



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2021

LEGISLATIVE ASSEMBLY

Wednesday, 16 June 2021



# Legislative Assembly

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

## PAPERS TABLED

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

### HOSPITALS — BED CAPACITY

*Statement by Minister for Health*

**MR R.H. COOK (Kwinana — Minister for Health)** [12.03 pm]: I would like to provide the house with an update on increasing the capacity of our public hospitals. As I am sure members are aware, the unprecedented demand currently experienced at our public hospitals is being mirrored across Australia. We are not alone as we manage this surge in demand, especially in our emergency departments.

The latest figures reveal that emergency department attendances in the first half of this year at Perth metropolitan hospitals have increased by 13 per cent compared with last year. To address this demand growth, on 24 March I announced that 117 extra inpatient beds would be opened as a priority to increase capacity. These beds were at Royal Perth Hospital, St John of God Mt Lawley, Osborne Park Hospital, Sir Charles Gairdner Hospital and Fremantle Hospital. I am pleased to update the house that the number of beds being opened has now increased to 158. This includes 20 additional inpatient beds at Perth Children's Hospital and the purchase of up to 20 beds at the private South Perth Hospital to bolster capacity for Sir Charles Gairdner Hospital. This will support patients in subacute beds who are not ready to go home post-surgery or procedure. Other capacity-growing initiatives are underway by the McGowan government. One of the biggest expansions of emergency department capacity in the state's history is happening, with an extra 114 emergency department beds either under construction or soon to be under construction. This has grown from 95 beds, with the addition of two new mental health emergency centres announced by the McGowan government as election commitments. This \$24.3 million investment will deliver these specialist mental health emergency centres at Rockingham General Hospital and Armadale Health Service.

And there's more, Madam Speaker! Our comprehensive infrastructure plan has over 300 new inpatient beds in the pipeline, including a \$256 million expansion of Joondalup Health Campus, which has already commenced with the expansion of the emergency department at that hospital; \$152 million for Peel Health Campus; and major redevelopments at Geraldton Health Campus and Bunbury Hospital at South West Health Campus. In all, with these measures, we are building the equivalent of a major new hospital in Western Australia. But no hospital can operate without people. Without our wonderful staff, hospitals are simply buildings. I want to take this opportunity to acknowledge that our staff are doing it tough at the moment and I want to thank each and every one of them for their commitment and dedication as we overcome the global, or certainly nationwide, healthcare workforce shortages.

### WESTERN AUSTRALIAN MUSEUM BOOLA BARDIP — AWARDS

*Statement by Minister for Culture and the Arts*

**MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts)** [12.06 pm]: Madam Speaker, I would like to bring to your attention the seven major awards won by the magnificent new Western Australian Museum Boola Bardip in the last fortnight—seven major awards! Although this should come as no surprise to anyone who has visited this outstanding Western Australian government-funded Museum, it is absolutely appropriate that the house recognises this outstanding achievement created for the benefit of all Western Australians.

The first award went to Western Australian Museum chief executive officer, Alec Coles, OBE, who won the Arts and Culture Western Australian of the Year. This award recognises his outstanding achievement in leading the development of the new Museum, Boola Bardip. Less than a week later, last week, the WA Museum Boola Bardip won six major awards. Boola Bardip won three prestigious national industry awards, MAGNAs, which stands for Museums and Galleries National Awards. Boola Bardip won top prizes in its category for best permanent gallery or fit-out, best audience engagement project and best research project. The best gallery fit-out was for all eight permanent new galleries in the Museum that share the amazing stories of Western Australia and its people. The audience engagement award was for the six-year statewide engagement program that saw more than 54 000 people provide their thoughts about the stories and programs they wanted to see in this new Museum. The award-winning research project called "Sharing Stories" was a collaborative effort that explored what it means to be a refugee in Western Australia. It resulted in a series of short films and some truly magnificent and amazing content in the Museum's Connections gallery, which is dedicated to exploring migrant issues. If that does not impress you, Madam Speaker, on Friday, the Museum won three architecture awards.

I further wish to inform the house about a prestigious award bestowed upon the Wadjemup Museum on Rottnest Island last week, also at the MAGNAs. The museum refurbishment project, which included renaming the facility

Wadjemup Museum, won the 2021 award for permanent exhibition or gallery fit-out for a project budget between \$150 000 and \$500 000. Rottneest Island is an exceptionally significant and rich cultural heritage landscape and the museum is a hub for sharing its diverse stories, past and present. The new museum promotes reconciliation and cross-cultural education through the inclusion of innovative Aboriginal curation and content, including an acknowledgement of the imprisonment of the state's First Peoples on the island. The renaming of the museum in honour of the island's first name, Wadjemup, recognises the Whadjuk Noongar people as the traditional owners and celebrates the future we are committed to building together.

The Western Australian Museum Boola Bardip is an exceptional public museum, as is the Wadjemup Museum on Rottneest Island. I congratulate all those involved in both projects, creating museums that every Western Australian can and should be proud of.

**The SPEAKER:** Minister for Culture and the Arts, I cannot begin to tell you how impressed I am by those achievements and awards.

### **ACROD PARKING PROGRAM**

*Statement by Minister for Disability Services*

**MR D.T. PUNCH (Bunbury — Minister for Disability Services)** [12.09 pm]: I am pleased to stand here today to talk to members about the state government's recently announced expansion of the eligibility criteria for the ACROD parking program. The ACROD parking program enables people with disability and their carers to park in designated bays that are larger in dimension and close to building and complex entrances.

An estimated 411 500 Western Australians live with disability, including more than 90 000 who hold ACROD parking permits. In recent years, there has been concern that the ACROD eligibility criteria left out a number of people who need assistance to navigate car parks. In response, the McGowan government commissioned a review, which took into account the views of more than 530 stakeholders and highlighted concerns around safety in navigating car parks and the availability of designated parking bays. The review, which was led by the Department of Communities in collaboration with people with disability and National Disability Services, which administers the program, highlighted the significant barriers for people whose ability to safely navigate a car park is significantly restricted by a disability or medical condition.

The expanded eligibility criteria will now include people who are legally blind and people assisted by a guide dog, and will allow more people to have better access to their community. The review found that people who are legally blind often experience barriers when accessing the community, with the issue of safely navigating car parks consistently raised by individuals and support people. I want members to imagine that they are legally blind and relying on assistance from their guide dog. If they were in a busy car park, they would be led through rows of cars and would be listening out to avoid moving vehicles and being careful not to walk too close to cars for fear of hitting extended tow bars, trailers, bike racks or, worse, a reversing vehicle. It must be a terrifying experience. Those of us with sight have no idea just how hard it must be for someone with sight impairment.

Not surprisingly, the review also highlighted the need for more ACROD parking bays and recommended that strategies be developed to address this issue and to minimise bay misuse. In response, the next phase of the ACROD parking program will include the state government establishing a ministerial round table with industry stakeholders and intensive consultation with local government authorities.

I would like to thank everyone who has been involved in this review and in the formulation of these new guidelines, including representatives from the National Disability Services' ACROD parking program and Blind Citizens WA Inc, notably Erika Webb and Greg Madson and his loyal guide dog, Memphis, who took part in the announcement on the day.

### **CORRUPTION, CRIME AND MISCONDUCT AMENDMENT BILL 2021**

*Remaining Stages — Standing Orders Suspension — Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [12.12 pm]: I move —

That so much of the standing orders be suspended as is necessary to enable the Corruption, Crime and Misconduct Amendment Bill 2021 to proceed through all remaining stages without delay between the stages.

**MR R.S. LOVE (Moore — Deputy Leader of the Opposition)** [12.13 pm]: I want to speak very briefly to this motion moved by the government to suspend standing orders. Yesterday, a bill that was declared urgent went through this house. We know it was urgent because the confidential information of Western Australians was at risk of being used in a way in which it was never intended to be used. That situation, which the government had allowed to develop, had to be rectified as quickly as possible. We understood the urgency, even though at a briefing we had at five o'clock last night information was promised to be provided to us. Some of that information has not yet been provided, and the bill has already progressed through this chamber. Some of these matters were raised during consideration in detail last night. No satisfactory answers were given. We were given an undertaking that information would be provided. That information has not yet been provided. The information has not been provided

to the opposition parties as a whole. It is my understanding that action will soon be taken to push that legislation through the other place. I doubt that that information will be provided to us before then. Having said that, we supported that bill because we knew that the situation was urgent.

We now have a situation involving an employment position, which has been open for 14 months, I think, in a functioning organisation, that being the Corruption and Crime Commission. A very fine acting commissioner has been in charge and doing the job. Many investigative officers and support staff in that organisation have been going about their work as normal. The normal oversight of that organisation through the Parliamentary Inspector of the Corruption and Crime Commission et cetera that Parliament has in place is functioning. This legislation does not need to be pushed through Parliament in a matter of hours; it could be put through the normal processes of Parliament, through which the bill would be introduced, sit on the table for three calendar weeks and then be discussed in the house in the normal manner. Instead, we have been told that this bill has to be pushed through by tonight. There has been absolutely no indication from the government why that is necessary, other than a desire for the government to fill that position, which it sees as being important. Yes, it is an important position, but there is a difference between importance and urgency.

If this chamber, this house and this Parliament are going to have any effect as a check, if you like, on the power of the executive, we should not be seeing situations of this type in which the executive makes a decision, reaches an outcome, uses suspensions of standing orders to push things through in hours instead of days and weeks and gets to claim an outcome without going through normal scrutiny. We know that the other place no longer provides the same level of effectiveness as a check and balance because we are also seeing its processes rushed in the same way. There is a lack of review and a lack of consideration.

On the face of it, this bill will have some extraordinary implications, and a particular appointment will be made. This is something that should be considered at great length. It is a very weighty matter. It is not something that should be rushed through in an hour or two; it should be considered, judged and discussed with stakeholders and the community, and we should come to a reasonable outcome only after full consideration.

The Parliament is now just seen as an inconvenience. We have a government that is just paying lip-service to the conventions of Parliament. A new situation normal has developed, whereby important, but not urgent, matters are rushed through this place on a weekly, if not daily, basis. It is not something that we support. We do not support this suspension of standing orders. I am not talking about the bill; I am talking about the suspension and the urgency around this matter. The opposition does not support this motion. We want it on the record that we think the government is acting in a reckless manner and is showing scant regard for the processes of Parliament.

**DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [12.18 pm]: I also rise to oppose the suspension of standing orders. In this Parliament, we are witnessing an extraordinary event in the history of the state of Western Australia, and it is something that I think will go down as a shameful event for this government so early in its second term.

In relation to this suspension motion, there is no urgency for this matter to be dealt with. The appointment of the Corruption and Crime Commissioner has been set aside for 14 months. The government has had time to deal with it during that time. It chose not to do so. We are again seeing chaotic management of the legislative program in this house by the Labor government—a government that has been in power for four years. It has multiple offices with dozens of electoral staff in them. The Attorney General has many staff in his own office and in his department as well, yet yesterday we saw that this bill would be introduced as an urgent bill today, with no justification whatsoever for why it is so urgent.

As was elegantly pointed out by the Deputy Leader of the Opposition, the Corruption and Crime Commission has been operating for the past 14 months with an acting head. There is no reason why this legislation could not have come to this Parliament in the normal way.

What we are seeing—we have seen it continually, and I saw it yesterday in this chamber—is the Premier, who should be acting with dignity and composure, mocking us about the numbers on this side of the house and holding up his fingers and saying, “There are only two of you” and so on. That is exactly what I spoke about in my contribution to the Address-in-Reply. What we are seeing, and we are seeing it exemplified now, is arrogance and hubris by the Premier, the Attorney General and this government. Yes, the government has ascendant numbers, but it is incumbent on all government members to follow proper process.

As was pointed out, there was an urgent bill yesterday. The Attorney General put forward a reasoned argument for why that bill was urgent, and that was that as soon as possible he wanted to guarantee the protection of the privacy of individuals. We supported that argument. We did not support the guillotine that was applied to the debate at the end of the evening because it did not allow us to have proper scrutiny and we did not get back all the information from the department that we asked for. We supported that process because we recognised that it was a genuine urgency that this Parliament should protect the privacy of individuals in this state.

In the case of this bill, there is no urgency whatsoever. This agency has operated perfectly correctly for the last 14 months, with a fine head acting as the head of that commission. All we are seeing is the flexing of the government’s

muscles and the arrogance and hubris of this government, which is about to embark on something that I believe will go down as probably the most shameful act of a Labor government probably in the history of Labor governments in this Parliament. I am utterly opposed to this suspension motion. It is wrong. The government should not be doing it. There is no justification for it.

**MR J.R. QUIGLEY (Butler — Attorney General)** [12.21 pm]: I would like to speak briefly on the motion. What I have heard is just incredible. We have heard the Deputy Leader of the Opposition, the member for Moore, say that there is no urgency in this. There is a statutory procedure for the appointment of the Corruption and Crime Commissioner and that involves it going to an independent nominating committee headed by the Chief Justice of Western Australia and upon which sits the Chief Judge of the District Court of Western Australia and an eminent person nominated by the Governor. It put forward a candidate whom they identified as the outstanding candidate, Mr McKechnie, QC, to fill the role. The Premier accepted that nomination and sent it to a committee upon which sits the Deputy Leader of the Opposition, the member for Moore, whom we know voted against the nomination in the committee. The member for Moore did not want Mr McKechnie appointed, and we know that because the Premier got a response saying that bipartisanship could not be achieved in the committee. Bipartisanship is defined in the legislation as being the vote of a member of the party of the Leader of the Opposition, and that is the member for Moore. He did not want Mr McKechnie reappointed as the Corruption and Crime Commissioner, and, by inference, because there was not a majority, nor did the Leader of the Liberal Party in the Legislative Council, Hon Dr Steve Thomas. That is a necessary deduction we can make. They wanted to keep Mr McKechnie from getting back into the chair as the Corruption and Crime Commissioner.

We know that this position has been vacant for 15 months, and it has been vacant for 15 months because the person who was identified back in February 2020 as the outstanding person to fill the position, identified as such by the Chief Justice of Western Australia and his independent nominating committee, was held back from being reappointed by conservative members of the opposition and people in the “Black Hand Gang” in the Legislative Council who said that there would be no agreement to reappoint Mr McKechnie to the position. It was not because he is not worthy of the appointment. I will read from *Hansard* of 14 May 2020, because that is how long ago we are talking about. The now Leader of the Opposition said this about Mr McKechnie —

I note that he was deemed suitably qualified to be appointed to the role of commissioner in 2015 under the then Liberal–National government. His qualifications have been well canvassed in a number of debates, in both the public sphere and this place. Mr McKechnie is a Queen’s Counsel. He joined the then Crown Law Department, he was the first state Director of Public Prosecutions, he joined the Supreme Court, —

Appointed by a Liberal government —

... and in 2015 he was appointed as the Corruption and Crime Commissioner.

By a Liberal government —

He is eminently and suitably qualified ...

That is what the Leader of the Opposition stated.

*Point of Order*

**Mr R.S. LOVE:** We are actually discussing the urgency of this matter, not the merits of the proposed appointee.

**The ACTING SPEAKER (Ms K.E. Giddens):** Thank you, Deputy Leader of the Opposition. There is no point of order. You may continue, Attorney General.

*Debate Resumed*

**Mr J.R. QUIGLEY:** The Leader of the Opposition went on to say —

He is eminently and suitably qualified—that has been stated over and over by the Premier, those who have spoken in public and the Leader of the Opposition. I do not think there is any question about Mr McKechnie and his qualifications.

That is what the Leader of the Opposition stated, but the Deputy Leader of the Opposition voted against his reappointment the week before last in the committee, notwithstanding the high regard in which he is held by the Leader of the Opposition. On 28 May 2020, the other half of the Liberal Party in this chamber, the member for Vasse, said —

We have already heard in this place of the high esteem in which Mr McKechnie is held by the Premier, the Leader of the Opposition and many members of this place. John McKechnie, QC, began his five-year appointment as Western Australia’s Corruption and Crime Commissioner in April 2015 under the previous Liberal–National government. He has a distinguished career of over 30 years as the state’s Director of Public Prosecutions, as a justice of the Supreme Court, and, more recently, in his role overseeing the commission, when I understand he oversaw ... some of the biggest public sector corruption scandals, including within the Department of Communities and the North Metropolitan Health Service. It is also

understood that up until the conclusion of his tenure, Mr McKechnie was involved in a number of investigations that were of significant public interest. I am not referring to the matters associated with former members of Parliament and the management of their electoral allowance, but to other work of the commission, which is understood to be of greater significance.

We can all clearly see Mr McKechnie's achievements in the role of commissioner, but we have not been provided with any balancing arguments for why he should not be reappointed.

The member for Moore will have the opportunity today to say why he voted against him —

This lack of transparency or openness about the decision-making process of the JSCCCC is, in my view, unacceptable in this circumstance.

This is what the member for Vasse said, member for Moore —

It is clear that there is great public interest in the matter, and the community has a right to understand why committees of this Parliament make the decisions that they do. The bill the Premier is proposing is unprecedented, but so is this situation.

Member for Cottesloe, this was said by the other half of the Liberal Party —

I am aware that many in the community are disgusted by the secrecy surrounding the matter —

This is the secrecy surrounding the no vote, member for Moore —

and dismayed by the impasse we are now facing. It is clear that this current situation is not acceptable to the people of Western Australia. This is why I believe —

This is the member for Vasse, the other half of the Liberal Party —

efforts must be made to ensure Mr McKechnie is able to continue to complete the inquiries he is currently conducting, with the extension of his tenure for another term. This is why I will not be opposing the bill.

That is what the member for Vasse said.

The Premier then went into the debate with Mr Kirkup during the election campaign and said that as soon as possible after the re-election of the government, it would proceed with the proper steps to reappoint Mr McKechnie. What the Liberal Party conservatives do not want at any cost—save and except for the honestly spoken views of the member for Vasse—is a continuation by Mr McKechnie of the investigation into the “Black Hand Gang”. They will take any measures to slow it down, to stop it, to frustrate it, and to frustrate his appointment.

Finally, without revealing any personal circumstances, there has been a change of personnel within the Corruption and Crime Commission. There are personal circumstances involving ill health within the CCC, and a permanent commissioner is urgently required. This government will not be frustrated by people who vote in secrecy against his reappointment. The member for Moore will have every opportunity this afternoon —

*Point of Order*

**Mr R.S. LOVE:** I believe the Attorney General is impugning me in his comments, when I am doing nothing other than maintaining the normal confidentiality of a committee's proceedings.

**The ACTING SPEAKER (Ms K.E. Giddens):** Attorney General, I will just ask that you direct your comments to the motion more closely, please.

*Debate Resumed*

**Mr J.R. QUIGLEY:** I think I have well made out the reason this chamber should deal with this bill as a matter of urgency.

Question put and passed.

*Introduction and First Reading*

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

Explanatory memorandum presented by the Attorney General.

*Second Reading*

**MR J.R. QUIGLEY (Butler — Attorney General)** [12.32 pm]: I move —

That the bill be now read a second time.

The Corruption, Crime and Misconduct Amendment Bill 2021 is steeped in the public interest. It seeks to restore Hon John McKechnie, QC, the best corruption fighter Western Australia has ever had, as Corruption and Crime Commissioner. This reappointment is in line with the election commitment the McGowan Labor government took to the state election on 13 March 2021, which resulted in an overwhelming mandate from the people of Western Australia to implement its agenda.

John McKechnie, QC, clearly has the support of the people of Western Australia as Corruption and Crime Commissioner. In 2013–14, the last financial year before Mr McKechnie, QC, was appointed by the Barnett Liberal–National government, reports from members of the public accounted for just 12 per cent of total allegations investigated by the CCC. In 2019–20, when the term of Mr McKechnie, QC, expired, the proportion of allegations to the CCC from members of the public had risen to 45 per cent. It is difficult to think of a more ringing endorsement of the leadership of Mr McKechnie, QC. The CCC, after all, exists to protect the public from both organised crime and the insidious scourge of public sector corruption, which robs the public of hard-earned tax dollars and confidence in decision-making by public officials, including elected representatives.

Mr McKechnie, QC, has a 45-year record of public service to Western Australia, including 30 years occupying high legal offices after rising to the position of Chief Crown Prosecutor. Since then he has been consistently promoted and appointed by governments of either stripe. He was appointed as the state’s first Director of Public Prosecutions by a Labor government; reappointed DPP by a Liberal government; appointed as a Supreme Court judge by a Liberal government; and appointed as Corruption and Crime Commissioner by a Liberal government, with the concurrence of the Joint Standing Committee on the Corruption and Crime Commission, then chaired by a Liberal, Hon Nick Goiran, MLC.

His appointment as Corruption and Crime Commissioner in 2015 came after he was recommended by the former Chief Justice of Western Australia, Hon Wayne Martin, AC, QC, in his capacity as chair of the nominating committee set out under section 9 of the Corruption, Crime and Misconduct Act 2003. The former Premier and member for Cottesloe, Hon Colin Barnett, MLA, duly submitted Mr McKechnie, QC, to the Joint Standing Committee on the Corruption and Crime Commission in the thirty-ninth Parliament—chaired, as I have mentioned, by the Liberal MLC Hon Nick Goiran—and the nomination received bipartisan and majority support at that time.

Of the CCC’s four commissioners since its inception, Mr McKechnie, QC, is the only one to have served a full term and the first to seek reappointment. He also substantially reorganised and refocused the commission. This included establishing an operations committee reviewing all aspects of the agency’s work, reducing the backlog of investigations and assessments, making the commission more transparent and public facing, working with agencies to help them understand misconduct risks and requiring agencies to report on progress in implementing recommendations. This is in addition to taking on increased functions by way of unexplained wealth examinations, all within existing budget allocations.

It is a matter of public record that, under the stewardship of Mr McKechnie, QC, the CCC achieved significant successes in combating corruption in Western Australia. To name but a recent few cases: inquiries into the North Metropolitan Health Service procurement, which uncovered the fact that senior bureaucrat John Fullerton billed taxpayers \$170 000 for home renovations while accepting \$200 000 worth of travel and hospitality from companies in return for millions of dollars’ worth of public contracts; the former trade commissioner to Japan, Craig Peacock, who fleeced taxpayers of more than \$500 000 by double-dipping his cost-of-living allowance, amongst other fraudulent claims; the activities of former Sir Charles Gairdner Hospital clinical trials manager Judith Innes-Rowe who, at the estimate of the State Solicitor’s Office, owed taxpayers more than \$1 million in false representations of overtime and unauthorised work absences; and the shocking siphoning by Paul Whyte, over many years, of funds meant for Western Australia’s most disadvantaged citizens. It is to this state’s shame that the theft from the Department of Communities and former agencies of an estimated \$22 million stands as the biggest single act of public sector corruption in Australian history. The failure to reappoint the commissioner who presided over these operations, which have saved taxpayers tens of millions of dollars, has been a further stain on Western Australia.

In recent years, the Parliament has been diminished in the eyes of the public over revelations made in the course of the Corruption and Crime Commission’s Operation Betelgeuse. As part of that operation, the CCC investigated allegations of serious misconduct by certain former Liberal members of Parliament and, in December 2019, issued a report into the misuse of taxpayer-funded entitlements. In that report entitled *Misconduct risks in electorate allowances for members of Parliament*, the CCC delivered an opinion of serious misconduct in relation to former Liberal MLC Phil Edman over his misuse of his parliamentary allowances. The report also brought to the public’s awareness the existence of a grouping of upper house Liberal parliamentarians called the “Black Hand Gang”, which used taxpayer money to fund its functions at restaurants. Liberal members of Parliament have since publicly clarified that the “Black Hand Gang” consists of all Liberal members of the Legislative Council. The report concluded with a warning that it was an interim report and that “Operation Betelgeuse is ongoing”.

It was against that backdrop that, prior to his five-year term expiring in April 2020, the McGowan government sought to reappoint Mr McKechnie for a further five years. Under section 9 of the Corruption, Crime and Misconduct Act, the Chief Justice of Western Australia is the chair of a nominating committee, which also includes the Chief Judge of the District Court and a community representative nominated by the Governor. The nominating committee must submit the names of three eligible nominees to the Premier of the day. The Premier can recommend that the Governor appoint a preferred nominee as commissioner only if that nominee has the bipartisan and majority support of the Joint Standing Committee on the Corruption and Crime Commission.

Bipartisan support is defined in the act as —

... the support of —

- (a) members of the Standing Committee who are members of the party of which the Premier is a member; and
- (b) members of the Standing Committee who are members of the party of which the Leader of the Opposition is a member;

In current circumstances that means the member for Moore.

Majority support is not defined in the act, but can be taken to have its ordinary meaning as “most” of the joint standing committee, which under section 216A(1) must have an equal number of members appointed by each house. As members know, despite Mr McKechnie being described as the “outstanding nominee” by the nominating committee chaired by Chief Justice Peter Quinlan, SC, the joint standing committee in March 2020 was unable to reach bipartisan and majority support for his reappointment. I point out that at that stage, the member for Moore was not on the committee. The member of the opposition party who was on the committee was Mr Jim Chown, MLC, a member of the “Black Hand Gang” that was being investigated by Mr McKechnie, QC.

On the recommendation of the then Leader of the Opposition, the former member for Scarborough, the Premier resubmitted the nomination of Mr McKechnie, QC, to the joint standing committee in April 2020 with her letter of “unequivocal support”. The Liberal Leader of the Opposition sent a letter to the joint standing committee expressing unequivocal support for the reappointment of Mr McKechnie, only for the committee to again reach a deadlock. This indicated that the only Liberal member of the then joint standing committee, Jim Chown, a member of the “Black Hand Gang”, did not support the return of Mr McKechnie, QC.

The inability to reappoint Mr McKechnie was met with public dismay and scepticism. I read from the opinion pages of *The Sunday Times* dated 12 April 2020 —

WA parliamentarians—all of them—will look like they are engaging in a cover-up if John McKechnie is not reappointed as CCC boss with an investigation into the possible misuse of politicians’ \$78,000-plus parliamentary allowances ongoing.

An almost identical version of this bill was introduced to the Legislative Assembly on 16 April 2020, but lapsed on prorogation. The Liberal and National Parties opposed the Corruption, Crime and Misconduct Amendment Bill 2020 in the Legislative Assembly. This was despite the now Leader of the Opposition, Hon Mia Davies, MLA, describing Mr McKechnie in the following terms —

I note that he was deemed suitably qualified to be appointed to the role of commissioner in 2015 under the then Liberal–National government. His qualifications have been well canvassed in a number of debates, in both the public sphere and this place. Mr McKechnie is a Queen’s Counsel. He joined the then Crown Law Department, he was the first state Director of Public Prosecutions, he joined the Supreme Court, and in 2015 he was appointed as the Corruption and Crime Commissioner. He is eminently and suitably qualified—that has been stated over and over by the Premier, those who have spoken in public and the Leader of the Opposition. I do not think there is any question about Mr McKechnie and his qualifications.

In addition, when the debate resumed on 28 May 2020, the member for Vasse said this of Hon John McKechnie, QC —

We have already heard in this place of the high esteem in which Mr McKechnie is held by the Premier, the Leader of the Opposition and many members of this place. John McKechnie, QC, began his five-year appointment as Western Australia’s Corruption and Crime Commissioner in April 2015 under the previous Liberal–National government. He has a distinguished career of over 30 years as the state’s Director of Public Prosecutions, as a justice of the Supreme Court, and, more recently, in his role overseeing the commission, when I understand he oversaw a number of significant investigations. During Mr McKechnie’s time as commissioner, the CCC has uncovered some of the biggest public sector corruption scandals, including within the Department of Communities and the North Metropolitan Health Service. It is also understood that up until the conclusion of his tenure, Mr McKechnie was involved in a number of investigations that were of significant public interest. I am not referring to the matters associated with former members of Parliament and the management of their electoral allowance, but to other work of the commission, which is understood to be of greater significance.

We can all clearly see Mr McKechnie’s achievements in the role of commissioner, but we have not been provided with any balancing arguments for why he should not be reappointed. This lack of transparency or openness about the decision-making process of the JSCCCC is, in my view, unacceptable in this circumstance. It is clear that there is great public interest in the matter, and the community has a right to understand why committees of this Parliament make the decisions that they do. The bill the Premier is proposing is unprecedented, but so is this situation. I am aware that many in the community are disgusted by the secrecy surrounding the matter and dismayed by the impasse we are now facing. It is clear that this

current situation is not acceptable to the people of Western Australia. This is why I believe efforts must be made to ensure Mr McKechnie is able to continue to complete the inquiries he is currently conducting, with the extension of his tenure for another term. This is why I will not be opposing the bill.

That is what the member for Vasse said.

The Corruption, Crime and Misconduct Amendment Bill 2020 did not progress to the Legislative Council, in which the government did not have a working majority in the fortieth Parliament. WA Labor went to the March election promising to restore Mr McKechnie, QC, as commissioner. After the election, on advice, it was determined that the best way to proceed would be to recommence the appointment process under section 9. The position was nationally advertised by the nominating committee on 27 March 2021. By letter dated 7 May, the nominating committee wrote to the Premier advising that Mr McKechnie was the outstanding candidate, as he had been when the section 9 process was performed last year, and the committee was not aware of any matter that would adversely affect the suitability of Mr McKechnie, QC, for appointment. Furthermore, an opinion was obtained from the Solicitor-General, Mr Joshua Thomson, SC, as to the eligibility of Mr McKechnie, QC. The Solicitor-General advised that Mr McKechnie, QC, was eligible to be appointed for a full five-year term under the Corruption Crime and Misconduct Act 2003 and its schedules. In addition, under section 9(3a), the nominating committee can only submit candidates to the Premier who are eligible for appointment. Mr McKechnie, QC, was submitted to the Premier by the nominating committee, which includes the Chief Justice and Chief Judge. Ergo, he is eligible for appointment. There can be no question about the eligibility of Mr McKechnie, QC, as Corruption and Crime Commissioner.

As we all know, as the public knows and as the committee well knew when it deliberated the week before last, Mr McKechnie, QC, also received support from the Commissioner of Police, Mr Chris Dawson, APM, praising the crime fighting credentials of Mr McKechnie, QC, and endorsing him “as a person of unquestioned integrity, tenacity and strength to perform the role in leading the CCC”. The Premier subsequently wrote to the new joint standing committee, shortly after it was appointed, recommending that Mr McKechnie, QC, be reappointed. Whereas the previous joint standing committee consisted of two Labor MPs, a Green MP and a Liberal MP, the current committee comprises two Labor MPs and a representative from the Liberal Party, being the personage of Hon Dr Steve Thomas, and the Nationals WA, which is the party of the current Leader of the Opposition, in the personage of the member for Moore, Mr Shane Love. I advise the house that on 2 June, the joint standing committee replied to the Premier advising that it had met on that day and had been unable to achieve majority and bipartisan support for the appointment of Mr McKechnie, QC. This indicates that the representative on the joint standing committee from the National Party was unwilling to provide bipartisan support. I say that, notwithstanding the high support given to Mr McKechnie by the now Leader of the Opposition—that is, the member for Central Wheatbelt—in the last Parliament, and by the then Leader of the Opposition, the member for Scarborough.

The Premier made it clear before the election that if opposition members of the Joint Standing Committee were again unable to endorse the appointment, the government would introduce legislation to fulfil its election commitment. To that end, this bill introduces a single amendment to the process for the appointment of a commissioner, set out under section 9 of the act. This bill proposes the inclusion of a new provision, numbered section 9(4B), which states that “John Roderick McKechnie is reappointed as Commissioner for a period of 5 years”. The appointment will take effect the day after the bill receives the royal assent.

Put simply, this bill is about righting a wrong. It is absolutely wrong for the tenure of Western Australia’s most respected and decorated corruption fighter to be prematurely ended by opposition MPs at a time when the CCC is investigating opposition parliamentarians over the misuse of entitlements. It cannot be allowed to stand. I ask members to consider what messages this Parliament would be sending should it fail to reappoint Mr McKechnie, QC. The state’s 145 000 hardworking public servants, who have gotten us through the pandemic, would be entitled to conclude that Parliament is content for the steely glare of the CCC to be trained on them, but not on us. It would indicate that a track record steering the biggest and most successful corruption investigations in the nation is not enough to overcome our own narrow interests. What future Corruption and Crime Commissioner would be bold enough to investigate politicians in Western Australia, as Parliament intended, knowing that the last officeholder to do so was sent into early retirement?

The CCC’s recent report titled *Report on electorate allowances and management of electorate offices*, dated 26 November 2020, which found serious misconduct on the part of former Liberal MLCs, only heightened the public’s suspicion that members of Parliament have much to fear from the CCC. It has been argued that the publication of that and other reports demonstrates that the CCC can perform well enough without Mr McKechnie, QC. I invite members to refer to the CCC’s most recent annual report. I quote acting commissioner Scott Ellis —

The current lack of a full time Commissioner is regrettable. It creates uncertainty for the Commission.

Commissioner McKechnie was a very effective and highly respected Corruption and Crime Commissioner.

The section 9 appointment process is clearly broken. A committee that by law can only have an even number of members is tasked with coming up with majority decisions on appointments, with no capacity under the act to break deadlocks. It was never the intent of Parliament for one member, such as the member for Moore, to have a power of veto over appointments. Members last year argued that the government should enact a wholesale overhaul of the act

and it will. The Department of Justice is currently undertaking a major review of the act, including the appointment process. In the meantime, this bill seeks to return the public's preferred Corruption and Crime Commissioner, restore the CCC's strategic direction, give the Western Australia Police Force back its preferred crime fighting partner and remove the taint hanging over this Parliament.

I commend the bill to the house.

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [12.59 pm]: I rise to put the opposition's position on the Corruption, Crime and Misconduct Amendment Bill 2021. Before I get to the substantive contribution, I want to address some of the remarks the Attorney General made during the suspension of standing orders motion to get us to this point and also in the second reading speech. I will address in particular the attack on the member for Moore. Those remarkable comments calling on the member for Moore to reflect on the deliberations of a committee of which he is a member were wholly inappropriate, and the Attorney General knows this. Anybody who has been in the house for longer than five minutes knows this. His accusations that we, as an opposition, seek to impede the Corruption and Crime Commission and its important work are grubby and untrue. The CCC has continued to function and investigate serious matters.

The Attorney General touched on the fact that Mr McKechnie has been the first commissioner to serve a full term. He served that term and is required under the Corruption, Crime and Misconduct Act to be reappointed. That reappointment process is laid out very clearly in the act. There is a process in place to conduct this appropriately, but that process has not delivered the outcome that the Attorney General and the Premier desired. We understand this very, very clearly. The process that the Joint Standing Committee on the Corruption and Crime Commission adheres to requires the consideration of matters to be conducted under the same rules that all our committees of Parliament operate under. We do not reveal our deliberations or reflect on those deliberations. There is a reason for that, which is to ensure that those deliberations are conducted in confidence and that we get an outcome. The process in this house is usually highly combative and partisan, but our committee system allows for witnesses to be heard and deliberations to be held among members of Parliament to progress issues of importance on behalf of the state. The Attorney General is entirely wrong to reflect on how members of Parliament may or may not have voted in this particular committee. He may have made an educated guess. I think he is assuming how people have voted, but he should not know how any individual MP cast their vote as part of that committee.

**Mr J.R. Quigley:** Yes, I can. We do know.

**Ms M.J. DAVIES:** The Attorney General should not know.

This whole affair started back in May when we saw the Premier try to muscle this through while the state was in the midst of a pandemic and dealing with its response at that time. Regardless of how we have come to this point, we have come to the point once more whereby the government has decided that it does not like the rules and will simply nominate the person it thinks is best for the job, thereby ignoring the process set out in the act. Neither I nor the Attorney General is a member of the Joint Standing Committee on the Corruption and Crime Commission. We were not part of those deliberations or privy to that information. All I can assume is that as a result of the committee's deliberations, the government has been provided with a form of words that is probably fairly standard that the committee could not reach bipartisan or majority agreement.

**Mr J.R. Quigley:** Correct.

**Ms M.J. DAVIES:** That is right. It does not reflect on how people voted in the committee.

**Mr J.R. Quigley:** It necessarily does.

**Ms M.J. DAVIES:** I disagree with the Attorney General, and I did not interrupt him.

I will not make the same mistake that the Attorney General made by reflecting on the votes of committee members. I think that is a dangerous pathway to go down. We had this debate the last time we talked about this matter, after the extraordinary contribution by the member for Kalamunda.

The process that is in place allows for the appointment of a commissioner. Very clearly, this government has decided that it does not like the process, and instead of going about changing the process and doing it methodically and paying due deference to this very important institution, it is actually setting a dangerous precedent and tainting the independence of Mr McKechnie and his ability to carry out his job. We are considering what I consider a very crude amendment so that the Premier, Attorney General and the government of the day can get their own way without the checks and balances that have been built into the Corruption, Crime and Misconduct Act. If they want to change the act, that is fine. Bring it into this place, but do not bring it in under the guise of it being urgent and make us deal with it in a very shortened time frame. Bring it in and have a proper debate in which we have the opportunity and are given the courtesy of seeking advice from those who are learned in this area so that we can do our job as the opposition. That is not what is happening. Just like back in May last year, in the middle of the pandemic, we are now being asked to pass this through with some degree of urgency. Of course, no matter what happens after our contribution today, we know very well that the government will push this legislation through this house and that it will sail through the Legislative Council.

The opposition does not support the government's amendment. That should not come as a surprise, because when we were last asked to consider this proposition in the last Parliament, as I said, at the height of the pandemic, we held the same view. Certainly, I, as the Leader of the Nationals WA, held the same view. We held the view that this method of appointing someone to lead the CCC, to be the head of the most important of commissions, was a crude, unacceptable method of appointing the commissioner and it tainted the government and the person the government sought to represent. Much has been said about Mr McKechnie and his qualifications. I have had my words read back to me in this house, and I am absolutely comfortable with that. The government is not scoring any points on me on that front. Mr McKechnie is eminently qualified. No-one can argue with the service that he has provided and the qualifications that he brings to the role. He was one of a number of people considered by the nominating committee. As the Attorney General pointed out, Mr McKechnie was deemed suitably qualified to be appointed to the role of commissioner in 2015 under a then Liberal–National government. His qualifications include being a Queen's Counsel and he has held positions at the crown law office, was the first state Director of Public Prosecutions, was appointed to the Supreme Court and is a former Corruption and Crime Commissioner. The government speaks to that experience, but that is not the crux of this debate, although the Premier and the Attorney General undoubtedly seek to make it so. The crux of the debate is the way in which a person with Mr McKechnie's experience and qualifications is appointed—the way this person is appointed.

I go back to 2003, prior to my time in this place, when Parliament was first contemplating the CCC and Hon Jim McGinty was the Attorney General at the time. When he introduced the bill to replace the process that we had at the time, which was the Anti-Corruption Commission, he said that Western Australians deserve a police service and a public sector free from the scourge of corruption, and we do. The community has the right to expect that a commission with these powers has integrity, and that at the heart of its business the CCC seeks to ensure that the community has confidence in our public servants. That truism, that statement Jim McGinty made back then, stands today just as it did back in 2007. When the then Attorney General brought to Parliament the legislation that we are now amending—again, I say, in the crudest way, because it is being done this way instead of by changing the process, given that the Attorney General, the Premier and other members of the government have outlined that they do not believe it is serving our state in the way they believe it should—he outlined 10 principle ways in which the CCC was an improvement on the existing body, the Anti-Corruption Commission. The first principle concerns accountability. The then Attorney General said that a new structure would be created with one commissioner and with provision for an acting commissioner and a parliamentary inspector, and that there would be continued monitoring by a parliamentary committee. The role of that parliamentary committee was mentioned in the first principle for the new body that was to be created and which was to become the most powerful corruption body in the nation at that time. For the sake of brevity, I will not go through the full 10 principles, but the role of that parliamentary committee and the process of that appointment were important enough to mention in that very first principle. It was clearly laid out at the time and Parliament debated at length the importance of having all those elements to ensure that we had a Corruption and Crime Commission whose operation gave the people of Western Australia confidence that there was oversight of our public service. The Parliament and the Labor government at the time clearly understood the importance of having checks and balances in the appointment process of the commissioner and in the oversight of this commission.

Where the government came unstuck in the last Parliament was that it sought to manipulate the appointments on the Joint Standing Committee on the Corruption and Crime Commission. The challenge that the government faced with the appointment was largely due to its politicking at the time. The government alone is responsible for the outcomes that lead to it seeking to amend the Corruption, Crime and Misconduct Act 2003, similar to what it is trying to do today with the Corruption, Crime and Misconduct Amendment Bill 2021.

For the benefit of those members who were not in the house or not here when the government sought to amend the act in May 2020, as part of that process the Premier wrote to me as the Leader of the Nationals WA. To my understanding, at that time I had absolutely no role to play in the appointment because we were not the official opposition, yet the Premier sought the Nationals' support for the government's proposed amendment. I responded to the Premier; I said that I did not agree that the matter needed to be debated at that time. I read my response into Parliament during the debate. I also outlined the reason that we disagreed that we needed to deal with the matter at that point, which was May 2020, was that we were in the midst of the COVID-19 pandemic and we were debating legislation to ensure that the state government could respond appropriately. We were operating under a state of emergency declaration and seeking to make sure that legislation passed through Parliament as swiftly as possible to put in place the measures that were needed to allow us to respond to the emerging pandemic. In our minds, the matter that the Premier and Attorney General were seeking to pursue was not related to COVID-19 and, therefore, there was no cause for us to deal with it under the temporary standing orders under which we were operating in the spirit of bipartisanship to progress legislation.

The second reason that we did not support the legislation, nor it being debated, is the same reason that we do not support the government's first approach. I outlined that in a letter to the Premier, an excerpt of which reads —

In addition, the precedent set by a Government amending the Corruption, Crime and Misconduct Act 2003 to specifically name and appoint a Commissioner is unwelcome and unwise. The Act is very specific about how the Commissioner should be appointed to avoid any perceived or real notion of bias or conflict and your proposed action could potentially overshadow the Commissioner's role and any future contribution.

The Government of the day overriding provisions of the Act is a significant step, especially when there are other avenues available to resolve this. Our Party understands the importance of the Corruption and Crime Commission and the role of the Commissioner, however, we do not believe this is a prudent way to resolve the issue.

Frankly, the Premier's decision to push through such a significant change in the process, in the middle of a pandemic when there was great anxiety in our community, raised alarm bells with us. The overreach that we saw then was just a preview to what we are experiencing in this Parliament. Given the introduction of this bill, along with the electoral reform agenda and the way that the government treats this Parliament by bringing in legislation at short notice and demanding that it gets pushed through, we can make no other conclusion that this is what we are going to experience for the next three years; a Premier who is drunk on the power of the government's huge majority. That is what is happening today. The way the Premier has chosen to manage this situation, both then and now, makes it untenable for Mr McKechnie to be reappointed—for us, it is as simple as that. If the Attorney General and Premier are unhappy with the process of appointing a commissioner, they should bring legislation to the house and we can have an honest and open debate about an alternative. Today, we are not debating the merits of a process; we are debating a name, and the government is setting a very dangerous precedent. The Attorney General may well argue that the bill before us changes the process, but I would argue that it is a basic and dishonest interpretation of what we are considering. The opposition believes that it is a dangerous and unwelcome precedent to name a person in the bill. We would object to this political manoeuvring whether or not the person put forward was Mr McKechnie or any other eminent and suitably qualified candidate. I want to say that again: we would object to this political manoeuvring whether or not the person put forward was Mr McKechnie or any other eminent and suitably qualified candidate. Our refusal to support this bill is based on our objection to the precedent that the Premier and Attorney General are willing to set to get their own way.

Let us go through the process, which was outlined in the Attorney General's second reading speech. During the briefing, we asked where the position was advertised and the requirements for nomination. I think we saw it in *The West Australian* and it may well have been in *The Australian* and there may have been other processes. It is important for people to understand how we canvass suitable applicants. The nomination committee considers the nomination. I understand that the name of the preferred candidate is sent to the Premier, and the Premier refers that nomination to the Joint Standing Committee on the Corruption and Crime Commission. As a result, the joint standing committee of the CCC considers the matter and, on this occasion, it was not able to reach bipartisan and majority support. At that point—the time line is a little foggy—the Attorney General and the Premier decided to go back to what they tried in May 2020 and fall back on the same claim that the government has a mandate, which has been boosted by the election. I can promise members that not one person went to a polling booth thinking, "I'm going to support the Labor government because they're going to reappoint Mr McKechnie." They absolutely did not, and I do not think even the Attorney General believes that; indeed, I cannot believe it was part of his second reading speech and the narrative in the government's talking points. It is remarkable. Undoubtedly, the reason the government was able to elicit enormous support at the election was a result of its management of the COVID-19 pandemic. We have acknowledged that in this place on a number of occasions. It is dishonest to reflect that this issue was at the top of anyone's mind at the election thereby giving the government its mandate.

The opposition says that the way the commissioner is appointed is as important as who the commissioner is. The commissioner's integrity has to be protected through the appointment process. The checks and balances are there for a reason. The public needs to know that whoever is appointed is not seen to be aligned with the government and executive of the government, and not pursuing agendas on the government's behalf. The Premier and Attorney General cast that shadow themselves—it was not Mr McKechnie—by overriding the appointment process.

When we last debated this flawed bill in May 2020, or the version of it back then, I looked at the reports that were specifically written about the efficiency and timeliness of the appointment process of commissioners. To my knowledge, no additional work has been done on that, but I will re-enter on the record a number of reports about the way that appointments have been made and the opportunities to change how the appointments are made. The government had opportunities to pursue change, but to my understanding that was not done. In May last year, I noted that the Joint Standing Committee on the Corruption and Crime Commission had completed a number of reports into the efficiency and timeliness of the current appointment process for commissioners and parliamentary inspectors of the CCC. The first report is dated November 2016; it was completed in the term of the previous Liberal–National government. When Parliament was prorogued, the findings of the committee could not be responded to by the minister of the day. After the 2017 election, the first report of the committee, dated September 2017, was completed and tabled under the Labor government and the Attorney General was required to respond—the government is required to respond to all committee reports—to those recommendations and findings.

If we turn to the reports that were completed by the committee under the Labor government, which was chaired by the member for Girrawheen, finding 2 of each report refers to the definition of "bipartisan support". In their consideration of this matter, neither committee found that the definition had proved to be of concern. Both reports canvassed the appropriateness of the current appointment process of commissioners and parliamentary inspectors. The report referred to the creation of a deputy commissioner role and reviewed the appointment processes in the

jurisdictions of New South Wales, Victoria and South Australia. It canvassed quite significantly the role of the nominating committee, not the parliamentary committee, in supplying to the executive a list of suitable candidates to fill the roles of inspector and commissioner for its anti-corruption agency.

Recommendation 2 of the report was that the Attorney General prepare an amendment to the Corruption, Crime and Misconduct Act 2003 to remove the role of the nominating committee in the appointment process for commissioners and parliamentary inspectors. Correspondence by individuals from the judiciary has been tabled in relation to that. The second part of the recommendation was that in lieu of that, the legislation mandate that the Premier propose one name from a list of three people to the committee for its bipartisan and majority support. Those recommendations were made in the report dated December 2017.

The Attorney General of the day, the current Attorney General, replied dutifully on 13 March 2018 providing the government response, as he is required to do. His response was —

In relation to recommendation 2, the Government will consider a proposal to amend the appointment process so as to remove the nominating committee from the appointment process given the support that this proposal has received.

The Attorney General referred to four items from the findings and recommendations, but I cannot find, and I could not find back in May, in any of the committee's recommendations or in the response of the government of the day any recommendation calling for the government to simply insert its pick into the act. I could not find that. I also could not find any recommendation to change what "bipartisan support" means, or a requirement for that to occur. I could not find any recommendation for changing the process for appointment. In fact, the report states that the committee was happy with the process as it stood. The committee considered that issue in the previous term of this Labor government. The fact of the matter is that that process was put in place to protect the integrity of the person in the role of commissioner and the work of the CCC. If the government was really trying to make sure that we had a process that could stand on its own two feet, it would go down the path of bringing in legislation to amend it. The Attorney General has foreshadowed that, but that is not what we are debating today. What we are debating today is the captain's pick. That is incredibly disappointing.

What has changed between when we debated this matter in this house last May and now is that we have a new Parliament. However, just as the Legislative Council was changing over its membership, the sixty-first report of the Standing Committee on Procedure and Privileges was tabled. That committee was chaired by Hon Kate Doust. I have a bit of a time line. This is new information to add to the argument that we put forward in May. Let us go through that time line so that I can get it on the record. On 16 April 2020, the Corruption, Crime and Misconduct Amendment Bill 2020 was introduced. On 28 April, my understanding is that Commissioner McKechnie's term expired. On 13 May 2021, the sixty-first report of the Standing Committee on Procedure and Privileges was tabled. On 25 May 2021, the Premier wrote to me notifying me that Mr McKechnie was the preferred candidate of the nominating committee for the commissioner role. On 26 May 2021, the appointment of members to the Joint Standing Committee on the CCC was formalised by the Parliament. On 27 May, the Premier issued a media statement saying that the reappointment process had recommenced.

In the Attorney General's second reading speech, he referred to the date on which the nominating committee wrote to the Premier. I think that was before that report from the PPC was tabled. We were trying to determine whether the information that was provided, which I think would be material to the consideration of the appointment, was considered by the nominating committee. If I have got my time line right, I am not sure that the nominating committee could have considered that report. Again, we are being asked to deal with this matter in a pretty contracted situation in terms of time and our ability to piece this all together. A question that was asked in the briefing was: did the nominating committee have access to or was it privy to the information in the PPC report; had it been tabled at that time; and what was the time line? That is pertinent information that this house should be given so that we can understand whether the matters that were canvassed in that report were considered by the people who were recommending Mr McKechnie.

We ask this because matters of concern were raised in the report. That includes evidence provided by the Attorney General's chief of staff in hearings conducted by the PPC that showed that there was quite frequent and direct communication between the Attorney General and Commissioner McKechnie. It would not be unusual, in the course of the role of the Attorney General, for him to have contact, and I am not suggesting that there was anything untoward about that. However, it does seem to be highly irregular for messages to be exchanged, as outlined in part of the report, between the commissioner and the Attorney General about an ongoing investigation. I am not a lawyer. We cannot prevent someone from sending a text message, and I am not suggesting that the Attorney General invited it, but there is a question about how close that relationship is. Again, it goes to the fact that this has emerged since the debate that we had in May last year, in which we raised our concerns about the process. New information had come to light. I am not sure whether the nominating committee had the ability to consider that matter, and I am also not sure whether the JSCCCC had the opportunity to consider that matter, because I am not privy to the deliberations of that committee. But I would think that would be material to making sure that the appointment is indeed appropriate.

I think this government is behaving as though that PPC report does not exist. The report certainly has not been raised. It has not been talked about by the Premier or the Attorney General. In the meantime, the former President of the Legislative Council has been moved on. The previous Chair of the Joint Standing Committee on the CCC has also been moved on. The Premier and the Attorney General have made the decision to override the process that is laid out in the act and to appoint the commissioner by using the vote of the majority of the members of this house.

I take great offence at the commentary that has come from the Attorney General. The Attorney General has impugned the reputation of opposition members by suggesting that we are protecting members of Parliament who have been subject to investigation, and that we would condone or support corrupt behaviour. There are things that need to be discussed and canvassed as part of this that, once again, cast a shadow over the appointment of Mr McKechnie. That is of the government's own doing. It did not take very long for the Attorney General to go directly to those personal attacks. It does not surprise me that the debate descended very quickly into accusations that we are protecting former members of Parliament who are under investigation. I can absolutely and categorically say that that is an absolute load of rubbish. The CCC continues to operate. Those investigations are continuing. The arguments that have been put forth and the imputations that have been made in relation to the member for Moore and also, if we reflect back on the debate that we had on May 2020, members of the opposition at that time, are offensive. The government has resorted to muscling its way through, using the sheer force of numbers. It is not a moral victory, where the government has done the right thing and preserved the importance of the CCC. It is a political victory. It is also an abuse of the power that this government has been afforded by the people of Western Australia.

We are calling into question the impartiality of the appointment through the actions of the Attorney General and the Premier. This bill will set an unwelcome precedent. I believe that the actions of this government will damage the work of the commission. Frankly, I find it hard to understand why Mr McKechnie does not understand how his role will be tainted. I have seen some of the commentary in the media. I do not know Mr McKechnie. I have not met him. My focus has always been that if we have a process that has served us well, we should use that process, particularly when it comes to one of the most important things that we can do in this Parliament, which is to provide confidence to the people of Western Australia that we have a body that oversees the integrity of our public service. The Corruption and Crime Commission, undoubtedly, has done some very good work, and should continue to do that good work, but it should do it unimpeded by the Attorney General and the Premier and without a shadow being cast over it by the appointment of the person who will lead that body. I think that they have tainted that role.

This is substandard legislation at best. All that flows from it will be at the feet of the Attorney General and this government, because the opposition, with the numbers that it has, cannot stop it. If the government wishes to throw away convention, wants to rush in legislation and wants to flex the muscles that it earned at the last election with its numbers—this will be a part of that legacy—that will be a very sad day for Western Australia. We in the opposition cannot stop the government, but we can make sure that our concerns are on the record. We can make sure that we ask questions to ensure that we are not part of what I think is a very poor decision-making process. I urge the Attorney General to reflect on the legislation instead of impugning members of Parliament, and making assumptions about deliberations in committees and making assumptions about our motivations. I do not think that one person in this house has ever given him cause to say that we would be supportive of corrupt behaviour in our public service or in this place. I find it personally offensive that that is the tack that the Attorney General has chosen as a result of bringing this bill back to the house.

We will move on. We asked a number of questions during the briefing on this bill, as the Deputy Leader of the Opposition said during the suspension debate, and we also asked questions in the briefing that we received yesterday on the Protection of Information (Entry Registration Information Relating to COVID-19 and Other Infectious Diseases) Bill. We did not receive that information and I am not sure whether it will be provided to our colleagues in the Legislative Council before they have an opportunity to debate those bills. We have not received some of the information or answers to the questions that we asked during the briefing. That goes to the point that the member for Moore, the Deputy Leader of the Opposition, made during the debate on the suspension of standing orders motion—that is, this is an important matter, but it is not an urgent matter. If we had had the appropriate time line that is provided when a bill is brought to the house and left to lie on the table and we were allowed to seek a briefing and to do our job, we would not have to stand in this place and say that we have not been provided information on what I think is one the most important changes that this government will make in the next four years. That is a most disappointing statement to be making in the first three months of this government—most disappointing.

It is distressing to me that we have had to come back to this place and have this debate again. I really feel that the government needs to go back to the drawing board. If the government's intention is to change the process, then, by all means, please put that on the table. That is what I said during the debate in May last year: bring it back to the house so that we can consider the merits of the process that the government is putting forward. But simply making a captain's pick and tainting the process, and I think impeding Mr McKechnie from getting on with the job—regardless of what he believes—does a disservice to the commissioner's role and also to the commission.

**DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [1.33 pm]: I also rise to oppose the Corruption, Crime and Misconduct Amendment Bill 2021. I start from where the Leader of the Opposition ended her contribution—that is, there is no urgency for this legislation. Not only is there no urgency for this legislation, but there are good

reasons the government should wait before moving ahead with this appointment. We have already heard from the Leader of the Opposition that a highly critical report by the Legislative Council has brought into serious question the correspondence and relationship between the Attorney General and Mr McKechnie. That has not yet been answered. But, more importantly, the Supreme Court is still yet to conclude an action between the former President of the Legislative Council and the Corruption and Crime Commission concerning the legality of CCC notices to produce records that were given to the Department of the Premier and Cabinet. There are two aspects to that: one, critically, is that it impacted on the issue of parliamentary privilege, but, more importantly, that decision may also—I do not know—comment on the appropriateness of the actions of Mr McKechnie as head of the CCC. I do not presuppose the outcome of that case, but I find it extremely hard to accept that the government would be pushing forward with its self-nomination—in fact, self-appointment—of the head of the CCC and that named individual when those matters are still outstanding. That is highly improper. That is why, if this decision is to be made in this way—as was eloquently put by the Leader of the Opposition, there are good reasons that that decision should not be made in this way—and even if the government is determined and hell-bent on making the decision in this way, it should not make that decision at this time until those matters have been resolved. Those matters go to the core of this appointment.

The contention of this bill is that the CCC would in some way be crippled and could not possibly carry out its functions unless one person in Australia heads it up. The contention of this bill is that of the many, many learned legal minds in Australia who have the capacity to do this job, only one person—a 75-year-old retired judge—has the capacity to do this job. Furthermore, the contention that that organisation is incapable of carrying out any investigations unless that person is there is ludicrous. The Attorney General knows that that is a ludicrous contention. There are many, many good people who could carry out that role. We know, as the Attorney General corrected us, for the past 15 months there has been an acting head of the CCC. It is my assumption that the CCC has been carrying out its work and carrying on investigations, and that it has been doing those things that it has had to do in a proper way. The contention that that organisation can carry out its work if only one person in Australia heads it up is frankly ludicrous. Imagine for a moment—I hope that this does not happen—that some dreadful thing was to befall Mr McKechnie and he was unable for whatever reason to carry out that duty. Would that mean that the CCC would be crippled and could not go on? Would it mean that the CCC could not do its work because that individual, that one human being, was not able to take up that task? That is the contention of the government.

The government had 15 months to seek an alternative. What did it choose to do? This bill is an act of hubris, an act of ego on the part of the Attorney General and the Premier. They have their view. That is seminal to the points made by the Leader of the Opposition. The Attorney General and the Premier have their view about who that person should be and they have made that view clear to everyone. They have made that view clear to the public of Western Australia. They have made that view clear to every single person in Australia and to every single good legal mind who could have done the job as chair of the CCC. The government made it clear to all of them that it does not want them and it will not consider them. The government made it clear to every person, “Don’t bother applying for this job—do not bother—because we have made up our mind about who we want. We want our person in there.”

**Mr J.R. Quigley** interjected.

**Dr D.J. HONEY:** That is the problem, Attorney General; you want your person in there. The greater concern for me is that you, as Attorney General—someone who should have the stature to realise this—do not realise how flawed that is.

As was outlined by the Leader of the Opposition—I will not go through it again in detail—there is a proper process to follow for the selection of the head of the Corruption and Crime Commission. Ultimately, a recommendation goes to a committee that requires both bipartisan and majority support. We know that not once, but twice this nomination has been rejected by that committee. That is the proper process and if the government had followed proper process, it would have asked the committee to reconsider. If the committee was not prepared to reconsider, it would have come forward with other nominations. That is the process that we have developed in this Parliament. It is absolutely critical that we have bipartisan support for that process. Why is that? It is because the CCC itself carries out a number of important roles and, again, I am not going to go through the detailed history of the organisation. The CCC was initially established to investigate organised crime; I might say bikie gangs. I will say as an aside, bikie gangs seem to have blossomed under this period of government. The CCC was there to look at organised crime and to stop organised crime, but following WA Inc—members opposite may remember this—and following the improper behaviour of members of the Labor Party and members of executive in government, the powers of that body were strengthened. This is when we come to the importance of the bipartisanship issue, because the critical process of that body is to investigate not only criminals, but also the behaviour of members of this place. It is, most importantly, there to make sure that the executive of government does not abuse its power or behave improperly or in a corrupt way. That is perhaps one of the most important functions that this body carries out. If the head of this critically important organisation is chosen because they not only are a fine legal mind, but also will carry out their investigation without fear or favour, the perception of that will be dulled if it is a partisan appointment. That is what this is, members. We do not support this. The National Party does not support this. The Liberal Party does not support this process of nomination because the Attorney General—no-one else—by his own action, is creating a perception that this is a partisan appointment, and, indeed, it is, because we on this side do not support it.

The Premier and the Attorney General have made it very clear that Mr McKechnie is the preferred choice and that he is their person to take on this role. I make no reflection on whether Mr McKechnie is suitable or not. I think it is disingenuous for the Attorney General to say that we are framing the debate about the candidacy of Mr McKechnie. We are debating the process that this government has chosen to use that is creating the perception that this is a partisan appointment and how that places a stain on that appointment. That is the improper thing that is happening, and that is the matter that we are debating. As I said, this act that is going on right now by itself has tainted the process. Mr McKechnie may be required to investigate actions by the Premier. Mr McKechnie, if he is selected to this position, may be required to investigate actions of the Attorney General. If he is appointed, Mr McKechnie may be required to investigate actions of members of the Labor Party in this chamber and as we heard from the Attorney General in colourful terms, there is an ongoing investigation of some ex-members of Parliament from the Liberal Party. That is the problem with the perception of a partisan appointment. It does not matter who that person is. When it is a partisan appointment, it risks a perception of influence on the outcome of a decision. It risks whether an investigation is carried out when that decision is ultimately made by the head of the CCC. That is what the Attorney General has created, and that is what has confounded this process. This is more than that. This is an act of abuse of power by this government.

Members here get to hear the excited chatter, and yesterday we saw the unseemly behaviour of the Premier in this chamber boasting about his majority, but what we see here is an abuse of that power. As was outlined by the Leader of the Opposition, there was no mandate whatsoever for the government to do this. I defy any member to contend that the outcome of the election was decided on whether Mr McKechnie would be chosen by direct appointment by this Parliament. We all spent time in our polling booths and not one person mentioned this to me, not one person raised this issue with me and not one person sent an email to me about this matter. The only matter that decided the outcome of the election was COVID-19. As the Leader of the Opposition already said, we have recognised in this place that the Premier was rewarded by the people of Western Australia for the good job he has done managing COVID in this state. I think that all of us on this side of this chamber have recognised, firstly, the job that was done, and, secondly, that the people of Western Australia rewarded the Premier for that good job. That was the sole matter that decided the outcome of this election. To say that the subject of this appointment was a mandate from this election is a complete nonsense. The Attorney General knows he is being disingenuous when he says that.

**Ms S. Winton** interjected.

**The DEPUTY SPEAKER:** Member for Wanneroo!

**Dr D.J. HONEY:** As I said before, two joint standing committees have now rejected this appointment. The reason we have that committee is that it is a critical check and balance. The reason that it carries out getting its evidence in confidence is that it is critical to ensuring that, firstly, people are not afraid to come forward and raise issues, and, secondly, it can make its decision without fear or favour. Of course, we saw that this government definitely wants you to fear—and that is the Labor Party members.

I refer to an excellent article by Paul Murray that was published in *The West Australian* of Saturday, 12 June. Mr Murray has not always been kind to me, but I respect him as a journalist who is reflective and highly regarded by, I would say, all people in the media as someone who is judiciously analytical but also very fair-minded. The article is headed, “Quasi-judicial agencies created by governments to fight corruption should remain above scandal”. I will quote some passages; I think this is a well thought out article. It states —

It should go without saying that quasi-judicial agencies created by governments to fight corruption must not become mired in controversy or blighted with the stain of partisan politics.

As is the case with the police and the courts, the public has the right to expect that these powerful investigative bodies are independent and above scandal.

Later in the article, talking about the CCC committee, it states —

This committee is vitally important as a democratic check on the formidable powers of the CCC to interfere in the basic rights of citizens.

The McGowan Government last week installed as chair of the CCC’s oversight body a man who the Opposition previously tried to censure for breaching the same committee’s secrecy obligations.

This is where the bullying behaviour comes in. This is where we see the thuggery against their own members by the Attorney General and the Premier. The article goes on —

Former chair, Labor’s Margaret Quirk—the most experienced of the previous bunch —

*Point of Order*

**Mr J.R. QUIGLEY:** The member cannot cast aspersions on the character of a member of this chamber. He has just referred to the conduct of the Premier as thuggery. It is shameful for the member to use this word; he used it against me as well, but I am standing up in defence of the Premier and saying that, under the standing orders, the member cannot use this language and accuse the Premier of thuggery.

**The DEPUTY SPEAKER:** There is no point of order, but, member, please stay away from personal attacks and stick to the motion at hand.

*Debate Resumed*

**Dr D.J. HONEY:** Thank you very much, Deputy Speaker. I will be interested to see question time today.

[Member's time extended.]

**Dr D.J. HONEY:** The article goes on to say —

Former chair, Labor's Margaret Quirk—the most experienced of the previous bunch—has been banished for not toeing the party line and the two previous Upper House members, Liberal Jim Chown and Alison Xamon from the Greens, are no longer in the Parliament.

...

Instead of giving the committee a fresh start the Government has ensured that it will go into the selection process for a new head of the CCC riven by political tensions and with a very big cloud over its head.

...

So, given that Hughes remains one of the committee's obligatory two Labor members, the Government has effectively replaced the 20-year parliamentary veteran Quirk, a former National Crime Authority lawyer who first served on the CCC oversight body in 2005, with a freshman MP holding an arts degree in history and politics.

In relation to and associated with this matter, what did we see in the upper house? Hon Kate Doust is someone that I, and I believe everyone in the upper house and I am certain the great majority of members in this chamber, hold in the highest regard, both as a person and as a parliamentarian. We may not agree on everything politically, but I absolutely admire the work that she did. She is someone who fiercely stood up for this Parliament and fiercely defended the right of privilege in this Parliament, which is something that we often do not think about but is utterly crucial for all that we do in this place so that we can carry out our work. Because she had the temerity to try to defend the privilege of this Parliament, she was sacked from her job; she was removed. A most remarkable parliamentarian, a most remarkable person, was removed from her job because she stood up against the Attorney General and the Premier on a matter relating to the appointment of the CCC commissioner. Because she had the temerity to stand up against them, she was banished from her position. That is a disgrace and something that both the Premier and the Attorney General should be embarrassed by. The article goes on to say —

When Hughes created his reckless Facebook post he made a series of serious errors which should preclude him from being chair of the committee. In my book his worst mistake was that he failed to mention that two of his fellow committee members had blocked McKechnie instead targeting only the Liberal. That made his breach of the committee's secrecy provisions a highly political act.

...

This is important because Hughes' comments backed into a ridiculous story that both McGowan and Attorney-General ... were selling about the Liberals blocking McKechnie to stymie a CCC inquiry. The committee released a statement repudiating that assertion.

Several members interjected.

**Dr D.J. HONEY:** It continues —

It was a dishonest tactic —

**Mr P. Papalia** interjected.

**The DEPUTY SPEAKER:** Minister for Police!

**Dr D.J. HONEY:** It continues —

by the Government. It ignored the truthful version that Xamon also voted against McKechnie.

Several members interjected.

**The DEPUTY SPEAKER:** Ministers!

**Dr D.J. HONEY:** I am glad you have become animated, members, because if you think that the sacking of the former President of the Legislative Council was appropriate, then shame on you as well!

**Ms S. Winton** interjected.

**The DEPUTY SPEAKER:** Member for Wanneroo!

**Mr D.J. Kelly** interjected.

**The DEPUTY SPEAKER:** Minister for Water!

**Dr D.J. HONEY:** We do not know —

*Point of Order*

**Mr R.S. LOVE:** We are actually discussing a matter that the government feels is of the utmost urgency.

**The DEPUTY SPEAKER:** What is the point of order, please?

**Mr R.S. LOVE:** Mr Deputy Speaker, the government has suspended standing orders and you are allowing members on that side to constantly interject and hold up the house.

**The DEPUTY SPEAKER:** There is no point of order. Please do not abuse the point of order process in the future. Carry on, Leader of the Liberal Party.

*Debate Resumed*

**Dr D.J. HONEY:** Thank you very much, Mr Deputy Speaker.

We do not know why the committee made its recommendations. In the Attorney General's speech in this place — this is the grubby part, as was mentioned by the Leader of the Opposition —

Several members interjected.

**The DEPUTY SPEAKER:** Ministers!

**Dr D.J. HONEY:** There is this idea that because we oppose this utterly improper process, somehow that is in the guise of protecting individuals or perhaps stopping an investigation.

**Ms A. Sanderson** interjected.

**The DEPUTY SPEAKER:** Minister for Environment!

**Mr P. Papalia** interjected.

**The DEPUTY SPEAKER:** Minister for Police!

**Mr J.R. Quigley** interjected.

**The DEPUTY SPEAKER:** Attorney General!

Several members interjected.

**The DEPUTY SPEAKER:** Members, we have five minutes to go before question time. If anyone continues to interject, I will start to call them. Carry on, please.

**Dr D.J. HONEY:** Thank you very much, Mr Deputy Speaker; I welcome your protection.

**Ms S. Winton** interjected.

**The DEPUTY SPEAKER:** Member for Wanneroo, this is your first call.

**Dr D.J. HONEY:** As I said, we have seen the grubbiness of this debate and members alluding to some sort of cover-up. What a disgraceful argument on the part of the Attorney General! As we have said, this debate is about the inappropriateness of this process. That is the only thing this debate is about. If members of this place, on any side—any members opposite or any members on this side—behave corruptly, I welcome that being exposed. I hope that that is exposed. I would encourage the CCC to carry out its investigation in full and to prosecute those individuals. I would welcome that, because this place and the actions of its members need to be beyond repute. I accept that. In fact, I welcome it. I champion it. As I outlined before, it is one of the roles of the CCC—that is, to hold to account not only criminals and criminal organisations, but also members of Parliament and, in particular, the executive of government for any corrupt behaviour. I welcome that.

As I outlined before, the contention by the Attorney General that the matters he referred to can be investigated by only one person in Australia, and that that organisation is otherwise completely incapable of carrying out its role, is incomprehensible.

**Mr D.J. Kelly** interjected.

**The DEPUTY SPEAKER:** Minister for Water, I call you for the first time.

**Dr D.J. HONEY:** The government is simply using its numbers to bully through utterly inappropriate action to get its way in this matter. This is not a debate about Mr McKechnie. We have not sought to debate whether Mr McKechnie is appropriate. This is a debate about a proper process that preserves the perception of independence of this important office. It is not a debate about a candidate. The proposed process will stain both the appointment and the government, which is only a few months into its second term. This government will go down in history for using its sheer weight of numbers to make a partisan selection of the head of the most important semi-judicial commission in this state, being the CCC. The government should be ashamed of that forever. That the Premier and the Attorney General would want their names associated with this is, frankly, completely dumbfounding. This is the wrong process to follow. As the Leader of the Opposition pointed out, there are proper processes to follow, including the government changing the act. The government should follow those processes and not use this process, which is based on ego and hubris rather than logic and reason, to get the government's appointment to this critical position.

**MR P.J. RUNDLE (Roe)** [1.59 pm]: I would like to add a couple of brief comments. I must say I am very disappointed at the way this has played out. I back the Leader of the Opposition in speaking against the Corruption, Crime and Misconduct Amendment Bill 2021. This is an unprecedented attempt by the Attorney General to bypass the proper processes. As the member for Cottesloe pointed out, we are not here to talk about Mr McKechnie; we are talking about the bypassing of the proper processes. I had real concerns when I saw what happened to the President of the Legislative Council. That showed that if you push back against the government and do the right thing, you will be suddenly demoted. The President of the Legislative Council is gone.

Debate interrupted, pursuant to standing orders.

[Continued on page 1547.]

### VICTOR MOATE — TRIBUTE

*Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [2.00 pm]: It is with much sadness that I advise members that a former Legislative Assembly staff member, Mr Victor Moate, who some members may remember, died on 26 May 2021. Victor started working in the Legislative Assembly as a parliamentary attendant in 1976 and was later promoted to the position of parliamentary officer in what was then known as the papers office. He retired on 31 December 2009 after 33 years of service. Victor is survived by his daughters, Rebecca and Sarah.

I know I speak on behalf of all members of staff in extending to them our sincere condolences at this sad time.

### VISITORS — EAST FREMANTLE PRIMARY SCHOOL AND SHENTON COLLEGE DEAF EDUCATION CENTRE

*Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [2.01 pm]: I also have some acknowledgements to make. On behalf of the members for Fremantle and Bicton, I acknowledge the students from East Fremantle Primary School, who are in the gallery today. I am very pleased to say that we also have with us in the gallery today 30 students from the Shenton College Deaf Education Centre and their Auslan interpreters. Welcome to Parliament House.

I am also anticipating the former member for Riverton and five Martu elders who will arrive here shortly.

### QUESTIONS WITHOUT NOTICE

#### SAFEWA APP — ACCESS — POLICE INVESTIGATION

#### 224. Ms M.J. DAVIES to the Premier:

I refer to revelations yesterday that the Western Australia Police Force accessed SafeWA app private data.

- (1) Can the Premier confirm that WA Police have made at least seven attempts to access SafeWA data, not two, as he indicated yesterday?
- (2) How many SafeWA user details have been accessed by WA Police?
- (3) Can the Premier provide an ironclad guarantee that there has been no commercial sale of private information captured by the SafeWA app?

#### Mr M. McGOWAN replied:

I thank the member for the question. Before answering, can I also acknowledge the students from the Shenton College Deaf Education Centre who are here this afternoon. Thank you all for your attendance. I understand you have been in the library with the famous Fiona, unveiling a painting. It is great to have you all here, students.

On behalf of the member for Pilbara, I also acknowledge members of the Western Desert Lands Aboriginal Corporation—in particular, the chair, Melvin Farmer; deputy chair, Anne Mitchell; and directors Colin Peterson, Lindsay Robinson and Darryl Jones, who have come down from the Pilbara. Thank you for joining us, together with CEO and former member of Parliament Tony McRae. It is great that you are all here.

- (1)–(3) I thank the member for the question. I largely answered this question yesterday, and I answered it today at a press conference. What occurred was this. I will go through each of the member's exact questions. We put in place the SafeWA app last year in response to the COVID outbreak so we could have a rapid measure to contact trace people who might have been at premises where a positive case had been. The system itself is actually quite brilliant and there have been 245 million uses of it since we put it in place. We made it mandatory on 5 December last year.

The view was—certainly, my understanding was—that it was not to be used for any purposes other than contact tracing. As the member knows, because we have all used it, the information is encrypted. You use your phone to click on the QR code and that information is encrypted and collected by Health, only for the use of contact tracing, as was our understanding of it.

We found out in April this year that on a couple of occasions the police had accessed it, once to investigate a very infamous murder. My understanding is that they accessed it in order to work out who might have been a witness—who was at the event who might have clicked in quite innocently, but might have seen or observed something in the commissioning of this murder that might have been relevant in terms of evidence. I can understand why the police did that; I think we can all understand why a detective might have thought that that was a piece of information that he or she might have wanted to acquire.

When I learnt of this, the ministers and I discussed with my staff what we could do about it. I met with the Commissioner of Police on a couple of occasions and certainly discussed it on a few occasions with him. His view was that it was lawful under the existing law for detectives to access this information and that for him to tell them, particularly in these sorts of extreme cases, that they could not access lawfully available information would not be right. That was his view. I said that I understood that point of view and that it was a very legitimate point of view, but that we needed to make sure we did not discourage people from using the contact tracing app in any way, shape or form, so therefore we would prefer that the police did not use it. He was not able to give us that assurance.

To the best of our knowledge—I am advised by police—it was used on two occasions in relation to two serious crimes, where they tried to obtain information largely around who might have been a witness. These are two separate occasions out of 245 million uses of the app.

In relation to those two cases they were, as described to me, exceptional cases. One was an infamous murder and the other was a serious grievous bodily harm. Obviously, our legislation will prohibit that from occurring again. The information is encrypted. We have done everything we can and, as far as I am absolutely aware, there is no use of this information in any commercial way, except to say that when you fill out a register in a cafe—we have all done it, and I assume the member has done it—someone like the cafe owner might go and look at it, or whatever. The legislation is designed to ensure also that that information is destroyed after 28 days.

That is what has occurred. We obviously would have preferred this not to have occurred, but it is very explainable. We have been completely above board and we intend to make sure that this situation is repaired.

#### SAFEWA APP — ACCESS — POLICE INVESTIGATION

##### **225. Ms M.J. DAVIES to the Premier:**

I have a supplementary question. I thank the Premier. I heard in there that, to the Premier's knowledge, there has been no commercial sale of private information captured by the SafeWA app. The question I asked in the second part was: how many SafeWA user details have been accessed by WA Police? That is, not the number of times that the police sought to access the information, but is it known what group of data has been provided to the police?

##### **Mr M. McGOWAN replied:**

The information is encrypted; it is not used for commercial purposes at all. As I said today, I am aware of some businesses that operate their own apps, if you like. I know the ABC has its own. Whenever I try to go and use ours at the ABC, I cannot use it. It has its own. I do not know whether it is collecting information. I do not know whether Woolworths has its own or whether it is collecting information, but certainly our app does not permit that to occur for commercial purposes.

I turn to the two crimes. As I said, one was an infamous murder. I do not know how many people's information was accessed, except to say that it would have been the people present on the night the murder took place. Police were trying to work out who might have been a witness and who might have seen something. With the other crime, I understand it was a very limited or very small number of people. I think people know what I am referring to. I do not want to talk about individual cases and circumstances, but I think people know the events that I am referring to. I understand why a detective might have wanted to access that information because it might have been crucial to solving a murder. I think a large proportion of the population would think that is entirely reasonable, because solving a murder is actually important! But in order to maintain the integrity of the system, we are legislating to put it beyond doubt that information cannot be obtained by police or anyone else for any of these sorts of purposes so people are absolutely confident it can only be accessed for health purposes.

#### LEACH HIGHWAY–WELSHPOOL ROAD INTERSECTION

##### **226. Ms H.M. BEAZLEY to the Minister for Transport:**

I refer to the McGowan Labor government's record investment in road infrastructure across Western Australia, including upgrades to fix WA's most dangerous intersection, Leach Highway–Welshpool Road.

- (1) Can the minister outline to the house how this project will improve congestion and safety in the area as well as support local jobs and local businesses?
- (2) Can the minister advise the house how this government's unprecedented infrastructure investment compares with the record of the Liberals and Nationals?

**Ms R. SAFFIOTI replied:**

I thank the member for Victoria Park for that question.

**Mr W.J. Johnston:** It is a great question!

**Ms R. SAFFIOTI:** It is a great question.

(1)–(2) Of course, the member for Victoria Park accompanied me earlier this week to turn the sod on the new Leach Highway–Welshpool Road interchange. This is a very significant project. The member for Cannington could not come because of a diary clash, but I know he is also very keen to see this project delivered.

This is rated the most dangerous intersection across our network. It is also the second-most congested intersection across the network, with the first being Tonkin Highway–Welshpool Road. Work will also be undertaken on that project. Again, local Western Australian companies will be delivering this project. This is all about improving safety and reducing congestion, with local employment and local artwork. We unveiled some beautiful artwork at that site, and people will see that if they drive past that intersection. We again apologise for any inconvenience and for the disruption. This intersection is very busy and this project will cause disruption and inconvenience, but that is what happens when real projects are built. The members opposite, or the members in the corner, did not cause much disruption, because they did not deliver anything. For example, the Metro Area Express light rail project did not cause any disruption, because they never delivered it! Under them, the Thornlie–Cockburn Link did not cause any disruption, because they never delivered it! Do members know what else did not deliver any disruption? The Ellenbrook rail line did not deliver any disruption because they broke their promises twice.

**Ms L. Mettam** interjected.

**Ms R. SAFFIOTI:** I am glad the member for Vasse interjected, because she was a key person during the election campaign as the deputy.

**Ms L. Mettam** interjected.

**Ms R. SAFFIOTI:** So the member admits that she was the key person during the election campaign. She is running away from it now! She was a key person in the election campaign. Remember, I think a dozen times, Liberal Party members promised Roe 8 and 9 again. They said, “In the first 100 days, we are going to commence Roe 8 and Roe 9.”

**Dr A.D. Buti:** Honk, honk!

**Ms R. SAFFIOTI:** Remember “Honk for Roe 8 Day”!

Again, to show the dysfunctionality between the member for Vasse and the member for Cottesloe, there was one person saying the project would be started within the first 100 days and what happened on that dreaded costings day? On their costings day, how much funding did the Liberal Party earmark for four years for such an important project? How much funding of the \$2 billion of this project did the Liberal Party earmark on its costings day to deliver this project? It was \$100 million. The Liberal Party could not deliver projects in government, and it could not even cost them and fund them properly during an election campaign.

There is the Welshpool Road–Leach Highway intersection. Again, we apologise for the inconvenience and the disruption, but that is what happens when real projects are delivered, unlike the corner there, which when in government —

**Mr W.J. Johnston:** The forward pocket!

**Ms R. SAFFIOTI:** The forward pocket!

Several members interjected.

**Ms R. SAFFIOTI:** The back pocket!

**Ms L. Mettam:** The Ellenbrook rail, when will that happen?

**Ms R. SAFFIOTI:** Does the member for Vasse really want to talk about Ellenbrook rail?

**Ms L. Mettam:** Yes!

**Ms R. SAFFIOTI:** Does she really want to talk about Ellenbrook rail? Okay, let us look at that. Can I suspend standing orders to talk about Ellenbrook rail? I do not think the Premier will let me!

**The SPEAKER:** Minister, I just remind you that the question was from the member for Victoria Park. I suggest to the member for Vasse that if she would like to get to further opposition questions, it is probably best not to continue to interject on the minister.

**Ms R. SAFFIOTI:** We are out there delivering real projects compared with the opposition, or the corner, which delivered phantom projects.

**The SPEAKER:** The Leader of the Liberal Party.

Several members interjected.

**The SPEAKER:** Order, please, members.

## CORONAVIRUS — HOMELESSNESS

**227. Dr D.J. HONEY to the Minister for Housing:**

As always, I appreciate your compassion and the kindness, Madam Speaker!

**The SPEAKER:** Saved by the Speaker, yes!

**Dr D.J. HONEY:** I refer to correspondence sent to the Premier and the member for Bunbury dated 3 May regarding a family in Bunbury, which reported that the Salvation Army recommended that the family, who had been forced out of their accommodation, live in a tent in a national park, and recent reports that the Salvation Army has paid 342 car registrations so that homeless families can sleep in their vehicles.

- (1) Is the minister aware of these situations?
- (2) Is this acceptable to the Minister for Housing, as the responsible minister, given that his government has an estimated surplus of \$5 billion?

**Mr J.N. CAREY replied:**

- (1)–(2) I want to thank the member for his question. There is no doubt that we have incredible demand for housing in Western Australia, and there is one clear reason for this; that is, due to the COVID pandemic we have seen a large number of people return to Western Australia, in part because of our management. We have created a safe haven for the world. People want to return here. We have an incredible, strong economy. We have the lowest unemployment rate in the nation. That has resulted in huge demand for housing supply. I want to put this on the record: we have already put in a range of measures to tackle this. The statistics do not lie: there were 24 000 building approvals in the last 12 months. That is thanks to our building bonus that is helping thousands of Western Australians achieve their dream of a new home. We relaxed Keystart to enable more first home buyers to buy their first home. We are acutely aware that there are pressures. That is why we brought in the residential relief rebate scheme, a \$30 million program to provide assistance to those most vulnerable. We are investing nearly \$1 billion in a range of programs, such as homelessness initiatives, social housing and public housing. These are real and genuine investments. As the Minister for Housing, I am acutely aware of some of the challenges that people face, and I am looking at and reviewing all our current programs to see how we can better accelerate and deliver on those major commitments.

## CORONAVIRUS — HOMELESSNESS

**228. Dr D.J. HONEY to the Minister for Housing:**

I have a supplementary question. I understand the impact of returning expatriates, but we are now 17 months into the pandemic. Why are people still forced to live in tents and cars?

**Mr J.N. CAREY replied:**

As the Premier said in Parliament last week, the large number of people returning to Western Australia is challenging. The demand for labour and skills, for example, is on the record. That is clear. We are doing everything we can to drive these significant investments. It is a nearly \$1 billion program to address this critical issue. I have to say again that the record is very clear: there have been 24 000 new building approvals. That means that thousands of Western Australians will, for the first time in their life, own a new home, and that is thanks to this Western Australian government.

## McGOWAN GOVERNMENT — ENERGY POLICY

**229. Ms J.L. HANNS to the Minister for Energy:**

I refer to the McGowan Labor government's commitment to the responsible management of Western Australia's energy sector and the implementation of sensible energy policies. Can the minister update the house on the work underway by the McGowan Labor government to futureproof Western Australia's energy system, and can the minister also advise the house whether he is aware of anyone who is attempting to undermine this government's responsible and sensible approach?

**Mr W.J. JOHNSTON replied:**

What a wonderful question from the hardworking member for Collie–Preston. I acknowledge her deep commitment to energy transition. One of the great achievements that this government is implementing is Collie's Just Transition Plan. Everybody knows that there is an energy transition happening, but it must be done in a proper and sensible way. We have already closed Muja AB, which was a \$320 million waste of money under the former government, and we have announced the planned closure of Muja C. We understand the impact that will have and are working with the community on that. We have the Energy Transformation Strategy, the Distributed Energy Resources Roadmap, new inverter standards, the Whole of System Plan and the foundation regulatory framework reform. We are also implementing Project Symphony and Synergy's big battery. We have achieved 1 350 megawatts of additional renewable energy over the last four years.

We have a logical plan, but there are risks. I was very interested on 20 May this year to go to the Mining and Energy Investment Australia–Europe Critical Resources Strategy and Supply conference, at which I spoke, as did the member

for Cottesloe. I was surprised that the member for Cottesloe continued to spruik his renewable energy plan that he released during the election campaign. We have seen over the last three days that members of the Liberal Party have been leaking against each other through *The West Australian*. We also have to remember that the member for Cottesloe verballied the three government trading enterprise chief executives by claiming that they all supported his proposal when they had done nothing of the sort. I want to know this: do the member for Cottesloe's opposition colleagues know that he continues to push his renewables plan that he launched during the election campaign? Are opposition members aware that the member for Cottesloe continues to push this ridiculous, risky and stupid policy? What do his colleagues have to say? Former Minister for Energy Mike Nahan called it worse than Colin's canal. Angus Taylor, the federal Liberal Minister for Energy and Emissions Reduction, said that it was the wrong approach. Andrew Hastie, a federal Liberal member, said that the policy was a lemon. Rick Wilson said, and I quote —

... we need to be honest about the green energy policy: it's a lemon."

But that is not all. Some of the member for Cottesloe's colleagues in the shadow cabinet have talked about it. The shadow Treasurer said that the energy policy was the stupidest policy he had ever seen the Liberal Party release. The shadow Treasurer also said —

"That energy policy, in my view, is the reason why our costings were such a debacle, because you could not afford to have that policy costed."

The shadow Minister for Environment said —

"This was a desperate gamble, absolutely catastrophic and ill-conceived and poorly delivered."

The shadow Minister for Environment also described it as an absolute disaster. I agree with him. I do not often agree with Hon Tjorn Sibma, but I do today, because that is what other Liberal Party members think of the member for Cottesloe's policy. The member for Cottesloe now has a challenge. Does he want to support this government's sensible approach to energy policy or will he continue to spruik his failed agenda that he was still supporting only three weeks ago? Member for Cottesloe, let me know: do you still think that building 1 500 megawatts of renewable energy 1 000 kilometres north of Perth with a 500-megawatt battery will solve our energy network? Because none of those things are true. As we know from *The West Australian*, Treasury costed the member for Cottesloe's policy at over \$15 billion. I costed it at \$16 billion, but I point out that the Treasury costing is not complete because the Australian Energy Market Operator said that to implement the policy, we would need to triple the transmission infrastructure in the north. Treasury said that if we had that huge contingency of a single facility providing half of the electricity for Western Australia, we would have to have triple redundancy, and that would cost over \$3 billion for the transmission lines alone.

When will the member face up to the fact that he delivered a lemon? We all saw the costings fiasco—the three stooges. Only one of them is left. When is the member going to walk away from that stupid policy and join with the government in a sensible approach to the energy future of this state?

*Distinguished Visitors — Martu Elders and Tony McRae*

**The SPEAKER:** I take the opportunity to welcome to the Western Australian Parliament and acknowledge in my gallery the five Martu elders who are with us today with Tony McRae.

#### CORONAVIRUS — TESTING — HOTEL QUARANTINE

##### **230. Ms M.J. DAVIES to the Premier:**

I refer to the Premier's announcement on 16 May 2021 that a new COVID-19 testing regime in hotel quarantine would be introduced to require international returned passengers to be tested on days one, five and 13 of their quarantine period. Can the Premier confirm that despite his request, mandatory testing of those in hotel quarantine on day 13 was not implemented until after 7 June; and why did it take nearly a month for this to be enacted?

##### **Mr M. McGOWAN replied:**

Obviously, we have enhanced the testing regime. We have gone to three tests rather than two. We have done that on the advice of the Department of Health. The details of exactly what day these arrangements happened, I do not have in my head. We will actually also be expanding to day 17 testing for those people who were in any rooms that were near a positive case. We are going for an approach beyond hotel quarantine. If a person was in a room near to someone who is a positive case, they will have to be tested on day 17 after they leave hotel quarantine. We have put in place a whole range of measures over the last year and a half. These measures are a further enhancement of all the measures that we have put in place.

#### CORONAVIRUS — TESTING — HOTEL QUARANTINE

##### **231. Ms M.J. DAVIES to the Premier:**

I have two supplementary questions. Can the Premier advise the house when the day 17 testing will come into play, and can the Premier confirm that he is unaware that it took 22 days, or a month, to enact the announcement that he made on 16 May?

**Mr M. McGOWAN replied:**

No, I cannot confirm that. I do not have the exact dates in my head, is what I said to the member. The day 17 testing for people who are in rooms adjacent to a positive case will start as soon as it can be implemented. We are going to put that in place basically immediately. It may take a few days to put in place. Currently, we have two positive cases in hotel quarantine in Western Australia. It will not be difficult to implement, but it will require someone, when they leave hotel quarantine, to go back and get tested afterwards.

I note that the opposition, once again, is criticising and undermining our efforts. That has been the course over the last 18 months. It has criticised and undermined all our efforts in regard to COVID. That is exactly like when the opposition joined Clive Palmer. I note that your friend Clive Palmer is over there now in the High Court crying because he cannot take the people of Western Australia for \$30 billion. I am so sad for Clive Palmer that he cannot take our state for \$30 billion and that we are going to stop him. But one thing I do know is that he will always be on the side of the Liberals and Nationals.

## KALGOORLIE HEALTH CAMPUS — MRI MACHINE

**232. Ms A.E. KENT to the Minister for Health:**

I refer to the McGowan Labor government's significant investment in health services across regional Western Australia, including the new much-needed MRI machine in my electorate of Kalgoorlie. Can the minister outline to the house what this investment will mean for those in Kalgoorlie and across the goldfields who need to access MRI services, and can the minister outline to the house how this investment builds on the government's commitment to putting patients first by providing world-class care closer to home?

**Mr R.H. COOK replied:**

I thank the member for the question. It is a great question and I congratulate the member on her advocacy for this great new facility for the people of Kalgoorlie. I am very pleased to say that as of yesterday, the people of the goldfields have access to a new MRI machine. The goldfields is one of our largest health regions and Kalgoorlie Health Campus plays a pivotal role in providing health care right across the region. This MRI technology is available in the goldfields region for the first time with a 1.5T Magnetom Sola MRI machine now fully operational at the health campus. This was a key election commitment of the McGowan government, as the member for Kalgoorlie knows, and I am very proud to say that the MRI machine represents a total capital investment of \$6.3 million, which includes a \$1.75 million state-of-the-art machine that is unique in that it automatically adjusts to the anatomy of each patient, leading to more accurate diagnosis, treatment and assessment. It is state-of-the-art machinery. This particular machine also allows technologists to work remotely. They can instruct or assist the operator of the machine from Perth, making sure that people in Kalgoorlie have those technologists on hand at all stages in the operation of the machine. This means that people in the Kalgoorlie region can continue to receive great world-class health care closer to home. Rather than having to travel all the way to Perth to get an MRI, people of the goldfields will be able to access this service, which means that they will get better care. It also means that local healthcare providers can provide a faster diagnosis and move people on to quicker treatment, which means better health outcomes.

How many people would you say, Madam Speaker, will be affected by this? In 2019, 600 patients from the goldfields accessed the patient assisted travel scheme to make the round trip of almost 1 200 kilometres to access MRI services in Perth. This represents a significant improvement in health care for all those people of the great goldfields region. It means that 600 people will no longer have to make that arduous journey because they will get care closer to home. It also means that their healthcare providers will be able to provide faster and better care. It is another example of how the McGowan government is putting patients first.

## PUBLIC HOUSING — AVAILABILITY

**233. Dr D.J. HONEY to the Minister for Housing:**

I refer to the special investigation by Josh Zimmerman in *The Sunday Times* late last year that revealed —

Since WA Labor took office ... total public housing stock has declined by more than 1000 ...

Why did WA Labor cut public housing stock by 1 000 dwellings in its first term, denying thousands of vulnerable Western Australians proper housing?

**The SPEAKER:** The Minister for Housing.

Several members interjected.

**The SPEAKER:** Order, please! There is only one minister who needs to answer the question, thank you.

Several members interjected.

**The SPEAKER:** Could we hear from the member for Perth, perhaps?

**Mr J.N. CAREY replied:**

I thank the member for his question. This government is strongly committed to public housing in Western Australia, and it is well known that I am a passionate advocate for these programs. We have a nearly \$1 billion program for

refurbishment and for building new social homes and growing the community housing sector. These are critical investments. But it is true to say—this is on the public record—that we inherited significant ageing stock; much of our housing stock is moving to the 30 to 40-year mark and, as a result, that requires a significant refurbishment program, which has been part of our efforts.

We have also had to make some tough decisions about how we see social and public housing into the future. Will it be a traditional density model or will it be a more integrated approach that sees public housing across Western Australia rather than in some traditional suburbs? We made some tough decisions, like the one about Brownlie Towers in Bentley, which resulted in a loss of some housing from the system, but the reality is that we are now investing very heavily in public and social housing to drive that renewal. As the minister, I have said on the record that I am looking at all opportunities to accelerate the construction program, given the tight market that we currently face.

#### PUBLIC HOUSING — AVAILABILITY

**234. Dr D.J. HONEY to the Minister for Housing:**

I have a supplementary question. I understand the issue of ageing stock, but why would the government possibly sell all that public housing when an immediate replacement was not available, given that homelessness has been an issue for the past four years?

**Mr J.N. CAREY replied:**

Again, I will come back to this: we inherited significant ageing stock. We have invested heavily in a refurbishment program that is worth nearly \$1 billion. We are rolling out that program, but it is not magic; it is not simply a matter of clicking your heels. As the minister, I am looking at alternative programs. Last week, I visited a modular prefab agency. I am looking at how we can accelerate the current program, given the limits that we face. We have a booming construction sector. As I have said, there have been 24 000 building approvals, which means that thousands of Western Australians will own their first home. Last week, the Real Estate Institute of Western Australia declared on the public record that Western Australia is still the most affordable place to buy or rent a home. We have a large range of measures in place, which are working, and over the next 18 months, we will see a significant increase in the housing supply in Western Australia.

#### NAVAL SHIPBUILDING AND SUBMARINE MAINTENANCE

**235. Mr D.A.E. SCAIFE to the Minister for Defence Industry:**

I refer to the McGowan Labor government's commitment to securing more shipbuilding jobs and its strong advocacy for the Collins-class submarine maintenance program being moved to Western Australia. Can the minister outline to the house why Western Australia remains the best place to carry out this work and why it remains in the national interest for this maintenance program to be carried out here?

**Mr P. PAPALIA replied:**

I thank the member for Cockburn for his question and his deep interest in all things naval shipbuilding and maintenance, noting that the Australian Marine Complex is in his electorate. Everyone in Western Australia knows that there was no advocacy for the defence industry until the McGowan government took office in 2017. At that time, we created a portfolio and the Defence West office. We also appointed an advocate and commenced real focused advocacy on getting a share of the national defence spend for Western Australia in the national interest.

In October 2018, we launched the *Western Australian defence and defence industries strategic plan*, which has at its heart as one of the central pillars the promotion of Western Australia as the premier site for the maintenance and sustainment of both frigates and submarines. Subsequently, as the first part of the advocacy for Western Australia being the premier site for the sustainment and maintenance of submarines, we took up the cause of shifting the full-cycle docking to Western Australia because we had identified that by 2024 or 2026 at the latest, South Australia, notionally, would be responsible for building new frigates and commencing the build of a new submarine and it would be incapable of doing so. The state's population is one million fewer than ours and its industrial base is about one-third of our own. It would be incapable of completing that task and ensuring the operational capability of Collins-class submarines through completing the full-cycle docking task.

In early 2019, we presented the then new Minister for Defence, Senator Reynolds, with a comprehensive range of cases promoting the argument for why Western Australia should be the site for full-cycle docking. Obviously, we are the home of submarines and submariners, we are the closest point to operational areas and all the other maintenance of submarines is already conducted in WA up to, but short of, the full-cycle docking task. That is quite apart from the fact that the other arguments are made with respect to scale of population and capability. All those things were given to the minister. She confirmed publicly in Senate estimates that a decision will be made on shifting that task by Christmas 2019. We are still waiting for that commitment to be delivered.

Further to that, in 2020 we were expecting—we were told by the federal government—that there would be a naval shipbuilding plan update. The first one was delivered in 2019, I think, and it identified South Australia and

Western Australia as the only shipbuilding sites in the country for the future. There was supposed to be an update of that naval shipbuilding plan, which doubtless would have confirmed where the full-cycle docking task would take place and other tasks, like continuity of shipbuilding for Western Australia, which is an essential commitment that we need from the federal government. But that has not been delivered. That was supposed to have been delivered by Christmas 2020.

All I can say, member, is Western Australia is getting on with the job. We have invested some \$87 million at Henderson, as the member is well aware, in upgrades to support other activities, including potentially full-cycle docking. We have delivered \$18 million to training Western Australians to prepare and build our workforce to support defence industry in Western Australia. What we do not have is any commitment or indication of a decision from the federal government.

I can only ask that everyone in Western Australia continues to ask that question. There is no advocacy for defence industry in Western Australia from the other side—it is not the other side; it is the corner of the Parliament that is represented by the Liberals and Nationals. They are invisible. They are silent. I ask that they step up and ask their mates in Canberra to get off their backside and get out and make a decision.

#### BYFORD SECONDARY COLLEGE JARRAHDALÉ SCHOOL BUS SERVICE

#### 236. Mr P.J. RUNDLE to the Minister for Transport:

I refer to this letter, which was sent to families informing them of the Public Transport Authority's decision to cancel the Byford Secondary College Jarrahdale school bus service, which means Jarrahdale families will no longer have access to a school bus service.

- (1) Can the minister explain why a bus service that has been used for 38 years and still services more than 100 students is no longer considered necessary?
- (2) How will the minister ensure that children with special needs will receive the same level of personalised care?

#### Ms R. SAFFIOTI replied:

- (1)–(2) I thank the member for Roe for that question. Can I also acknowledge the member for Darling Range in respect to this issue. The member for Darling Range has discussed this issue with me over the past few days and we are working on something as we speak.

What happened in relation to the decision that was made by the Public Transport Authority is that there are new Transperth bus services in that area and expanding Transperth bus services in that area. Like similar suburbs that we all represent across Western Australia, when there are Transperth bus services feeding particular schools, there is a transition from the old school bus service to a Transperth public transport service. We understand that that change and that transition causes concern. The member for Darling Range has raised that with me and we are looking at that issue at the moment. This is very much a live issue for me and we are looking at how we can make sure that we reduce that level of concern in that community. I will be talking to the member for Darling Range later today, again, having another meeting to see how we can make sure that we reduce that level of concern and make sure that people in the area are more satisfied with the transition from what is in a sense a rural approach to bus services to what is a suburban approach to bus services. We are expanding the Transperth bus services in that area, so that is a good thing, but we understand that people who have been attached to the old orange school bus services are reluctant to change. I am very happy to have further discussions with the member for Darling Range about this issue.

#### BYFORD SECONDARY COLLEGE JARRAHDALÉ SCHOOL BUS SERVICE

#### 237. Mr P.J. RUNDLE to the Minister for Transport:

I have a supplementary question. The government is sitting on a \$5 billion surplus. Why has the minister not considered providing an additional service or at least maintaining those current services, as opposed to cancelling the existing services and hoping that Transperth can actually ensure that all students get to school safely?

#### Ms R. SAFFIOTI replied:

There will be an expansion of the Transperth bus services to ensure that the schools are covered. But we understand that community does not like change and we understand that with the traditional bus services versus new bus services there is always going to be resistance or a concern about change. Many schoolchildren across Western Australia use Transperth bus services to get to school and I think they do so in a safe manner, as well. There are many thousands of children across the suburbs who use Transperth bus services. The idea that they are somehow unsafe is not an idea that I want to endorse or enforce in any way, shape or form. Of course, as ministers we understand that when there is change, in particular when it relates to bus services, whether it is a bus route or a bus stop, or the change from a more rural-type bus service to a Transperth bus service, there is always concern and hesitation. We understand there needs to be a transition in that, and that is the live discussion that I am having with the member for Darling Range.

## GRANDCARERS

**238. Dr K. STRATTON to the Minister for Community Services:**

I refer to the important work of grandparent carers, particularly those who take on the informal role of caring full-time for children who cannot safely live with their parents, usually due to substance use, mental health issues, incarceration or domestic violence.

- (1) Can the minister outline to the house the research undertaken by Wanslea Ltd with regard to grandparents who are raising their grandchildren full-time?
- (2) Can the minister update the house on the efforts of the McGowan Labor government in supporting the work of these incredible Western Australians?

**Ms S.F. McGURK replied:**

- (1)–(2) I thank the member for the question and particularly for her expertise and advocacy on behalf of grandcarers in this state. I know that there are other members in this chamber who have worked very closely with grandcarers in their electorate. I can look around the chamber and I know that people are connected with not only grandcarers in their electorate, as I said, but also their peak bodies. It is important work. It is important because we need to understand that these grandcarers step up in very difficult circumstances to look after their grandchildren, often when their own children have either passed away, but more usually because they are facing some sort of adversity that means that grandcarers have to step in.

It is a huge challenge. They are not in the formal child protection system, so they do not get the extent of support that formal foster carers or kinship carers receive. With that comes some autonomy on the part of the grandcarers, but it also has challenges. I know that in the member's work at Wanslea before coming into Parliament she helped advocate for and properly understands what is going on with grandcarers. The challenge, which I know that people here who have been in contact with grandcarers will understand, is that those grandcarers are responsible for the full-time care of their grandchildren. They are taking those grandchildren to school and they are supervising homework. They are feeding and clothing them, but they are also worrying about those grandchildren. They are doing that in the face of their own ageing and changing health needs, and they are often, as I said, dealing with the original family conflict or the reasons why those children have come into their care.

The work that the member helped undertake at Wanslea is important. That resulted in a report entitled *A fairer future for grandchildren: Understanding the impact of the caring role on grandparents raising their grandchildren*. It was a piece of work done in partnership with Wanslea, Curtin University and Edith Cowan University, and with the support of Lotterywest, which we are very grateful for. I know that the member was a key researcher and architect of this report. The report involved 622 survey participants, 24 key stakeholder interviews, focus groups and a desktop review of policy documents. It found that two-thirds of the grandparent carers surveyed live below the poverty line. In fact, two-thirds of them would not be able to raise \$2 000 in a week for an emergency, half of them would have trouble paying their utility bills on time and one-third had pawned or sold something in order to pay for goods, so it really is quite challenging.

I want to assure the chamber and anyone listening that the state government understands those challenges and is working to fund Wanslea to provide practical support. As part of its recovery plan, of course, the government made a cash payment to grandcarers of \$500 for the first child and \$250 for each child after that. Our election commitments included a commitment to adjust the annual payment to grandcarers. Some means testing will be applied, but most grandcarers will be eligible for \$1 000 for each child in their care as a complete payment, so it is significant. Of course, this is also a federal issue and is about making sure that grandcarers are eligible for any family support benefits that parents would usually be eligible for. It can also be very frustrating for grandcarers when they come up against doctors or other authorities, so we are working on getting proper recognition for their role as grandcarers.

A number of grandcarers spoke at the launch last week. Dianne Franklin was one of them. She talked about the stress of having her retirement interrupted, what it had meant to her retirement savings, the challenges that she faced and the love that she feels for her grandchild. It was a very moving story. But we were also reminded of the mettle of some of these grandcarers. On top of all the ongoing challenges that she has had in the past, Dianne talked about how her granddaughter, who is coming up to her teenage years, asked whether she could get a mobile phone. Dianne said, "No, you can't get a mobile phone." Her granddaughter then asked, "How old will I have to be to get a mobile phone?" to which Dianne said, "When you're about 40"!

**The SPEAKER:** The member for Vasse with the last question.

## FIONA STANLEY HOSPITAL — STAFF

**239. Ms L. METTAM to the Minister for Health:**

I refer to revelations that Fiona Stanley Hospital staff raised patient safety and staff burnout issues with management in March this year.

- (1) Can the minister update the house on his investigations into this matter and what actions he has taken, if any?
- (2) What is the minister doing to give the people of Western Australia an assurance that these ongoing staff concerns will not have an impact on patient care?

**Mr R.H. COOK replied:**

(1)–(2) I thank the member for the question. Obviously, any fatigue or stress issues in relation to our health staff is concerning. Our doctors, nurses and allied health and support staff are our most valuable assets in the Western Australian health system. As I have explained before, the health system is under stress and pressure as a result of increased presentations to our emergency departments and other aspects of the system, and in terms of the acuity and the nature of the folk who are presenting to our hospitals. That is putting pressure on our staff as well. Not only have they had to deal with the ongoing issues associated with the COVID-19 pandemic—the anxiety that comes with that—but they are now having to double-down as we move into the post-COVID period in which, as I said, there is significant pressure on the system.

At Fiona Stanley Hospital, in particular, there has been a significant increase in the maternity services that are being provided there. As I reported to the chamber yesterday, in November 2020, there were 248 births at Fiona Stanley Hospital. By May 2021, that number had increased to 331—a significant increase. Although we had 96.9 FTE in November 2020 and those numbers increased to over 116 FTE in maternity services, it remains the case that our staff are under pressure. All our health leads are working to make sure that we can improve the situation by providing opportunities for staff to recharge and take more leave, including professional development leave, and making sure that we are continuing to support them in the workplace. A good example is at the Fiona Stanley maternity hospital, which, due to unprecedented demand between February and March, initiated a range of improvement projects to ensure the continued safety of staff and those in the care of Fiona Stanley Hospital. That included the establishment of a better rostering committee, with an expression of interest sent to all staff, including frontline staff, inviting participation on the committee; a rostering review, with human resources and industrial relations input; an enhanced communication pathway for staff to request annual leave; and a maternity transformation project. All staff are able to suggest, via a dedicated email, ideas for maternity improvements, which is ongoing and well subscribed to. There has been an increase in the number of lactation consultants to support inpatient and outpatient activity. There are enhanced models of care and a full analysis of international and evidence-based practices has been undertaken as a workforce strategy. These models have been implemented. There has been the implementation of 24-hour, seven-day-a-week, on-call senior midwifery management to better support junior staff who are working within those models of care. An employee assistance program has been reinforced to support staff, and midwifery managers have met with individuals who are under social and/or family duress to ensure individualised rostering and workforce support. That is just a small snapshot of the sorts of programs and initiatives that have been put in place to continue to support our staff.

As I said, our healthcare workers are our most important asset. It is at this time, particularly in a time of stress on our hospital system, that we want to step up and do more to support them in the workplace.

FIONA STANLEY HOSPITAL — STAFF

**240. Ms L. METTAM to the Minister for Health:**

I have a supplementary question. If those measures were implemented in response to those concerns back in March, why have staff approached the opposition in the last week, and will the minister refer this matter to WorkSafe?

**Mr R.H. COOK replied:**

On the basis of what the member tells me, no, I am not going to refer anything to WorkSafe. The member is a highly unreliable source of wisdom in this debate, and I will not be acting on her testimony.

What I will continue to do is to work with staff at all levels, and that includes our most senior staff but also nurses and doctors. Of course, I made a commitment around a ministerial advisory panel, which will be made up of representatives from each of the health unions, to talk about these staffing issues, not just in the context of industrial relations, but also in terms of healthcare worker health and wellbeing to make sure they continue to feel valued in the workplace.

**The SPEAKER:** That concludes question time.

**CORRUPTION, CRIME AND MISCONDUCT AMENDMENT BILL 2021**

*Second Reading*

Resumed from an earlier stage of the sitting.

**MR P.J. RUNDLE (Roe)** [2.57 pm]: I will close my comments on the bill by expressing my concern about the way in which this government operates. If its members do not toe the line, they are out the door—they are handballed out the door and moved on and someone else is brought in. I have seen this pattern developing and it is concerning, because some good, quality people are being bypassed. As I said, the former President of the Legislative Council

was of very high quality and a very good person. She was demoted because she did not toe the party line. I also want to mention my disappointment about the demotion of the former housing minister. I thought he was doing an excellent job. He was generally good at replying to his correspondence, but he is gone as well.

I refer to the article by Paul Murray on Saturday, 12 June 2021. He highlighted exactly my thoughts about how the new Labor chair, Matthew Hughes, member for Kalamunda, has remained with the reconstituted committee, and the former chair, Labor's Margaret Quirk, member for Landsdale—who is not here today—along with other members were seen to have been moved aside. She was the most experienced of the previous bunch, but she has been banished for not toeing the party line. What annoys me is that the Liberal member, Jim Chown, was not voting in line with what the government wanted, so there was a real focus on him. But, of course, there was no mention whatsoever by the Attorney General, the Premier and the like of Hon Alison Xamon from the Greens, who unfortunately is no longer in Parliament.

**The DEPUTY SPEAKER:** Sorry, member. Members, there is a dull roar in here. If you want to have a conversation, please do it outside the chamber.

**Mr P.J. RUNDLE:** Thank you, Mr Deputy Speaker. The frustrating thing is that instead of giving the committee a fresh start, it has entered into this scenario with a cloud over its head because the member for Kalamunda is now the new chair of the committee. As we know, the member for Kalamunda posted some reckless Facebook comments. As far as I am concerned, he made those errors as a member of that committee, but what has happened? He has been promoted to chair of the new committee after posting those reckless comments on Facebook. As far as I am concerned, that is not appropriate.

**Mr J.R. Quigley** interjected.

**Mr P.J. RUNDLE:** It is not appropriate that the Attorney General appointed him as the committee chair after those comments. I do not mind saying that I was in the chamber when the member for Kalamunda had his outburst. I can assure members that he was well on the way to being sent to the Procedure and Privileges Committee if it were not for Madam Acting Speaker, the former member for Mirrabooka, putting a lid on his comments. The member for Moore also previously commented on this on 12 May, and he was exactly right. Fortunately, the member for Kalamunda had the member for Mirrabooka in the chair to censure him time and time again during his speech for his inappropriateness when talking about the deliberations of the committee. What has this government now done? It has promoted him to chair of the new committee! As far as I am concerned, parliamentary privilege has to be protected at all cost. Committee information is confidential. The Premier and the Attorney General want to make a captain's pick and appoint a person to oversee the governance of their government. It is poor form from the Attorney General to appoint the member for Kalamunda as the chair of that committee, and even more so for the way that he impugned the member for Moore today in his contribution. That was a very disappointing effort, Attorney General. In conclusion, the Attorney General, quite frankly, needs to have a good, hard look at himself as far as the process goes and the appointments that he makes.

**Mr P. Papalia** interjected.

**The DEPUTY SPEAKER:** Minister for Police!

**Mr P.J. RUNDLE:** If people are not suitable for these positions, they should not be promoted. As I said, parliamentary privilege should be protected at all costs and committee information is confidential. That is the point that I would like to make today. Thank you, Deputy Speaker.

**Ms S. Winton** interjected.

**The DEPUTY SPEAKER:** Member for Wanneroo!

**MR R.S. LOVE (Moore — Deputy Leader of the Opposition)** [3.04 pm]: I would like to make a comment or two on this debate on the Corruption, Crime and Misconduct Amendment Bill 2021. In doing so, I do not intend to go over a lot of ground because the speech made by the Leader of the Opposition, the member for Central Wheatbelt, covered pretty well most of the points that needed to be covered today. She did an excellent job in setting out the situation as we know it.

As pointed out by numerous speakers on both sides of this chamber, I am the member for Moore and I am a current member of the Joint Standing Committee on the Corruption and Crime Commission, which is in question. I must be very careful with my comments. I am going to make it quite clear that despite the invitation from the Attorney General to explain the reasons why people vote, how they vote or what is deliberated upon in that committee, I will not go down that path because, as it was explained to me when I first came into this place and it has been my understanding ever since, those committee deliberations remain confidential, unless there is a motion to release that information. No such thing has happened, so there will be no comment from me about the reason why anybody may have said or done anything on that committee or what that committee deliberated upon; I am just not going there. But I will comment on some things of topicality because, by inference, I have been impugned, so people need to understand exactly the composition of the committee and its implications, and also the time lines outside of any committee deliberations, which are outlined in the Attorney General's second reading speech.

We were granted a brief look at this matter last night. We had access to the explanatory memorandum and the bill, but we did not have access to the second reading speech. The printed version of the Attorney General's second reading speech states —

I advise the House that on 2 June 2021 the Joint Standing Committee replied to the Premier advising that it had met on that day and had been unable to achieve majority and bipartisan support for the appointment of Mr McKechnie QC. This indicates the representative on the Joint Standing Committee from the National Party, was unwilling to provide bipartisan support.

I have often said that I am not a lawyer, but I will refer the chamber to the fifth report of the Joint Standing Committee on the Corruption and Crime Commission released in October 2017 and titled *Current committee confirmed: Clarifying the legal composition and powers of the committee*. This report was released when the member for Landsdale, formerly the member for Girrawheen, was chair of that committee. On face value, if we are talking about the qualifications needed to chair that committee, her qualifications far outweigh anybody else's in this chamber. It is quite surprising and a great pity that she is no longer on that committee.

This document is all about clarifying the role of that committee and its composition, and it provides a bit of history going back to 2017. This all happened because of a debate in this place, which I took part in, as I recall, around the composition of that committee. At that time, the expectation was that the committee would comprise a member from both houses from both of the major parties. That was the understanding that I think most members had. Instead of that, a deal was done whereby two Labor members from this house were nominated and a Liberal member and a Greens member from the Legislative Council were nominated. People surmised that because there was only one Liberal Party member on that committee, any announcement that it had lacked bipartisan support meant automatically that the member of the opposition had not given support. This document is written by a lawyer and it contains another document that is the advice of a lawyer. This particular person who provided the advice to the committee is Mr K.M. Pettit, SC. I would assume that they are quite a senior lawyer who one would expect would understand a little about reading the law. In his opinion, which he provided to that committee—it is appendix 1 of that report—he goes to the meaning of the act, how it functions and how various matters are determined. Much has been spoken about the matter of bipartisan support. This is the 2017 committee that had the composition I just outlined: only one member of the opposition, one member of a crossbench and two members of the Labor Party. In this report he says —

Currently, the Committee comprises two Labor Party members, one Liberal Party member and one Greens Party member. Bipartisan support would presently require both Labor members' support as well as the Liberal member's support. The Green's member's support is not relevant to "bipartisan support".

The committee's finding 3 states —

The definition of "bipartisan support" in the *Corruption, Crime and Misconduct Act 2003* does not mean nor imply equal numbers of members from the major parties. It means only that there must be no dissent by any member of the Joint Standing Committee on the Corruption and Crime Commission who is a member of one of the two major parties.

Given the fact that we do not know how anybody votes within that group, it is impossible to determine that the lack of bipartisan support resides simply with the one member of that committee who is a member of the opposition. It could in fact be a lack of bipartisan support according to Mr Pettit's opinion and, according to this committee report, it could be a member of the Australian Labor Party who did not support that appointment. I do not know what happened in this committee that met in those times, and nobody in this chamber except those members who were on this committee at the time would know. After reading this particular report—I would like the Attorney General to read it if he wishes—and if the Attorney General takes any note of an eminent SC's opinion on this matter, nobody should be able to infer that it is any particular member apart from a member of one of the two major parties who has not supported that appointment. There is actually no justification for the Attorney General's assumption that a particular member of the opposition on that committee that was formed in 2017 made a vote in any way. Similarly, given that the same types of numbers exist at the moment, there is no justification for him to make the same call on any deliberations that he is not party to in the current arrangements.

I return to the speech that the Attorney General made and in doing so say that this is information that we asked for. It is a time line of the deliberations of the nominating committee about when it advertised, got some information and made recommendations to the Premier. We asked for a time line about when the advertising happened and when that information was provided to the Premier. That was not provided in that briefing last night for members of the party facing this discussion here today—I might add, nothing to do with any role in any committee. In his second reading speech today, the Attorney General said —

The position was nationally advertised by the nominating committee on 27 March 2021. By letter dated 7 May, the nominating committee wrote to the Premier advising that Mr McKechnie was the outstanding candidate, as he had been when the section 9 process was performed last year, and the committee was not aware of any matter that would adversely affect the suitability of Mr McKechnie, QC, for appointment.

That advice was made on 7 May, so the decision had been made on 7 May this year. That had been communicated to the Premier at that point. That is the Attorney General's time line; it is not mine. He made that quite clear. What I have here is a report to the forty-first Parliament, the sixty-first report of the Standing Committee on Procedure and Privileges, *Progress report: Supreme Court proceedings and matters of privilege arising in the 40th Parliament* presented by Hon Kate Doust, MLC, chair. This was presented on 13 May, basically a week after this committee had made its deliberations and made its recommendation. When the Attorney General says in his speech that the committee had advised that it was not aware of any matter that would adversely affect the suitability for appointment, that may well have been true on 7 May. But the question is: would the matter had been any different if the committee had been in possession of all the information in that report? This report was released a week after the committee had made its recommendation. In all fairness to the committee, in all fairness to the members of the other place who have been working diligently through many, many issues to deal with interactions with the CCC and a whole range of court cases, there were all sorts of things going on. Why are we rushing to make this appointment when this nominating committee had made its recommendation to the Premier a week before the release of this report? I would put it to the Attorney General that this report would contradict that last sentiment of that statement by the nominating committee, when it said that it was "not aware of any matter that would adversely affect the suitability". Perhaps if the committee was in possession of that report when it wrote that letter, it may have written something completely different.

I will not go into a great deal of detail about this. There are many pages in this report. It took a lot of reading, I have to say. It took a lot of time to sit down, go through this properly and try to get a grasp on when all the different interactions and matters occurred between the CCC, the Legislative Council and the members of the Standing Committee on Procedure and Privileges of that Council and also between members of the public service who were caught up in an unfortunate situation when the CCC was demanding information and the committee was demanding that they do not give that information. Members can imagine what that would do to a public servant put in that position. In my view, it does not tell a very good tale in terms of a performance that you would say did not cause concern. There are good reasons to have some concern about the manner of the interaction between the CCC and the Legislative Council, as outlined in this report. We know that Mr McKechnie was the head of that organisation at that stage. That does not mean that he is not qualified and it does not mean that he is not eminent. It does mean that his interactions with that particular organisation, which is part of our Parliament, have been difficult. I will read a few extracts from the executive summary—the preface of the committee report—to help everybody out. It states —

... wishes to make it absolutely clear that the aim of the PPC is only to present the various ... arguments to readers in a concise and informative manner ... does not intend to make critical commentary of, or influence ... the two ... Court proceedings ...

That is what is written in the report. It is a public document. It goes on to refer to the court case, stating —

The pending change in membership of the Legislative Council as at midnight on 21 May 2021 has necessitated that this report be presented at this particular time.

- 3 Over the past two years the plain facts in this matter have been obscured and misrepresented in the media, as well as in both the Legislative Council and the other place, and in various correspondence and reports emanating from the CCC.
- 4 To be perfectly clear, this matter is not about an orchestrated attempt by a so-called 'Opposition-dominated' Legislative Council to hide a former Opposition Member's 'dirt file' from examination by law enforcement agencies.

That is a claim that the government has repeated in this place today, or at least the inference is there. It continues —

Nor is it about any person or body's aim to hinder a CCC investigation, or to prevent the reappointment of the Commissioner of the CCC. And nor is it about the PPC intentionally trapping innocent public servants in 'no-win scenarios' in order to score some perceived political advantage over the government.

This is the work of the Parliament.

[Member's time extended.]

**Mr R.S. LOVE:** The report continues —

- 5 Quite simply, it is the PPC's view that at the heart of this matter is an entirely inexplicable sudden cessation of good faith negotiations between the PPC and the Commissioner of the CCC. This coincided with the bald usurpation of the powers and privileges of the Legislative Council through the calculated intervention of the Attorney General and State Solicitor's Office ... to the potentially unlawful benefit of the CCC.

It was said there were no grounds for the Parliament to have second thoughts or to send it back to that nominating committee to have another look at who might be a suitable appointment. At the time this position was being advertised, I wonder what effect all the controversy around legal cases et cetera had on the quality of some of the

other candidates. If we started with a clean slate and made a genuine attempt to go out to the legal fraternity and find a person who was well qualified, someone who did not have this particular issue in the background, who would come forward? I do not know, but it would be a completely different exercise from the one that occurred from 27 March to 7 May because a range of information, as set out in this report, was not in the possession of that nominating committee when it made its recommendation to the Premier.

So many pages of this report set out the committee's work. Paragraph 8 states —

The CCC served three notices on the Director General of the Department of the Premier and Cabinet (DPC) dated 12 April 2019, 11 June 2019 and 6 August 2019 for the production, of amongst other documents, parliamentary email account records of former Members of the Legislative Council and their staff over an almost four year period.

This refers to the period when there were so many problems working through those emails and the like. It is interesting that the Standing Committee on Procedure and Privileges of the Legislative Council has developed a working framework. Paragraph 12 states —

One of the positive aspect of this matter has been the development of a close working relationship between the PPC and WAPOL —

That is the Western Australia Police Force —

based on a number of investigation specific protocols for determining issues of parliamentary privilege.

The committee was able to work out, with one organisation that investigates criminality, how to go through the issue in an orderly fashion, and in a way that does not threaten parliamentary privilege. That has just happened. There have been no court cases or huge issues. Why has this not occurred with the CCC? Why has it become bogged down in intransigence? When members read this report, they may come to their own conclusions. If the nominating committee also had access to that report, I wonder whether it would say, "Maybe it is time to have another look. Let us take a fresh look. Let us go a bit wider."

As I said, there is nothing in any of these documents or in my speech or in the speeches of anybody in this house that suggests that Mr McKechnie does not have the qualifications to be the Corruption and Crime Commissioner. He certainly does. He has a huge background in the law and a huge understanding of the law. There is this matter of the relationship, and this background. This indicates that perhaps the Parliament could take its time and rethink this approach. We are being forced to rush this legislation through in a couple of hours instead of taking the time that is probably needed to make one of the singularly most important appointments that this Parliament will make. In effect, this is probably one of the benchmarks of this Parliament. I think it will be seen as a bit of a turning point, a point where parliamentary process and due procedures are being set aside completely. It is something that will be reflected in history. This will be the stuff of discussions around conferences and in various places for years to come. It is a pity that we are rushing this legislation through.

I do not know Mr McKechnie. He is a highly qualified individual. He has eminent qualifications but there is certainly something here that I think that committee should have been made aware of. If the Premier and the Attorney General knew, between the time they received that recommendation and the time it took to send that recommendation to other bodies for approval, that this information had arrived and had been laid out for the public, they may have said, "Okay, let us have another look at that. Send it back to the nominating committee." They could have asked a simple question of the nominating committee: are you still of the view that this is the right choice? The committee is made up of people who understand the framework. They are the people who know the legal scene. It would give the people of Western Australia a great deal of confidence if they felt that that nominating committee had made its recommendation in the full knowledge of what is in this report. To all members of the Labor Party, I point out that this report was authored by one of its own. It was presented by one of its own, not authored by one of its own; that is not right. Hon Kate Doust, in her capacity as President of the Legislative Council, put this report together and ensured that it was presented to Parliament on 13 May 2021, a week or so after the nominating committee had made its choice and communicated its choice to the Premier.

Here we are again, about a month after this report was produced, rushing this decision. Why are we rushing this decision? Why are we not going back to the nominating committee and saying, "Please tell us whether you are still confident that this is the right choice for the next five years for Western Australia"? The role of Corruption and Crime Commissioner is a fundamental role for ensuring integrity. That is why bipartisan support is called for in the act—to ensure that the position is not an instrument of the government and that this person is appointed not by the government, but by Parliament.

The minister can shake his head if he likes, but his arrogance is —

**Mr P. Papalia** interjected.

**The DEPUTY SPEAKER:** Minister for Police!

**Mr R.S. LOVE:** The position of Corruption and Crime Commissioner needs to be supported by the whole Parliament—both sides. That is what the act says. We are telling the government that we do not have confidence in

the process it is putting forward. We are telling it that we do not support this bill, yet it is ramming it through. That is contradictory to the sentiment behind the act. In fact, the act explicitly states that bipartisan support is required for the appointment of the commissioner. If we do not have that, he is not the servant of the Parliament and the state; he is the servant of the government. With that level of power, that is a very, very dangerous path for this state.

**Mr P. Papalia** interjected.

**Mr R.S. LOVE:** I am not impugning the integrity of an individual at all. I am saying that what the government is doing is, as a matter of process and principle, fundamentally flawed and hugely dangerous to democracy, and it should not be doing it.

**MR J.R. QUIGLEY (Butler — Attorney General)** [3.31 pm] — in reply: In speaking on the Corruption, Crime and Misconduct Amendment Bill 2021, I would like to deal with the last speaker first, because the disingenuous argument he put before this chamber is freshest in our minds. His disingenuous argument was that we do not know what the vote was in the 2019 committee. What a lot of rot! We know that the honourable member—I have to call him that, although his actions were dishonourable—voted, as the Liberal member, against —

*Withdrawal of Remark*

**Dr D.J. HONEY:** I believe that under the standing orders it is not appropriate to cast aspersions against members of the other place, as the Attorney General just did. I ask that he withdraw.

Several members interjected.

**The DEPUTY SPEAKER:** Members! There is no point of order. The Attorney General had not mentioned anyone's name. With caution, Attorney General.

*Debate Resumed*

**Mr J.R. QUIGLEY:** It was posited by the member for Moore that we have no idea what the voting was on the previous committee. He quoted from a previous report of the committee that cited an opinion from a lawyer that if one of the Labor people had voted against the nomination, it would not have been bipartisan. It could have been that a Liberal member and a Labor member voted for it, but one of the Labor members voted negative. What a lot of disingenuous eyewash to mislead this Parliament. After that committee's incredible decision to reject the candidate—not a captain's pick, but someone named by the Chief Justice's nominating committee as the outstanding candidate—the amendment bill of 2020 was brought on in this chamber to appoint him directly. Two Labor members of that committee sat in this chamber: Hon Margaret Quirk, the member for Girrawheen as she then was, and the member for Kalamunda. They were both in this chamber and they both spoke in support of the bill to appoint Mr McKechnie. Now it is suggested to this Parliament that, in the committee, one of them may have voted not to support him. For heaven's sake, these were Labor Party nominees to the committee! Does the member think those members would vote against the Premier's nomination and then come into this house and vote to appoint Mr McKechnie?

Several members interjected.

**Mr J.R. QUIGLEY:** I am not taking interjections because I am on limited time and I have a bit of ground to cover.

Does the member think they would then come into this chamber and vote to appoint Mr McKechnie? It is beyond reasonable doubt that at least one of the people who voted against the appointment of Mr McKechnie in the 2020 committee's deliberations was a prominent member of the "Black Hand Gang" then under investigation, Hon Jim Chown. That is beyond reasonable doubt.

Now we come to this debate and the member for Moore has tried to mislead us into believing that it might have been someone other than him who voted against Mr McKechnie and caused the committee to report that bipartisan support could not be achieved. We know from the definition in the legislation that "bipartisan" would have consisted of at least a member from the party led by the Leader of the Opposition, which would be the member for Moore.

Two members of the current committee represent the Labor Party. One of those members, the chair, is in this chamber today. See which way he votes on the second reading of the bill and which way Hon Klara Andric votes on it in the upper house, and that will put beyond reasonable doubt that it was the member for Moore who voted no. Why did he vote no? First of all, he said that this committee has somehow been corrupted or disfigured by the Premier and the Attorney General appointing the chair. We do not appoint the chair. He voted for the chair; he must have voted for the chair, because there are only four people on the committee. What happens is that this chamber nominates its representatives to that committee; it votes on the representatives to the committee nominated by each party. The opposition's nominee was the member for Moore and Labor's nominee was the member for Kalamunda. They went into conclave, and in conclave they, not I—this is what was utterly misleading from the member for Moore—elected their chair. They could not have elected a chair if the member for Kalamunda and Hon Klara Andric were the only members who voted for the member for Kalamunda. It would have required at least the member for Moore or Hon Dr Steve Thomas to have voted for the member for Kalamunda to achieve a majority.

So this was totally and deliberately misleading this chamber to try to slur the Premier and —

*Withdrawal of Remark*

**The DEPUTY SPEAKER:** Attorney General, I have to call you up on some unparliamentary language there. You cannot say they came in here and deliberately misled the chamber.

**Mr J.R. QUIGLEY:** I withdraw the word “deliberately” and say he misled this chamber by saying that the chair was appointed by the Premier or the Attorney General.

*Debate Resumed*

**Mr J.R. QUIGLEY:** Now what comes up? The killer line. Since the nominating committee met and put forward three names, a report was handed down by the Standing Committee on Procedure and Privileges in which it was revealed in paragraph 6 of the executive summary —

The good faith negotiations in question were embarked upon to establish a workable protocol to ... facilitate the CCC’s access to relevant parliamentary email account evidence of Members of Parliament ... Those negotiations took place in circumstances where there was a likelihood that material protected from disclosure by the long-standing law of parliamentary privilege would otherwise be unlawfully accessed by the CCC in the process.

It then says that the CCC broke off its dealings with the Parliament in unexplained circumstances. The member for Moore did not go to the evidence that was before the committee. Unfortunately, the executive summary does not reflect the evidence. I go to page 287 of the report. The member just flicked through it and said, “Oh, there was a lot to read.” Here was the former President of the Council, who was chairperson of the Standing Committee on Procedure and Privileges, talking on this very subject of whether there was an agreement or negotiation between the CCC and the privileges committee. I quote the third point on page 287 —

**The PRESIDENT:** Once we had that initial meeting in May with yourself and we started the conversation around the possibility of an agreed procedure, and the committee commenced that and we had correspondence between this committee and yourself and outlined the procedure that we had agreed to—and I think you gave us some feedback in the first instance.

This is what she said —

I think, as I have said to you before, we then seemed to hit a wall and were then no longer part of the process. What is it in your view—can you explain to us where that fell down?

**Mr McKECHNIE:** First, I do not think there was ever any agreement reached. I think, as sometimes happened, each side thought there was a particular position and there was not a meeting of minds on it. Then the person to whom the notice was directed, who, I think, Mr Pratt —

That is Nigel Pratt —

—I may be wrong; he will correct me—asserted was the committee’s agent, indicated that he was prepared to produce certain of the documents in compliance with the notice, bearing in mind that he had a legal obligation to comply with the notice.

So there was never an agreement. Was this known? Was this news? Was this something that the nominating committee missed out on because this report was handed down after it met? Hardly. In appendix 4 to the fifty-sixth report of the Standing Committee on Procedure and Privileges, on page 56, there is a letter from the CCC to Mr Craig Bydder, Deputy State Solicitor at the State Solicitor’s Office. It states —

Dear Mr Bydder

**Notices to Produce NPR ...**

And it gives the two notices. It then continues —

I refer to our telephone conversation this morning in relation to this matter, in which you sought clarification as to:

1. whether there is an agreed procedure in place between the Commission and the Procedure and Privileges Committee ... in relation to assessing documents to be produced under the above Notices for parliamentary privilege; and
2. whether the proposed process of physically handing the records to be produced under the above Notices to the Commission’s exhibit officer, before that officer immediately passes the records to the PPC, would satisfy production under the Notices.

**Is there an agreed procedure in place between the Commission and the PPC?**

The answer was —

The Commission has not agreed a procedure with the PPC.

The Commissioner’s letter of 26 June 2019 noted the PPC had ‘finalised its procedure for dealing with the Commission notices’.

While the Commission has conferred with the PPC (and ... the DPC) with a view to offering technical assistance, the Commissioner's clear position at all times has been that the Commission cannot approve or agree to a process. That is a matter for the PPC, not the Commission.

This was all known to the nominating committee prior to making the nomination. This is just a smokescreen that is now being raised by reference to the executive summary of the sixty-first report. It was all out there well before the nominating committee met in 2021, as this report was tabled in September 2019.

What do we know? We do not know why the member for Moore voted against Mr McKechnie. He is not going to say what he has got against Mr McKechnie. He says, "I just do not like the bill and I do not like the committee because you or the Premier made the chairperson." We did not. We know that; everybody knows that. What is being put forward by the member for Moore is just more conflagration and bluster to hide the fact that at all costs the opposition does not want Western Australia's best corruption fighter back in the chair because the last time he was there he had it under examination. That is what it is all about. This is all filibuster —

*Point of Order*

**Mr R.S. LOVE:** We have to be quite clear that the current opposition, as I understand it, is not the opposition that is being referred to —

**The DEPUTY SPEAKER:** Deputy Leader of the Opposition, what is the point of order?

**Mr R.S. LOVE:** As far as I know, we have never been under any investigation.

**The DEPUTY SPEAKER:** That is not a point of order; please sit down.

*Debate Resumed*

**Mr J.R. QUIGLEY:** That is more of it. This is just exhibit A. This is more filibuster to try to distract from the fact that at all costs the opposition does not want the Corruption and Crime Commissioner to be Mr John McKechnie, QC, because when he last had that position, he had Betelgeuse up and going and he was inquiring into serious improper conduct by members of the opposition. When in his report of December 2019 he identified the "Black Hand Gang", the use of funds for sex tours to Tokyo, the use of funds to go and talk about these sex tours while swilling wine in the Barossa Valley and the use of funds to have "Black Hand Gang" soirees at expensive Perth restaurants, he said, "This is only the beginning; there is more to come." That is what he said in his report. That sent a shiver up their spines—a shiver so severe that they said, "We have got to get rid of this person. His term is up; we will block him at all costs." The chamber can disregard what the member for Moore said in its entirety. He voted against Mr McKechnie in keeping the faith with the alliance to block Mr McKechnie. This reliance upon the executive summary of the report of the privileges committee tabled by the former President of the Legislative Council in May 2021 reveals nothing more, and he has not turned to any part of the report that is averse to Mr McKechnie—not a piece of it. As I have already said, that Mr McKechnie would not enter into an agreement was already out there in September 2019.

If I can now turn back to the Leader of the Opposition. She said this process was put in place to reappoint the commissioner but had not resulted in what the AG or the Premier desired. She then referred to Mr McKechnie as a captain's pick. He was not a captain's pick. He was the nomination of an independent committee chaired by the Chief Justice of Western Australia. How more independent can you get?

**Ms L. Mettam** interjected.

**Mr J.R. QUIGLEY:** I will get to it in a moment.

Upon that committee sits the Chief Judge of the District Court of Western Australia—an eminent person appointed by the Governor. The committee came up with the three names. In coming up with the three names, Mr McKechnie was identified as the outstanding candidate of the three people who were put forward. Also known by the Premier is that the Western Australian Commissioner of Police, no less, urged the reappointment of Mr McKechnie as his crime fighting partner. What if the Premier had chosen one of the other people? That could have been perceived as political interference because the Premier would not be going for the best person but for someone of his own choosing—his own captain's pick. Consider the time before the three names were released publicly. I do not know how the three names were released publicly. They went to the committee, but how their names got out from there, I do not know. The committee was leaking like a sieve. The other three names were put out there. One of the other three names was Hon John Paul Rowe, SC, a former Labor Deputy Premier of South Australia. The second person was a Senior Counsel—I will not mention his name in case I am wrong—who I believe was, or had been, a member of the Labor Party. The third person was the committee's outstanding choice, pick or nomination—Mr McKechnie. What if we had picked the former Deputy Premier of South Australia? The opposition would have said that it was a captain's pick and that the government was trying to get someone biased in here. The Premier put forward the name of a person who had been appointed to the role by the Liberal–National government led by Mr Barnett. That person had been vetted by the Joint Standing Committee on the Corruption and Crime Commission, chaired by Hon Nick Goiran, the members of which all came out and supported Mr McKechnie and spoke highly of him. Mr McKechnie had the total support of the conservatives, who, by the way, appointed him to the Supreme Court and who, by the way, gave him his second term as the Western Australian Director of Public Prosecutions. I think

it was Mr Berinson who initially appointed him and Hon Peter Foss who reappointed him under Mr Court's government. Mr McKechnie was then promoted to the Supreme Court under Mr Barnett's government and was then made the Corruption and Crime Commissioner by Mr Barnett's government, with the support of the committee chaired by Mr Goiran. What suddenly changed? Why have they gone so sour on him to consistently vote against him? I am suggesting to this chamber that it is as obvious as the nose on your face—it is Operation Betelgeuse, in which he identified members of the “Black Hand Gang”, being Liberal Party members in the Legislative Council, and said, “This is only the beginning; I've got more.” This is just a ruse by the opposition to say that his reappointment this way is improper.

I will wind it up. Finally, the Leader of the Opposition said that the government does not have a mandate because the election was only about COVID. For heaven's sake! The election was about a lot of things. The election was about the opposition's absolutely hopeless energy policy. It was about its hopeless press conference at which several opposition members stood to do their costings and which was the biggest embarrassment of a press conference that the nation has ever seen. The election defeat was about the opposition backing Clive Palmer. It was also about the disgraceful conduct that had been exposed of members of the Liberal Party in the upper house going on sex tours on taxpayers' money. The election was about the Premier standing up in the debates here and in other places to say that if re-elected, we would take all necessary steps to reappoint Mr McKechnie to the job. I have half a dozen or more letters to the editor of *The West Australian* that I have photocopied. I will read just one, dated 29 March 2021. It states —

I was very pleased to see that John McKechnie is to apply for his old job as Corruption and Crime Commissioner ... I hope that this time around whoever had the power to prevent his reappointment a year or so ago has no influence in this process. That was one of the silliest bureaucratic processes known, and kept a very able man away from protecting this State, especially as there was so much secrecy as to why the appointment was blocked. Without, of course, knowing who else may apply or what their character and/or skills are, I have to say that they would need to be very, very special indeed to be preferred to Mr McKechnie.

Peter Sherlock, Bellevue

I do not know him. And so the letters go on. They reflect Labor's election promise to go down the path of reappointing Mr McKechnie as the corruption crime fighter. To say, as the Leader of the Opposition has said, that we did not have a mandate for this process is eyewash. To say that it is a captain's pick by the Premier is eyewash. I will wrap up my reply to the second reading debate because I am sure that we will have a lot of debate during the consideration in detail stage. I thank the chamber for its time.

#### *Division*

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

#### *Ayes (47)*

Mr S.N. Aubrey	Ms M.J. Hammat	Ms S.F. McGurk	Mr D.A.E. Scaife
Mr G. Baker	Ms J.L. Hanns	Mr D.R. Michael	Ms J.J. Shaw
Ms H.M. Beazley	Mr T.J. Healy	Mr K.J.J. Michel	Ms R.S. Stephens
Dr A.D. Buti	Mr M. Hughes	Mr S.A. Millman	Mrs J.M.C. Stojkovski
Mr J.N. Carey	Mr W.J. Johnston	Mr Y. Mubarakai	Dr K. Stratton
Mrs R.M.J. Clarke	Mr H.T. Jones	Ms L.A. Munday	Mr C.J. Tallentire
Ms C.M. Collins	Mr D.J. Kelly	Mrs L.M. O'Malley	Mr D.A. Templeman
Mr R.H. Cook	Ms E.J. Kelsbie	Mr P. Papalia	Ms C.M. Tonkin
Ms L. Dalton	Ms A.E. Kent	Mr S.J. Price	Mr R.R. Whitby
Ms D.G. D'Anna	Dr J. Krishnan	Mr D.T. Punch	Ms S.E. Winton
Mr M.J. Folkard	Mr P. Lilburne	Mr J.R. Quigley	Ms E.L. Hamilton ( <i>Teller</i> )
Ms K.E. Giddens	Mr M. McGowan	Ms R. Saffioti	

#### *Noes (4)*

Ms M.J. Davies	Dr D.J. Honey	Mr R.S. Love	Mr P.J. Rundle ( <i>Teller</i> )
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Question thus passed.

Bill read a second time.

[Continued on page 1577.]

### **BUSINESS OF THE HOUSE — PRIVATE MEMBERS' BUSINESS**

#### *Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [4.03 pm]: I move —

That private members' business notice of motion 6 be now taken.

I indicate to members present in the chamber that after private members' business, we will resume the debate on the Corruption, Crime and Misconduct Amendment Bill 2021.

Question put and passed.

**HOUSING — AVAILABILITY***Motion*

**MR R.S. LOVE (Moore — Deputy Leader of the Opposition)** [4.03 pm]: I move —

That this house condemns the inaction of the McGowan Labor government in its failure to acknowledge the ongoing housing crisis and notes the specific lack of planning and implementation of support regarding —

- (1) the reduction of social housing availability and consequential long-term security;
- (2) strategic land release to allow for development of accessible housing;
- (3) decrease in affordable housing and land;
- (4) lack of funding for imperative transitional housing;
- (5) steep increase in homelessness;
- (6) unavailability of critical emergency accommodation for those affected by cyclone Seroja;
- (7) the establishment and availability of accommodation for critical and essential workers; and
- (8) ongoing mismanagement of the construction boom;

and calls on the McGowan Labor government to make use of its \$5 billion surplus to remedy the potentially devastating impacts of the housing crisis on Western Australians.

Western Australians are facing a housing crisis. We know from question time today that a significant number of Western Australians are seeking help simply to live in their car as a stop-gap measure for some sort of shelter. It must be difficult at this time of the year with the winter weather setting in for the many people who are under that level of housing stress. As a community, we should be absolutely focused on this issue.

We have often heard the government say that the housing shortage has been caused by the COVID-19 pandemic because, suddenly, thousands of people—the Minister for Housing is here now, which is good—have moved back to Western Australia, contributing to the housing shortage. I am not aware of any science behind those types of assertions. I do not know whether the government has a good grasp of the net flows in housing. For instance, thousands of international students who would normally be here are not. From driving around and looking at some of the tower blocks around the place, I know that there must be a level of latent housing sitting around not being used. I doubt that all those tower blocks are full. There are things that we can do to ascertain the number of people flowing in to Western Australia and understand where we seem to have the most issues in providing for those people.

As an aside, normally several thousand international students would be attending university in Western Australia but they are not here at the moment. It would be interesting to understand the net flow of people. We know that many thousands of people in Western Australia are waiting for a house, and many thousands more may be looking for a home in the very near future. What we are saying to the government is: where is the plan to address this shortage? It is not just about public housing; it is about making sure that the development industry, accommodation providers and land producers, all the factors, are taken into account to ensure that planning and the release of land is a priority. We have been hearing a lot about this government trying to build houses and develop new levels of housing stock, but fairly recently I was told that the government has built a very small number of houses; I think 47 was the figure given to me at the time. In fact, the government has sold off 1 350 houses. In effect, instead of having thousands more houses, the government is in a situation of having fewer houses than it did a short while ago. If anyone goes into some of the towns that I represent and sees the standard of housing that the government provides, they will know that the government does not spend a lot of money on them.

We know that there is an increase in homelessness. We see the evidence of that as we drive around Perth. We see people sleeping on the pavement. We see the beds that people have laid out, sometimes throughout the day as well, and they will come back to them again that night. It is shocking to see that in a city as wealthy as Perth and it really needs to be addressed as a matter of urgency.

We know that there has been rapid growth in the public housing waitlist. The waitlist now extends to just short of two years for a non-priority case and about half that time for a priority case. It takes a year for most priority cases to get into shelter, and two years for people who are not considered to be a high risk or priority case.

More broadly, many young Western Australians are giving up on the vision of ever owning their own home. We know that there has been a boom in the number of first home owners. There has been a rapid uptake of some of the programs that were brought out initially by the federal government in its desire to ensure that the economy would power on through the COVID pandemic. Some young families will be in a position to take up housing. However, many families see the escalating house prices, the shortages, and the uncertainty around their careers and income, so they do not feel that they can commit themselves to a 30-year mortgage. They do not feel that they are able to put aside enough money to save for a deposit and get going. It is estimated that about 65 per cent of young people feel that they have no hope of ever owning their own home in the future. It is a frightening statistic that the majority

of our population considers that they will not own their own home in the future. I do not think that people 20 or 30 years ago would have considered that a likely prospect, but we now know that many young people are coming to the understanding that they probably will never be able to own their own home.

Many families have been caught up in the escalation of evictions that took place, mainly from private rentals, after the lifting of the moratorium. Many of those people have had great difficulty finding other levels of accommodation. The price of housing and of rentals has shot up dramatically. In some cases, that was the reason for the eviction; in other cases, it was because people wanted to move back into the home themselves, or for a whole range of other reasons that have been put forward. For many people, finding that opportunity has become very difficult.

We know that the public service housing providers are becoming overwhelmed. Many of the organisations that we heard about today—what was the group that your question was about, member?

**Ms L. Mettam:** The Salvation Army.

**Mr R.S. LOVE:** Yes. The Salvation Army in the member's area has put up money to help people keep a roof over their head.

I want to refer to a question without notice that was asked in the Legislative Council fairly recently, on 25 May, about the public housing waitlist. The question was from Hon Colin de Grussa to the Leader of the House representing the Minister for Housing. The answer to the question was provided on 27 May 2021. The answer states that as at 30 April 2021, the number of applicants for public housing in the north metropolitan region was 5 521; south metropolitan, 3 169; east metropolitan, 2 654; great southern, 539; south west, 1 201; goldfields, 451; midwest–Gascoyne, 924; Pilbara, 730; West Kimberley, 758; wheatbelt, 333; and East Kimberley, 380. That is a total of 16 660, so just under 17 000 people are on the public housing waitlist from all over Western Australia. A lot of those people who are waiting for accommodation, in some cases for up to two years, as we understand it, are in the areas that many members in the city represent, as well as throughout regional WA.

To return to the motion at hand, one of the critical issues listed is the availability of accommodation for people who were affected by cyclone Seroja. Cyclone Seroja tore primarily through the Shires of Northampton and Chapman Valley, the City of Greater Geraldton's eastern sections, Mingenew, Morawa, Perenjori, Dalwallinu, Three Springs, a little bit of Carnamah, and down into the central wheatbelt at Bencubbin, the Shire of Mt Marshall, Koorda and others. All those areas suffered damage from that enormous storm.

I was in Northampton last Friday and chatted to some people up there, including the shire CEO, about the situation for the shire. I will talk a bit about Kalbarri as well, because the member for North West Central is not here; he is not feeling the best at the moment. Although the town of Kalbarri is in the Shire of Northampton, which I represent, it is now in his electorate following the change in March this year. The Shire of Northampton CEO talked to me about Kalbarri, the town of Northampton and the wider Northampton area, which were badly damaged by the cyclone, and some of the things that need to be done to address the issues at hand in those towns and communities. He reports to me that —

**Dr A.D. Buti:** Did he hand out how-to-vote cards for Vince Catania in the election?

**Mr R.S. LOVE:** Sorry?

**Dr A.D. Buti:** Did the CEO hand out how-to-vote cards for Vince Catania in the election?

**Mr R.S. LOVE:** I have never heard of a CEO handing out how-to-vote cards. Maybe they do in the minister's area.

**Dr A.D. Buti:** I am asking you. Did that particular CEO hand out how-to-vote cards for Vince Catania?

**Mr R.S. LOVE:** How would I know? I am not in his electorate.

**Dr A.D. Buti:** So, he's not close to the National Party?

**The ACTING SPEAKER (Ms R.S. Stephens):** Minister!

**Mr R.S. LOVE:** No. He works for his community in Northampton. I mean, I have got to talk to the people who are on the ground in my electorate.

**Dr A.D. Buti:** I asked you a question.

**Mr R.S. LOVE:** I am not aware of his party affiliations, if any. He is certainly not a member of the National Party. I can verify that. I do not quite understand where that came from, but getting back to the situation —

**Dr A.D. Buti:** Maybe you should observe some of his behaviour at times.

**Mr R.S. LOVE:** I beg the minister's pardon. Is the minister saying something about the CEO?

**Dr A.D. Buti:** I am saying you should observe his behaviour at times.

**The ACTING SPEAKER:** Thank you, minister.

**Mr R.S. LOVE:** I do not think it is appropriate for the minister to talk about —

**Dr A.D. Buti:** Well, you are—a public servant.

**Mr R.S. LOVE:** A CEO of a shire.

**Dr A.D. Buti:** You're talking about a CEO. You're the one who brought him up. I didn't bring him up.

**Mr R.S. LOVE:** I am talking about the conversation I had with him about issues vital to his community.

**Dr A.D. Buti:** If you bring the CEO's name up, why shouldn't I be able to comment on the CEO?

**The ACTING SPEAKER:** Minister! Thank you.

**Mr R.S. LOVE:** Because he has no right of reply in this place at the moment, the minister should not do that. The minister knows that is not right.

Getting back to the Northampton shire, there is a real issue as we go to rebuild these communities, because the build times have become so long. The assessments of damage to houses also takes some time because the insurance companies need to go through all their processes. Even if an assessment has been done in the first place, most people will not have a complete agreement with the insurer. In some circumstances, the insurer is taking action. It might take control of a house that has been set down for demolition. In other circumstances, it is helping to rebuild. There are a couple of large buildings—not houses as such—that are being assisted through the insurers, but in the main, the vast majority of home owners are still waiting for a commitment from insurers and an understanding as to where they will go in the future.

If there is any level of underinsurance between the cost that a person thought it would take to rebuild their house and the amount that they are insured for, that will be an issue for people in the future. As I said, the price of housing has gone through the roof because of the current demand on trades. That has been exacerbated in this area because there are whole towns in which many, many houses are missing, damaged or have been just demolished and not replaced; others will certainly be rebuilt and many others will need to be repaired. It is a huge job. This is happening at a time when it is already difficult to source builders and supplies, and that is being exacerbated.

Another problem in smaller country towns is that banks will not lend large amounts of money to people to build or buy accommodation. I have heard that the maximum amount a bank will lend to people in some communities is about \$60 000. That is a real problem in some of the towns in the midwest that I represent. If people cannot get finance from the bank, money from the insurer, or a sufficient amount of money to cover the costs of a rebuild, they will have real problems. The level of problem will vary with the different stories that we hear.

While I was in Northampton talking to people whom I caught up with up there, I heard about some of the difficult circumstances that people are finding themselves in. That leads to situations in which they are not able to rebuild their house. I was talking to one chap who is separated from his wife, and his house was completely destroyed, poor fellow. The building insurance was set at \$350 000, which I think is a fair amount of money for a house in Northampton, and \$50 000 for the contents. His problem is that by the time he spends that insurance money on demolition and clean-up of the site, he has to give a certain amount of money to his former partner. So instead of having enough money to rebuild, he will have half the money he needs to rebuild his house. This man is well into his 70s. He is no longer working and has some health issues. His only option is to buy a motorhome and to travel instead. That is what he aims to do when he finally reaches a settlement with the insurer. That means that that house will not be rebuilt in Northampton. That person will leave town and a house will not be rebuilt in that town. That story will recur in different ways in different circumstances across different towns like Northampton, Morawa, Mingenew and Perenjori—towns that do not have large populations and can ill afford to lose more residents due to the costs and trepidations of building.

Another factor that was explained to me is that many agencies—the Department of Communities et cetera—are set up for short-term disaster recovery and relief. This situation will go on for years and years and a different set of circumstances will often be faced. There are some government agencies that will help provide assistance and short-term accommodation, and I have questions in this house about those matters. Some shire CEOs—I talk to most of them, not just in Northampton—tell me that there is not much of a problem because most people have found somewhere to go. But when I talk to people, I find a looming problem. People can only camp in a neighbour's front room for so long before the next-door neighbour says, "I think it's time you found somewhere else." People will be kind and offer short-term solutions for people, but they will not be in a position to offer that solution for three or four years. That is not a viable situation to be in for three or four years. For many people in those communities we need a level of housing opportunity that will kick in in the medium term. We need to provide somewhere for people to go for those two or three years while they are rebuilding their houses. It needs to be somewhere local. We do not want those people being shipped out. I am aware of one family in Morawa with six children that has been shipped down to Armadale in the Perth metropolitan area. I have nothing to say about Armadale, but it is a very long way from where they want to be, which is Morawa.

**Dr A.D. Buti:** It has a great local member.

**Mr R.S. LOVE:** In Morawa—yes, they do have.

Armadale is a very long way from home. In fact, that family got themselves back up there the other week for the footy because there was a big game on and they wanted to get back to watch it. This family has very limited means,

but they still managed to get the six kids up for the football. Obviously, that situation cannot continue. It is not sustainable to have a family in Armadale that wants to be in Morawa. I am sure Armadale is a good place but it is not where that family wants to be. We do not want more families to be in this situation with their only option being to end up in Perth or Geraldton rather than being in the community they want to be. We know that there are already pressures in those other places—in Perth and Geraldton—and we need to act and ensure that things are put in place to enable people to stay in those midwest communities.

It is different in Kalbarri because the percentages are different. The number of houses that have been hit in one small compact area is greater. The member for North West Central has been working very hard to ensure that those communities and people are not forgotten, and that their problems are brought to the fore. But the level of damage is shocking. The Leader of the Nationals WA was in Kalbarri last week. I am sure she saw firsthand just how difficult it is, given that it is now nine or 10 weeks since the cyclone and there are still portaloos out and the place does not look like what Kalbarri used to look like. It will not look that way for many years to come. Notwithstanding the hard work of everyone involved, it will take a long time for these things to be worked through.

I noticed other little things when I was up there and looking around the community. As people enter Northampton, they will notice that the big road signs that have blown over have just been left there. Just last week people were saying that it would be really nice for Main Roads to clean up the rubbish along the roadsides and to pick up the signs and restore them. Surely it would not be hard for an organisation that large to do that work. In fact, most of the signs are still okay, it is just that the structure has been bent over. It requires only a couple of pieces of pipe. The sign goes up, and it does not look to people driving into town quite like the town was hit by a cyclone yesterday. It is one of those little state-of-mind things that I think could be addressed. I am in the process of communicating with the Minister for Transport to see whether she can suggest that Main Roads get up there and clean up those signs. People have said to me that when they drive into their town from Geraldton or Perth, the first thing they see is that all the signs are still down; it hits them when they get there. It would be a nice thing for the government to get out there and do.

Some medium-term housing solutions need to be put in place to ensure that people have somewhere to live that is comfortable and safe. I refer to people in towns with limited accommodation opportunities, such as Kalbarri, and to accommodation for workers in the tourism industry and contractors needed up there to rebuild houses. Those are the sorts of pressures in Kalbarri.

I was talking to people in Morawa who face such pressure as well. They do not want to take away from the private businesses that operate such as the hotel in Morawa or the workers' accommodation, but there is a need for overflow and somewhere for families or vulnerable people to live safely and comfortably in the short term. Most shires have areas of available land with which they can help out or they know that DevelopmentWA has service land available. I understand that in Kalbarri, DevelopmentWA has a large number of service blocks that could be used for this purpose.

**Ms M.J. Davies:** There are 27, I think, in Kalbarri.

**Mr R.S. LOVE:** Yes—27 in Kalbarri. In the Northampton town area, private land is available that could be used for an accommodation facility to give people somewhere to go.

People were also talking to me about the need for accommodation in Morawa. People saw the need for that accommodation and are aware that it need not always be provided by government. A lot of communities are interested in talking about arrangements with either the shires or private investors who might be interested in helping out in some sort of private–public partnership arrangement with the government. It may be that the aim is that person is able to buy their new home or their rebuilt one.

A pretty fair comment has been made that a lot of the public housing stock, in those inland towns especially, was of a very low standard. Often we are told that there are not too many people on waitlists in some of these smaller communities, but locals will say that that is because nobody would move into those houses. If the houses are not suitable or attractive for people to live in, people will leave the towns. We need to ensure that we have a decent standard of public housing stock in those communities with a history of demand. Not every community will be in that boat, but some will. Many of the towns that I have mentioned, such as Morawa, Mullewa, Perenjori and Mingenew, could certainly do with a boost in public housing stock to fill the market for some people disadvantaged by the cyclone—namely, those whose insurance is in such shortfall that they will need public assistance to find a house.

I understand, minister, that those category C and D arrangements are yet to be announced.

**Mr R.R. Whitby:** They are currently in negotiation with the federal government.

**Mr R.S. LOVE:** I hope that some of these matters are being looked at by the authority. I know that the minister is advertising for community coordinators at the moment, and one of their main roles will be to get across the whole housing situation and find solutions that will work in these particular circumstances. I am pleased that the minister will put someone, hopefully, into Morawa to service the north midlands towns, and someone in

Northampton, Kalbarri and Geraldton to look after those areas. It will be interesting to see how those people work with the shires, because that is a critical relationship that will need to be developed. I am pleased that the minister is here to listen to my contribution today.

I note that we have a list of speakers who want to talk, and I have been going for half an hour. I intended to speak for only that length of time, so I will not keep the house a lot longer. But I go back to one issue I raised earlier—finance for private housing. Banks have said that they will not loan large amounts of money to people in some of the small towns and have put arbitrary caps—in some cases, of \$60 000—on a loan as a maximum amount for a house. How do we get around that?

Once upon a time, before a government a long time ago rolled the Country Housing Authority into Keystart, the Country Housing Authority's core function was to provide housing on farms, in small country towns, in remote communities et cetera. As I said, that function was rolled into Keystart. I suspect that it might have been a Liberal–National government that did that, but I contend that that was a mistake for country WA. The Country Housing Authority performed an important function. We need such an organisation within government. I do not know the status of that group. I think it still exists but it is just in abeyance; I could be wrong. There needs to be a group that specifically provides for country areas with an understanding of the difficulties of finance, insurance and dealing with the different building situations and the remoteness and extra costs that that all brings—one that understands the types of housing that might be necessary in different locations in the state. A house that might suit the member for Kimberley, who is sitting in the chamber, and some Kimberley communities may not suit the communities of Morawa, Mt Barker or Perth. We need someone who understands the regions and understands that different solutions will apply to not only the buildings, but also the types of accommodation and financing for accommodation. We need to be more innovative in providing housing in the future. We have become fixated in this state on a particular model of housing and a way of building that is becoming more and more expensive. I raised this topic with some people I spoke to last week in that area, including in some shires, about different building models, not just the traditional build-it-on-the-site accommodation. There is a willingness to investigate different building types and housing models in some circumstances.

All in all, this cyclone was a turning point for many communities in the midwest. It will be largely down to the decisions we make over the next few months that determine whether it was a positive turning point or the point at which many of those towns lost critical mass and the ability to hold and attract residents in the future. That idea of critical mass has been raised with me by members of the community. If a community does not have enough people to have a footy club, a shop, a roadhouse or a tavern, or even to justify having a local government into the future, we will start to see the rapid decline of that community. Once a community loses a major piece of infrastructure like a large commercial operator, a school, a sporting group or a facility, we will see that community start to go into decline. I do not want that for the communities I represent. I think there is a bright future for many of them, and now is an opportunity to build back better for those communities. We, as a group, have always had an ethos and a belief that if there are facilities and opportunities to live in country areas, people will choose to visit or live in those communities. In fact, I know that people have been going to Kalbarri to retire or as a holiday destination for decades. Prior to the cyclone, a significant number of older people had moved to Northampton because it is affordable, is well-serviced, is on the highway, is close to the beach, has a fairly amenable climate and has the large serviced town of Geraldton not very far away. Northampton has not had an issue with the population falling in recent years because of that, but I think we could see that change unless we act urgently to address the situation. We need to act to provide affordable solutions for people so that they can get back within a good time line to a house or dwelling that suits them, that they can afford and that will add to the general character of the town for years to come.

I will wrap up my contribution there and hand over to the next speaker.

**MS L. METTAM (Vasse — Deputy Leader of the Liberal Party)** [4.41 pm]: I rise to make a very brief contribution to this debate, as I have another commitment. I wanted to take the opportunity to speak in support of the motion moved by the Deputy Leader of the Opposition this afternoon and to raise some specific housing concerns, specifically the issue of housing for youth in the City of Busselton. This has been an ongoing issue and has been raised by Angela Griffin and her team of volunteers at the youth centre on the Busselton foreshore.

As I understand it, these issues were highlighted at an event held for Connections Week in February this year, and there was an opportunity to look at the number of rough sleepers in areas such as Geraldton, the Perth metropolitan area and Bunbury. This represented a missed opportunity for the City of Busselton, where a number of young people are couch surfing. This is exacerbated by the fact that there is very little crisis response help available for youth who present at the youth centre on the Busselton foreshore and also in Dunsborough, although to a lesser degree.

There is a range of views on how many people are feeling the effects of homelessness in the City of Busselton. In March last year, a day was dedicated to the task of having some sort of assessment of homelessness in the City of Busselton. I understand that due to the COVID-19 pandemic, those efforts were stalled. Right across the spectrum, stakeholder groups, charity organisations, the City of Busselton and others are crying out for not only a level of support for the vulnerable, but also an assessment of the size of the problem.

It is my understanding that Accordwest has a lease at Vasse House in Busselton. This property was developed with the idea of dedicating it to youth, but during the COVID-19 pandemic it transitioned to supporting an older population. The property is now vacant and there is an outstanding opportunity to provide genuine support for youth in Busselton. My understanding is that it is a four-bedroom property. The organisation requires funding to help provide a support worker who can provide 24/7 support. That would be one measure to provide support in the City of Busselton, which makes up most of the Vasse electorate. There is definitely a pinch point in Busselton. These issues are also being experienced in Dunsborough. Recently, I met with the St George's Community Care organisation. It is seeing a lot of people sleeping rough, whether on the doorstep of the St George's facility or around town. Up until recently, along with the police and other organisations, St George's Community Care has been utilising the "Holy Mile" accommodation, caravan parks in the City of Busselton and accommodation at the Dunsborough Central Motel. As I understand it, a development is proposed at the Dunsborough motel for early next year. I did not anticipate that I would be hearing concern from this group about the fact that the motel is used for crisis accommodation by not only St George's Community Care but also local police. They have utilised the Dunsborough motel at various times, although on an irregular basis. Between March 2020 and June 2021, they used the Dunsborough motel accommodation for three females and eight males. The organisation has raised a real concern with me about what will happen to crisis accommodation when that facility is developed. I understand there is a proposal for a shopping centre to be built there. My concern is not about the development—that is obviously a decision for the private developers—but about the need for crisis accommodation.

I touched on youth. We have a refuge in Busselton as well. I have also heard concerns from the St George's Community Care group about older women, particularly those who flee from harm or domestic violence situations. I appreciate the minister is well aware of the connection between housing availability, affordability and accessibility and family and domestic violence. There is a real need in this area to support our vulnerable. Again, I put on the record the requirement for there to be some definition of the need for such accommodation in the region so that some real support for those who are vulnerable can, hopefully, be harnessed. I also take this opportunity to highlight the need to support Vasse House in the City of Busselton. That property is currently vacant and is in need of real support.

The range of issues for the City of Busselton are quite broad. Its rental vacancy rate is particularly low at 0.4 per cent. In Dunsborough, it is 0.3 per cent. In Margaret River, which is captured by part of my electorate, it is 0.2 per cent. In the region I represent we are hearing something that I am sure other members will also talk about, and that is about another cohort of people who find themselves homeless. I will refer to an email that has been sent by a parent who represents one of the schools in the City of Busselton area. She states —

Over the past few weeks, the conversation within a local school's parent cohort has highlighted some real difficulties regarding displacement from private rental properties. A common theme in these shared experiences is that due to the lack of rental availability and increased prices has placed families in real danger. The danger I refer to is that in some cases families being displaced into bushlands in the Margaret River area living in camper trailers, caravans and even tents. In winter, this is so disturbing.

There are as many as 22 families that I have heard about experiencing these difficulties with even some families sending their children to live with other families within the school community or family an immediate solution. As one mother stated the reason for this was ... "to keep the kids out of the cold". The troubling stories don't end there ...

In some cases, the change in the rental environment has left others out in the cold. That is some feedback that I have received locally. I appreciate that there are limits to what a state government can and should do in relation to the private market. State governments encouraging and supporting private investment in the rental market is the best solution. Certainly, we on this side strongly advocate and support the idea. Governments need to do more to provide accessibility to land in suitable areas so that that opportunity can be undertaken.

The Vasse electorate is obviously a seasonal tourism location and a response to the Airbnb inquiry is needed. The former member for Warren–Blackwood also raised this issue. It is a real issue. We certainly support Airbnb and the role it plays in providing an alternative to hotel accommodation, but we are seeing great challenges where Airbnb is overtaking communities. In Busselton, Dunsborough and parts of Margaret River, we are seeing suburbs being taken over by Airbnb properties. The Minister for Planning made a commitment to respond to the inquiry that was undertaken by the Economics and Industry Standing Committee, chaired by the member for Swan Hills and deputy chaired by the former member for Warren–Blackwood in the last term of the current government. We are still anticipating the outcome of that inquiry response.

I will quote now from a letter to the editor from a local resident in Dunsborough, Richard Wain. He says —

There is a chronic shortage of available rental properties here in the City area and as people's rental leases expires, they are not being renewed.

...

When long term residents who have jobs, some in essential services or businesses and can pay rent, are faced with leaving our area, alarm bells should be ringing.

We know that long-term rentals play an important role in all communities and a very vital role in supporting individuals and volunteer organisations in regional communities. We know that in our area this is leading to some real shortages of employees. We need to encourage private investment to provide supply in the rental market, but there needs to be some balance in the response and the level of regulation around Airbnb. This is having an impact on the local community and the ability of businesses to obtain staff. I think there is an opportunity for Airbnb to be well supported in the tourism areas within the electorate, as opposed to more suburban areas of the region. It is a challenging area, but I think that some clarity is needed around how it can be better managed for the benefit of local government, which currently carries that burden.

I said I would be brief. I have just touched on some of the key issues that affect the Vasse electorate including, most importantly, the need for crisis accommodation. The shadow Minister for Housing in the other place asked a question on my behalf regarding the social housing needs in the electorate. We know that the McGowan Labor government sold off 1 000 social housing properties in its last term. I understand that there are currently 27 vacant public housing properties in the City of Busselton. I would like some clarity on when those properties will be made available. I hear concerns from residents, and people who share those concerns on behalf of their community, about the number of vacant properties in the City of Busselton area. There is nothing more concerning for local residents and advocates than seeing vacant properties that could otherwise be housing vulnerable people in need. I have raised that issue in relation to Vasse House. These 27 vacant homes could be filled by families in great need. Quite obviously, these housing issues are not only about the vulnerable. We are seeing a new level of homelessness across the state. I think that the extension of the moratorium has created a raft of issues. When this policy was first introduced and thought out by the government, there was not a clear understanding of what the other outcomes would be. That, together with the fact that 1 000 social houses were sold off in the first term of the McGowan Labor government, has certainly exacerbated this issue. I will leave my comments there, but I urge the McGowan Labor government to provide some support for Vasse House and its efforts to support our youth in need and also to provide support for crisis response.

[Member's time extended.]

**Ms L. METTAM:** I also urge the government to measure the level of homelessness and provide that much-needed response to the Airbnb inquiry that was promised last year.

**MR P.J. RUNDLE (Roe)** [4.59 pm]: I rise to support the motion of the member for Moore. It is probably one of the most important motions of the year considering our housing crisis in both metropolitan and regional Western Australia. It is almost a year to the day since I spoke on this issue in this chamber, but, unfortunately, things have gotten worse. I recognise that we have a new Minister for Housing. COVID was the topic of choice last year and the government handled it. We saw the overwhelming election result of the current government, but, unfortunately, this government cannot ride on the back of that. That result has happened. The Labor Party has been in government coming up four and a half years so it cannot keep referring back to the previous government; it has to now take responsibility. We have seen the crisis in health. The member for Vasse consistently brings up these issues and fights on so many fronts on the health issues. That is not the only system in crisis.

The housing scenario is probably the next biggest issue in my mind. We are seeing some real issues in our community, and in parts of our community that we have never seen before. I really worry when I see some of the categories of housing under stress at the moment. I will divide them up during my contribution. Firstly, I wrote a letter on 12 April to the Minister for Housing about the Katanning Regional Emergency Accommodation Centre. Since then, we have called and sent a reminder and we still have not had a response. This is the sort of thing that worries me. If we cannot get a response to our letter within two months, what chance does someone have if they are looking for a house or a solution of that manner? I urge the minister to treat those issues seriously.

Today in my contribution to another debate, I acknowledged the previous Minister for Housing. He was always very prompt with his responses to our correspondence and we certainly appreciated that. I brought up an issue that was brought to me by the team at KREAC, which does a fantastic job, especially for women in our community who are victims of domestic violence. When their families are uprooted, KREAC provides accommodation at its crisis centre. It has a transportable building at the back of the centre where it provides accommodation at times for a father or male partner, which allows the mother and children to stay in their own home and not be displaced. That is another scenario. The community of Narrogin is quite keen on that concept. I have invited the Minister for Community Services to look at that set-up. I know she will get there one day and, hopefully, take an opportunity to look through it. It is a real solution and I congratulate the staff of KREAC. I also very much invite the Minister for Housing to look at that system.

KREAC arranged to have a meeting with me and my electorate officer, because several of their clients in the area have issues with, say, a house needing maintenance to only one item, whether it is a tap or a cupboard in the kitchen or the bathroom. As a result, the house is not occupied until the problem is fixed. There is a perfectly liveable house with maybe one or two maintenance issues but a family cannot move in, which is a real shame. It comes back to the issue the member for North West Central has been talking about, Minister for Housing—namely, the maintenance scenario. We have heard the member for North West Central go on about the Pindan contract and maintenance

problems in the Pilbara and the north west. These problems extend to other regions within the state. I think the minister needs to have a good hard look at housing maintenance contracts. In some places the maintenance company with the contract will have to drive over 250 kilometres. I think the minister needs to focus on the maintenance contractors being at a more local level. A big firm in, say, Bunbury will say, “Yes, we’ll take it on, that’s great; we are three hours’ drive from Katanning or two hours from Narrogin.” It will send someone out to fix the tap but they will not have a work order to fix the damaged cupboard, so they will drive off into the sunset back to Bunbury. When they get back there, sure enough, there is another work order for something else to be done in the same house. These issues need to be dealt with at a local level. This global maintenance contract scenario needs to be looked at.

I know the Minister for Housing and the Minister for Finance have Pindan on their plate and they are very much aware of the maintenance issues in these different areas, but this is something that can be fixed. There are good tradesmen in our local communities. It used to frustrate a good friend of mine who used to manage Homeswest in Katanning because he could not ring the local plumber or electrician and ask them to go two kilometres down the street to fix a tap or a power point. He had to wait for someone from Bunbury or Albany to turn up. That is not good enough. There needs to be a better system in place.

I want to bring up a few statistics about public housing. Firstly, Shelter WA has reported that over 9 000 people experience homelessness every night. I think most of us are well and truly aware that this issue has been brought up by the opposition over the last few years. Every night in the city and places like the Premier’s electorate of Rockingham, there are many homeless people. It is disappointing in a society like ours for 9 000 people to be homeless every night. There are 14 000 applicants on the social housing waiting list, which number seems to be creeping up all the time. Two out of three requests for accommodation by homelessness services go unmet. Ninety-eight per cent of rentals in the market are not affordable to people on the minimum wage, and the average wait time for social housing is two and a half years. Those statistics worry me. In March 2021, Shelter WA said that homelessness and rental stress in WA’s regions was at record levels. Shelter WA CEO Michelle Mackenzie said —

“These figures show there’s a crisis in our regions that’s only going to worsen if the government doesn’t take action now”

I know Michelle from her time at the Department of Regional Development as it was then. She was an excellent person there and I know she has gone on to do some great work at Shelter WA. They are concerning statistics. As I said, the lack of emergency accommodation is a real worry to me in my electorate of Roe. We could look at improving or widening the KREAC model in Katanning, which would help families under pressure from domestic violence and other issues. I believe it is a model we need to look at and, as I said, I hope the Minister for Housing and the Minister for Community Services will come and visit us one day. Hopefully, the Minister for Citizenship and Multicultural Interests will come down to the multicultural festival next March and I will catch up with him and we might go past that facility and I will show him. In the meantime, I hope he will heed the call from the member for Moore about his constituent from Morawa.

**Dr A.D. Buti:** I was going to be there, but there was a clash with the basketball or football.

**Mr P.J. RUNDLE:** The minister will probably buy that person a meal or two when they are in Armadale!

**Mr R.S. Love** interjected.

**Mr P.J. RUNDLE:** I am sure the minister will be right on to that.

I have some facts and figures about the rental moratorium. As we all know, the moratorium was brought on last year in response to the COVID pandemic. In general terms, it was not a bad concept, but it did create some concerning results for both landlords and tenants. People thought that landlords would throw their weight around, as this is what usually happens; however, there were issues with tenants as well. I remember that Hungry Jacks said it would not pay rent on its 300 premises around Australia. The rent moratorium created some unintended consequences. One issue of concern is that since the moratorium finished at the end of March, we have had rental price hikes of 20 to 30 per cent. Of course, that puts added pressure on people who are struggling to pay their rent. Another issue created was that some people did not realise that they had to repay their unpaid rent after the moratorium. Landlords held off and did not get their rent over that period, but it is important that people who owe rent pay it off.

Another issue is the need to reduce the number of vacant rental properties. We have seen scenarios, which others members have commented on, with people coming back from overseas or property owners wanting to keep their property vacant in the event that a family member of theirs might move in. These scenarios have decreased the volume of available stock. We have also seen an increase in regional tourism, with intrastate tourism reducing the number of holiday-style properties available in regional towns for other renters. I have some statistics on that. Bremer Bay in my electorate has no rental stock available, but when I went doorknocking there, I found hardly anyone in the houses, because they are just about all holiday houses. We do not often think about that sort of thing. However, in an area like Bremer Bay that is struggling to get worker accommodation and where the accommodation at the pubs is filled every night, the other places that might be available are holiday houses that people like to visit on the weekend. That does not help the rental housing shortage.

I mentioned public housing maintenance time frames as a real issue. With the massive surplus this government has available to it, the Minister for Housing could solve a lot of the housing problem by improving this maintenance regime at not a high cost. A team in the minister's office needs to have a good hard look at this issue and could make some headway, especially in regional areas where maintenance is spread out.

I have some statistics on Government Regional Officers' Housing. The number of GROH properties in the great southern fell from 274 in 2015–16 to 226 in 2020. In the south west, the number of available houses decreased from 243 to 188. Members can see that between 2015 and 2020, 635 properties have been sold out of the GROH program.

**Mr J.N. Carey:** Member, will you take an interjection on that?

**Mr P.J. RUNDLE:** Yes.

**Mr J.N. Carey:** That was an aggressive sales program set by the former Liberal–National government to pay off debt. The McGowan government has put a pause on that sales program. I just want to put that on record.

**Mr P.J. RUNDLE:** I am pleased to hear it. However, I suspect the majority of those properties were sold in the term of this government, but I will take the minister's comment on board.

It is disappointing that regional areas have lost 635 properties out of the GROH program compared with only one property in the metropolitan area. We have heard the figure of 1 000 fewer public housing properties in WA, and I think that is pretty accurate. I know that the member for Cottesloe has brought up that matter several times.

We have spent a lot of time talking about the lack of suitable housing for critical government workers in regional areas. There will be a shortage of employees as a result of this. The Leader of the Opposition instigated a comprehensive survey in the last term of Parliament, when we communicated with all our local governments and the like to see how much money they were spending on housing to keep a doctor in their community. Some of those numbers were quite concerning, with local governments spending around \$300 000 to \$400 000 annually to keep doctors there. Communities like Jerramungup and Bremer Bay in the Shire of Jerramungup are struggling to find a doctor at all. That is another side issue. Housing is a critical part in attracting doctors to regional communities, and with the likes of school buses, it is part of an overall package to keep our really important workers in our rural communities.

[Member's time extended.]

**Mr P.J. RUNDLE:** I will quote some other interesting statistics. On Monday, Esperance had six properties available for rent at an average of \$340 a week. At the last census, the median weekly household income was \$1 288, so rent will take out 26.5 per cent of family income. That is well and truly above the average 18.7 per cent of family income that is spent on housing in WA. For a lot of families living and working in Esperance, that means that the cost of renting a property is out of their scope. In Narrogin today, only one house is available for rent on the real estate website. In Katanning, eight houses are available, two of which are three-by-one properties, for \$650 a week. Families that are under stress financially cannot afford those rental properties. In Lake Grace, no properties are available; in Kojonup, one; in Wagin, two; in Cranbrook, none; in Ravensthorpe, one; and in Pingrup, Ongerup, Williams, Dumbleyung, Hopetoun, Gnowangerup and Darkan, none! In total, in the whole electorate of Roe, which is two and a half times the area of Switzerland, 19 houses are available for rent. That is a real concern to me.

I refer to the WA recovery plan. In 2020, the great southern recovery plan promised \$80 million for targeted maintenance programs for regional, social and government worker housing, including 200 homes in the great southern region. I certainly look forward to their arrival, to add to the 19 that are available in the electorate of Roe. The plan promised \$141.7 million to refurbish social housing across WA's ageing housing stock, including approximately 30 homes in the great southern region, and \$97 million to build new social housing across WA, including around five to 10 properties in the great southern region. Once again, minister, I ask: Where is the money? When will it be spent? I certainly look forward to hearing about the minister's program to improve that side of it because there are some real issues.

I have just a couple of other issues before I wind up and hand over to the member for Cottesloe. I am concerned that average bill debt has increased due to the moratorium on electricity disconnections. For Synergy, it was a 42.7 per cent increase in bill debt and, for Horizon Power, it was a 65.7 per cent increase. As we know, Horizon generally operates in regional areas. Another concern that the member for Cottesloe brought up today is a real worry; the Salvation Army is paying for car registrations for families to sleep in their cars. I think that means society is really moving in a direction that we need to stop, especially when the government has a \$5 billion surplus coming up. It is a disgrace, quite frankly, that a government could let people sleep in their cars. It is almost like the Premier and the Minister for Finance are trying to hatch it like an egg. They do not want to spend their \$5 billion. They do not know what they are going to spend it on, but I certainly cannot see much of it in social housing. The minister referred to the situation as "tightening" rather than a crisis. Once again, we heard it today when the issue of housing and homelessness was brought up and he continued to refer to the 23 000 home building approvals as a meaningful solution. They are not the people we are talking about. They are not homeless people on the streets or split families who are looking for accommodation. I do not think we will see the benefits of those 23 000 homes for another 12 to 18 months. That will probably not alleviate the situation anyway because it is for people in a different demographic. The Minister for Housing is a little bit like the Minister for Health, who has too many portfolios.

The minister also has the local government portfolio, which needs a lot of work, as was previously identified by the member for Moore. The Minister for Housing also has one of the most important portfolios in government. That is too many balls in the air as far as I am concerned. I am certainly looking forward to hearing some of the solutions. The previous government added 6 000 houses over its term of government; this government is going backwards and we are 1 000 houses behind.

**DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [5.23 pm]: I rise, also, to make a contribution to this debate —

**Ms S.F. McGurk:** The friend of the homeless.

**Ms S.E. Winton:** Not in the western suburbs, though.

**Dr D.J. HONEY:** Pardon, member? I am absolutely fascinated by the pejorative interjections from members on the other side. We heard a number of them today that suggested in some way that there is not a homelessness issue in my electorate or that, in some way, I do not care about the issue in my electorate.

Several members interjected.

**The ACTING SPEAKER (Ms A.E. Kent):** Let the member speak.

Several members interjected.

**Dr D.J. HONEY:** I think it would do all members some good to come down to my electorate, especially you, Minister for Community Services, to see the hardship that exists. My electorate has substantially more —

**Ms S.F. McGurk** interjected.

**Dr D.J. HONEY:** Minister, maybe you should focus more on doing your job properly and less on making smart interjections in this Parliament. My electorate has substantially more social housing than the Premier's electorate, by about 50 per cent. Social housing is concentrated around the southern part of Mosman Park and also in the older area of Mt Claremont. Those are people who do it tough. The minister should know that around half the people in social housing typically have severe mental health and/or drug issues and sometimes those things are associated. They go through —

**Ms S.F. McGurk:** I certainly don't need a lecture about social housing and disadvantage from you, member. I can tell you that now.

**Dr D.J. HONEY:** Thank you. Those people do it tough. They are people in my electorate whom I care deeply about and I routinely help them.

What I have seen during the term of this government is hardship for people living not just in social housing, but also in Cottesloe—an area that members opposite like to make pejorative comments about—which has a significant homeless issue. For example, if members go just south of Victoria Street, there is an area of bushland between Stirling Highway and the railway line. People are now living in tents in that area. When I go on my morning walk, I walk through the car park at the Swanbourne Nedlands Surf Life Saving Club where there is a particularly dear man who lives permanently in his vehicle. He can barely get around. He is a very quiet, private man. He must be in his 80s, but I do not know his exact age. He has to hobble down some quite steep stairs to use the beach shower every morning. In Claremont, there is a permanent population of homeless people living, for those members who know the area, behind Zenith Music in the sunken car park. On the eastern side of the shops that back onto Bayview Terrace, a number of which are now closed, a number of homeless people sleep on the balcony there where they can try to feel safe.

Periodically, and when I get the chance, I drop in to St Luke's church in Mosman Park. It is a lovely church and they have what they call their street loners group drop-in lunch to which people come every time. These people are typically, in the majority of cases, living on the streets. Every time I go, at least a dozen people are having lunch. I have a chance to have a chat with them and at least enjoy some company. They enjoy each other's company.

This has all occurred under the tenure of this government. As I said, almost 3.5 per cent of the dwellings in my electorate are social housing and there are some issues associated with that. We now have a significant, permanent homeless population in my electorate. In the Town of Cottesloe, one or two homeless people sleep permanently in the alleyways and the shops around there. That has occurred under the tenure of this government. We know there is a significant demand for housing in Western Australia but that is nothing new. I will go through the genesis of that in a little bit of detail, because it should not have caught the government by surprise. I recognise that we have a new minister in this area and I also recognise that the new minister, in answers to questions, outlined actions that he is taking. This minister cannot be held responsible entirely, only partially, for the actions of this government, but the reality is that the government has ignored this problem until it has become a crisis. Members on this side of the house have been raising this issue essentially for the entire time I have been in Parliament, which is about three years and two months. We have raised this issue consistently. The former member for Carine, Mr Tony Krsticevic, was very passionate in raising this issue in this house and alerting the government to it.

**Mr W.J. Johnston:** That's misleading the house.

**Dr D.J. HONEY:** Talk about misleading the house, minister! First, I ask him to withdraw, because that is a specific assertion that I am misleading the house, Acting Speaker, and that is improper.

**Mr W.J. Johnston:** No, I didn't say that you deliberately did it.

**Dr D.J. HONEY:** Yes, yes. I will talk about misleading the house. Boy, am I going to have fun with the minister on his little exercise during question time today. Talk about misleading the house! What an absolute sham!

**Mr W.J. Johnston:** Come in here and ask me a question. Go on; do it!

**Dr D.J. HONEY:** What an absolute sham!

**Mr W.J. Johnston:** You need to ask me a question. How long have you been shadow? How many questions have you asked me?

**Dr D.J. HONEY:** The minister is not going to get one question; he is going to get a series of them. Do not worry, minister—slow burn. There will be a series of them.

**Mr W.J. Johnston:** Let's go—just one question, please.

**The ACTING SPEAKER:** Minister! Member, if you do not want interjections, can you please not engage.

**Dr D.J. HONEY:** Thank you very much, Acting Speaker. It is fun. It is fascinating.

**Mr W.J. Johnston** interjected.

**Dr D.J. HONEY:** It will be exciting over the next little while, minister. The minister needs to be careful when he is smart sometimes. He is a bit too smart sometimes and he has been a bit too smart on that. I will tell the minister one thing: if he was not wasting taxpayers' money on that stupid exercise, he could be directing some of that money towards public housing.

**Mr W.J. Johnston:** Come on; next Wednesday, let's do a private member's motion on renewable energy.

**Dr D.J. HONEY:** We will get there slowly, minister; do not worry.

**Mr W.J. Johnston:** Give me an hour and I will do you slowly.

**Dr D.J. HONEY:** Yes, yes; good on you! In your dream world, minister. You are an absolute disgrace!

**Mr W.J. Johnston:** You are too scared to raise your policies here.

**Dr D.J. HONEY:** You are a disgrace!

**Mr W.J. Johnston:** How many policies do you have? None. That's what you said in the media.

**The ACTING SPEAKER:** Again, member, if you do not want to engage, please continue.

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

**Ms S.E. Winton:** He's teasing us.

**Dr D.J. HONEY:** It does not take a lot!

This issue has evolved under this government. As I said, the former member for Carine, Mr Tony Krsticevic, did an outstanding job of outlining concerns about this issue in this house.

Several members interjected.

**Dr D.J. HONEY:** Acting Speaker, I have not invited interjection on this point.

**The ACTING SPEAKER:** Ministers, thank you.

Several members interjected.

**Dr D.J. HONEY:** You love Tony!

If we can resume this debate, as I said, the member for Carine raised this issue consistently during the time that I have been in Parliament. The unfortunate thing is that this government did nothing effective. This crisis was entirely predictable. I heard the answers today and I have heard them previously: it is just COVID and people have come home. There is nothing new in the increasing lack of availability of housing, and I will demonstrate that. There is plenty of data available on that. This situation has been exacerbated. There has been discussion about the inaction of the previous government. This government sold a thousand social houses but did not replace them. As I have mentioned briefly, because that is all I can obviously do in a supplementary question during question time, stock gets old and it needs replacement, and that is a reasonable argument for why the government might sell houses. But why would it sell houses when it has nothing to replace them with? That is the problem. Three thousand people who are right now on the streets looking for housing would have somewhere to live if we had not had the net sale—if those houses had not been sold until they had been replaced.

There is a degree of scepticism about this by members on this side of the chamber. Every year, the state government gets money from the federal government for social housing, but by selling those houses and not replacing them,

there has been a net transfer of that social housing money into consolidated revenue to use for other purposes. That money has gone towards the \$5 billion surplus, if you like, because it has not been spent on replacement houses. There has been a net loss of houses. That is the point I was making earlier today, and certainly other speakers have made it. Why would the government do that when it does not have replacement houses? This is not a new crisis. It has not occurred just during the COVID pandemic. It has not occurred just because the expatriates have decided to come home. About 45 000 expatriates have come back to the state. That is lower than the level of annual expansion under the previous government for much of its time, when about 60 000 new residents came into the state every year. This is nothing unusual, but this government has not responded in time.

We can see the consequences of that. There are things in relation to housing that are completely within the control of this government. We have seen a massive increase in the price of housing. According to CoreLogic, house prices have increased by about eight and a half per cent in the last 12 months, but, of course, more disturbingly, rents have increased by around 20 per cent. That is an unaffordable number. There has been a dramatic reduction in the amount of time that houses are spending on the market and, inevitably, that has led to a dramatic increase in rents right across Western Australia. I will go through that in a little bit of detail. Housing statistics indicate that about a week ago, the vacancy rate in Broome was zero per cent; there was not a single residence available in Broome. The vacancy rate in Esperance was about 0.1 per cent. That can be seen right across the state. In April 2021, it was reported that the vacancy rate in Perth was one per cent; in Albany, it was 0.5 per cent; in Broome, it was 0.6 per cent; in Bunbury, it was one per cent; in Esperance, it was 1.2 per cent, and it has reduced dramatically; in Geraldton, it was 0.5 per cent; in Kalgoorlie, it was 1.3 per cent; and in Karratha, it was 0.9 per cent. The problem is that when there are low vacancy rates and people cannot afford housing, it obviously has a dramatic impact on those people who are doing it tough and who can no longer afford rent and are forced to live in cars, if they can afford them, or in tents, if they have somewhere to put the tent, or otherwise just on the street.

This is holding back the regional economies. Five weeks ago, I flew up to Kununurra and then, with my colleague Hon Neil Thomson, we drove from Kununurra down through Halls Creek and Fitzroy Crossing and in to Broome for a couple of days to meet community representatives and other people to understand the issues in those communities. In every single one of those communities that I mentioned, the biggest issue facing the economy, outside the dreadful social issues that come from the disadvantage in many communities in that area, is not only the difficulty getting workers because of the restriction on backpackers and island seasonal workers coming into those areas, but also that there is nowhere for staff to stay. I was talking to the owner of the tavern in Kununurra and he told me that to bring in staff, he had to concurrently organise accommodation for those people because there was nowhere for them to stay, not even in the caravan park. He said that the caravan park was full. In fact, he was looking at constructing accommodation.

When I went to Fitzroy Crossing, I caught up with the Leedal organisation, which is a fantastic organisation headed by Patrick Green. It is made up of five prescribed bodies corporate in that area. It is a marvellous business that is building a small village in the town on some freehold property it owns. I think there were about 50 residences in total, and it was keeping about 20 of those residences just to provide accommodation for workers in the town.

In Broome, for example, we heard that during the season there was a COVID bonus, with tourists travelling the state internally and going up to Broome, but, in fact, a quarter of the accommodation in Broome, and sometimes more, was not available because there were simply no workers. I was told a story recently of a person in Broome who was paying \$400 a week to pitch a tent in someone's backyard. It is ridiculous, minister, that that would happen, but that is how bad it has become.

We need to look at the trend in housing. This is why the government should do something about this. I am happy to table these graphs. They are just standard graphs about rental vacancies.

[Member's time extended.]

**Dr D.J. HONEY:** This graph goes back to 2016–17. Members will note that the graph shows a straight line going down. It is no surprise that there are suddenly no vacancies. The high vacancy rate obviously corresponds with the economic downturn at the end of the term of the previous Liberal–National government and there has been a consistent reduction since that time. In fact, the drop in the number of residential vacancies has effectively been linear, if we put a straight line through it going down. This was entirely predictable. Since 2016–17, there has been a consistent drop in the number of vacancies. The role of government is to look at the trends and say, “We have a trend here. We’re going to run out of housing.” We have not run out of housing because expatriates are returning to this state because of the COVID pandemic. We have run out of housing through the normal growth in the number of people taking up accommodation in this state for various reasons. That is the role of government and that is why I say that this crisis sits at the feet of this government. For members with keen eyes, the graph is the same for the south west of the state. In effect, there has been a linear decrease in the number of residential vacancies. It has been going down consistently since about 2017. This is nothing new. The job of government is to look at those trends. I am sure that other ministers in this place look at trends in particular areas. For example, people look at the requirement for water or electricity or any other service and forecast ahead and plan for it. But this government has not planned for it.

We now have a minister who I believe is very genuine in his concern about this issue and is trying to do something about it. However, it will be too late to make a meaningful difference for the many people who are sleeping outside in this freezing cold weather that we are going through at the moment. I do not wish to repeat anything that has been said by the other speakers, and I hope I am not, but the homeless population in Western Australia has increased by 1 000 people in the last 12 months. There were 16 660 applicants on the public housing waitlist as at the end of April. There is a 100-week—a two-year—average wait time. Some people are waiting three years and they must earn under \$28 000 a year to qualify.

**Ms S.F. McGurk:** Member, will you take an interjection? Are you conflating the waitlist with homeless people?

**Dr D.J. HONEY:** I am not conflating anything. I am quoting the statistics.

**Ms S.F. McGurk:** I am trying to understand your figures. Are you saying that those people who are on the waitlist are homeless? Are you conflating that?

**Dr D.J. HONEY:** I am not conflating anything.

**Ms S.F. McGurk:** I am asking you a question.

**Dr D.J. HONEY:** Minister, I have quoted two different statistics. I am not conflating this. I was quite specific in this, minister, so I will carry on.

I said that WA's homeless population has increased by 1 000 people in the last 12 months, and that there are 16 660 people —

**Ms S.F. McGurk:** Where did you get that figure?

**Dr D.J. HONEY:** I am happy to give the minister the references; in fact, they are here.

There are 16 660 applicants on the public housing waitlist. That is indicative of a problem. These are people who cannot afford their own home and need to get into public housing. Indigenous people have to wait an average of 308 days for housing after receiving a priority listing. The increase of 1 000 people in the last 12 months was reported by Anglicare on 1 June. The number of people who are on the waitlist was reported by WAtoday on 1 June.

What has all that translated into? Massive rent increases in this state. We are also seeing the other side of it, which is frustration. Landlords are saying that people are refusing to leave their residences because they have nowhere else to go. Landlords are now going to court to force them out. That is distressing for them. In many cases, landlords wish to move back into their home and have to take legal action and force those people onto the street, because they have nowhere to go if they cannot return to their own home. People are not doing this cold-heartedly; they are being forced into this situation because the government has not done its job in this area.

This problem will get worse. I understand that around 80 per cent of all the new housing that is being built is for owner-occupiers. Those people have taken advantage of the pump priming through the federal and state government schemes to buy their own home. I appreciate that it is both the federal and state governments that are encouraging people to buy their own houses and I understand from talking to developers and real estate agents that a large number of the people who are taking advantage of those schemes are older or adult children who are living at home with their parents. They have seen the massive amounts of money coming in and have rushed to take advantage of it. I might say that some of them might regret getting caught up in the rush. That has led to a massive increase in house prices. Members would all know that house prices are heading up lineally. What is the issue with that? The issue is that houses are now very expensive. We have been told that the cost of laying a brick has doubled. The cost of roofing has gone up by 130 per cent. That means that investors who otherwise would have invested in rental accommodation have exited the market. They have done the analysis and looked ahead over the next 10 years and have asked how they will be able to get a return on their property, because prices are so high, and so they have exited the market. This is where government needs to come in.

I have seen the house price data from the Real Estate Institute of Western Australia. It has been publishing this data for some time. Outside of the immediate pump priming that has caused this crisis, in the last 10 years or so, all the increases in house prices have been due to the price of land. There is a direct inverse correlation between the price of land and the availability of land. There is one agency, one group, that controls the availability of land in the city, and that is the government. The government can develop more land if it chooses. That is one of the key factors. If the government wishes to reduce house prices to make housing investment more reasonable, it can make more land available for housing. That land does not all have to be in new suburbs. As the new Minister for Housing would know, I am a keen proponent of sensible infill in areas, including my area. I do not claim to be the owner of all the solutions in these matters, but the government needs a specific program to encourage private investment in rental accommodation. That is ultimately the long-term solution. Government should not be picking up all the costs for people who have been forced out of the housing or rental market. The private sector should be doing most of the lifting in this. What other things is this government doing? What other things can this government do? There are some experienced members on the other side who have been ministers in previous governments. What are they doing to make more rental accommodation available? There are certainly things that this government can do to assist

and encourage investors and to let them carry the risk if they are going to get the reward. But what can members opposite do to encourage them? They have done a very good job of encouraging younger people to go into the housing market as owner-occupiers. What are those members doing to encourage investors to provide that critically needed rental accommodation?

I have discussed this with the Minister for Housing and I believe he is coming down to my area to talk with the local councils on a range of issues as well as this. In my electorate, as I said, there is a very large amount of social housing, but much of the social housing in the southern part of my electorate is in poor shape. There is a massive waste of land. There are enormous blocks of land with a handful of units on them, often, in fact, in very poor repair. Some of them are in such poor repair that they will not be let out to families; they are being let out only to single men. In one particular case, there is a whole block of flats with young, single men in it, and I think members do not need much imagination to realise that there are enormous issues with having a high concentration of young, single men in that residential accommodation.

That block of land that I am talking about could probably accommodate 200 or 300 residences in a high-rise apartment. It is the perfect area to develop more intensive accommodation such as high-rise apartments. I have spoken with developers who would be very keen to do that. I spoke with Adrian Fini, a man who is very passionate about social housing. He is a well-known developer and is, I think, well known to many members on the other side as well as on this side of the house. He explained the potential for doing public-private partnerships and also that clever design can take antisocial behaviour out of those types of developments. Cottesloe is the perfect location to do it.

Members on the other side and some others like to poke fun at me that I do not agree with infill. I agree with sensible infill, and this is the perfect area to do it. There is already high-rise accommodation around that area. We could probably house a couple of thousand more people in that area. We would not upset neighbours because it is already a high-rise area and if were to uplift and improve the area, that would be strongly supported by the community in my area. If it were done as public-private partnership, it could be done at no cost to the government.

**Mr W.J. Johnston** interjected.

**Dr D.J. HONEY:** That is something that I would encourage members on the other side to consider. Minister, if there are other models, good luck to you. But I believe that that is a wasted opportunity.

Those are the sorts of things that this government could be doing to improve the housing stock in Western Australia and to eliminate this terrible crisis. It has been predictable for the last four years and this government has not done anything sufficient to stop it.

**MR J.N. CAREY (Perth — Minister for Housing)** [5.53 pm]: It is my pleasure to be the lead speaker on behalf of the government on this motion. I will provide some context. I wish to respectfully say to the member for Cottesloe that the Real Estate Institute of Western Australia has indicated that investors are coming back to the market. There was a decline over the past five years, but in April, investor finance reached \$452 million compared with \$171 million in April last year. This is a 164 per cent increase and is the highest monthly figure for investor finance since December 2015.

**Dr D.J. Honey:** Sorry, minister. Is that at the high end of the market? Because certainly in my area, all of that accommodation is very expensive high-rise apartments.

**Mr J.N. CAREY:** That was an indication of the private apartment market.

I will provide some context of how we have seen a significant change. It is fair to say that prior to COVID, there was a cheaper rental market. As I have just acknowledged, we have seen a significant shift in private investment in the last year, particularly in April. But it was a cheap rental market, and with COVID there is no doubt that there has been greater demand for housing in Western Australia. This is due to a combination of factors, including an increase in the number of people returning home. The car registration data that the Minister for Transport recently released clearly showed that 10 000 more cars had been registered in the past 12 months compared with the previous year. Even that small glimpse of data shows that there have been more Western Australians returning. Of course, we are a safe haven and—this is quite interesting as it relates to puppies and puppy farms—because people are not travelling overseas, there has been a huge demand for dogs, so dog prices have gone through the roof! There has been an incredible demand for tradies, home renovations and cars, and as a result, people cannot buy a new car for a very long time—as I have found out!

**Ms S.E. Winton:** Or a swimming pool!

**Mr J.N. CAREY:** Or buy a swimming pool!

Several members interjected.

**Mr J.N. CAREY:** That is right. I believe that I am mocked regularly for my little small car, but I am proud to have a little small hybrid.

**Ms M.J. Davies:** You don't have to have a big one if you're the member for Perth. It just makes parking awkward.

**Mr J.N. CAREY:** I am the member for Perth—give me a break! Do not worry, member. When I went to York and Bruce Rock, I made sure I took my chief of staff's car, so I was not laughed out of town!

We have incredible economic conditions. We have a very strong economy and the lowest unemployment rate, but people cannot travel. They are spending money on their homes or they are wanting to build a new home. Obviously, the combination of our building bonus grant plus the federal government's building bonus grant has meant a significant increase in demand for housing, and we will see that flow out over the next 18 months. There have been 24 000 new building approvals.

I want to address the point from the member for Moore in that he did not seem to connect the private rental market with this incredible increase in the number of houses over the next 18 months. I am sorry; contrary to the member for Cottesloe, the advice that I am getting from industry is that a lot of those people who are currently in private rentals, as those new homes are completed, will move to these new homes and that will ease the rental market. Already we are seeing that in part and I will come back to that at a later point.

We also made changes to the Keystart Housing Scheme Trust. These Keystart changes are really important and enable people who have never before owned their first home to do so. We increased the borrowing capacity of Keystart to \$243.5 million, which increased the gross borrowing limit to \$5.7 billion, which enabled additional loans. In April 2019, we increased the income limits for eligible applicants by \$15 000 for singles and couples and \$20 000 for families. We have been told that at least 3 500 Keystart loans will be approved this year, which is a significant growth, and that many of those people will be first home buyers. In fact, I am advised that around 80 per cent are first home buyers. We are seeing a record number of new builds—I should not say “record”. We are seeing huge growth. There is a 70 per cent increase. These new homes will mean thousands of new first home buyers and other homebuyers. That will absolutely provide relief to the rental market.

I note some comments from industry on our initiatives to help boost the housing supply, which have been welcomed. John Gelavis, the executive director of the Master Builders Association of Western Australia, has acknowledged this government's significant contribution. In a media release, he said —

“Master Builders acknowledges the great Government support the building and construction industry has received in remaining operational during COVID-19, but also receiving significant stimulus, which has saved many small businesses across the state”, ...

This support has not only been for metro areas. We have also seen a significant jump in regional Western Australia. In fact, 3 344 properties have been approved for construction in WA. That is an increase of 82 per cent. Across regional communities, we are seeing significant increases—for example, a 110 per cent increase in Albany, a 100 per cent increase in Geraldton, a 145 per cent increase in Broome and a 470 per cent increase in Karratha. The member for Moore mentioned the Country Housing Authority. A rural home loan product is available as part of the Keystart package that is geared towards the regions, particularly for potentially transferable builds, which are more suitable and appropriate for the regions.

I note that the Real Estate Institute of Western Australia, which has made some significant commentary about our current market, has already indicated that the rental market is stabilising. First of all, relating to the increased investor finance, Damian Collins, president of REIWA, said —

“As investor levels increase and more available stock comes to market, this will help provide housing to tenants and ease the rental shortage.

He said that the trend is “positive and improving”. He went on to say —

... it is encouraging to see some light at the end of the tunnel for the WA rental market,” ...

That was not the government saying that; that was from the private sector—a leading, respected real estate body and authority in Western Australia. REIWA is also reporting some easing in the rental market. In May, it was reported that the number of houses available for rent increased by 3.8 per cent compared with the previous month and had increased 7.4 per cent over the past three months, and that the median rental price remained stable at \$420. I think that is welcomed. I appreciate that there are still pressures in the market, but as those new properties come on, there are signs that there will be relief.

I also note what REIWA said overall about our sector. This is again a quote from Damian Collins from REIWA. Last week, he said —

“Despite the WA property market being firmly in a recovery phase, WA buyers and tenants enjoy the most affordable prices of any other state in the country.

“To put the WA figures into perspective, in New South Wales, the proportion of income needed to meet repayments for housing was 43.5 per cent during the March quarter, while the proportion of income needed to meet rent payments was 28.6 per cent.

“That is significantly more than WA and highlights that despite the buoyant market conditions, WA buyers and tenants remain in a favourable position when it comes to affordability.

I appreciate and am acutely aware of those in our community who are vulnerable. Through the 24 000 new building approvals, the building bonus grant and our changes to Keystart, we will see an increase in housing supply. That will provide relief to the rental market.

I want to address one issue that the member for Moore talked about, and that is private vacancies. I am interested in what the Nationals WA are suggesting. Are they suggesting a tax? Are they suggesting some sort of financial penalty for vacant properties? I do not think we should go down that route. There are a number of reasons that properties can be vacant. I urge caution for the Nationals, if that is what they are advocating.

**Mr R.S. Love:** I'm sorry, I'm not sure I understand the context for this.

**Mr J.N. CAREY:** Sorry, member for Moore; my apologies. The member for Roe raised the issue of vacant private properties in the market. Sorry, member for Moore.

**Mr R.S. Love:** No, I think I did raise that, yes.

**Mr J.N. CAREY:** My question is: what sort of policy initiatives could we have? There could be a huge number of different reasons that a private property is vacant. I do not endorse this approach, but is it a tax approach or a local government rates approach? I think we would start to face some difficult policy issues on how we could deliver it. It is not a policy that I endorse or that this government intends to deliver.

I refer to those who need assistance. I want to get to the moratorium, which the member for Moore raised. We were criticised by some landlords for extending the moratorium. I genuinely believe it was the right decision to provide much-needed relief. I think we are all cognisant that because we had cheaper rents prior to COVID—that is a fact—some landlords were facing negative equity. They were concerned about an ongoing moratorium. There was always going to be a natural correction once the moratorium lifted, and we all knew that; we all predicted that. But there was a balance. I understand, and I think we all know, that constituents such as retirees may have one investment property. That is their superannuation; that is their future. They were worried about not having rent rises. It is a fine balance. I suppose the nuanced point I am trying to make is that there was always going to be a correction in the rental market post-moratorium. For those landlords who had negative equity, it was welcomed. But we brought in a \$30 million residential relief rebate scheme—I always stuff that up when I say that, my apologies—to provide targeted assistance to those in need, which enabled people to stay in their properties. In December 2020—this was the last tweak to the scheme—we indicated that we would pay a landlord 75 per cent of a tenant's rent debt up to a maximum of \$4 000. The goal of that was to not only help people stay in their properties, but also ensure that landlords received their payments. I think that is a good scheme because it provides the return to the landlord but also enables the tenant to stay in their property. Of course, we have other schemes like the bond assistance program. The rent relief scheme was brought in specifically to assist those in need coming out of the moratorium and the global pandemic.

I want to get to the waiting list. I say this respectfully. I am on the public record as saying I do not think it was a surprise to see an increase in the number of people on the public housing waiting list given the number of people returning to Perth, Western Australia. The greatest peak was back in November 2010 when it was 24 136. None of us like to see the number of people on the waiting list go up. However, if we want to provide a contrast, it is fair to say that we have not reached the sorts of levels that we saw in 2010 under the Liberal–National government. I believe that is a fair comparison to make.

I want to talk about the scenario that we have faced as a government: our public housing stock is ageing and that proposes significant challenges for Western Australia. The average age of the stock is 31 years and it is obviously projected to grow. We have made some difficult decisions. This is a really challenging area and I think all members, regardless of their political view, could understand this difficulty, as I am sure the member for Cottesloe does. We are moving away from the model of high-density social housing like Brownlie Towers and to a model that tries to integrate public and social housing in new developments.

**Dr D.J. Honey:** That is precisely what I was recommending. I would not consider these apartments to be all social housing, making it a PPP. It could be a mixture for the government to increase social housing stock in a mixed development.

**Mr J.N. CAREY:** I will come back to that. I want to be frank: everyone supports public housing but no-one wants it built next to them. It is the truth, because I get many complaints from people. There are currently campaigns to close down social or public housing. There is a stigma attached. I am a passionate supporter of public housing in Western Australia. Housing changes people's lives like nothing else. It lifts them up. It provides a sense of belonging. It is incredible for mental health and social connection. After having visited housing providers and spoken to people directly, I know it is transformational to people's lives. We should never underestimate its importance, but the difficulty is that it has a stigma. As the minister, I see multiple complaints come across my desk. I will tell members a story about a property I looked at that had just been refurbished. In my first two weeks as the minister, I visited as many vacant properties as I could, including ones that had just been finished and ones that had been refurbished. As I walked out of this refurbished property, a couple popped up from behind a fence and asked whether I was the minister. I said yes and they said they wanted to talk to me about problems at this property. We had just refurbished it. The stigma is a challenge.

When we try to do developments, the selection is harder than members think. Right now in another electorate a community is campaigning against a new build by Communities. I put that on the record because it is easier said than done. I will give another example. I met with Foundation Housing, which did some spot purchasing. Part of the difficulty with spot purchasing for public housing is this belief that it will affect sales in the development. It did spot purchasing for essential workers, but it had less success in public social housing, because the developers were worried about selling the properties in the development. Coming back to the member for Cottesloe's point, I support an integrated model with public housing so that we get that mix and move away from concentrations. Even that is problematic, because what level should we set in a building? What level is the market prepared to accept and bear?

I am certainly reviewing our social mix policies. I am reviewing all our problems, but it is more challenging than simply saying we should go out and plonk an apartment building somewhere with a certain percentage of public or social housing. In this regard, as the Minister for Housing I am working with the Minister for Lands and the Minister for Planning. We are looking at what strategic land opportunities we could use to test on the market. We have been on the record speaking to industry about this. It is similar to what the member for Cottesloe is suggesting. We have these land holdings. What type of developments can we do to get a public housing or social housing return? It could also be for the community housing organisation sector. Potentially, we could provide the land, and the community housing sector, using super funds, could do a mix of social, affordable, shared equity and private. We want to test that because that is a model to deliver more social and public housing outcomes.

I come back to this theme that the old idea of just building high-density public housing is not an approach that the community endorses anymore. It is not generally viewed as a successful model. We have to look at integrated models and integrating smaller grouped housing and units across lots of suburbs. The other difficulty is that there are traditionally higher density social housing suburbs. We have to consider the existing social housing stock and how much we should build within that. I just wanted to give that snapshot. I think all sides of politics are agreeing with this integrated approach, and it sounds like the member for Cottesloe does. It is more challenging and nuanced and complex to deliver, but the outcomes are better for all involved. The integrated model shows that we get a greater mix of diversity, people and demographics, and that people feel socially connected. It can have significant benefits.

We have made a number of commitments since 2017 to tackle the ageing stock. We committed \$394 million to the Metronet essential affordable housing package. We committed \$150 million to the housing investment package. We committed \$319 million to the social housing economic recovery package to buy off-plan, invest in refurbishing hundreds and hundreds of properties and do targeted maintenance in regional government-owned buildings. This was the single-largest government investment in refurbishing social housing and tackling that key issue of ageing stock. But, of course, we also face challenges. We face challenges with the current construction market.

As a government, we have undertaken a huge number of initiatives by lowering TAFE fees or providing free training. We have allocated \$4.8 million for the apprenticeship and traineeship re-engagement incentives to engage displaced workers—\$6 000 for apprentices and \$3 000 for trainees. The Premier has called for a skills summit to look at and consider the views of industry and other stakeholders. That is all about seeking to address this skills shortage, including, of course, those in the construction sector. As I have said before, as a government, we face the same challenges as the private sector in getting money out the door to drive that refurbishment program. As part of that, as I said in my answer earlier today, I am looking at alternatives: how can we potentially accelerate? For example, I visited Fleetwood Building Solutions last week to look at the potential modular options: how can we shorten construction times and potentially grow that sector? Fleetwood does it very well for regional Western Australia but is there a potential to do it also for metropolitan areas?

I want to address two other areas mentioned in the motion about transitional housing. This has been less highlighted, but we have the north-west Aboriginal housing fund, which has invested \$81.3 million in the delivery of homes and services and in assisting over 300 families towards their goals such as financial independence employment. There are currently 236 homes in delivery and development for affordable housing and home ownership. We have also invested \$44.2 million to deliver the East Kimberley transitional housing expansion program. To date, 41 homes have been constructed, with the remaining nine commenced with estimated completion in the middle of this year. In Port Hedland, there is \$17.8 million to deliver the Hedland transitional housing program, known locally as the Hedland Aboriginal home ownership program. This will make around 40 rental properties available for employed Aboriginal people, with wraparound services. There are some really great programs in the regions, particularly for Aboriginal people, which is about transitional housing providing people with a pathway to own their first home.

The last area I want to tackle is Government Regional Officers' Housing, which the member for Roe mentioned. I want to put on the public record that in 2015, the previous government set a sales target for GRO housing because the program had accumulated a significant debt. In 2015, that had reached \$183 million. We have a pause on sales of GRO housing. As the new minister, I am looking at ways to drive better outcomes for GRO housing. I have established a cross-agency working group with those agencies that demand and require GRO housing so that we can better forecast. There are about 4 664 properties allocated. We undertake numerous methods such as spot purchasing arrangements with local government private leasing. However, I want us to be able to better forecast the demand over the next 10 years, particularly given we know there will be 950 extra police, many of whom I believe will go

to the regions. We need to be able to better forecast. We need to look at eligibility requirements and what is actually needed and the mismatch of a four-bed by two-bathroom home for a single copper going to, say, Bruce Rock. I am a big fan of Bruce Rock, I have to say. I love that local shire. I keep naming it. It makes me wear one of its ties to all its events. I love it; it is brilliant.

**Ms M.J. Davies:** It's a great council.

**Mr J.N. CAREY:** Just on a side note, when COVID-19 hit and the local supermarket was burnt down, the shire created a temporary supermarket in its town hall, which is still operating. I think that was an example of great local government and the best of what we want to see in Western Australia, because the local government responded to its community. I have certainly been trying to work with it.

**Ms M.J. Davies:** Good, that was going to be my interjection. They are looking for a home so they can have their town hall back.

**Mr J.N. CAREY:** Yes; I know.

**Ms M.J. Davies:** I'm not missing an opportunity.

**Mr J.N. CAREY:** Part of the issue is how the Local Government Act interacts with that kind of project. We have been trying to work through that. I think that shire is outstanding.

I have set up the forecasting group regarding GRO housing because I want to put in place a better framework for how we see future demand; what are the eligibility requirements and what other mechanisms can we use to grow GRO housing—double pun!—perhaps potentially with local government.

The other ministers will deal with the cyclone and homelessness policy portfolio areas. But overall, I want to say this: I believe that the Real Estate Institute of Western Australia has indicated the housing supply will provide genuine relief to the rental market and that will ease conditions on our public housing waiting list and so forth. We are making a huge investment of nearly \$1 billion into refurbishment and building new homes, acknowledging the current market. We are also looking forward to the future beyond that boom, and how we can create an integrated model potentially with the private sector or the community sector to deliver more social housing.

**MS S.F. McGURK (Fremantle — Minister for Community Services)** [6.26 pm]: I also want to address the issues raised in the motion this evening. It is true that many people have commented over 2020 and COVID-19 and now we are halfway through 2021, when there has been an incredibly unusual set of circumstances. In many ways, we are now experiencing the other side of an economy in relative rude health—that is, inflationary pressures and pressures in sourcing affordable accommodation and the like. I want to address some of those issues. I know that the Minister for Housing has addressed issues specific to his portfolio. The economic indicators being experienced in Western Australia at the moment are a good thing, with very good employment figures. For many of the people I come across in my portfolio, there are now in fact many opportunities for Western Australians who would have been challenged to get into the labour market and get some experience across a range of areas. We are working very hard to get them into regional areas, into construction, hospitality and service industries across the board. That is a good thing.

The Minister for Housing spoke about the upcoming skills summit. Of course we need those people to have skills and we are doing everything we can across portfolios and with industry to make sure people who are looking for work are best matched to jobs and have the skills to deliver for industry, so it is a good thing. We are working to match supply with demand. The Minister for Housing spoke also about the other indicators of demand in the economy at the moment with people coming home—the number of car registrations and the housing market are examples. The Premier; Treasurer has spoken regularly on other indicators of the strength of our economy, which is one of the strongest in the country, if not the world, and we should be proud of the work done here. They are all good things, but with that success comes some challenges.

We see pressures in housing and accommodation amongst the vulnerable in our community. As someone who over the last four years has held portfolios relating to homelessness and vulnerable people in our community, I know these are not new pressures; they were experienced by the former Liberal–National government. Again, the Minister for Housing spoke about the number of people on the housing waiting list in 2010 being over 24 000, which was when Western Australia's population was 2.3 million. That is quite different from the current population of 2.7 million; in fact, I saw a more recent figure of 2.8 million, but that was not from Australian Bureau of Statistics figures, so we will wait until the ABS figures come out. However, there has been a significant increase in the length of the public housing waiting list.

Many people talk about a crisis in homelessness. I get a little frustrated at that terminology both here and in the community services sector. I have said to those organisations that the word “crisis” gets thrown around a lot, but we need to have good data to understand exactly what is going on with homelessness. I came into this portfolio when we came into office in 2017. We inherited a system that had no strategy at all; in fact, many of the services had no long-term funding and there was no direction from the former state government on homelessness services. In partnership with the federal government, the state government had funded community sector organisations to

deliver services, but there was no strategic direction. I started to see some good work being done by the community services sector with the Housing First program, so we set about developing a strategy to tackle homelessness in partnership with the sector—the people who are delivering services—and also researchers who work in this area. We drew on evidence around Australia and the world to inform our strategy. If members have not heard me say this before, the sector representatives have openly held up this strategy to be world class. That is a good thing.

We now have a plan and people recognise that it is a good plan to not only have Housing First as the cornerstone of that plan, but also do what I describe as the work under the hood to make sure that we have good data so that we understand what is happening with people who are homeless, where they are and what their circumstances are; and, secondly, that we make sure that our systems that are responding to people who are homeless are all talking to each other and they link in with each other. We developed that strategy, much to the derision of the former member for Carine, in particular, who said this is all pretty straightforward and if we already knew the strategy, why not go ahead and implement it. But as many people have commented about homelessness, if the solution was simple, it would have been done by now. It is not simple; it is a difficult system to navigate for many people, particularly those who are vulnerable. People who are homeless all have a different backstory and circumstances. I made the observation that in some ways they have been victims of the Westminster system because we have all these different areas such as health, mental health, housing, financial counselling and the justice system, and we expect very vulnerable people to navigate all those different systems. We need to make sure that we have those vulnerable people at the centre of our efforts and that we wrap those services around them so we can lift them out of homelessness and into a safe and secure future. That is essentially what the Housing First approach does, and why it is the cornerstone of our approach in the homelessness strategy. People in this house and elsewhere will have heard me talk about the evidence, that the Housing First approach can place those people who have previously been rough sleeping for many years in housing where they can be supported, and that 80 per cent of those people will still be in that housing three or more years later. With the right sort of housing and the appropriate supports, it can be their forever home.

We have developed a strategy, we have a plan and we are now investing new money. As well as the \$100 million per year approximately that we give to services across the state, we are investing new money into the Housing First approach. I am frustrated with the member for Cottesloe when he refers to the people he has seen in his electorate. I do not know whether he is saying that it is the first time that he has had people who are street present or camping out in his electorate, but I venture to say that these are not new problems either in the seat of Cottesloe or anywhere else. It is not the first time we have had homelessness in Western Australia, and to say this is a crisis we have never had before is disingenuous.

**Dr D.J. Honey** interjected.

**Ms S.F. McGURK:** I am not taking interjections from the member, just as he would not take interjections from me.

The other frustration I have with someone who comments from Cottesloe is that the member did not make those comments about public housing in his electorate; his frustrations were not just about the density of public housing, but about the extent of public housing in his electorate. We all have public housing in our electorates and we understand that the density model is not good; in fact, Labor governments as well as coalition governments have moved away from the high-density model. I have that high-density model in my electorate as well, and it is sensible that we are moving away from that.

We look for not only the best evidence of how to provide social housing for those people who are homeless, but also the best supports to keep them in housing. That is what we are doing. The homelessness strategy invests in the Housing First approach for those people who are rough sleeping. I am very pleased to see that the government is putting serious money behind that with about \$44 million to start rolling out Housing First, and we are now starting to implement that work with the community sector in Bunbury, Geraldton, Rockingham and Mandurah, as well as in the metropolitan area. The contract for the Housing First systems coordinator has been given to Ruah Community Services. The metropolitan service providers are Ruah, St Patrick's Community Support Centre and Wungening Aboriginal Corporation. We recognise that the best service providers to work with Aboriginal people are Aboriginal organisations, so in the metropolitan area that work will be done by Noongar Mia Mia, Ngalla Maya Aboriginal Corporation and Wungening Aboriginal Corporation. In Rockingham and Mandurah, it will be done by St Patrick's Community Support Centre with Ruah and Wungening Aboriginal Corporation. In Bunbury, it will be done by Anglicare WA, Breakaway Aboriginal Corporation and Doors Wide Open, and in Geraldton, by Centacare Family Services. This is new money that is going into Housing First, an evidence-based approach that I have every confidence will deliver some really good outcomes in the long term for those people who are street present.

Members may have heard me speak about the investment we were able to make in Fremantle. We raised nearly a million dollars in corporate and philanthropic donations, with the assistance, in particular, of Matthew McNeilly from Sirona Capital. The state government put \$390 000 into housing supports and the local government put in \$100 000 to evaluate the project for what we call "20 Lives, 20 Homes Freo". In a year, we housed 21 people who, on average, had been homeless for seven years—chronically homeless people. I am very pleased to say that 21 of those people now have some accommodation. The University of Western Australia's School of Population and

Global Health has given an evaluation of that project. It outlines some of the savings that could be realised across government, as well as some of the stories that hold that project to account, making sure there is integrity through some of our claims. They did stack up.

Quickly, another part of the homelessness strategy is the By Name List. It will make sure we have good data on homelessness. People who talk about homelessness often still quote census figures from 2016. People talk about 9 000 homeless people across the state and about 1 000 of them sleeping rough. It is incredibly inaccurate data when we think about the nature of the census that focuses on one or two nights. Although the census collectors do some street-present work, the By Name List engages with service providers in communities to go out and understand, as the name implies, those people who are homeless so that we have a record of them. We are just starting to get some of that information. I know that the member for Vasse is frustrated that we are not doing it in Dunsborough and Busselton but we are concentrating on the areas where we are doing the Housing First Homelessness Initiative because we need to build up our database with credible data.

The member for Cottesloe spoke about Anglicare WA's figures that show the number of homeless people has gone up by 1 000. I know the member quoted that figure from Anglicare but I question those figures. I think figures on homelessness are thrown around a lot and, as I said, the word "crisis" gets thrown around a lot. I am not disputing that for people who are homeless, it is a very challenging situation and I am not disputing the extent of the problem. I see it. I see it in Fremantle. I see it in the city. I meet with the providers. I engage with all these services, including around the state when I can. I make a real effort to understand this issue but, if we want to address the problem, we need to understand the extent of it. That is why we are investing in actual data collection that we can work from. It is very early days for that. It is only the McGowan government that has done it. In the coalition government's eight and a half years, there was nothing. There was nothing like an evidence-based approach or strategy to deal with homelessness—nothing. There was no engagement with the sector to look at a plan for how to end homelessness—nothing from members on the other side. That is why I get frustrated when members in the other corner say that the situation is outrageous and that we just need to pour more money into the system to solve the problem. From talking to service providers and some of the clients, I know that many of the people who engage with homelessness services have had tenancies in the past but they cannot sustain them because they have any number of issues and very complicated lives. Without the right services to engage with them, they will not sustain tenancies. That is why the Housing First approach is a good one. We are investing in the By Name List and it is starting to be implemented, as well as what is called the No Wrong Door approach. It is to make sure that parts of the system are talking to each other. If people come through an entry point such as a funded phone line that is run by Centrecare, which people can phone if they want crisis accommodation, its database also talks to all the different services and, if clients come in and out of services, they do not have to retell their story time and again because we are able to integrate the services.

[Member's time extended.]

**Ms S.F. McGURK:** It is much the same as members would expect in a health service. We have rebuilt the existing services but made sure they integrate. I think that is important and a good thing. In fact, tomorrow I will be going to Tranby Engagement Hub, which was lucky enough to benefit from a \$1.7 million grant from Lotterywest to redesign the hub so that it is fit for purpose. During the COVID-19 pandemic, the state government redirected Lotterywest's efforts to focus on COVID-19. Since the beginning of 2020 to date, Lotterywest has allocated \$21.4 million specifically to homelessness-related services.

I also have information on our response to cyclone Seroja. I understand that there are challenges for all sorts of reasons. There is pressure resulting from a lack of skilled labour and materials, which are needed to construct buildings in not only population centres but also areas that do not have critical population mass and to deliver services for people who are either homeless or whose accommodation is at risk of becoming finite. We need to build replacement housing. I was pleased to be able to participate in the Minister for Emergency Services' roundtable. It was a really constructive and practical engagement with industry, local members and government agencies that are grappling with these issues. I was there to make sure that not only are social services being provided on the ground and available in town centres like Northampton, but also we are doing outreach and providing coordination for people as much as possible. It was good to speak to Mel Pexton about the best model possible to help those people and their communities, many of whom I get the impression are not used to asking for assistance and are usually very sturdy and resilient folk. I understand that, but help is being made available. We will do everything we can to make sure there is practical infrastructure assistance for them as well as community services, and to help them navigate their way through the layers of service provision. There is no doubt that there will be challenges, but I am confident that the McGowan Labor government is best placed to not only manage the pandemic and the ongoing COVID-19 challenges, but also work its way through a buoyant economy to make sure that we do not leave any vulnerable Western Australians behind.

Month after month, I get very positive feedback from the community services sector about the government's engagement with that sector, particularly in my portfolio, in coming up with solutions. Do they want more? Yes, that sector always wants more, just like the opposition always wants more. But we are talking about taxpayers' dollars and we need to apply those dollars in a responsible way by looking at the best evidence available to get good outcomes for Western Australians. That is what we are committed to doing.

**MR R.R. WHITBY (Baldivis — Minister for Emergency Services)** [6.48 pm]: I do not intend to take up too much of the chamber's time this evening. My colleagues the Minister for Health and the Minister for Commerce have already given good responses in the debate and on what the government has been doing in this area. I note that the Deputy Leader of the Opposition raised in his motion some points about the government's response to cyclone Seroja, and I very much want to get into the detail of that. However, before I do that, in the interest of conciliation and consensus in the chamber, I agree with the member for Cottesloe and the Minister for Housing that the way forward is to make public housing of a kind that is ingrained and mixed in and not set aside from the community generally. I speak from personal experience in that regard.

I grew up in the then new suburb of Balga on the outskirts of Perth. For most of my primary school years, I lived in housing owned by what was then known as the State Housing Commission, which provided public housing in Western Australia. I certainly grew up with the idea that there was a stigma around the suburb that I lived in and it related to the fact that it was virtually universally public housing. That did not mean that the community itself was not a very rich community. Our street was the United Nations. I think we were one of two Australian families on the street. I enjoyed a very interesting and vibrant childhood, but the suburb did have that stigma attached to it. If someone said that they were from Balga, people from outside that community had a certain view or belief about them.

**Dr D.J. Honey:** It's exclusive inner-suburban property now.

**Mr R.R. WHITBY:** That is right, member. It was on the very outskirts of Perth and now it is almost inner suburban and the values are climbing.

When my family eventually moved across Wanneroo Road into Warwick, which was not a public housing suburb but it certainly had some public housing and was very middle and working class, as a kid I thought, "Jeepers, I'm in Peppy Grove" compared with what I was used to. That is something the member and I can agree on in terms of the way forward—that is, mixing public housing throughout the community.

The motion put by the Deputy Leader of the Opposition details a couple of points that I am interested in. As I said, I will not take up too much of the chamber's time, but I want to address the issue that the member raised in paragraph (6) of his motion—that is, the unavailability of critical emergency accommodation for those affected by cyclone Seroja. I am going to speak against this motion because I think that point in the motion is incorrect and misleading, and I would like to point out why that is the case.

The detail that I can give the chamber is specifically about critical emergency accommodation. That is accommodation that someone needs in the wake of a cyclone after their home has been destroyed or largely destroyed. It is not medium or long-term housing; it is emergency housing for them there and then. I can update the house by saying that as of Monday, 14 June, for the two-month period since the cyclone struck on 11 April, there have been a total of 19 formal requests for accommodation to the Department of Communities. This disaster struck such a wide area; it was never just Kalbarri, although Kalbarri was very hard hit. It extended right throughout the midwest region and affected 16 local government shires. Those local government shires have also coordinated housing for approximately 15 families. We are very grateful for the cooperation we have received from many local governments right across the midwest. Nineteen formal requests for accommodation have been made to the Department of Communities and another 16 families have been housed in public housing or housing arranged by local governments across the midwest. To date, Communities has accommodated those 19 households, which are made up of 49 people. It is emergency accommodation or housing for up to 21 days. Of those, six households have had their accommodation extended beyond that 21-day period while Communities works to identify suitable medium-term accommodation options. The idea is that if someone needs accommodation, it is provided very quickly in an emergency accommodation arrangement and then a medium-term option is worked on, because the long-term option is the replacement of their property and that, as we know, takes time.

I believe that as of today, two of those households remain in emergency accommodation—two households. The motion that has been presented today talks about the unavailability of critical emergency accommodation. The information I can tell the house is that currently, the critical accommodation that is provided has been taken up by two households—two families—across the midwest. To me, that does not suggest unavailability of critical emergency accommodation. If a large number of people were utilising it or waiting to utilise it, that might be a fair comment, but I do not think the facts bear out that commentary.

I would like to also make the point that Communities and the Australian Red Cross are working in tandem to reach out across the entire affected area. Again, this is not just on the coast; it goes deeper into Northampton and across the midwest. Rather than wait for people to come to government and seek out services, Communities and the Red Cross are going into the community and into far-flung farming communities to check on the mental health and welfare of people and their needs and other issues. If people are identified as being in a substandard accommodation situation, at least we can offer the help and assistance they may need. Local governments across all 16 midwest shires have also been assisting with temporary accommodation, as I have explained, via local government housing and through their caravan parks. Therefore, as I said, it is simply not true to say that there is a critical situation with the lack of emergency accommodation.

As minister, I am really concerned that this sort of commentary that is being reported and spoken about in the wider community creates unnecessary angst and anxiety in the impacted communities. It creates a false and misleading narrative. It is also a bit of a slap in the face for all those people who are working hard to deliver outcomes for the midwest. Emergency responders, people who are working in the local communities and have assisted friends and family, Department of Communities staff, and people from the Red Cross and a range of other non-government agencies are all out there providing services and assistance. I like the fact that I have been given the opportunity this evening to state what is really going on in the midwest. This is a long-term issue.

Before I move on, I want to remind members who represent that part of the world that we have welfare hubs in the main community centres. In the case of Northampton, there is a welfare hub in the RSL hall in the main street. It is open Monday to Sunday from 9.00 am to 5.00 pm. Anyone in need can go to that hub for assistance. It is staffed by Communities and others. If people have an accommodation need, a mental health issue, or any requirement at all, that need can be met. The Minister for Community Services rightly pointed out that people in this part of the world, and indeed all Western Australians, are often pretty stoic and self-reliant. Not everyone is comfortable with reaching out and seeking assistance. I would like to urge people in that situation to do so. I urge fellow members of this Parliament that if they know of people who need assistance, to please let them know that it is available, or even come to me and let me know of someone. We have heard numerous reports of people in what are reportedly dire situations, only to try to chase that information down and find that it is very elusive. We have not found that the facts bear out some of the claims that have been made. I ask members that if they know of someone who needs that sort of help and assistance, for goodness sake, the support is there. It has been provided for many weeks now. In fact, it has been provided since this disaster struck. It is important that people are able to use it.

There is another accommodation issue. Paragraph (7) of the motion refers to the establishment and availability of accommodation for critical and essential workers. This is an issue; there is no doubt about it. We have already heard that there is a shortage of housing right across the midwest in places like Northampton, Perenjori and other towns across the region. When a cyclone like Seroja does so much damage and further reduces available accommodation, it is a critical issue. Unfortunately, no homes are able to be let for people to move into. There are no quick answers to magically provide people with homes in the area. That is why my focus has been to get transportable accommodation into the region. Before we can replace people's homes, we need to get hundreds of tradespeople into the region to build them. We, of course, need somewhere for those people to be accommodated. Therefore, part of my focus and the focus of the state recovery controller, Mel Pexton, and many others across government, including my fellow ministers, has been getting access to transportable accommodation, whether dongas or some other form—which is certainly not a long-term answer for families—that will accommodate workers who can get into the area. When the insurance companies do their business and the approvals are done and we need to start rebuilding homes properly, there will be accommodation for those workers.

Debate adjourned, pursuant to standing orders.

### **CORRUPTION, CRIME AND MISCONDUCT AMENDMENT BILL 2021**

#### *As to Consideration in Detail*

[Leave denied to proceed forthwith to third reading.]

#### *Consideration in Detail*

#### **Clause 1: Short title —**

**Ms M.J. DAVIES:** In the second reading speech, I was interested in information about the time line of the meetings of the nominating committee through to advice back to the Premier and when that was provided to the Joint Standing Committee on the Corruption and Crime Commission. Does the Attorney General have information that he can provide to the house about that time line? It is pertinent because we were talking about the tabling of the report from the Standing Committee on Procedure and Privileges and where that fitted into the process.

**Mr J.R. QUIGLEY:** We are dealing with the title of the bill and the time line I referred to in the second reading speech. I have nothing to add.

**Ms M.J. DAVIES:** Thank you, Attorney General. I think we played this game yesterday. It is relevant in my mind. The reason we are here today is to amend the Corruption, Crime and Misconduct Act. The process by which we got to this point started with a meeting of the nominating committee. We can go back further and I can ask a question under the next clause about how the advertising was carried out.

I am interested in the date that the nominating committee met in relation to the possible appointment of Mr McKechnie, when that information was provided to the Premier and the time line for that information being provided to the Joint Standing Committee on the Corruption and Crime Commission. I understand that we are here to talk about how the appointment has reached the point that we are inserting a name into the legislation. I would like to understand the process that led to us having this debate today.

**Mr J.R. QUIGLEY:** Certainly. The nominating committee placed an advertisement in the national newspapers, as required by the legislation. I cannot tell the member what date the nominating committee met; she would have

to ask the committee. The committee wrote to the Premier. The member would have to ask the Premier on what date he received that first information from the nominating committee. I understand that as soon as the joint standing committee was convened—the Deputy Leader of the Opposition can give the member that date—the Premier immediately wrote to the joint standing committee. The reason we are here today is that the committee then replied to the Premier, saying that it could not achieve bipartisan or majority support. I cannot help the member further.

**Ms M.J. DAVIES:** We asked for this information in the briefing yesterday. It surprises me that that information cannot be made available to the Parliament. I do not believe that that is being open and transparent, particularly about such an important appointment. I do not think it is unreasonable to seek to understand when that nominating committee met, when it provided advice to the Premier and then when the Premier sent that letter through. If that information is not forthcoming in this debate, I ask whether the Attorney General would consider providing that information to the opposition before it goes to the other house.

**Clause put and passed.**

**Clause 2: Commencement —**

**Dr D.J. HONEY:** This clause relates to the commencement of the act. Can the Attorney General outline what impact it would have if there were any delay in the passing of this bill? He made a number of assertions during his second reading speech and by way of interjection that it was imperative that this bill progress immediately; otherwise, it will delay investigations. If this bill is not passed, will it delay investigations?

**Mr J.R. QUIGLEY:** I made the comments in the second reading speech. The member is quite correct; there will not be any delay because sections 1 and 2 of the act will come into operation on the day on which the act receives royal assent. There will not be any delay because the rest of the act, being sections 3 and 4, will automatically come into operation.

**Dr D.J. HONEY:** I think the Attorney General knows what I was referring to; that is, if this bill were delayed, would that prevent any investigations occurring? Would that stop any investigations occurring? That is the question I want answered. He made that assertion. This is our opportunity to understand the process. If this bill is delayed in the other place for some reason, what will stop occurring at the CCC that is not already occurring?

**Mr J.R. QUIGLEY:** I cannot give a hypothetical answer. I cannot see any reason for the bill being delayed in this Parliament. It certainly will not be delayed in this chamber, and I cannot see why it would possibly be delayed. The question is therefore entirely hypothetical.

**Dr D.J. HONEY:** In the Attorney General's second reading speech he made it very clear that he believed that this appointment was critical for the function of the Corruption and Crime Commission. I am intrigued to know why it is critical to the CCC and I am interested to know and I think the people of Western Australia would be interested to know what functions the CCC would be prevented from carrying out, in this case, if there were a delay to this bill.

**Mr J.R. QUIGLEY:** I cannot answer further. I cannot provide a further answer on clause 2.

**Dr D.J. HONEY:** I do not think the Attorney General is being transparent in this. He made a great point about it, yet he refuses to say it. He has made an assertion in this place that somehow or other this appointment is critical to the function of the CCC, yet he is unable to give us any answer to justify that claim.

**Clause put and passed.**

**Clause 3: Act amended —**

**Ms M.J. DAVIES:** This clause goes to the point that we are amending the Corruption, Crime and Misconduct Act. We have not had an answer on the time line of the meetings, so we do not quite entirely understand the process of the appointment. We are amending the act to change the way that this appointment is occurring. Can the Attorney General give me an outline of whether he has seen an appointment in other jurisdictions —

**Mr J.R. Quigley:** Just give me that line? I'm sorry.

**Ms M.J. DAVIES:** Has this appointment process been used in other jurisdictions? Are we the first jurisdiction to insert the name of somebody into an act that covers the Corruption and Crime Commission or the equivalent body in other states?

**Mr J.R. QUIGLEY:** That question is probably relevant to clause 4. Clause 3 just identifies the act that is being amended. The act being amended is the Corruption, Crime and Misconduct Act 2003. The question might have more relevance to clause 4.

**Ms M.J. DAVIES:** I can ask the question again. The Attorney General could humour me and answer, given that I think it is a relevant question and is something that the chamber probably deserves to know, given that we have expressed concerns about the appointment of the commissioner in such a way. We are amending an act that contains a specific process for appointing the commissioner, so I am interested to know whether this differs significantly from other acts in other jurisdictions and whether this legislation is unique.

**Clause put and passed.**

**Clause 4: Section 9 amended —**

**Mr R.S. LOVE:** I would like to ask a couple of questions on this issue. This is the proposed section that specifically inserts the name of John Roderick McKechnie as being appointed to the role of commissioner for a period of five years. I ask the Attorney General about the wording of this particular clause, which refers particularly to a five-year appointment. I understand that the appointment is normally for five years. Why has the Attorney General specified five years in this clause and what effect will that specification have? Will it have any additional effect, for instance, to make it more difficult to appoint another person if ill health or some other matter were to lead to the early retirement of Commissioner McKechnie?

**Mr J.R. QUIGLEY:** The five-year period is nominated because the normal term of a commissioner is five years. It does not in any way override the provisions in sections 11 and 12 of the Corruption, Crime and Misconduct Act 2003 or other provisions in the Corruption, Crime and Misconduct Amendment Bill 2021 dealing with incapacity. Clause 7 of schedule 2 of the act provides —

The office of Commissioner becomes vacant if the Commissioner —

- (a) dies; or
- (b) resigns the office under clause 6; or
- (c) becomes a police officer; or
- (d) becomes, according to the *Interpretation Act 1984* section 13D, a bankrupt or a person whose affairs are under insolvency laws; or
- (e) is removed from office under section 12.

All of those provisions remain undisturbed, so the commissioner is appointed by virtue of clause 4 of this bill, amending section 9 of the act. He is appointed for five years, but the vacancy provisions provided for in clause 7 of schedule 2 of the act will still apply.

**Mr R.S. LOVE:** Further to that, can the Attorney General explain why he chose to have five years specifically mentioned in this clause rather than just relying upon the normal appointment term, which would have been five years in any case? Why has the Attorney General specifically included the wording “five years”?

**Mr J.R. QUIGLEY:** For the very reason the member said: because the normal appointment is five years.

**Mr R.S. LOVE:** There is no specificity about five years in any of the other appointment methods under section 9 of the act, so why has the Attorney General specifically included it in this clause?

**Mr J.R. QUIGLEY:** Certainly. Because clause 1 of schedule 2 of the act states —

**Tenure of office**

Subject to this Act, the Commissioner holds office for a period of 5 years and is eligible for reappointment once.

We are reappointing him for a five-year period, which will be his second and last term.

**Mr R.S. LOVE:** Notwithstanding that, I am still at a loss as to why the Attorney General has chosen to use the term “five years”, but I will move on to something else that I note in this clause. Section 9 of the Corruption, Crime and Misconduct Act as it is currently printed is quite clear, all the way through, about the various appointment procedures. Section 9(4) states —

Except in the case of the first appointment, before an appointment is made under subsection (3), the Premier must consult with —

- (a) the Standing Committee; or
- (b) if there is no Standing Committee, the Leader of the Opposition, and the leader of any other political party with at least 5 members in either House.

We know that the standing committee has to have bipartisan support, and there is quite clearly a necessity for bipartisan support under that provision. Similarly, section 9(4a) states —

In the case of the first appointment, before the appointment is made the Premier is to consult with the Leader of the Opposition.

In all those circumstances, there is a need for bipartisan support. We can see that under clause 4 of this bill, the Attorney General has departed from the bipartisan support required for every other appointment method in the act.

**Mr J.R. QUIGLEY:** Yes, a new subsection will go into the act, proposed section 9(4B), which will not require the bipartisan support of a committee; it will require the support of the parent chamber—that is, the Legislative Assembly, which has more authority than a committee. Rather than bipartisan support, it will have to have support of a majority of this chamber.

**Mr R.S. LOVE:** Nonetheless, the bipartisan nature of the appointment is reflected in the act. The Attorney General has consciously done away with the bipartisan requirement in the act. Is the Attorney General saying that he will make it a simple majority of the government-dominated houses?

**Mr J.R. QUIGLEY:** Yes. The employment of the initial commissioner did not require bipartisan support either. The appointment of the initial commissioner just required the Premier to simply consult with the Leader of the Opposition. A senior Liberal during the life of the fortieth Parliament suggested this as a way out of this imbroglio. As the member will recall, we put on the notice paper an amendment to say that when a commissioner has been appointed and approved by the Joint Standing Committee on the Corruption and Crime Commission on a bipartisan basis in the first place, the reappointment for a second term could take place with consultation between the Premier and the Leader of the Opposition. We wrote to the Leader of the Opposition and said we were prepared to proceed with that amendment and we would withdraw the other amendment if the opposition indicated that it supported that in the case of a reappointment. The opposition failed to do so. That sent us back to the default position of proposed section 9(4B), which is now before the chamber. Clearly, proposed section 9(4B), like section 9(4a), which has been in the act since 2003, does not require bipartisan support.

**Mr R.S. LOVE:** That may be the Attorney General's opinion, but for both —

**Mr J.R. Quigley:** It is not an opinion; it is a fact.

**Mr R.S. LOVE:** Just let me say my piece. Section 9(4) only requires the Premier to consult —

- (a) the Standing Committee; or
- (b) if there is no Standing Committee, the Leader of the Opposition, and the leader of any other political party with at least 5 members in either House.

The wording in both sections 9(4) and 9(4a) is the same. It requires the Premier “to consult with”. “Consulting with” clearly means “must have the support of”; otherwise, if the Premier is only consulting with the standing committee and is going to disregard that consultation, why are we even here?

**Mr J.R. QUIGLEY:** “Consult” does not equate with “support”. Consult means he will discuss it with them and then he will make a call. Consult does not equate with support. We are here this evening consulting and have been consulting with the opposition all day. We understand the member's position, but the debate is a debate of consultation.

**Mr R.S. LOVE:** Can the Attorney General explain, for the benefit of the chamber, the difference between the consultation required under subsections (4) and (4a)? The Attorney General has now claimed that under subsection (4a), the initial appointment only required consultation and that consultation could be set aside. The wording concerning what the Premier must do is identical in subsections (4) and (4a). He must “consult with”. If the Attorney General's view is that we can set aside the consultation, why are we even here?

**The SPEAKER:** The Attorney General is not seeking the call.

**Ms M.J. DAVIES:** Attorney General, during the second reading debate, I asked for clarification of whether the nominating committee had access to the Standing Committee on Procedure and Privileges report that was tabled. My understanding with the time line that we have been able to piece together—the Attorney General has been less than forthcoming about the time line—is that it would not have been furnished with the information in this quite significant report. The report canvasses a number of issues, including what I would say is probably an irregular amount of communication between the Attorney General, his office and the commissioner that he is proposing to appoint through this legislation. I think it is necessary to understand whether the nominating committee was apprised of the information so that we know that that has been considered in the recommendation to the Premier and then on to the joint standing committee.

**Mr J.R. QUIGLEY:** As the former President of the Legislative Council said this evening in the Council, the sixty-first report is simply a wrap-up to pull together and bring up to date for members all the events of the last couple of years. The fifty-sixth report, as I have read out earlier, had in its body what the member is referring to. There is no adverse comment about Mr McKechnie, QC, in the sixty-first report. The member only has to look at the date of that. I have already referred to when the nominating committee wrote to the Premier to work out the time line.

**Ms M.J. DAVIES:** From the comments the Attorney General has provided, I take it that the nominating committee did not have access to that information.

**Mr J.R. Quigley:** I do not know.

**Ms M.J. DAVIES:** I think it is material. The quite lengthy information in the appendices that go to the interactions between the commissioner, the Attorney General and his office would have been of interest to those putting the commissioner forward for appointment. I would like to know whether the Attorney General thinks that is immaterial. Clearly, it is his position that it is immaterial, and that the work the committee has done is immaterial to the appointment process of the most important person in relation to the commission doing its job.

**Mr J.R. QUIGLEY:** There is nothing in that report that the nominating committee would not have had access to by reason of a litigation that is before the court, the pleadings in the litigation and what is in the fifty-sixth report. In my opinion, there is nothing material that the committee would not have had access to. There are other pleadings in the court, which are extensive, all conducted in the Supreme Court of Western Australia, of which the chair of the nominating committee is the Chief Justice. There is the fifty-sixth report, and that is all brought together in the sixty-first report. The member has not identified anything that was not available to the nominating committee at appropriate times.

**Ms M.J. DAVIES:** I will take a different tack then and see whether we can get some answers under this clause on other jurisdictions. We are now inserting a specific name in the legislation. My question previously was: Is this something consistent with other jurisdictions or is it unique? Has it been contemplated in Western Australia previously, either under the current formation or in the precursor to the CCC? I suppose the question is: please explain to the chamber whether this is completely out of step with how we have proceeded with the appointment of such an important role in previous times and how that compares with the appointment of similar roles in other jurisdictions.

**Mr J.R. QUIGLEY:** It is unusual but not inappropriate to specifically name people in legislation. An early example is naming people who were incorporated for the purpose of the Perth Diocesan Trustees, specifically the Anglican Church of Australia (Diocesan Trustees) Act 1888. Section 2, “New trustees incorporated”, in part names —

THE Right Reverend Father in God Henry Hutton Parry, Doctor of Divinity, Lord Bishop of Perth; the Very Reverend Frederick Goldsmith, Dean of Perth; the Venerable James Brown, Archdeacon of Perth; Mr. Justice Edward Albert Stone —

Et al —

... and their successors as appointed by Statute of the Synod, or to be appointed in accordance with the provisions of any Statute of Synod to be made and enacted hereafter, shall be and are hereby constituted a Corporation, by the name and style of “The Perth Diocesan Trustees” ...

It also appears in serious criminal matters where ad hominem legislation is passed to adjust the parole period of a particularly serious offender. The High Court in 2019 considered section 74AB of the Victorian Corrections Act, which specifically named Craig Minogue, the Russell Street bomber, and set out conditions for making a parole order for him. The High Court held that this provision was not invalid. That was *Minogue v Victoria* [2019] HCA 31.

I am not aware of another commissioner being named in legislation. It is unusual, but not unique, to name people in legislation. Of course, this is a unique situation in which a commissioner, who was already subject to probity examination by the Joint Standing Committee on the Corruption and Crime Commission in 2015, under a Liberal–National coalition and a committee chaired by a Liberal chair, approved the appointment, only to block the reappointment when the same commissioner was investigating—not allegations; we know now—serious corruption by then members of the governing Liberal Party.

**Ms M.J. DAVIES:** On the comment the Attorney General made at the end there about the appointment by the previous government of Justice McKechnie and the fact his reappointment was blocked, the Attorney General will agree that there is a process for reappointment laid out in the Corruption, Crime and Misconduct Act. Will the Attorney General agree that following that process has not resulted in the recommendation that Mr McKechnie be put forward?

**Mr J.R. QUIGLEY:** I agree —

**The SPEAKER:** Attorney General! Generally, the practice is that when you want the call, you seek the call. I will now give you the call if you are seeking it.

**Mr J.R. QUIGLEY:** I am seeking the call, Madam Chair.

**The SPEAKER:** Or Speaker, even!

**Mr J.R. QUIGLEY:** We are in consideration in detail, so I was not sure of the proper etiquette.

**Ms M.J. DAVIES:** Is it Speaker?

**The SPEAKER:** It is either.

**Mr J.R. QUIGLEY:** I will say this: it is a unique situation, not ever envisaged by the Parliament, that one of the people on the committee who would be vetting the commissioner was part of a group of people, namely the “Black Hand Gang”, under current investigation. As such, that person should have recused himself from the committee and been replaced by an independent person from the opposition who did not have an interest in the matter. Now we have found that the next committee has —

*Point of Order*

**Dr D.J. HONEY:** The Attorney General is making the most serious imputation against a former member of the other place that they have somehow conducted themselves in a corrupt way and that they should have not been on that committee. I also heard the Attorney General make a statement earlier that, in fact, individuals were guilty of corrupt behaviour.

**Mr J.R. Quigley:** They were.

**Dr D.J. HONEY:** Yet I have heard nothing; there has been no court case and no decision. I believe they are disgraceful imputations that the Attorney General should withdraw now. He has clearly got too excited about this matter.

**Mr J.R. QUIGLEY:** There was a finding by the Corruption and Crime Commission, within its jurisdiction, that the member, Phil Edman, and others had involved themselves in serious misconduct by using public money to spend on a sex tour to Japan to “Soapland”, to the Barossa Valley on a drinking trip, and in expensive restaurants where they were actually filmed!

**Dr D.J. Honey:** Point of order, Madam Speaker.

**Mr J.R. QUIGLEY:** I am speaking on the point of order.

**The SPEAKER:** Sorry; you cannot interrupt a point of order with a point of order. I ask the Attorney General to conclude his point of order. A point of order is not an opportunity to make a long argument; it is just to make a point on the matter of the point of order.

*Debate Resumed*

**Mr J.R. QUIGLEY:** On saying that there had been serious misconduct corruption, I did no more than expand upon the findings of the Corruption and Crime Commission for which it was set up.

**Dr D.J. HONEY:** This is disgraceful conduct by the Attorney General and it is not something that is unfamiliar. The Attorney General knows that this body can only make allegations and assertions. It makes no legal findings. To say that those people have been found guilty of corruption and that in fact a member of the Joint Standing Committee on the Corruption and Crime Commission considered this matter is completely inappropriate and he should withdraw.

**The SPEAKER:** The member for Cottesloe is starting to get into an argument, too. My view is simply this: the Corruption and Crime Commission has a number of capacities, one of which is to make findings of serious misconduct. If that is what the Attorney General is referring to, I regard that as being in order. I think the Attorney General was making some remarks at the time of the point of order. Do you wish to continue your remarks?

**Mr J.R. Quigley:** I am not withdrawing any remarks.

*Debate Resumed*

**Ms M.J. DAVIES:** Is it conceivable that the Joint Standing Committee on the Corruption and Crime Commission, in this appointment process that the Attorney General referred to prior to the point of order, may have had information about the reappointment that the Attorney General, I or others did not have? The Attorney General raised the issue of the reappointment being blocked by a committee or government members that had previously appointed Mr McKechnie. Is it conceivable that the Joint Standing Committee on the Corruption and Crime Commission either had information or was able to obtain information as part of its deliberations that the Attorney General, I and others were not privy to and that that information simply informed its decision not to reappoint Mr McKechnie and that it was not, as the Attorney General has made out, a decision made along the lines of partisan politics or other nefarious reasons? They are the assertions that the Attorney General brought to this house. He is undermining the fact that committee members should be doing the role they are tasked with, not taking orders from their leaders or being directed by the Premier or leader of their political party to vote in a particular way on a committee. That is what it sounded like when the Attorney General talked about this during his reply to the second reading debate. He made assumptions about how people voted according to their political party. Is it conceivable that in the committee's deliberations, its members were able to access information that, due to the deliberations of committees, they are not allowed to disclose as part of the committee processes? Perhaps there was a very good reason that we are none the wiser about at this time because the deliberations of committees cannot be revealed in that process, as we do not do for other committees.

**Mr J.R. QUIGLEY:** No, that is inconceivable. It is totally inconceivable for the following reasons. The nominating committee that conducted a thorough examination of these matters and had all the information available to it concluded that there was nothing adverse against Mr McKechnie and that he was the outstanding candidate. The Commissioner of Police spoke of Mr McKechnie's high probity and integrity, and his desire to see his crime fighting partner, Mr McKechnie, reinstated. As to whether something was said in that committee adverse to the interests of Mr McKechnie, we know from a debate in this chamber from the member for Kalamunda—who did not speak of what he heard in the committee but of what he did not hear—that he never heard a whisper of anything that was adverse to Mr McKechnie. An attack was mounted on the member for Kalamunda, not for divulging what he had heard in the committee, but for simply commenting on what he had not heard in the committee, and he had not heard in the committee anything of the nature of which the member speaks.

**Ms M.J. DAVIES:** I thank the Attorney General. I understand that the nominating committee made a recommendation and that the Commissioner of Police made some positive comments about Mr McKechnie's stature and capabilities. But the point is that the process for appointing the commissioner is that the recommendation goes to the Joint Standing Committee on the Corruption and Crime Commission, which is the body responsible for that oversight. I want to clearly understand that the Attorney General understands that it is absolutely inconceivable that in diligently following the role given to them they would not have been able to ask additional questions or delve into matters that may not have been canvassed in a public forum, and that perhaps they did have information that was available to them that has not been made available to us. The Attorney General has already said that he does not believe that is conceivable, which I find inconceivable, so I go to a further point. Is the Attorney General aware of how many times the current committee met? Did the Attorney General or the Premier satisfy themselves that the committee had gone through a process and had reached a complete block, and was there anything that could have been done to overcome that? It all seems to have happened very fast from when the nominating committee made the recommendation to when we found out about the appointment from the Premier. Did the Attorney General and the

Premier satisfy themselves that there had been due diligence by that committee, without asking what they deliberated on? I would think that before the Attorney General did something like this, which he has admitted is unique, he would have tried to make sure that he had utilised the processes laid out in the act—and for very good reason. Did the Attorney General seek to understand how many times the committee had met, what processes it had gone through and that there was absolutely no way of reaching any agreement on that?

**Mr J.R. QUIGLEY:** This is too cute by half! It is not for this chamber to inquire into the business of the committee; the committee meets in camera. We know that the committee met, and on the very day it met, it wrote to the Premier saying, “We cannot achieve bipartisan support or majority support for the nomination.” We know that that happened on a Wednesday and that Parliament met at 12 o’clock on the Wednesday. We know that in the afternoon of that Wednesday, a letter to the Premier was signed off, so the Leader of the Opposition knows the committee met on the Wednesday morning. The Deputy Leader of the Opposition sitting at the member’s right-hand was in that committee and can confirm this to her. He is not confirming anything that this chamber does not know, because we have the date of the response, and the date of the response is the date that the committee met.

Now, as to whether there was anything against Mr McKechnie, the Deputy Leader of the Opposition does not have to reveal anything of the business of the committee. But if the Deputy Leader of the Opposition is personally aware of information, which he may not have even put before the committee—I am not asking him about the committee’s business—he has a duty to this Parliament to stand up and say why he will not now support Mr McKechnie. He does not have to say what happened in that committee. It might be something that he knows outside of the committee, but he cannot sit there and have the Leader of the Opposition on his left and saying that perhaps he knows something that he is not telling this Parliament. That is fraudulent, I suggest. It is a fraudulent argument. We know that the committee met on the Wednesday, and on that Wednesday it responded to the Premier that the recommendation had not got the support.

We know that the Labor people would have supported Mr McKechnie, because we meet as a party and we go along to these things as a party. The member for Kalamunda has already voted in support of the second reading debate, so obviously in this Parliament he has supported Mr McKechnie, and will when this debate is finished. We know that he is a member of the caucus, which has resolved to proceed with this bill, and the resolution was to proceed with this bill if the committee could not achieve bipartisan and majority support. Of course, they voted for Mr McKechnie; that is as plain as the nose on your face. The member for Moore was the only other person in that committee room who had the power to approve or disapprove of Mr McKechnie because he is the person who is a member of the party of which the member for Central Wheatbelt, the Leader of the Opposition, is a member, as defined in section 3 of the legislation, which states that “bipartisan” means —

... members of the Standing Committee who are members of the party of which the Leader of the Opposition is a member;

That is only the member for Moore. If he knows something about Mr McKechnie and why this Parliament should not appoint him to this position, he has a duty to stand up and say so.

**Ms M.J. DAVIES:** That was the assertion that the Attorney General made in his second reading speech. I disagree completely that the Attorney General can make assumptions about how people voted. The Attorney General can make assertions, but he is making assumptions. Quite frankly, as I said, the committee process is that individual MPs are appointed to these committees and they should take on board the fact that they are there to diligently do a job. Yes, they are defined in the act as a person from the opposition, but there is no way that the Attorney General can possibly know—he should not know—how these people vote. I will not canvass this because it is straying into areas that are completely inappropriate.

I will ask one last time: given that the process for appointing the commissioner did not result in a recommendation to appoint Mr McKechnie, does the Attorney General agree that the decision to insert Mr McKechnie’s name into the act taints him as being handpicked by the government, which will make it more difficult for him to do his job as an independent individual?

**Mr J.R. QUIGLEY:** No, I totally disagree. I say that the rejection of Mr McKechnie, firstly by Hon Jim Chown and now by the member for Moore, taints the opposition with a cover-up. That is what I say. It does not taint Mr McKechnie at all; it taints the opposition. It is trying to sack the policeman who is investigating it. That is what it amounts to and all the mums and dads in the community know this. If they were under investigation, they could not turn around and sack the copper who was investigating them. If they were running a business, they could not turn around and sack the taxation commissioner who was investigating them. They could not turn around and sack the state taxation commissioner who was investigating them over stamp duty evasion. They could not do any of that, but the conservative parties in Parliament, by reason of the way in which this has been set up, had the power, and they exercised that power, to sack the commissioner who was investigating them. Why on earth —

*Withdrawal of Remark*

**Ms M.J. DAVIES:** Madam Speaker, that was a broad assertion that members of the opposition were being investigated. I am not sure that the Attorney General should be sharing that with everyone. He broadly applied that assertion to everyone in the opposition. I ask him to withdraw.

**Mr J.R. Quigley** interjected.

**The SPEAKER:** Attorney General, I will rule on points of order.

**Mr J.R. QUIGLEY:** I will not withdraw, but I will be more specific. I will withdraw —

**The SPEAKER:** Perhaps you could let me rule on the withdrawal of remark first. I do not regard it as a withdrawal of remark and I do not require the Attorney General to withdraw.

*Debate Resumed*

**Mr J.R. QUIGLEY:** I will say this: under the act, the people on the committee are not representing themselves. They are not going along with independence to represent themselves; they are representing their party. That is why it states “members of the Standing Committee who are members of the party”. They are there representing their party, just as Hon Klara Andric and the honourable member for Kalamunda will be doing. They will be on that committee representing the Labor Party, under the first part of the definition that says —

... members of the Standing Committee who are members of the party of which the Premier is a member ...

They are representing the Premier’s party. The member for Moore was representing the Nationals WA. The member for Moore voted down Mr McKechnie in the same way that the member of the “Black Hand Gang”, Hon Jim Chown—it sort of sticks in my throat!—was representing the Liberal Party on that committee when he effectively sacked the policeman who was investigating them. It is outrageous!

**Dr D.J. HONEY:** Attorney General, I have covered this topic before.

A member interjected.

**Dr D.J. HONEY:** The Attorney General’s contention is that the CCC is incapable of carrying out or completing an investigation without John McKechnie in the position of CCC chair. The Attorney General has no faith whatsoever in the CCC. He has no faith whatsoever in the investigators of the CCC. The Attorney General is contending that this investigation can only be completed by him. We on this side welcome investigation of any improper behaviour, but the Attorney General has made the statement in here that by us disagreeing with this completely improper process and his shameful and disgraceful behaviour tonight that that investigation cannot be completed without that individual as chair of the CCC. The Attorney General is saying that he has no faith at all in the acting chair of the CCC, that he has no faith in the investigators of the CCC and that there is only one person who can complete that investigation. Your assertions, Attorney General, are shameful!

**The SPEAKER:** Before I give the call, I point out that it is unruly to interject from somewhere other than your seat.

**Mr J.R. QUIGLEY:** I will respond to the member for Cottesloe and tell him what shameful behaviour is. Shameful behaviour is getting on the government internet and communicating with the former corrupt trade agent in Japan, Mr Craig Peacock, and saying that you and your mates in the “Black Hand Gang” are, in reference to young Asian girls, coming up there for some “Japanese honey”. That is what the Liberal Party was up to—going up to Tokyo for “Japanese honey” at the taxpayers’ expense. That is shameful behaviour.

I will tell the member for Cottesloe what shameful behaviour is. This is shameful behaviour. The CCC’s *Report on electoral allowances and management of electorate offices*, dated 26 November 2020, states that Mr Craig Peacock was summonsed to Perth to attend a compulsory hearing and was under instruction and a requirement of the CCC act not to discuss the evidence with anyone. However, he was followed to an Italian restaurant on 17 December 2018 and was photographed there with Mr Edman, Hon Ricky Mazza, who was under investigation—Hon Ricky Mazza had to eventually resign from the Standing Committee on Procedure and Privileges because of his disgraceful conduct—and Mr Ellis. Was Mr Ellis a member of your political party, Leader of the Liberal Party? The member indicates that he does not know, but he used to be the president! The corrupt Mr Peacock is right there. Was Mr Hallett a member of the Liberal Party? Did he get elected as a member of the Liberal Party? They went along to that restaurant to discuss the evidence that they were told they were not allowed to discuss, to cook up a story. That is shameful behaviour by the Liberal Party. The Labor Party is doing nothing here tonight other than standing up for decent Western Australians.

As to the absence of the commissioner, I will read from the 2019–20 annual report. This is from Mr Scott Ellis, the acting commissioner. There is his picture. It states —

Although I have been the Acting Commissioner of the Corruption and Crime Commission since 1 July 2016, this is my first annual report. In past years, the Hon John McKechnie QC held office as Commissioner.

Commissioner McKechnie’s term of appointment ended on 27 April 2020.

Listen closely, member for Cottesloe —

The current lack of a full time Commissioner is regrettable. It creates uncertainty for the Commission. Commissioner McKechnie was a very effective and highly respected Corruption and Crime Commissioner. I was very pleased to collaborate with him on the important work of the Commission.

I have also benefited greatly from the support and skills of the talented and committed team ...

He has said that it is highly regrettable that members opposite have cut the commissioner off at the knees, right when he was on the trail of corruption in the Liberal Party. That is shameful behaviour.

**Dr D.J. HONEY:** There was not one thing that the Attorney General said then that answered the question that I put to him, and that is: does the absence of Mr McKechnie stop that investigation from going forward? The Attorney General loves going through salacious detail; he gets a certain fervour whenever he does it. The truth is that if they have done any wrongdoing, they should be prosecuted. Let the Corruption and Crime Commission take them to court. As I have said, we on this side expect the CCC to follow through with investigations and take those matters to court. The Attorney General has not answered my question. His contention is that this whole charade we are going through now is necessary because that matter cannot be prosecuted and that in some way members on this side are complicit in some conspiracy to stop that investigation, and that is contingent on the fact that that investigation could not continue to be done properly in the absence of Mr McKechnie. He said nothing in that statement. I can understand why an acting commissioner would say that they would want to be in that position permanently or that someone should be in there permanently, and we have heard that Mr McKechnie is a well-regarded individual. That does not speak to the key point, which is: is Mr McKechnie's appointment critical for the prosecution of this case? Based on what the Attorney General has said and the fervour with which he has said it, it seems to me that the commission has matters that it can take to court. I welcome that. I welcome proper exploration of these issues, but I find incomprehensible his contention that that matter cannot be investigated because of the absence of Mr McKechnie. In fact, I find that a ridiculous assertion on his part. The Attorney General should answer the question: will that investigation be prevented from going forward and coming to its natural conclusion if Mr McKechnie is not on the commission?

**Mr J.R. QUIGLEY:** That investigation is not going forward because, up until now, another chamber controlled by the Liberal and National Parties has managed to keep a computer and two hard drives away from the CCC. I refer to paragraph 22 of the report of 26 November 2020, which I have already referred to. It states —

While this is the second report in connection with Operation Betelgeuse, the investigation is not complete and cannot be completed until the Commission has been able to examine two hard drives which the Commission understands are still in the physical custody of the Clerk of the Legislative Council. If those materials become available to the Commission and if those materials reveal serious misconduct the Commission will investigate further.

What is impeding the progress of Operation Betelgeuse is the retention by the Legislative Council of those two hard drives. What is critical for the ongoing operation of the Corruption and Crime Commission is to have a permanent commissioner—the best permanent commissioner available. Mr Paul Whyte did not knock on the door and give himself up for \$25 million. He was found out by the CCC. Mr Fullerton did not hand himself in for having his house rebuilt and a couple of hundred grand dropped in his account. He was found out by the CCC. These sorts of corruptions were never, ever uncovered during the terms of previous commissioners. Mr McKechnie had breathed new life into the CCC, and the public knows it. The public is not silly. We went to the public. The Premier said to the public time and again, “Vote for us, and we’ll do all we can to reinstate Mr McKechnie as the commissioner.” To go to the member’s question, what is critical to Operation Betelgeuse—that is, the further investigation—is for the member’s parliamentary colleagues in the Legislative Council to join with Labor and get these two computers over to the CCC. That is what is critical. The next thing that is critical for the general operation of the CCC, is, as the acting commissioner says, to have a permanent, expert, best available commissioner, and that is Mr McKechnie.

**Dr D.J. HONEY:** The Attorney General has a habit of making assertions that are in fact completely untrue. He said that the Liberals and Nationals controlled the Legislative Council in the last Parliament.

Several members interjected.

**Dr D.J. HONEY:** Yes, he did. He said control. He said the Liberals and Nationals controlled the Legislative Council in the last Parliament. The Attorney General knows that in the last Parliament, there were nine Liberals and five Nationals in the Legislative Council. That is 14 members out of 36. The Attorney General knows that the votes in that house could be defeated only if the crossbench voted with those groups. Therefore, he knows that is a false statement to make to this Parliament. The Liberals and Nationals did not control that chamber. The Attorney General also knows, because he took this person to court, that the former President of the Legislative Council was deeply concerned that the Attorney General and the CCC were confounding parliamentary privilege. The Attorney General also knows that the former President of the Legislative Council had worked out and agreed to a process whereby the CCC could have the information that was available on those computers, subject to a review of any information that was possibly subject to privilege. So why does the Attorney General make those statements in this chamber? That is not being honest, Attorney General. The Attorney General is being salacious and disgraceful in the way that he presents this. It does no service to him and it does no service to this bill.

**The SPEAKER:** I would caution the Leader of the Liberal Party against accusing another member of not being honest. Perhaps you would reflect on that language in your future choices, member.

**Dr D.J. Honey:** He just called Liberal Party members corrupt.

**Mr J.R. QUIGLEY:** They were corrupt, Madam Speaker. It is corrupt to take public money and hire young Asian women in brothels in Tokyo. I know the Liberal Party does not understand that to be corrupt, but that speaks more of Liberal Party ethics and morals than it does of the conduct itself. No-one in the community would disagree with the proposition that Liberal Party members of Parliament using taxpayers' money to hire young Asian women in brothels in Tokyo is corrupt. No-one in the community would disagree that Liberal Party members using taxpayers' money to go on wine tours in the Barossa Valley is corrupt. To say that there was an agreement between the Standing Committee on Procedure and Privileges and the CCC whereby there would be a handover of documents is patently wrong.

Today I read a letter to the chamber from the Corruption and Crime Commission addressed to the State Solicitor's Office. It was a sensitive legal-in-confidence letter, dated 22 July 2019, and was an appendix to the fifty-sixth report of the Standing Committee on Procedure and Privileges. It is addressed to the State Solicitor's Office and I will read it again —

#### **Notices to Produce ...**

I refer to our telephone conversation ... in relation to this matter, in which you sought clarification as to:

1. whether there is an agreed procedure in place between the Commission and the Procedure and Privileges Committee ... in relation to accessing documents to be produced under the above Notices for parliamentary privilege; and
2. whether the proposed process of physically handing the records to be produced under the above Notices to the Commission's exhibit officer, before that officer immediately passes the records to the PPC, would satisfy production under the Notices.

#### **Is there an agreed procedure in place between the Commission and the PPC?**

The Commission has not agreed to a procedure with the PPC.

The Commissioner's letter of 26 June 2019 noted the PPC had 'finalised its procedure for dealing with the Commission notices'.

While the Commission has conferred with the PPC (and with the DPC) with a view to offering technical assistance, the Commissioner's clear position at all times has been that the Commission cannot approve or agree to a process. That is a matter for the PPC, not the Commission.

The Commission's position was confirmed most recently verbally and in writing by the Commission's Director of Operations, Mr David Robinson, to Mr Nigel Pratt on 3 and 5 July 2019 ...

Therefore, there was not, as the member asserts, an agreement between the CCC and the Standing Committee on Procedure and Privileges about the production of these documents. The fact of the matter is that within football kicking's distance from where we sit is a computer, and on that computer are emails, which we know of from Mr Craig Peacock, in which a Liberal Party member was arranging trips to brothels and arranging those trips to brothels to be paid for by the taxpayer. That is what the scandal is, and every time the conservatives have the opportunity to try to close down this investigation and keep this information from the public information, they take that opportunity.

Imagine, back in the days of the Carpenter government when I was here in 2007 and 2008, when the CCC was investigating Labor, if Premier Carpenter had closed down the Corruption and Crime Commission. The city would be calling for the government's resignation. It is disgraceful conduct! And you say that I speak with fervour on this salaciousness—no! I reflect the community's anger at the conduct of a whole group of Liberal members of this Parliament who have taken and played the taxpayers for suckers.

**Dr D.J. HONEY:** Attorney General, you are also referring to the previous President of the Legislative Council, Hon Kate Doust, because you know that she did not agree with the wholesale taking of that drive. But you also know that Hon Kate Doust agreed that a retired judge could review the material, determine what material was privileged and release all the rest of that material to the CCC. That is the matter, amongst other things, that is being considered by the courts at this moment. What you are doing here is making cheap political tricks and not answering the substantive question. You have again asserted that because Mr McKechnie was not appointed to that position that this investigation would be shut down. You know there is a path forward. You know there should be a finding coming from a court case as to what is privileged information and what is not, and that that information will otherwise be available. So there is no attempt. The Hon Kate Doust is a member of your party and can I say, clearly outside yourself, a highly respected member of the Labor Party and a highly respected former minister and a highly respected senior member of the Legislative Council. You know that Hon Kate Doust was also concerned about the release of that information. It has been said that that information was being stopped by the Liberal Party or the National Party, but it required a majority of the Legislative Council to do that. It was asserted that it was those parties alone, knowing that Hon Kate Doust had deep concerns that parliamentary privilege was being breached. She took the considerable action of going to court to defend parliamentary privilege and to have a process so that that information could be released in a way that other material that was subject to parliamentary privilege would not be released. She developed that process. The Attorney General can be cute with words but what he is saying to members in this place is misleading and he should not do it.

**Mr J.R. QUIGLEY:** I am glad that we are talking about former office holders. I am glad the member raised former office holders because his predecessor in the seat of Cottesloe was a former office holder; he was the Premier. When the committee, on the vote of the Liberal Jim Chown, cut Mr McKechnie off at the knees and blocked him from continuing the investigation, the former officer holder, the former Premier of Western Australia, Hon Colin Barnett, said it was disgraceful of the Liberal Party to have done that. I thank the member for reminding me of former office holders and what they had to say. Mr Barnett would never have trucked the nonsense that the new member for Cottesloe, or his successor, is putting before this Parliament. He said it was disgraceful how the Liberal Party was acting.

**Dr D.J. HONEY:** The Attorney General knows that during this entire debate, we have been at pains to make clear that we are making no statement about whether Mr McKechnie is a suitable person. We have deep concerns about the process that the Attorney General is following. To say that we are focusing on Mr McKechnie is completely false and goes completely against all the statements that have been made by those on this side of the house during the debate.

**Ms M.J. DAVIES:** I have a final question, which I think goes to the point that the member for Moore, the Deputy Leader of the Opposition, was trying to make earlier in relation to bipartisanship. I think I mentioned this during my speech on the second reading. When we go back to the original second reading, we find that Hon Jim McGinty went through a number of different points and principles. He talked about accountability and the new structure for the CCC that the Labor Party was introducing. He said —

The CCC will have one commissioner, with provision for an acting commissioner, a parliamentary inspector, and continued monitoring by a parliamentary committee.

To ensure the community and Parliament will have confidence in the commissioner, the appointment of the commissioner can be made only after the Premier has consulted the parliamentary leader of each party in the Parliament.

To me, that says Hon Jim McGinty felt that bipartisanship was important in the appointment. I understand that was for the first appointment, not a reappointment. Nonetheless, the notion is the same; bipartisanship was important. I think the Attorney General and this government, through their actions, have quite clearly dismissed this as one of the fundamentals. That bipartisanship is important because it is about how the commissioner can conduct their business without having concerns raised by the community; they are acting at the behest of the executive or the government. Hon Jim McGinty felt it was so important to make the point right at the beginning of his speech about the creation of the commission and how the commissioner would be appointed, but this government sees that that is not an important factor to progress with the appointment of this most important role.

**Mr J.R. QUIGLEY:** This government did consult. It consulted extensively. It consulted with the voters of Western Australia repeatedly throughout the election campaign and made a promise to the voters of Western Australia that if they wanted Mr McKechnie reappointed, they should vote Labor.

**Clause put and passed.**

**Title put and passed.**

#### *Third Reading*

**MR J.R. QUIGLEY (Butler — Attorney General)** [8.15 pm]: I move —

That the bill be now read a third time.

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [8.15 pm]: This has been a remarkable two days in which the opposition has been asked to consider two quite extraordinary bills. As we have pointed out, we were happy to consider the first bill and assist the government in rectifying a mistake of its own making so that we could protect data provided through the SafeWA app so that the people of Western Australia could have the confidence to continue using it. We did that yesterday, I might add, under great duress; we found out about it at 10.00 am, were briefed at 5.00 pm and debated it at 7.00 pm. The debate was cut off at 9.15 pm, and certainly it was far more than the four clauses of the amendment bill that we have been dealing with today, notwithstanding those four clauses are somewhat more contentious, I think, and have more far-reaching ramifications on how we deal with the most important and serious of matters—the oversight and investigation of crime and corruption in our public service.

We made it very clear from an opposition perspective—I think the leader of the Liberal Party also enunciated this in his last contribution—that our concerns have always been about the way that the commissioner is appointed and are not necessarily in relation to Mr McKechnie. We went through the fact that he has the qualifications that enable him to be put forward by the nominating committee and to be put forward for consideration by the Joint Standing Committee on the Corruption and Crime Commission. That is not in question. What is in question is the process outlined in the Corruption, Crime and Misconduct Act 2003, brought in by a Labor government, that involves a specific number of steps to ensure that the person appointed to that role can conduct their investigations and the business of the CCC with a degree of independence from government and the executive and their influence. They need to be able to act outside of the shadow of being appointed or hand-picked by the government of the day.

Mr McKechnie was appointed by a Liberal–National government. He went through that process. The Joint Standing Committee on the Corruption and Crime Commission approved him. He met that threshold of bipartisan and majority support. When it came to the reappointment of Mr McKechnie, that threshold was not met. As a consequence, quite extraordinarily I thought at the time, because we were in the midst of a pandemic and under emergency management rules in this house for the legislation that we were dealing with, the Premier sought to bring that piece of legislation, which is very similar to the one that we are debating today, back into the house, declaring that it was urgent, we must go through this process and we could not do anything other than insert Mr McKechnie's name in the legislation. At that time, I wrote to the Premier as the Leader of the Nationals WA—I was not the Leader of the Opposition at the time—and made it very clear that we did not think that that was an appropriate way to go forward with that appointment. I think that we have made those reasons clear in both the second reading debate in May 2020 and also today.

It casts a shadow over Mr McKechnie. It is not of his own doing; it is the Premier and the Attorney General's doing. They have tainted this process, and as a consequence, anything Mr McKechnie undertakes will always be linked back to partisan politics. Some of the behaviour we have seen in this house tonight makes that absolutely clear to me.

Not one of us believes that the matters the Attorney General canvassed tonight, into which investigations have been undertaken, are befitting of members of Parliament. We believe they are matters that need to be taken forward into the courts. This side of the house—the Nationals WA and Liberal Party opposition—will never endorse corrupt behaviour. We in this Parliament, as servants of the public, have to be above that behaviour. The way to prove we are above that is by having an independent Corruption and Crime Commission that actually does its role outside the shadow of the government of the day. The moment the Premier and the Attorney General sought to appoint Mr McKechnie outside the process laid out in the Corruption, Crime and Misconduct Act 2003 was the moment they effectively inhibited Mr McKechnie from conducting his role in an impartial way. That, to me, is most disturbing, because a precedent has now been set.

The Attorney General foreshadowed in his second reading speech that the government will be reviewing the way in which future commissioners are appointed. It would have been a far more prudent way to approach this situation to actually do that work and bring the legislation to the house rather than forcing this bill through using the government's numbers and, I think, thereby putting Mr McKechnie in an impossible position. The government went outside the process that did not deliver it the outcome it wanted. It picked up its bat and ball, went home and said, "We're just going to insert this name into the legislation and we're going to use our numbers to force it through. We're going to force it through the Parliament." I think that is an absolutely atrocious use of the majority the government has been afforded by the people of Western Australia.

This does not set a good precedent. It ignores all the debate and discussion that took place when the Corruption and Crime Commission was first introduced by Hon Jim McGinty. At that time, it was made very, very clear that bipartisanship, the checks and balances of the Joint Standing Committee on the Corruption and Crime Commission and the processes that the nominating committee would go through to appoint the commissioner were incredibly important for maintaining public confidence. The CCC investigates very serious matters.

Once again I say: we cannot ever defend the misuse of public dollars, whether it is by one of our own party members, somebody in the public service or a police officer. That is not something that anyone in this place should defend, and not one of our members has done that. We are worried that the process this government has chosen to appoint Mr McKechnie will effectively render him ineffective in pursuing his role without calling into question the motives behind the task he has been assigned. It is a most important task.

I share the Leader of the Liberal Party's outrage at the way in which the Attorney General chose to conduct himself in this place this evening. I believe we were simply having a debate about the process that was laid out and why the government has gone down this road to insert Mr McKechnie into that position. It is unique. At one point the Attorney General compared the insertion of the name of the Corruption and Crime Commissioner into this legislation with the appointment of someone in the Anglican diocese! They are hardly comparable; it is too cute by half.

The public commentary by the Attorney General and the Premier has been most disappointing. We are here to make sure that we do not set precedents that could call into question the role of the CCC in the future, but that is exactly what this government has done.

**DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [8.24 pm]: I also rise to make a contribution on the Corruption, Crime and Misconduct Amendment Bill 2021. It is a great misfortune that we see this bill come before this house and the way the Attorney General has conducted himself tonight is an even greater misfortune. This bill is simply wrong and it is a shameful day for this chamber and this Parliament when it progresses in this manner. This bill not only taints the appointment, as the Leader of the Opposition has pointed out, but also casts a shadow on the Premier, the Attorney General and the entire Labor government. If this bill progresses through the upper house, this will be a partisan appointment—the choice of the Premier and the Attorney General. Any action by Mr McKechnie will be tainted by a perception that he is a partisan appointment. That is a great shame and a terrible reflection on this Premier, the Attorney General and this Labor government.

What we are seeing in this chamber is the worst example of an arrogant Labor government drunk on power, indifferent to proper and decent process. As the Leader of the Opposition has pointed out and I will reassert, we have no truck on this side with corrupt behaviour. If people have behaved corruptly, the Corruption and Crime Commission should investigate that corruption and apply charges, but what we have seen tonight is the most senior lawmaker in this state be judge, jury and executioner. What we have witnessed in this chamber tonight is the Attorney General make the specific allegation that a number of individuals have behaved corruptly. The Attorney General knows in his position, given that he is a lawyer and the most senior lawmaker in this state, that that is a specific legal term and not a general assertion. We may be disgusted or upset by someone's behaviour and we may think that someone's behaviour is extremely wrong, but only a court can decide whether that behaviour is in fact corrupt. What we have here, clearly, is the Attorney General being the court and making that assertion himself. Not only did he make an assertion about those people who are being investigated, who he named in this place, but also he made an assertion about a former member of the Joint Standing Committee on the Corruption and Crime Commission. I think that is shameful behaviour on the part of the Attorney General and he should know better. He can express his outrage and upset. I am certain that many members of the public are upset by the matters that he has reported. We on this side and I am upset by those reports. That behaviour is unacceptable behaviour in my terms. If that behaviour has been corrupt, that matter needs to go before a court and charges laid.

We know that on a number of occasions the parliamentary inspector has reported that the CCC has made assertions and allegations against individuals and those charges have not even been able to go to court. The parliamentary inspector has been extremely critical of the CCC for making those claims public when there was no hope that those matters could be proved before a court. We are yet to see whether the matters that the Attorney General discussed can be proven before a court. If they are proven before a court and those people are prosecuted and those people have carried out their behaviour corruptly, then good. Bring that on. Bring that to court; let us hear those matters out. We on this side would welcome that as much as the Attorney General would welcome that.

I believe that the Attorney General's behaviour tonight has been quite improper and disgraceful. For the Attorney General to be the judge, jury and executioner and make those assertions and statements here, in particular about the previous Liberal member on the CCC joint standing committee, does the Attorney General no service and, as I said, does this bill no service whatsoever. This is an improper process. This is a partisan process. If this bill goes through the upper house and this government does not see good sense, it will taint that appointment for as long as it lasts as a partisan appointment. That risks tainting every decision made by the CCC. Those decisions could also be tainted as a partisan process, and that is a disgrace because the CCC is critical for ensuring that we do not have corrupt or illegal behaviour in the community, but more particularly, corrupt behaviour in government, the executive of government or amongst members of this and the other chamber. That is a great shame.

As has been pointed out, there are several ways this matter could have been dealt with. The government could simply have made a recommendation, a suggestion, for another person who is acceptable to that committee. The government could have gone through a thorough process of putting forward other legislation to decide how the head of the CCC should be appointed if it was dissatisfied with this method. The government has not chosen to do that. The government, the Attorney General and the Premier have made it clear to not only members of their own party—the former member for Girrawheen and the former President of the Legislative Council—but also everyone in the legal community and in Australia that they will not accept any other person in that role than Mr McKechnie. They are making it clear that Mr McKechnie is their appointment, even though he may be called upon to adjudicate on an issue that involves the Attorney General, the Premier, Labor members in this house or Liberal or National Party members or members of other parties in this Parliament. Specifically, they are making Mr McKechnie their appointment, a Labor appointment, when he may be called upon to investigate matters concerning Labor members and, in particular, the Attorney General and the Premier. As I pointed out earlier, I would be surprised if anyone had bothered to nominate for this position given the statements by the Attorney General and the Premier on this matter.

We heard a contention, which was repeated in this place, that somehow the CCC and the current acting head of the CCC are incompetent. The assertion is that they cannot carry out the required investigations; only Mr McKechnie can complete those investigations. The assertion is that those investigations and whatever other investigations the CCC is carrying out can be carried out only by Mr McKechnie. Regardless of whether Mr McKechnie is appointed for another five years, will we see at the end of those five years that he is the only person who can head that organisation and successfully carry out investigations? Some members on the other side are legal practitioners and they know that there are many learned people who could carry out that job. It is a false assertion.

It is an equally false assertion to say that our debate in this chamber or the concerns around privilege in the other chamber are there to protect individuals. As I said, no-one has any truck with individuals who behave corruptly. If that is the case, bring those charges before a court, charge the people in question, prosecute them and they will suffer a penalty. We have no truck with that. However, we have deep concerns with this process for the reasons I have outlined. The government has utterly tainted this position. It is utterly tainting a crucial part of the checks and balances on this Parliament and an organisation that is there to investigate corruption and crime in other parts of the state. Government members should collectively feel ashamed of themselves.

**MR J.R. QUIGLEY (Butler — Attorney General)** [8.33 pm] — in reply: Have we heard some cute disinformation in this chamber this evening! It'd make you blush! There is the Leader of the Liberal Party saying that no-one on that side of politics would support corrupt behaviour. That is exactly what happened. As soon as the Corruption and Crime Commission, through its intercepts on the materials of Mr Craig Peacock, the former trade agent in Japan, found the connection back to Phil Edman and it executed a warrant on him, the most senior person then in the Liberal Party, the longest-serving member of the Liberal Party and a member of the Standing Committee on Procedure and Privileges of the upper house, Mr Simon O'Brien, rang the corrupt Mr Edman to say, "I support you, mate, and I'll support you all the way." Then they come in here and speak these mealy-mouthed words. There is no-one on this side of the chamber —

**Dr D.J. Honey** interjected.

**Mr J.R. QUIGLEY:** I am not taking interjections from the peanut gallery this evening; it is too late, Mr Deputy Speaker.

**The DEPUTY SPEAKER:** Leader of the Liberal Party!

**Mr J.R. QUIGLEY:** Someone in the Liberal Party, the longest serving member of the Liberal Party, at the time also a member of one of the most senior committees of this Parliament, the Standing Committee on Procedure and Privileges of the Legislative Council, was ringing up the corrupt Mr Edman offering him his ongoing support. The member for Cottesloe says, "How dare the Attorney General call these people corrupt." I do so by reason of the Corruption, Crime and Misconduct Act, which I am now holding. In part 3, "Serious misconduct: role of Commission", section 22, "Assessments and opinions as to occurrence of Serious misconduct", states —

- (1) Regardless of whether or not there has been an allegation of serious misconduct, the Commission may make assessments and form opinions as to whether serious misconduct —
  - (a) has or may have occurred; or
  - (b) is or may be occurring; or
  - (c) is or may be about to occur; or
  - (d) is likely to occur.

I go back to section 4 to the term "serious misconduct". Misconduct occurred. We know the Corruption and Crime Commission made a finding of serious misconduct against Liberal Party members of the Legislative Council. That is in its report thus far on Operation Betelgeuse, but what does a finding of serious misconduct entail when the commission makes that finding, which it has made—not a finding of the Attorney General, not a finding of the Premier, but a finding of the commission. What does a finding of serious misconduct mean? Section 4 states, in part —

Misconduct occurs if —

- (a) a public officer corruptly acts or corruptly fails to act in the performance of the functions of the public officer's office or employment; or

Cop this one —

- (b) a public officer corruptly takes advantage of the public officer's office or employment as a public officer to obtain a benefit for himself —

Read: "Asian honey", "Tokyo honey" —

or herself or for another person —

Read: his mates, whom he was emailing, "come and get the 'Asian honey'". It continues —

or to cause a detriment to any person ...

That is corruption; not a finding of the Attorney General. The finding was of serious misconduct for that conduct—fraudulently taking, as was noted in the report. What appeared in the diaries of those who went on that sex trip is not what happened on that sex trip. No; there was no mention of "Soapland", no mention of "Asian honey". It was fraudulent, so do not come in here getting all offended saying that the Attorney General has acted disgracefully by referring to the truth of the corrupt behaviour of the members of the Liberal Party who formed a gang in the Legislative Council, which was kept secret, called—they called it; I am not saying I called it; they called it themselves—the "Black Hand Gang", the ominous "Black Hand Gang". The CCC was investigating members of the "Black Hand Gang" for serious misconduct that involved fraud on the public purse. One of the "Black Hand Gang" was embedded in the committee and was able to cut off the inquirer at the knees.

Mr Deputy Speaker, I rest our case. I say no more. I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.

*House adjourned at 8.38 pm*

