to change that fact. We are the ones who have said that if this bill is about civil liberties and individual freedoms, where is that in the bill? We are right to do that. What I cannot understand is why not one single member on the Liberal side of the chamber is prepared to say anything about individual rights. On Tuesday, I commented about the fact that the Liberal Party and the Premier of this state never talk about small business. I remember that when I was a union official, I could not run into Liberal members without them talking about small business. Now, they never talk about it. Twenty years ago, the Liberal Party used to talk about individual rights. That never happens anymore. Why is it that the Liberal Party has walked away from the great burden that it gave itself when Bob Menzies set up the party?

I remind members also that the Labor Party is the largest party in this chamber. We won the largest number of seats at the 2008 election. Of course, a deal was done that saw us —

Mr F.A. Alban: You tried the same stunt yourself! Just because you lost the deal, don't be a sook!

Mr W.J. JOHNSTON: I am not a sook. I am just making the point —

Several members interjected.

The ACTING SPEAKER (Mr A.P. O’Gorman): Members, this is exactly what I have been talking about all afternoon. Every time someone on my right interjects, it gives members on my left an opportunity to respond, and that moves them away from the bill and takes them off on a different tangent completely. So I ask members once again to hold their interjections. From now on, I am going to call every member who interjects to order. Member for Cannington, I remind you as well. We are on the third reading debate, and you know exactly what that means.

Mr W.J. JOHNSTON: Certainly. Thank you very much, Mr Acting Speaker.

In reflecting on the debate that we have had on each of the clauses, the point I am making is that we are proud of the fact that we are prepared to stand up for the rights of individual citizens in this state. We are proud of that. We do not think it is bad to say that individuals should have rights. We do not understand why a government can think that somehow protecting the liberty of people is a negative. Every member of the Labor Party is happy and understands that special powers need to be provided for CHOGM so that there are not acts of terrorism and serious disruption. But we do not agree with giving the Commissioner of Police carte blanche to decide with that means. We believe there should be a filter in front of that, exactly as there was in the APEC legislation in New South Wales. The fact that not one of the variations in this bill from the APEC legislation is supported by evidence demonstrates why we are saying that this bill is a shambles. It is a shambles and I go directly to one of those shambles. I will read from *Hansard* to remind members what happened. In *Hansard* of 22 March, there is a transcript of an exchange between the Minister for Police and me. I asked —

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Minister, will these powers apply to other events planned for Western Australia during the commonwealth meeting?

The minister responded, “No.” Later on I say —

Yes, but that’s what I’m talking about.

The minister’s response was —

It will be any of the events to which delegates from other countries will go, which will be decided by the organisers.

In other words, the minister contradicted himself exactly, between the top of the page of *Hansard* and the bottom. On 24 March, the minister came into the chamber and said —

However, police need powers to protect dignitaries, delegates and other participants in Perth for CHOGM at whatever formal or informal CHOGM event they are attending.

That is a contradiction of both the answers he gave me on 22 March. This is the problem. The Minister for Police acknowledged by his silence on 22 March that he had never read clause 4 until he came into the chamber for the debate. The first time that he had read those words was when I asked him about them. It is no wonder that he could not give me a straight answer; he did not know what the words were, much less what they meant. That is an illustration of the example given by the great patriot, the member for Willagee, of the lack of leadership by the Minister for Police. There is a challenge to our side of the chamber from the government that we are somehow not patriots. For crying out loud! Look at the man who sits next to me, the member for Willagee. He is a member of the Order of Australia; he has had multiple awards as an officer of the Special Air Service Regiment. He was the first person to rise from trooper to commander in the SAS. He left school at 15, but still has a master’s degree. This is not a person without character or ability, yet the Premier, a man who has never moved more than 10 miles from the place of his birth, criticises a man such as the member for Willagee. What a shambles; what a disgrace. It is outrageous that that is allowed to occur.

I will now close. It is the duty of Her Majesty’s loyal opposition to stand up for the civil liberties of people in this state. I am no bleeding-heart lefty; I am proudly a member of the right faction of the Labor Party. We are about making sure that society gets ahead. I will not cop the rubbish that comes out of the Premier’s mouth. I am pleased that he has gone home; I think that is good for him. I am sure he should have been busier. I cannot understand how the Premier of this state has the time to come to this chamber and abuse the members for Perth and Willagee and these other people. It is ridiculous. One would think that he would have something to do—a bit of work—but we know from the performance of the government that he does not. I will close there. We are proud to stand up for the rights of people in this state and I do not understand in what way the Liberal Party has changed from 1945 when it was founded. Once upon a time the Liberal Party could stand up for small businesses and stand up for civil liberties. Apparently it has changed.

MR J.R. QUIGLEY (Mindarie) [5.03 pm]: I will try to keep this short. I first of all congratulate the members for Girrawheen, Willagee and Cannington on their very incisive and superb speeches on this matter, and I adopt everything that they have said. By adopting everything they have said, I can considerably shorten this speech in criticism of this legislation. I will deal with two matters that perhaps have been not been dealt with. Right at the heart of this matter is this Parliament ceding to the Commissioner of Police its power and authority over the population of Western Australia. The stop-and-search legislation founded in the Legislative Council on the very same principle. Under part 2, division 3, of the Commonwealth Heads of Government Meeting (Special Powers) Bill “Restricted areas”, clause 12 states —

The Commissioner may, by order, designate an area within a CHOGM security area to be a restricted area for the period (if any) specified in the order.

This Parliament is giving up its authority and ability to scrutinise and hold accountable the enlivening of these enormous powers. This Parliament is outsourcing to the Commissioner of Police, in a situation in which he will be totally unaccountable, the enormous power of enlivening these incredibly powerful provisions in any area. He can designate a restricted area within the CHOGM security zone. The government is outsourcing that power to the Commissioner of Police. We see this government doing it time and again, because it is unquestioning of any police action. As I have said on previous occasions, the Minister for Police is little more than a sycophant of the police who will do anything to ingratiate himself to the police to cover up his own intellectual shortcomings and his inability to read. The first matter I comment on is the Minister for Police’s weakness in completely giving up the authority as the minister and handing it over to the commissioner. We know he is weak, and he has demonstrated that again.

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The second matter I briefly comment on is the status of the Corruption and Crime Commission. We know from the police themselves, in comments that have been made publicly, the disquiet on the performance of the CCC in investigating serious crime. That is why, until recently, there have not been references by the police department to the CCC under the serious crimes investigation provisions. There is a problem at the CCC. Here we are hosting a world conference and we do not even have a commissioner at the CCC. We have part-time lawyers brought up from Bar Chambers—these are not specialist people on top of terrorism. The CCC is discredited by its own conduct and hoist with its own petard. There have been two commissioners of the CCC and both of them gave up before they had served their term because of the hopelessness of the outfit. Both of them decided to rescue their lives by walking out the door of the CCC. The government can still not attract a quality candidate. Yet it is to this struggling outfit that the government wants to entrust ultimate investigative powers into security for a world event. If the leaders of the world knew that, at the end of the day, their security was dependent upon the forensic abilities of the CCC, they would cancel their plane tickets. The Queen would book Sandringham. She would say, “I’m not going down there to be protected by the CCC. They can’t even prosecute the bikies—they have to let them off! How can I take my husband, the Duke, along if we are being protected by the CCC?” What a joke! Who is assigned to protect Her Majesty? It is some part-time lawyer from Bar Chambers, obviously punting for a Queen’s commission as the Queen’s Counsel!

Mr B.S. Wyatt: Senior Counsel!

Mr J.R. QUIGLEY: Senior Counsel. What a joke! There are interjections from the other side. It is opposed to even sending organised crime to the CCC. The other side says, “No, we are not, Mr Speaker.” The government set up a really good structure for investigating organised crime at the CCC that went there on police reference; it targeted the people —

The SPEAKER: The third reading gives members the opportunity to talk to the bill. Member for Mindarie, I hear that a lot of what you are saying is talking to the bill, but I believe that in some more recent instances, you are straying from the bill. I simply provide the direction that you might return to the third reading part of the process for the bill that we have taken to the third reading stage.

Mr J.R. QUIGLEY: I was addressing the government’s response, which was that the opposition is opposed to sending organised crime to the CCC.

Mr R.F. Johnson: It has nothing to do with it.

Mr J.R. QUIGLEY: That was the response of government members.

Mr R.F. Johnson: It has nothing to do with it; don’t abuse the Speaker’s direction.

Mr J.R. QUIGLEY: Do you want me to undo my button? You will get excited! This will distract you!

We know from the minister’s comments to the member for Perth that he must be a closet gay with his queen radar. The minister said that the member for Perth would know the Queen. We know that he must be!

The SPEAKER: I am sure that you want the opportunity to speak to the third reading, and I know that you have a great deal of intelligence about this. This house would like to hear you speak to the bill, member for Mindarie.

Mr J.R. Quigley: Thank you.

THE SPEAKER: And that is what I want to hear you do. I do not want to hear any other comments in this place about other matters.

Mr J.R. QUIGLEY: I was just commenting about the member for Perth and the awful comment made by the honourable Minister for Police today. It was absolutely shameful!

The CCC has had few, rare successes and has not even been able to successfully retain a commissioner for one term. Commissioners see what is going on and say, “We are out of here!” And the next one is appointed for five years, only to say, “I’m out of here!” As I said, we have part-time commissioners to protect Her Majesty. The staff at Buckingham Palace will be wishing her well as she leaves, saying, “We hope you come back, Your Majesty, because down there you’re going to be protected by this failing outfit.” We have to get real.

I agree that the minister obviously cannot concentrate sufficiently to read a bill from cover to cover. That was amply demonstrated during consideration in detail. When I asked him questions about associated events, his response was to shut down the Parliament—to go for the ropes and take an eight count on the floor until someone could revive him and tell him what perhaps the bill meant. What a disgrace! What a disgrace as a minister!

Mr R.F. Johnson interjected.

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Mr J.R. QUIGLEY: Do I hear a noise coming from the closet? Is there an echo coming from that cupboard?

What a disgrace that the minister had to call an eight count and go for the ropes because he did not know his own legislation. That is exactly what happened and that is —

Mr R.F. Johnson: Why don't you tell them what happened? Why don't you tell the truth?

Mr J.R. QUIGLEY: Is that a ghost in the cupboard or something a little gayer?

Mr R.F. Johnson: Who wrote those dreadful comments at the front of your house that time? Do you know who it was?

Mr J.R. QUIGLEY: I can hear a noise. I am only addressing interjections, Mr Speaker. I can hear interjections from this closet gay.

Mr R.F. Johnson: You said it was —

Mr J.R. QUIGLEY: Here he goes again.

Mr R.F. Johnson: Closet gay?

Mr J.R. QUIGLEY: Yes—you!

Mr R.F. Johnson: Are you a closet gay?

Mr J.R. QUIGLEY: You are! Everyone knows. You have been obsessing on my body for two days.

The SPEAKER: I think all members of this place are interested in the bill. I think the last two weeks in this place have indicated a considerable amount of interest in this particular bill. Member for Mindarie, I know that you are interested in the bill. I do not know that you are particularly interested in other issues that may or may not be raised as interjections. My advice to you, member for Mindarie, is to pursue the comments with direct respect to this bill, not other matters. If you prefer to address other matters not relevant to this bill, I will sit you down.

Mr J.R. QUIGLEY: Thank you.

The government's tactic, once again, is to trumpet before the community that it is the party that knows what it is doing in fighting or defending the community against those who would attack both its citizens and the instruments of state, and that it is capable of doing this. When we look at the legislation to which the government wants to refer these matters, we see it was legislation introduced by the WA Labor Party. The Gallop Labor government set up the structure the police are effectively using to dismantle crime rings. It has been proved to be effective in that area. But the government is now trying to say that Labor does not know what it is doing and that it does not support CHOGM—yadda yadda yadda and general slander. When it comes to explaining the bill, the minister is at a complete loss. I will sit. He is a buffoon.

Withdrawal of Remark

The SPEAKER: Member for Mindarie, I ask you to withdraw that last comment.

Mr J.R. QUIGLEY: Withdrawn.

The SPEAKER: Thank you, member for Mindarie.

Debate Resumed

Question put and passed.

Bill read a third time and transmitted to the Council.

House adjourned at 5.15 pm
