



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2021

LEGISLATIVE ASSEMBLY

Thursday, 19 August 2021

Legislative Assembly

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THE SPEAKER (Mrs M.H. Roberts) took the chair at 9.00 am, acknowledged country and read prayers.

BILLS

Assent

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

1. Public Health Amendment (Safe Access Zones) Bill 2021.
2. Railway (BBI Rail Aus Pty Ltd) Agreement Amendment Bill 2021.
3. Agricultural Produce Commission Amendment Bill 2021.

PAPERS TABLED

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

EXPERIENCE KALBARRI AT HALF PRICE

Statement by Minister for Tourism

MR D.A. TEMPLEMAN (Mandurah — Minister for Tourism) [9.04 am]: I am very pleased to inform members about an exciting tourism initiative that will provide Western Australians with a 50 per cent discount on bookings for tours, attractions and hire businesses in Kalbarri and surrounding areas. The Experience Kalbarri at Half Price promotion is part of the extensive support package that the McGowan government is providing for communities affected by cyclone Seroja. The government wants to help people make the most of their Kalbarri getaway and is subsidising the cost of tours, experiences and boat hire up to a total value of \$50 000. This follows the government's previous announcement of an additional \$220 000 to Australia's Coral Coast regional tourism organisation to support marketing activities to promote Kalbarri and its surrounds. This latest promotion allows visitors to choose from a variety of sightseeing options, such as taking a guided cruise along the magnificent Murchison River or hiring a boat and going at their own pace; abseiling down the scenic gorges in Kalbarri National Park; or taking a scenic flight to see Kalbarri National Park from the air or to take in the Abrolhos Islands, coral reefs and the Hutt Lagoon pink lake. The discount is available on bookings made with participating businesses through the Kalbarri Visitor Centre, with the promotion beginning yesterday, 18 August, and running until 16 December, excluding school holidays, until sold out.

Kalbarri is open for business and tour operators, experience providers and hire businesses are waiting to welcome travellers back to the region to explore this popular coastal destination. The Experience Kalbarri at Half Price initiative is another great opportunity for people to wander out yonder and see the sights in this amazing part of our wonderful state, where the ancient rugged outback meets white sand beaches. I encourage everyone to make the most of this terrific half-price offer and book a Kalbarri experience today. It will assist local operators in their ongoing recovery from cyclone Seroja.

NET ZERO EMISSION MINING CHALLENGE

Statement by Minister for Mines and Petroleum

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [9.06 am]: I rise to inform the house of the Minerals Research Institute of Western Australia's net zero emission mining challenge. Applications are now open for a \$1 million competitive funding round that aims to support research proposals that address challenges to reducing emissions in the mining industry. Small to medium enterprises in the mining equipment, technology and services sector are invited to apply for co-funding across three research priority themes that focus on supporting data-driven decisions, innovative mining and processing technology, and the optimisation of energy utilisation.

I also encourage these businesses to participate in the Innovate to Grow program run by CSIRO and Practera, which has now commenced. This self-paced, online learning program will guide up to 25 METS leaders to develop innovative solutions to a business challenge related to net zero emission mining in Western Australia. Participants will complete the program with a business case and draft funding proposal.

To further support participating SMEs, the McGowan government, through MRIWA, is offering a total of \$500 000 to eligible program participants to develop their solutions towards implementation. These small-scale grants of between \$20 000 and \$50 000 will require matched funding and will be subject to an application process following completion of the program.

METS is a vital part of the resources sector supply chain. The McGowan government is committed to supporting research and development in Western Australia's mining sector to ensure that it remains a world leader in the

METS sector. As part of MRIWA's net zero emission mining challenge, this funding will support the diversification of our state's economy and progress research on overcoming the challenges to decarbonise the mining sector. On behalf of the McGowan government, I encourage all eligible small businesses to apply.

WA FOSTER CARERS WEEK

Statement by Minister for Child Protection

MS S.F. McGURK (Fremantle — Minister for Child Protection) [9.08 am]: I would like to acknowledge that this week is WA Foster Carers Week and update the house on the hard work and dedication of foster carers across the state.

Foster carers are ordinary people who step up and choose to make a difference to the lives of some of our most vulnerable children and young people when they need it most. In WA, more than 5 300 children are currently receiving love and support through foster or family care arrangements. This occurs when children and young people are no longer able to safely stay at home. The state government is celebrating the vital role of foster carers with events and activities to recognise carers at regional district offices across WA. These events highlight the role of carers and aim to strengthen the existing support networks with other carers in their local area. Through regional and community media this week, we have heard about the experiences of some of these incredible carers, from a former young person in care turned Kalgoorlie foster carer to a FIFO foster dad who has been looking after kids and young people in care with his wife for over a decade.

In light of this week, I would like to update members on the Foster Care Refresh project, developed by the Department of Communities in partnership with the Foster Care Association of Western Australia. The project aims to improve outcomes for children in care by working with foster, family and significant other carers to identify how we can work better together. I am proud to table *Foster Care Refresh project: Consultation with carers to inform stronger partnerships with foster and family carers leading to improved outcomes for children in care*, a report that highlights the experiences of people caring for children and provides valuable insights that will strengthen the supports that are in place.

[See papers [431](#) and [432](#).]

Ms S.F. McGURK: The report provides a summary of the carers' voices and translates their ideas into tangible actions to promote positive and respectful collaboration between carers and the Department of Communities and the community sector. I take this opportunity to thank all carers for their invaluable contribution and for opening their homes and hearts to care for children in need.

TOWN TEAM MOVEMENT — CONFERENCE

Statement by Minister for Local Government

MR J.N. CAREY (Perth — Minister for Local Government) [9.11 am]: I wish to advise the house that last Friday I opened the Western Australian Town Team Movement's third annual state conference in Bunbury. Town teams are proactive non-profit organisations that bring together small businesses, property owners, landowners, residents and others working within their local government to improve their local place, main street, town centre or area.

The town team approach is innovative, creative and different. It shifts away from the model in which organisations represent only one interest. I obviously have a soft place in my heart for town teams as I helped to found Western Australia's first town team over a decade ago, the Beaufort Street Network. The network is well known for helping to establish the Beaufort Street Festival, which attracted more than 150 000 people and led the local government to adopt a place-based approach to the area.

Place-based approaches have now been proactively taken up by a number of local governments and have helped to facilitate countless other town teams across the state. I am so proud that this movement has now expanded to 78 town teams across 32 local governments in Western Australia. The Town Team Movement has evolved to establish itself as a fundamental component of local communities, and these groups can be credited with cutting through red tape to help activate main streets and town centres. I commend the work of local governments across the state that support and facilitate the work of town teams and generously provide funding to facilitate projects and events.

I also thank the event organisers, the incredible Town Team Movement with Jimmy Murphy at the helm, for hosting another successful event and choosing a regional local government area to showcase great place-activation initiatives implemented by town teams. Local volunteers are critical to the success of town teams and it was exceptional to see over 200 people in attendance at the conference. In times of COVID in particular, we recognise the essential value of investing in our communities and the importance of social connection. A clear example is the upcoming global Porch Placemaking Week from 27 September to 3 October, supported by the Town Team Movement. The event encourages people to activate their verandah or front porch by hosting a street party, installing a little library or displaying children's art to engage and build community, community spirit and resilience.

I am really excited about the future of town teams in Western Australia.

WOOROLOO BUSHFIRE — REVIEW*Statement by Minister for Emergency Services*

MR R.R. WHITBY (Baldvis — Minister for Emergency Services) [9.14 am]: I take this opportunity to inform the house of the imminent commencement of an independent review into the Wooroloo bushfire led by the experienced National Council for Fire and Emergency Services, known as AFAC. Announced last week, the review will examine the extensive information already gathered by agencies and units that responded to this devastating bushfire. It will also provide people with the opportunity to share their stories, which is an important part of the community's healing.

The Wooroloo bushfire started on 1 February this year near Wooroloo and spread rapidly towards the west, through the northern parts of the Perth hills. The fire burned through more than 10 000 hectares, sadly destroying 86 homes across the City of Swan and the Shire of Mundaring. Extreme fire behaviour, with rates of spread of up to five kilometres an hour and flames exceeding 20 metres, was reported during the bushfire. Hundreds of firefighters from across the state battled the blaze. They were faced with extremely challenging conditions, high temperatures, persistent strong winds, low humidity and low dewpoints, coupled with steep and inaccessible terrain and high fuel loads, which made bushfire suppression very difficult.

Since the bushfire, the Department of Fire and Emergency Services has worked alongside the impacted local governments and other agencies to gather critical information that can be used to examine the circumstances surrounding the bushfire and the response to it. Now that this important work has been completed, the independent inquiry will analyse information gathered in the first stage. The initial findings indicate that the recent reforms to the WA bushfire management sector, including significant investment in prevention, made a difference, but in any major emergency there are lessons to be learnt. The state government is committed to learning as much as possible about the bushfire to see whether any improvements can be made in the future. The independent inquiry will examine a range of areas, including the bushfire response, fuel management and mitigation activities, property owner preparedness, animal welfare and communications.

From tomorrow, the terms of reference and submission process will be available on the WA government website. A lot can be learnt from residents' experiences, and I encourage those with firsthand experience to consider sharing their perspective and stories with the independent review team. We know that this has been an extremely difficult time for residents and I am continually heartened by the resilience that the whole community has shown. We have faced an extremely difficult year of emergencies. Although this process has taken some time, it is an important part of continuing to strengthen our emergency management arrangements in WA, and I encourage all members of the community to consider making a submission.

HOMELESSNESS — GERALDTON*Grievance*

MS L. DALTON (Geraldton) [9.16 am]: My grievance this morning is to the Minister for Housing on social housing in my electorate of Geraldton, and in particular in the suburb of Spalding. I want to thank the minister for his engagement on the issue and for taking this grievance today. I have had a number of meetings with the minister and his staff to address these important issues for my constituents. The minister took the time to come up and visit the electorate, and Spalding in particular. I know that he is a passionate advocate for social housing and he has taken the time to really understand the local issues that we face in the suburb of Spalding.

For those who are not familiar with Spalding, it is a northeast suburb of Geraldton; just under 3 000 residents live there. Minister Carey spoke about Spalding last week in this chamber, and he was right; there are well-known issues in the suburb and anecdotal examples of why people do not want to move to Spalding for a variety of reasons. In saying that, I also know that a lot of families really love living in Spalding and love their local community; they have lived there for a very long time and they are proud of that.

Although Spalding, sadly, gets a lot of bad press, it really has great community spirit and assets, like the community garden and the Mitchell Street Community Centre, which could form the heart of what could be a vibrant community with renewal. A number of the problems can be traced back to poor urban and environmental design combined with pockets of high concentration of public housing that has contributed to antisocial behaviour. Renewal in Spalding has been on the agenda for quite a while, and I have spoken to the City of Greater Geraldton on a number of occasions about the existing *Spalding precinct plan* and listened to its concerns about the process of renewal in the area. As the local member, I recognise that there has been some frustration from the community regarding the lack of progress on the precinct plan, given that consultation occurred in 2018 and 2019. That was a great process, and when I spoke to those residents, they were really keen to see it move forward.

I am raising this issue today with the minister again to advocate on behalf of my constituents and community. I hope the minister can outline what the state government is doing to progress renewal in Spalding and housing in Geraldton more broadly.

MR J.N. CAREY (Perth — Minister for Housing) [9.19 am]: I want to thank the member for Geraldton for her advocacy on both this issue and for her constituents. I think it is fair to say—I have joked about it in this place before—that the member for Geraldton has been giving me a significant ear-bashing on this issue. She is an incredible advocate for her community, and she has made it clear that she wants to see renewal and action in the suburb of Spalding. She asked me to come up to Geraldton to look at the suburb and the particular streets and get a very clear understanding. I thank her for that. She got me up there, and I met with the regional staff. They are doing an incredible job. I give a shout-out to Miranda and the whole team of regional staff. Despite the sometimes simplistic understanding in the broader media, and I understand where that comes from, there are complex and challenging issues that our regional staff have to face.

I have tried to have an honest and up-front conversation with the community about the challenges that we face in Spalding. As the member has said, this comes back, in part, to the significant challenges and issues that result from poor urban design. We know that good planning and good urban design can make suburbs incredibly liveable. When we go to Spalding, we note the lack of footpaths, and lighting. There are design flaws in the roads and throughways. For example, there are some cul-de-sacs that limit entry and exit. That means that we cannot get that great passive surveillance that can be used to tackle antisocial behaviour. There is one particular site, Bogle Way—did I say that right?

Ms L. Dalton interjected.

Mr J.N. CAREY: I am sorry. I will be forever in trouble now! I will get another ear-bashing from the member for Geraldton. My staff are probably watching on the television screen and throwing darts!

This cul-de-sac is particularly poorly designed. The fact that there is only one road in and out leads to some significant issues, and some residents feel unsafe. There is also another challenge that I have talked about, not just for Spalding but for many other suburbs and precincts, and that is the high density of social housing. This is sometimes concentrated in particular streets. As the member for Geraldton has stated, in 2018–19 there was significant consultation on the development of the Spalding precinct plan. I have made it a key priority to focus on and look at the poor design of the Spalding precinct, based on the strong advocacy of the member for Geraldton. As I said, I went up to Geraldton in July. I met with the regional staff. I also met with the City of Greater Geraldton, including the mayor and CEO. It is very clear, based on the advocacy of the local member, that the suburb needs renewal. That includes refurbishment of the public housing in Spalding. However, we also need to tackle the urban planning issues. I had a very productive meeting with the City of Greater Geraldton. Some of those issues are obviously not a state government responsibility. We want to work with the City of Greater Geraldton to see a significant investment by the local government in things like lighting, footpaths, parks and other amenities.

This government is investing a huge sum—as I have said, nearly \$1 billion—on social housing refurbishment, affordable homes and homelessness initiatives. That includes \$97 million to build 250 new social housing dwellings, which will include eight new dwellings in Geraldton. We also have the housing and homelessness investment package of \$125 million to build 300 new social housing dwellings. That will include up to 10 new dwellings in the midwest–Gascoyne region, of which eight will be in Geraldton.

We also have the social housing economic recovery package program of \$142 million to assist with the ageing housing stock in Western Australia. It is estimated that up to 80 social homes will be refurbished in the midwest–Gascoyne region through SHERP. To date, refurbishment works have begun on 15 dwellings in the midwest–Gascoyne region, nine of which are located in Geraldton.

This is to make sure, as I have talked about, that our ageing housing stock does not fall out of the system. It is a huge challenge that we inherited from the previous government, and we should not underestimate it. This \$142 million investment includes Spalding. A 12-unit complex in Spalding is planned to be refurbished, with both internal and external works, including painting and flooring throughout, and refurbishment of kitchens, bathrooms, laundries and toilets. Through SHERP, we are also investing \$80 million for regional maintenance works, which will target social housing, government workers' housing and remote Aboriginal housing. It is estimated that around 300 existing social homes in the midwest–Gascoyne region will receive maintenance works through SHERP. To date, 12 local businesses have commenced maintenance works to 516 dwellings throughout the midwest–Gascoyne region. This record investment in ageing stock will ensure that we do not lose those homes from the system.

I will end on this. I want to thank the member for Geraldton. She has been an incredibly strong voice on the issues facing Spalding. We all want to see the best result. I share what the member wants. We want to invest in that suburb to make it a very positive and liveable area. We know that people are proud to live in Spalding. We want to make it even better for them. My commitment is to work with the member for Geraldton to achieve that goal.

ELECTRICITY INFRASTRUCTURE — 46 BAYVIEW STREET, MT TARCOOLA

Grievance

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [9.26 am]: My grievance is to the Minister for Energy. I grieve today on behalf of my constituents Tom and Tana Davies regarding power infrastructure on 46 Bayview Street, Mt Tarcoola. Mr and Mrs Davies purchased this property on 13 November 2019. The Davies

noted at the time they purchased the property that there were no encumbrances, easements or notations on the property title. The block had earlier been the subject of an amalgamation of lot 123 Bayview Street and lot 99 Bayview Street, when the Western Australian Planning Commission endorsed deposited plan 51713, which was date stamped 31 March 2008. The amalgamation involved the incorporation of an adjacent public access way at lot 123, with the new lot designated lot 300 and with the address 46 Bayview Street.

The Department of Planning and Infrastructure sought Western Power comment on the amalgamation of the two blocks and was advised of the requirement that there be only one point of electricity supply per freehold lot, and that any existing overhead consumer service be converted to underground. Western Power advised that the landholders had met the required conditions on 25 January 2008. The Western Power consumer pole that was located on the common boundary and had supplied both 44 Bayview Street and 46 Bayview Street prior to 2008 is now 5.6 metres within the property boundary of 46 Bayview street, which the Davies now own, and supplies power only to their neighbour at 44 Bayview Street. Mr and Mrs Davies are held responsible for maintenance of the pole and the 6.5 metres of overhead supply lines to their neighbour's property. It is their responsibility to keep trees lopped in the vicinity of the pole, even though this Western Power infrastructure has nothing to do with the power supply to their property.

Mr and Mrs Davies have written the following, according to my notes —

'The WA Distributions Connections Manual (WADCM) 12.4.6.1—Service cables crossing an adjoining property, states "An overhead service cable shall not cross over or into an adjoining property unless a suitable easement is obtained by the customer over such property or it is for the purposes of attachment to a common use consumer pole located on a common boundary"'

They go on to say —

The consumer pole in question;

1. *Supports an overhead delivery cable that crosses over our property to supply an adjoining property (44 Bayview Street)*
2. *Is not a common use consumer pole.*
3. *Is not on a common boundary.*
4. *The title to 46 Bayview Street (our property) has no encumbrances, easements or notations with regard to a requirement that a consumer pole should remain on our property to support Western Power infrastructure to 44 Bayview Street.*

As the current situation does not appear to satisfy network compliance requirements and the electrical supply is not to their property, they are not the consumer or customer; their own supply is via underground supply, which is a condition that was imposed on the property owner by Western Power in 2007. As a result of Western Power's approval letter dated 3 January 2008, a consumer pole supporting a service cable that does not meet network compliance requirements is on their property.

Again, the paragraph in the *Western Australian distribution connections manual 2015* headed "Compliance costs" states —

Work related to the repair, replacement, relocation, upgrade or reinstatement of an overhead service cable and/or associated customer equipment may incur costs of varying degrees for either or both the customer and the Network Operator. Costs shall be attributed to the party that instigated or requested the work in accordance with the following principles:

Customer- The customer shall be responsible for all costs incurred including those of the Network Operator as a result of any modification or alteration (including temporary disconnection) made to the electrical installation or due to any structural change to the customer's installation that renders the installation non-compliant with current standards.

Mr and Mrs Davies also write —

We can only assume that it was the previous owner of 46 Bayview Street that instigated the request for sub-division and had overhead network supply disconnected and reconnected via underground supply. We also note that this request appears to have made the previous overhead supply to 44 Bayview Street non-compliant and therefore, we believe, should have been rectified before Western Power gave its clearance to the WA Planning Commission.

The former member for Geraldton, Mr Ian Blayney, wrote to the minister regarding the situation and he responded on 14 October 2020. In part, according to my notes, the response reads —

I understand from Western Power that consumer poles are considered part of customers privately-owned electrical installations and are the responsibility of the property owner. These responsibilities are outlined within the WA Distribution Connections Manual and WA Electrical Requirements, and are determined

by Building and Energy. Western Power informs me that Mr Davies complaint has been independently reviewed by the Office of the Energy and Water Ombudsman. Its investigation determined the relocation of the consumer pole is a private matter between Mr Davies and the owner/occupier at 44 Bayview Street. Western Power advises that as the power supply to 44 Bayview Street remains connected via overhead supply, ongoing maintenance of the consumer pole remains the responsibility of Mr Davies.

Mr and Mrs Davies thus find themselves in a difficult situation. They are unable to move a pole that they apparently own and are required to maintain to the boundary of their property, even if the owner of 44 Bayview Street agrees, as Western Power requires that if the pole is to be moved, the connection is to go underground, as advised by the Energy and Water Ombudsman in a letter dated 23 July 2020. They understand that the owner of 44 Bayview Street should not incur costs and believe that neither should they. They have made numerous attempts to resolve this situation with Western Power and through the Ombudsman, and it would seem clear that this matter should have been resolved 13 years ago, before the amalgamation of lots 123 and 99 Bayview Street, now lot 300 or 46 Bayview Street, was approved.

I do not believe Mr and Mrs Davies should be held responsible for ongoing maintenance of this pole and service cable. I would ask the minister to call on Western Power to remove the pole on the Davies' property and make good this infrastructure for the benefit of the property owners at 44 and 46 Bayview Street. I thank him for taking the grievance.

MR W.J. JOHNSTON (Cannington — Minister for Energy) [9.33 am]: I want to take 30 seconds to let the chamber know that my good friend the member for Victoria Park is going to jump off a building in November as part of the Central Park Plunge for Guide Dogs WA. She tells me that she will be going down 220 metres. I assume that she will be connected to some ropes or something like that. I wish her well and I encourage people to google Central Park Plunge and support her in her efforts to raise money for Guide Dogs WA as she falls off a building!

I thank the member for asking me to respond to this grievance. He has put me in a very difficult position because what he is grieving about is something that I have no legal authority to deal with. I will let him know the way that these things would normally be done. Last year, there was a grievance from Hon Dr Mike Nahan, in his former capacity as the member for Riverton. He came and saw me in the week beforehand and explained to me the challenge, and I went away and investigated the matter so that when he came to do the grievance, he was able to put on the record his constituent's complaint and I was able to resolve it for him because we had worked on the issue in advance. In that way, he was able to go back to his constituent and explain the good work that he had done. The grievance was not the work; the work was representing his constituent to the government in advance so that when he came to do the grievance, the government and the member, on behalf of the constituent, were able to get a resolution.

Equally, late last year, Dr Nahan approached me about a constituent who had a problem with a Synergy bill. That was not resolved through a grievance. He wrote to me and we had a good conversation about it. It took a little while, but we fixed the problem for that constituent. The point I am making to the member is that a grievance is not the work. The work is going away and understanding the situation and then getting it resolved; and, if the member wants to use the grievance to highlight their work to the constituent, that is understandable.

The problem here is that the member is grieving about the Ombudsman. At the end of the day, this matter has already been dealt with by the independent authority of the Ombudsman. In Western Australia, we have a scheme to ensure that there is independent oversight of the operations of the electricity system, as there is of the water system, and that is done through the office of the Ombudsman. The Ombudsman is also known as the Parliamentary Commissioner for Administrative Investigations. They do not answer to government; they are completely and utterly independent of government. If the member had come and talked to me in advance of giving the grievance, I could have explained that. I have no legal authority to involve myself in the outcome of a decision of the Ombudsman. They do not answer to the government; they answer to the Parliament itself. I took advice from the Clerks this morning to see what pathway a member might have when they have a challenge regarding a process of the Ombudsman. The suggestion was that the member might write to the Speaker, but even then there is no clear authority for the Speaker to take action.

I am very embarrassed by the way the member has done this, because he has come to the wrong person with his constituents' problem. He should have done some work in advance of giving the grievance because then he would have been able to serve the interests of his constituents. At the end of the day, the problem for me is that no element of this matter relates to the operations of Western Power. The member read out in his grievance matters relating to the Building and Energy division of the Department of Mines, Industry Regulation and Safety, and it answers to the Minister for Commerce, not the Minister for Energy, because we cannot have the Minister for Energy setting the rules that apply to Western Power. I do not deal with those matters in any way at all. They are dealt with by the Minister for Commerce. Again, if the member had come and seen me in advance, I could have explained that to him. Instead of him coming into this place and not properly serving the interests of his constituents, he could have had an understanding of how to deal with his constituents' issues.

Thirteen years ago, I was not even in Parliament, so I do not know what happened then. Who knows? Nothing that the member has said to me explains what occurred at the time the titles were created. This matter has been investigated by an independent authority, the Energy and Water Ombudsman, who is the Ombudsman of Western Australia, and they have found that Western Power has no role to play. I am not quite sure what the member was seeking from me today, because this is not a Western Power matter. He talked about the Western Australian Planning Commission. The Planning Commission is independent, but it answers to the Minister for Planning. He talked about the rules regarding network infrastructure; that falls under the Building and Energy division of the Department of Mines, Industry Regulation and Safety, which is in the commerce portfolio. He also talked about the outcome of the investigation by the Ombudsman, who answers to the Parliament, not to any minister of government. It is very embarrassing that the member has not done his homework to make sure that he is representing the interests of his constituents properly.

I also am unsure: What was the suburb? Is it Mt Tarcoola? Is that in the member's electorate?

Mr R.S. Love: The property is owned by my constituents; they live in White Peak.

Mr W.J. JOHNSTON: So the property is in Geraldton.

Mr R.S. Love: The property in question is in Tarcoola.

Mr W.J. JOHNSTON: I understand now. It was a bit confusing because the note from the member's electorate officer said that Shane Love, MLA, would be presenting a grievance on behalf of Tom and Tana Davies of 46 Bayview Street, Mt Tarcoola, so I spoke to the member for Geraldton.

Mr R.S. Love: That's a rental property for them.

Mr W.J. JOHNSTON: Sorry; it is just that the note the member sent to me was confusing because it did not properly identify the challenge. Anyway, I apologise to the member's constituents that I am not able to assist, and I am not able to assist because this grievance has been misdirected. Had the member done his job, like Dr Nahan did when he was the member for Riverton, I might have been able to help the member's constituents without this embarrassing situation of showing that the member did not know what he was doing.

BROOME REGIONAL PRISON SITE — 12 MILE COMMUNITY

Grievance

MS D.G. D'ANNA (Kimberley) [9.40 am]: My grievance is to the Minister for Corrective Services. I thank the minister for taking my grievance about the replacement of Broome Regional Prison in my electorate of Kimberley. Like many people in the Broome community, I am well aware that the existing prison needs to be replaced. The prison was opened in 1894. It is old, run down and no longer fit for purpose. The prison holds a long history, known by many locals; even the Broome shire president has a story about the prison, the place of his birth. The existing prison is right in the middle of town, on Hamersley Street, near many local businesses and cafes, and is across the road from the Commonwealth Bank and not far from the much-loved and busy Broome markets. The need for a new prison has been a long discussion over many years. This is not saying that we need to increase the incarceration rate, but is about the actual facility right now not being fit for purpose.

The minister would be aware that the Department of Justice has been looking for a new site for Broome Regional Prison since 2019. A number of sites were considered, in consultation with the traditional owners, the Yawuru people, through Nyamba Buru Yawuru. On 28 May this year, the minister announced that the new Broome Regional Prison would be built on Broome Road, two to three kilometres outside the 12 Mile community. Following this announcement, many 12 Mile residents were concerned, and I heard their message loud and clear. For those who do not know, the 12 Mile community is a small community approximately 12 miles out of Broome. It consists of a group of people who went out there and built houses with lovely gardens. They are fairly self-sufficient, and it is their choice, their lifestyle and their community. I have also heard the concerns of many residents of that community, the Broome community and the Shire of Broome about the impact of the new prison on that site. Some community members even questioned the process and consultation that has occurred. I thank everyone who has let me know their views on the new Broome prison site; in particular, I acknowledge the 12 Mile community, especially Laurie Preston, the Jacky family, Dr Sally Cornelius, Rebecca Burton and the Shire of Broome representatives.

I was elected on the promise that I would ensure that the voices of the Kimberley people would be brought to this place and that the views of the Kimberley people would be known by all in here. As people were reminded in the house yesterday by the member for Cottesloe, I promised to fight like a Chihuahua—not a “chi-chua”—to make sure that the people of Kimberley are well represented.

Dr D.J. Honey interjected.

Ms D.G. D'ANNA: I apologise for not being in the chamber yesterday when the member said that.

I acknowledge the need to replace Broome Regional Prison. I thank the minister for prioritising this important project. Can the minister confirm that proper processes within the community and the Shire of Broome will be followed in finalising the location of the new Broome Regional Prison?

MR W.J. JOHNSTON (Cannington — Minister for Corrective Services) [9.44 am]: Firstly, I thank the member for Kimberley for the grievance. I know how hard she works on behalf of the constituents in one of the world's largest constituencies. Also, the member can be very proud of the fact that her seat has had an Indigenous representative since 1983, and continuous representation from strong Indigenous people. Of course, she is the third Indigenous woman to represent the seat. That is something that she can be very proud of.

I want to start by saying it is clear to me that the residents of 12 Mile community are not happy with the suggestion to have a prison on the Nyamba Buru Yawuru land near their community. I want to begin by apologising if the process that has led us to today has been inadequate. I went to 12 Mile personally and met all the residents who were available on the evening that I was there. I put myself in front of them and spoke to them personally, one on one, and heard exactly their anger and frustration. For the failures that have occurred prior to now, I apologise to them.

Nonetheless, it remains important to replace the only colonial-era prison left in the prison estate. I want to address something there first. West Kimberley Regional Prison near Derby was built a number of years ago. At the time the prison was built, it was believed that it would be the replacement for Broome Regional Prison. That was the basis upon which the West Kimberley prison was built outside Derby. I recently went to Derby and met with community leaders, and they made it clear that they would love to see more activity put into the Derby prison. We cannot achieve that, for genuinely practical reasons. The city of Broome remains the logistics hub for the Kimberley, so to the extent that there are movements of prisoners in and out of the prison estate, it has to be done through Broome. Therefore, even though it was always envisaged that the West Kimberley prison would replace the Broome prison, when it came to be operationalised, it did not function in that way, and we still needed to have a prison in Broome. To do that, we cannot continue to use the Broome prison in the middle of the city, because, firstly, it is in the wrong location and, secondly, it is completely inadequate, so we have to plan for a new location.

In 2019, a long process was undertaken to review sites. The government made the decision in 2019 to place a new Broome prison on NBY lands. That was publicly announced by former Ministers Wyatt and Logan. Subsequently, there was a process of discussions with the NBY to choose a site. It is important to understand what happened here. It was not to say what site anywhere in Broome but, rather, what site on NBY lands. Of course, during that process, the government discussed that with only the NBY people because it is their land. As the member knows, three sites were identified and one was announced as the preferred site, being the Crab Creek Road site. However, although Minister Logan acted in good faith, in the end the NBY were not prepared to have the prison located on that site. I make the point: that was not a government decision, it was an NBY decision, and I 100 per cent respect their right to make that decision. That is not a question of me criticising anybody; it is just that it is their land and their decision.

That left two sites. In May this year, after I became minister, I needed to meet with the NBY. I travelled to Broome in May and met with the NBY and confirmed that two sites were available. I asked that if it was agreeable, we could investigate the site that was furthest from, but between two and three kilometres from, the 12 Mile community. I immediately announced that to the media because I did not want there to be any doubt that we were being transparent and open. I know that people in 12 Mile do not agree that that was the best process, but that was my decision. I want to make that clear. I know some people at 12 Mile believe I am arrogant because I say that that is my decision, but the point is that I want to make sure that they understand that I accept the responsibility I have and I have to make these decisions. If they want to be cranky with somebody, they should be cranky with me and not with the department or some bureaucrat or something like that.

At the meeting, a couple of sites were suggested. I directed the department to engage with the Shire of Broome to see whether some of the sites that were not considered for a whole range of reasons in the first process can now be considered. I personally met with the shire when I was in Broome recently as Minister for Energy. I spent a good hour with president Tracey, the deputy president and the acting CEO to make sure that they had a direct line to me, even though the department is doing the discussions. We will continue to have a look at those other sites. However, it may well be that we return to the Nyamba Buru Yawuru site near 12 Mile.

Residents of 12 Mile raised a range of issues with me, and they are all perfectly reasonable. We will do our best to deal with those issues—the security questions and whether there is a way to have more police in the area, and odour, noise and light issues. Those are all perfectly reasonable challenges that will need to be addressed in the process of developing the plan if that is to be the site of the prison. I emphasise that we are investigating those other sites that have been identified by the shire, and if those sites are suitable, obviously, we would be silly not to accept those sites. However, if they are technically not possible to use, it is always possible we will return to the NBY site.

In my last couple of seconds, I want to finish by saying that it does not mean that we will build a huge prison straightaway. We will need the fence on the outside, but the extent of the prison itself will be staged over many years. I have pledged to go back, even if only by Zoom, to engage directly with the 12 Mile residents.

ANIMAL RESOURCES CENTRE

Grievance

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [9.51 am]: My grievance is to the Minister for Health concerning the announced closure of the Animal Resources Centre. I understand the minister will be represented

by the Parliamentary Secretary to the Minister for Health, the member for Mount Lawley. The Animal Resources Centre is based at Murdoch University. I hasten from the outset, member for Kimberley, to say that I will not be mispronouncing the name of any small dogs during this grievance today!

As an aside, this Monday I attended the Premier's Science Awards ceremony. For a science lover like me, it was a wonderful evening. I congratulate all the winners and finalists who are doing all sorts of varied and interesting research. The health minister was there, representing the Premier, to recognise the achievements of our scientific community. The Premier commented in the government's press release —

“More than ever ... we are regularly reminded of the important role STEM plays in our daily lives.

I have no doubt that the Minister for Science fully supports these comments. However, despite the minister's professed and, I am sure, genuine interest in science, I stand here, only three days after the Premier's Science Awards, to plead with the government not to close down a respected, recognised and needed facility that provides critical support for scientific and medical research.

For the past 40 years, Western Australia's Animal Resources Authority, through the Animal Resources Centre, has provided specific, genetically defined laboratory animals for scientific and medical research.

The SPEAKER: Member, can we just pause the time for a moment. The member for Mount Lawley was having some difficulty hearing you and I note that you are speaking rather fast. He sat in the Minister for Health's seat, but I advised him that he has to sit in his own seat. The alternative is that the member for Mount Lawley can sit at the table of the house if he would like to.

Mr S.A. MILLMAN: Madam Speaker, I am conscious of the fact that the member for Cottesloe in his grievance has to speak across the chamber and so I was trying to accommodate him. I am more than happy to move to the table.

The SPEAKER: Maybe move to the table. That would be excellent. Continue, please, member.

Dr D.J. HONEY: Thank you very much, parliamentary secretary and Madam Speaker.

The centre is the only major provider of research animals in Australia and sells annually around 200 000 animals to institutions around the state, country and internationally. The announcement of the centre's proposed closure was a surprise for the scientific community and came without any consultation with those who rely on the centre. Numerous research projects depend on the centre's supply of animals. The science and medical research community is greatly concerned about where it will find an alternative supply, because it is not easy to establish a centre to supply such a large number of animals bred specifically for research purposes. I am not sure whether the minister is aware of the scale of the problem that the closure of this centre will cause for researchers in Western Australia and Australia-wide. I quote Dr Malcolm France, a laboratory animal care and management consultant and former president of the Australian and New Zealand Laboratory Animal Association —

“Closure of ARC would not just affect the many medical research programs that depend on these specialised strains of mice and rats, there is also the potential loss of the technical expertise required to breed them ...

Michelle Haber, executive director of the Children's Cancer Institute in Sydney, is worried because 80 per cent of the animals they use come from the ARC, including one strain of mice not available from any other supplier.

I strongly encourage the minister to meet with Emeritus Professor Miranda Grounds from the University of Western Australia, who brought this matter to my attention. I believe that a discussion with Professor Grounds on the importance of our specially bred laboratory animals will allow the minister to consider the consequences of his decision. The minister could also reflect on the turnout for the meeting held last week at the Harry Perkins Institute of Medical Research to discuss the problem as an indication of the seriousness of his decision.

According to several news reports, the government's explanation for wanting to close the centre is due to its reliance on government support. Modest support for the centre of around \$1 million per annum is offered as the excuse to shut down this important contributor to scientific research. Much of our scientific research is publicly funded. Without that public support for the centre, it would shut down most of our scientific research that relies on using those animals.

If the minister is not willing to accede to pleadings on the basis of scientific need, perhaps the minister may consider the economic benefits of that modest government investment. For \$1 million, the centre generates over \$7 million in sales revenue, of which nearly \$3 million flows through to other suppliers and some \$5 million in employee wages. Allowing for some multiplier effect, the total economic benefit to WA of the centre is over \$10 million. That is a 1 000 per cent return. If the centre were a large-scale activity whereby \$100 million in investment generates \$1 billion in economic benefit, I am sure there would be no discussion of ending the centre. Hence I say to the minister that his decision to shut the centre is unwarranted from both a scientific and an economic perspective and he should rescind the decision until all options have been thoroughly canvassed.

There is a concern in the science community that the closure decision is motivated by a desire by Murdoch University, or someone else, to gain access to the centre's land and buildings for reasons not disclosed to the community. If that is the real goal, let us look at options for establishing a new centre elsewhere. Let us first look at options and possibilities rather than shutting down the facility.

The announcement of the centre's closure comes despite its last annual report stating —

... actions are being taken to resolve this issue, with help from Treasury and the Minister.

It would appear the minister has not been successful in resolving the funding issue and has determined to shut the centre. Is the minister aware of alternative supply options or is he comfortable that there will be no adverse impact on research if animals are not available through the centre? Is there a possibility of gaining support from the commonwealth government to establish a new centre? Are there alternative funding sources, such as private donors who appreciate the importance of science and may be willing to help out?

The announcement of the Animal Resources Centre's closure is a poor decision with insufficient forethought on its impact on the scientific and medical community both here and around Australia. It is also a questionable economic decision to destroy over \$10 million of economic activity for a \$1 million saving to the government. I urge the minister to rescind the closure decision and instead establish a credible group to find a way forward that preserves the institution and scientific expertise in WA to ensure the continued supply of small animals for critical medical and scientific research. I thank the parliamentary secretary for taking my grievance.

The SPEAKER: The member for Mount Lawley can speak from the table if he would like to.

MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary) [9.57 am]: I am happy to return to my spot. Thank you, Madam Speaker.

I thank the member for Cottesloe for raising this grievance. It raises an important point. As the member for Cottesloe identified, the Animal Resources Authority is a statutory authority that runs the Animal Resources Centre at Murdoch University. It has been operating at that Murdoch facility since 1981, as a dedicated facility to breed and sell disease-free lab animals like rats and mice for teaching, research and the like. At the time of the establishment of the centre in 1981, the state government contributed 50 per cent of the construction costs and the remainder was shared by the University of Western Australia, Murdoch University, and the Western Australian Institute of Technology, now Curtin University.

The ARC is not financially viable and has not been for some time. Under section 16(1) of part IV of the Animal Resources Authority Act, the ARC is required to be operated in a financially self-sustaining manner. However, the WA government, as the member identified in his grievance quite rightly, has repeatedly been required to step in and make financial contributions to the ARC in order to cover costs. The Animal Resources Authority was originally set up with a focus on providing laboratory animal models to Western Australian research institutions. In recent history, though, only about 16 per cent of the ARC's production has gone to WA research institutions. The majority of the animal stock sold is in fact supplied to interstate and overseas markets for medical research, at an economic loss—I need to correct that part of the grievance—which means it is effectively being subsidised by WA taxpayers.

The decision has been made to wind up the ARC, as the member quite rightly stated in his grievance, but the catalyst for that decision was not access to land at Murdoch University or some of the other suggestions the member raised; the catalyst was the lease agreement with Murdoch University. As the member stated, the ARC is on land at Murdoch University, but that land is subject to a lease agreement between the ARC and Murdoch University that is due to expire in 2023. The cost of setting up a new purpose-built facility for research animal breeding is not seen as commercially viable. The government saw that the lease was coming to an end and made the decision that, because it was a loss-making entity in breach of its statutory obligations, it would be necessary to wind it up.

That provides a time frame within which that winding-up can take place. An external review of the business operations was undertaken in 2019, which found that the ARC was not financially viable, and following consideration of the other options the member mentioned, the decision was made to wind up the business. A business closure plan has been prepared, with wind-up activities expected to take 12 to 18 months from now until the expiration of the lease.

All staff have been advised of the wind-up, and all of the 65 staff, equating to 62.5 FTE, will be assisted to find alternative employment in the public sector or to apply for a voluntary severance payment. I am advised that the Community and Public Sector Union—Civil Service Association of WA has been consulted and is working with the minister's office on this. Staff are being supported by a dedicated team during the transition to work through options provided for under the Public Sector Management (Redeployment and Redundancy) Regulations 2014.

A further important consideration in the wind-up is the commercial negotiations with affected customers and suppliers, who will need to be consulted to determine how to continue to meet their research needs in the near term and transition to alternative suppliers. I will come back to that point shortly. The WA government is listening to stakeholders and is conscious of their interest and efforts in finding an alternative model for accessing animals for research, within the time constraints associated with the lease and—this is important—in a manner that will not unreasonably impact on WA taxpayers.

A steering committee is overseeing the wind-up and consists of representatives from the Public Sector Commission, the State Solicitor's Office, government sector labour relations, the minister's and Treasurer's offices, Treasury, the

Department of Health and ARA. Recent stakeholder engagement included a WA roundtable meeting held at the Harry Perkins Institute of Medical Research—which the member mentioned in his grievance—with approximately 30 medical research institutes across WA and Australia, to discuss the implications of the ARC closure and potential ways forward.

The reason I took issue with the question of consultation is that, as I have outlined, consultation has already been extensive, but there is also a working group of key WA stakeholders including WA Chief Scientist Peter Klinken, Peter Leedman from the Harry Perkins Institute, and Jonathan Carapetis from the Telethon Kids Institute. That working group was established to confirm the ARC's challenges; confirm stakeholder concerns and the options available to address these challenges; provide an overview of the process being undertaken by the ARC, with assistance from Deloitte, to identify parties that may have an interest in assuming some or all of the ARC's business; and to establish a framework for the ARC and Deloitte to engage with the working group. Engagement with interested parties via Deloitte is currently being undertaken by parties interested in assuming some, all or part of the ARC's business.

As the member said, the centre has approximately 200 000 animals and generates about \$7 million in sales revenue. Unfortunately, despite the volume and quality of product that is being produced by the ARC, it is not sufficient to meet the sustainability requirement that is contained in the legislation.

I restate that I am grateful to the member for bringing the grievance. One of the things that stands this government in good stead is the fact that, as we come out of the COVID pandemic, we see just how important science and medical research are. One of the criticisms the opposition levels at the Minister for Health is that he also has the portfolios of science and medical research. In fact, through his grievance, the member has highlighted how important it is for the minister to have responsibility for health, science and medical research, because it is only through combining those portfolio responsibilities that we will be able to make the investments necessary for supporting researchers who are working on vaccines such as Pfizer and Moderna.

Although I thank the member for this grievance, I am sure he can see that the problem of the financial viability of the ARC is not the sort of thing that a government with a focus on fixing the budget bottom line can accommodate, so the decision has been made, the consultation process has been undertaken, and the time line will allow for extensive consultation with all affected stakeholders.

TICKET SCALPING BILL 2021

Second Reading

Resumed from 24 June.

MR V.A. CATANIA (North West Central) [10.05 am]: I rise on behalf of the opposition as shadow Minister for Commerce with carriage of the Ticket Scalping Bill 2021. I think a previous version of the bill was introduced in the last Parliament but never proceeded through both houses; in fact, it went to a committee of the other place and some quite good key recommendations were made. It is my understanding that the Minister for Commerce has adopted quite a few of those recommendations; I will ask about the recommendations that have not been adopted. I believe the Leader of the House has carriage of the bill because, unfortunately, the Minister for Commerce is away from the house. I will go easy on the Leader of the House!

Mr D.A. Templeman: That's unusual!

Mr V.A. CATANIA: It is unusual, but he has to have some time!

Mr D.A. Templeman: She's unwell.

Mr V.A. CATANIA: Fair enough; the Minister for Commerce is unwell. Politicians are not immune from getting sick; perhaps more politicians should keep away from this place and stay at home, because they often get sick.

The opposition supports the Ticket Scalping Bill 2021. Over time, people have made several complaints about ticket scalpers selling tickets well and truly in excess of their value. They take advantage of computer-generated programs to purchase huge numbers of tickets and make huge profits. This bill will restrict the resale of tickets to a range of events hosted in Western Australia and prohibit the use of software designed to circumvent security measures on ticket-selling websites. The provisions relating to resale will apply to all ticketed events in Western Australia when a resale restriction has been imposed by an authorised seller as a term or condition of purchase of the ticket. Perhaps the Leader of the House will be able to explain and define the process for prohibiting the resale of tickets for a profit of more than 10 per cent of the original ticket price. Obviously, tickets are purchased online and it is often very difficult to see the fine print that prohibits resale at a price higher than the original ticket price plus 10 per cent.

I thank the Minister for Commerce for the briefing provided to the opposition. Our understanding is that this legislation is very similar to the South Australian model, under which a maximum profit of 10 per cent of the original ticket price is imposed upon any resale of tickets. This legislation also renders void any resale restriction on a ticket that provides for cancellation, surrendering or rendering void of the ticket if it is resold, provided that the ticket is resold for an amount not exceeding 110 per cent of the original ticket price. It will prohibit the use of software

programs and bots to circumvent security measures for ticket sales. It will also confer investigation and enforcement functions and powers on the Commissioner for Consumer Protection consistent with those that currently apply under the Fair Trading Act 2010.

As I said, this bill is supported by the opposition. I will point out some recommendations made by the Standing Committee on Legislation of the other place in the last term of government, a few of which the government has adopted. Recommendation 2 was the insertion of a definition of “ticket scalping”. The recommendation was adopted, with clause 3 now including a definition of “ticket scalping”. It is obviously vital to make sure that the bill has that definition. Recommendation 3 was to change the terminology from “declared” to “prescribed” in the definition of “event organiser”. This recommendation was also adopted. Some recommendations were not adopted, and perhaps the minister can explain why. Recommendation 4 of the Standing Committee on Legislation was for the insertion of a provision stating that the inclusion of statutory defence does not limit the application of defences in the Criminal Code. Both the Parliamentary Counsel’s Office and State Solicitor’s Office were of the strong view that the recommendation not be accepted. The reason for their position was that the proposed amendment would not change the legal position to make a statement to this effect in legislation, but not in other statutes to which the same situation applies. They considered that it would create a risk of confusion in the courts and would not be consistent with proper and accepted drafting practices. This recommendation was not adopted. If the minister has the information, he could perhaps elaborate on why recommendation 4 was not adopted.

Mr D.A. Templeman: I will respond to that.

Mr V.A. CATANIA: Recommendation 5 of the committee states —

When the Ticket Scalping Bill 2018 is debated in the Legislative Council, clarification be sought on the decision of Government for police officers to be excluded from assisting the Commissioner for Consumer Protection with investigating offences.

This recommendation was not adopted either. That is another one that the minister could elaborate on.

Recommendation 6 was for the insertion of a note under clause 3 to describe the application of the Fair Trading Act investigative powers. The amendment would provide additional information to assist with the interpretation of legislation. That recommendation was adopted by the minister, which is good to see.

Recommendation 7 was that the statutory review should be undertaken after three years, rather than five years. Perhaps the minister can provide the reason that three years was not accepted and the time of five years remains in the bill. Consumer Protection was of the view that requiring a review after three years would not provide sufficient data on which to judge the effectiveness of this legislation. Could the minister explain the reason that the recommendation was not adopted and perhaps go into further detail? Three years is probably sufficient time, although perhaps not in the current climate when limited events are occurring, so there may not be enough to really see.

In saying that, it was reported in *The West Australian* that a company was selling AFL grand final packages at high prices before it has even been settled whether we will get the grand final here. I hope we do, but that would be a special once-in-a-lifetime event—hopefully not a once-in-a-lifetime for us! We will potentially have the AFL grand final. Unfortunately, the two Western Australian teams look like they will miss out, which is quite disappointing given this great opportunity that Western Australia has to showcase a fantastic stadium built by the previous Liberal–National government. It is a very good stadium. I remember that members in this house criticised that stadium, but, anyway, that is politics. Now we can all celebrate the fact that we have a premier stadium in Australia, if not the world, that attracts major events, such as the match between the Wallabies and the All Blacks, I think, next week. Given these events are limited, they lend themselves to people not being able to purchase tickets. I heard on the radio while coming into Parliament today that there were about 1 500 tickets left for the Wallabies–All Blacks game, so hopefully it will be another record-breaking game at Optus Stadium. If anyone in this house has not gone to view a sporting or other event at Optus Stadium, they are missing out, because those events really showcase how a stadium can be built properly and well. Western Australians have shown great patronage of it. For the match between Richmond and Essendon, two non–Western Australian teams, to sell out really shows that Western Australians like their sport, and that having the convenience of a new, modern stadium really makes the experience worthwhile. Unfortunately, events that attract sellout crowds, which I imagine the Wallabies–All Blacks Bledisloe Cup game will have hopefully in a few more days, really lend themselves to ticket scalping and people taking advantage of tickets sought in various areas of Optus Stadium. That could happen at Optus Stadium, RAC Arena or any VenuesWest facility. Events at those places sometimes lend themselves to ticket scalping, with people taking advantage, through the mechanics of computer programs, to purchase as many tickets as possible and making a significant profit when venues are sold out or there are major international events.

This legislation will provide protection. We had a briefing from the minister’s office. Could the minister elaborate on the assurance that people with a large cohort of children in their family, with twins and so forth, will be able to purchase tickets and that the legislation will not preclude individuals who need to purchase a large amount of tickets? For my family, purchasing 10 tickets is not uncommon. I hope the legislation will not preclude people from purchasing tickets for events at a VenuesWest establishment, Optus Stadium, Perth Arena or anywhere else, as long as they

do not use a computer-generated system to buy those tickets to onsell at a price greater than 10 per cent above the purchase price, as set out in this legislation. It is very important that it is made clear that individuals will be able to purchase large amounts of tickets as long as they do not profit from reselling those tickets at the ticket price plus 10 per cent, and there is no preclusion of individuals or sporting clubs from buying multiple tickets, such as for a team. They should not be caught up in this legislation and prevented from giving those tickets away or selling them at cost plus 10 per cent to ensure that their costs are covered. Can the minister make it clear that the legislation will not capture those individuals? That is important to explain in the Parliament today.

I imagine that this legislation will pass both houses. My understanding is that it will be six months before this legislation is proclaimed and that some regulations will be drafted. Could the minister, or his representative in the other place, explain what those regulations might be? Will the Parliament have the ability to look at those regulations so that it is aware of whether any of them could affect the ability of individuals to purchase tickets? Will people be questioned every time they want to purchase 10, 20, 30 or 100 tickets? That is something the public needs to know.

There will be six months before the legislation is proclaimed. It is important that an education campaign is started to educate the community on what ticket scalping is and why the 10 per cent margin applies. The criteria around whether people are breaking the law needs to be explained to individuals. Perhaps that needs to be put on the ticket itself. Especially for government-controlled venues, that explanation needs to be clear when tickets are purchased online, or written on a physical ticket. A reference that explains the legislation is required so that people are clearly aware that, first, they are not breaking the law; and, second, the provisions that apply if they purchase a ticket. I will give an example. I imagine that if the AFL grand final is held here, people will be lining up at Optus Stadium to purchase tickets. They will not just sit at a computer and try to get them online. Often people from regional Western Australia will travel to the place that is selling tickets and camp there the night or week before to ensure they get those tickets. Obviously, a cost is involved in driving down from Exmouth or Carnarvon, for example, and staying overnight in line. What will happen when an individual wants to buy tickets for 10 or 20 people from their town? They will purchase those tickets by lining up in a physical sense, and then go home to Carnarvon, Exmouth, Broome or wherever the case may be. What if the fuel costs involved in driving down to purchase those tickets is more than 10 per cent of the ticket cost? Will penalties apply to those individuals or will there be an understanding that they incurred those costs for being a good community citizen by purchasing tickets for friends and family who are some distance away from the venue? In that example of camping out, will they be precluded from being able to purchase a large number of tickets by Ticketek, Ticketmaster or the venue itself, given that those organisations will have no visibility, at that stage, of whether the person purchasing the tickets will scalp those tickets above that 10 per cent margin or is just buying tickets for their friends and family? Their purchase of a large number of tickets may be perceived as ticket scalping. Perhaps there could be some definition and clarity around the situations that may arise. This legislation should have been passed when Hon Mick Murray, a former minister in this place, who introduced this legislation or —

Mr D.A. Templeman: It would have been under Commerce.

Mr V.A. CATANIA: Commerce, but I think he first brought this issue to the attention of the house.

Mr D.A. Templeman: Yes—a great legacy of the former member for Collie–Preston.

Mr V.A. CATANIA: It was a great legacy of the former member for Collie, Collie–Wellington and Collie–Preston, Hon Mick Murray. If we can say he did something in this place, it was that he certainly pushed for the ticket scalping legislation to come to fruition. Unfortunately, it was not passed during his time. This bill is well and truly overdue. It will provide protection for those who want to go to sporting events. Hopefully, it will prevent people from price gouging tickets, but also send a message to those who fraudulently sell tickets. Having an education campaign will raise a red flag for people when they see on Facebook or elsewhere online a ticket for sale to an AFL grand final that is normally, say, \$100—I do not know how much a grand final ticket will cost—being sold for \$300 or \$500. That will not be allowed under this legislation. This bill will help address the issue of fraudulent tickets being sold. Kids sometimes think they can get a good deal on Facebook. I have seen a couple of examples recently of people who thought they could get a good deal online, through Facebook or other social media. This legislation will send a message that they may not be getting a deal and may perhaps be getting ripped off. A six-month education campaign about this legislation will hopefully teach those individuals that that is not possible. I look forward to seeing this bill go through the house. We will not go into consideration in detail because it is a straightforward bill. It has had the scrutiny of the Standing Committee on Legislation in the other house, and the opposition has had a briefing. I thank the Minister for Commerce for allowing that briefing to occur. If questions arise, I am sure my colleagues in the other place will outline them.

Mr D.A. Templeman: And I will respond to some of those things you have raised.

Mr V.A. CATANIA: Yes. Could the minister also provide a bit more definition around the recommendations that were not adopted? It is important that we have clarity around individuals being able to purchase multiple tickets, whether it is five, 10, 15, 20 or 100—whatever the case may be—and whether they will be prevented from purchasing those tickets. This bill is really designed to target the use of technology to purchase large numbers of tickets and onsell them.

Will there be any monitoring of social media, and how will the government crack down on the onselling of tickets? Perhaps one way of ensuring that the person who purchased a ticket is the person who attends the event is the SafeWA app. I will give an example. I saw on Facebook this morning that the Junction Races and Gymkhana will be held this weekend. It is a ticketed event. It is good to see ticketed events for regional races and bush races. Having a ticketed event allows the committee to organise and plan properly for what it needs for the event. However, it will not accept anyone unless the ticketholder going through the door is the person who bought the ticket. That is another way that the SafeWA app could work with contact tracing. Hopefully, we will not need to use it, but the Junction Race Club clearly says that people cannot go through the door unless the ticket has the ticketholder's name on it. That is perhaps one way of ensuring a check and balance and that people are doing the right thing when they purchase those tickets, because the ticket belongs to the individual going through the gate. Perhaps that is one way of really clamping down on ticket scalping as well as providing certainty that the person going through the gate is the right person, which can help our contact tracers through the SafeWA app. A question we have asked in the house, to which we have not received an answer, is: when people go through the gates of, say, Optus Stadium, how many people use the SafeWA app? I think the response was that people have a ticket anyway. My argument is: how is it known that the ticketholder is the right person because they may have scalped the ticket or been given the ticket?

Mr D.J. Kelly: Are you saying that you support the SafeWA app to prevent ticket scalping? Is that what you're saying?

Mr V.A. CATANIA: No; I am saying that if the individual has their ticket, it can help reduce the amount of ticket scalping and help with contact tracing because when the ticketholder, say the Minister for Water, drips through the stadium, it can be known that it is the minister going into the stadium, and I think that is important.

Mr D.J. Kelly: By using the SafeWA app?

Mr V.A. CATANIA: No; the minister would know if he listened to what I said.

Mr D.J. Kelly: I am trying.

Mr V.A. CATANIA: I think last week or the week before, a question was asked about people using the SafeWA app to go into Optus Stadium or any other stadium. The response was that it is a ticketed event so people going in with their ticket are basically registering. My argument is that we do not know whether the person going to that event is the original ticketholder because of the ability to onsell tickets—ticket scalping. If we look for ways by which we can be sure an individual is the original ticketholder, that can help with contact tracing into the future. I use the example of the Gascoyne Junction races this weekend, whereby the holder of the ticket must be the person who bought it to prevent anyone from fraudulently going in. It will also help with contact tracing if something happened at the Gascoyne Junction races. I see that as a positive step forward and perhaps a question can be asked of the Premier, the Minister for Health or the Minister for Police about why contact-tracing data or SafeWA app information is not being passed on or made open to the public—that is, are people using the SafeWA app when they go to special events? I think that is something the government should be open and transparent about to ensure it keeps WA safe, because we hear that all the time.

However, I digress. The opposition supports the bill. I thank the Minister for Commerce for the briefing she provided the opposition. The bill has been a long time coming. We do not see the need in this house to go through consideration in detail because the bill went through a large amount of scrutiny in this house and in the other place in the last term of government. The government has adopted some key recommendations that the community put forward.

MR D.A.E. SCAIFE (Cockburn) [10.34 am]: It is a great pleasure to speak today on the Ticket Scalping Bill 2021. It is an important bill from the perspective of protecting consumers and protecting our arts, entertainment, sport and other live event industries from exploitation by unscrupulous ticket scalpers. It is really significant that this bill has been brought into this place by the Minister for Commerce in this Parliament. It is also very appropriate that she is represented today by the Leader of the House, who, in his other capacity, is the Minister for Culture and the Arts, because this bill will contribute towards the protection of our cultural industries in Western Australia.

As we all know, Australians love live events; we particularly love live music. In fact, I had a look at some reports and I found a report from PwC Australia called *Australian entertainment and media outlook 2021–2025*. In that report it states that the live music industry was worth \$1.8 billion to the Australian economy in 2019. That value, however, declined in 2020 to \$1.1 billion—a very steep drop as a result of the impacts of the COVID-19 pandemic. It is therefore a very important time to bring this bill to this house because it is a time when our live music industry and live events industries have been suffering. This bill will introduce measures that will ensure that lawful operators and sellers of tickets to live events are protected, consumers are protected and unscrupulous ticket scalpers are, to the extent possible, weeded out of the market. As I said, we here in Australia love all live events. Of course, something we love even more than live music is live sports events. I note at this point that even though the Minister for Sport and Recreation is not here, I add the view that there was a marvellous win by the Dockers on Sunday. I can see that the Minister for Women's Interests is nodding in furious agreement. The game was a nailbiter. I did not manage to get there although I dropped a friend off—I was on my way out to do a hike—but it really was a nailbiting third quarter.

Ms M.M. Quirk: It was the Eagles that did a hike, member!

Mr D.A.E. SCAIFE: You are quite right, Acting Speaker; they did take a hike.

The live sports industry has a greater significance to our economy. The commonwealth Office for Sport, which comes under the commonwealth Department of Health, released a report in March 2020 titled *Sports industry economic analysis*, which found that the sports industry generated approximately \$22.2 billion in the 2016–17 financial year and supported 128 000 full-time equivalent jobs in our economy. One of the reasons I wanted to raise sport is that sport provides a great analogy for the purpose of this bill. The purpose of the bill is about fairness, about protecting consumers and about ensuring all members of the public can access tickets to events. I found this excellent quote from a book entitled *Money and Class in America* by Lewis Lapham. I thought it was appropriate for me to quote from this because I think the member for Cottesloe referred to me as a moral crusader. I thought: what better way of continuing that theme than by being a moral crusader on the issue of ticket scalping. I certainly took that comment as a compliment. In *Money and Class in America*, Lewis Lapham had this to say —

Unlike any other business ... *sports must preserve an illusion of perfect innocence* ... It is the ceremony of innocence that the fans pay to see—not the game or the match or the bout, but the ritual portrayal of a world in which time stops and all hope remains plausible, in which everybody present can recover the blameless expectations of a child. Where the forces of light always triumph over the powers of darkness.

I note that the forces of light triumphed over the powers of darkness during the Dockers and Eagles game on the weekend. The member for Collie–Preston is seemingly unhappy with that. The member for North West Central is with her, so I am afraid you are in bad company, member for Collie–Preston!

Ms S.E. Winton: Worth a switch!

Mr D.A.E. SCAIFE: That would seem to seal the deal!

This is an issue that has long been pursued by WA Labor and the McGowan Labor government. Indeed, the Premier introduced a private member’s bill in 2014 to deal with ticket scalping in Western Australia. I went back and found an article from 22 September 2015 on ABC online entitled, “WA Opposition calls for ticket scalping clampdown”. This is proof of how long the Labor Party has been pursuing this issue. The Premier, when he was opposition leader said —

... football tickets for West Coast Eagles and Dockers finals games were always being sold at inflated prices.

“Scalping is exploiting fans who just want to enjoy the game or a concert ...

I could not agree more with that sentiment. Unfortunately, the former Premier Colin Barnett dismissed this idea at the time. It is reassuring to hear that the opposition will support the bill on this occasion, because it was not supported by the Liberal–National government. There is a great response from the now Premier in this article responding to Colin Barnett’s comments. He said —

“The Premier gets to go to a nice box and quaff wine and doesn’t pay for the ticket. So he would say that wouldn’t he?”

There is a little too much quaffing of wine in my opinion around this place and around political circles, but this is evidence that now that Mark McGowan is the Premier of this state, he is not busy quaffing wine; he is getting on with the job and ensuring that people have access to tickets to live sporting, music and other events.

What is ticket scalping? Many would associate ticket scalping with the old imagery of the person standing out the front of the stadium in a trench coat or maybe holding up a sign, but ticket scalping has moved a long way from that now. The modern practice of ticket scalping is really quite different. It takes advantage of modern technology. As the member for North West Central alluded to, this bill was previously subject to scrutiny by the Standing Committee on Legislation in the other house. I would encourage members, if they have not, to read that report, because it sets out in quite some detail the scope of ticket scalping. There are some shocking figures about how ticket scalping has evolved in recent eras. I quote from the report entitled *Ticket Scalping Bill 2018* by the Standing Committee on Legislation. At paragraph 2.4, the committee says —

Modern era ticket scalping has little in common with the pre-internet era when ‘men in coats sold paper tickets outside stadiums’. Some scalpers have turned to internet, robotic software ‘bots’ to purchase multiple tickets and then on-sell through website platforms.

Software ‘bots’ were reportedly invented by Kenneth Lowson, part-owner and co-founder of Wiseguys Tickets Inc. An FBI indictment in 2010 described a period between late 2002 and January 2009 when:

A nation-wide computer network opened thousands of simultaneous internet connections from across the United States ... making the owners more than \$20 million in profits while purchasing more than one million tickets to events nationwide’.

I really think that that quote shows the scope of the issue that we are facing. The legislation committee also considered the prevalence of ticket scalping in Western Australia. Although it was unable to land on precise figures because of a lack of data, evidence is set out of the fact that ticket scalping happens in Western Australia. Other practices in the ticketing industry prevent people from being able to access these sorts of events, so it is very important that this bill address that issue.

I will say two things in closing. Firstly, plainly the purpose of this bill is to ensure that there is an economic benefit to ensure that consumers are not ripped off. I direct members to an article by Lynden Griggs in the 2006 *Griffith Law Review*, volume 15, issue 2, entitled “Ticket Scalping: Its Legal and Economic Effects on the Illusion of Perfect Innocence”. There is a section that shows clear evidence that anti-scalping legislation will benefit consumers and will result in lower ticket prices if anti-scalping laws are in place. I also make the point that anti-scalping legislation protects event organisers and ensures public confidence in the event organising industry. Sporting organisations have put on the record that they are against the unauthorised selling of tickets for profit. It is important that we ensure that there is confidence in the industry and benefits to consumers, and for those reasons, I commend the bill to the house.

MR G. BAKER (South Perth) [10.45 am]: I rise to speak on the Ticket Scalping Bill 2021. I thank you for this opportunity; it is a great pleasure. Since 2014, WA Labor has been attempting to introduce laws to protect consumers from unscrupulous ticket scalping practices in WA. Premier Mark McGowan, as opposition leader, introduced a private member’s bill in 2014—way back then. But as we heard, it, unfortunately, did not pass. We brought the same policy to the 2017 election and unfortunately the bill did not get through the Legislative Council and now we are doing it again, hopefully with more success. This is a great reform that is overdue for the WA events industry. It is disappointing that it did not make its way through the Council in the previous government. This bill will have great benefits for consumers, promoters and performers. For consumers, it will provide for cheaper and more secure ticket purchasing. For promoters, it will protect their profit margins and give security to their business, and for performers, it will provide a great many things, not just for the big players. Members might think that this is just for the big acts like the grand finals, the U2s and Madonnas of the world or bigger sporting events, but the effect of this will be felt much more widely. I would like to speak about the effect on the local music industry and other local industries, and how roadies, stage crews, front-of-house staff and local musicians can benefit from this.

First of all, I will speak a little to the history of ticket scalping. We all know about ticket reselling and in my mind, I think about the first Big Day Out, when I rocked up to the North Perth car park the day before with \$100 in my pocket and bought a ticket off someone who had a spare. I think we have all done that once or twice. If members have not, they really should. There were events when we have had five or six people attending, someone had to pull out and we had to pull someone in at the last moment. Maybe the ticket was free or it was sold across at cost. We do that sort of thing all the time. I look forward to that being legal under this legislation. By allowing this, we open up the space for scalping, when an individual speculating on a shortage of tickets is able to buy tickets from a ticket office and sell them at a profit. We all know about that too. This is annoying, but not disrupting for those who took the big risk to put on big shows. And then the internet ruined everything. Back when we had to physically handle the tickets, there was a physical limit to how many tickets someone could buy and resell. There was a fairly hard limit on how much scalping there was. But with the internet allowing the automation of sales and automation of resales, bot scalping replaced regular scalping and on a scale that is just enormous. Instead of being an individual standing on a corner, or advertising through the classifieds or on Gumtree or Facebook, we are now talking about multinational corporations that are funded by hedge funds and operations like that.

The most obvious damage is to the consumers, who no longer know whether they are buying real tickets or fake tickets that will not be honoured by the promoters, and who are facing higher ticket prices. It is also bad for the promoters who are having their business model undermined, and for performers.

Let us look at what happens in the local music scene and how a healthy business model benefits the local Perth bands and the acts that sell tickets that a scalper bot would never be interested in. Let us go through a quick history of the Perth music scene. WA was once a backwater of contemporary music. It was said that good bands did not leave Perth, they escaped. I am talking about Bon Scott from AC/DC, Grace Knight from the Eurogliders; Dave Faulkner from the Hoodoo Gurus; Kim Salmon from The Scientists and Beasts of Bourbon; Matt de la Hunty from Tall Tales and True; and Dave McComb from The Triffids. What did we lose? We lost a lot of business when we lost these people. For example, AC/DC’s back catalogue is currently worth about a billion dollars. That started to turn around in the 1990s and we became very strong in the early 2000s with the development of big national touring music festivals such as the Big Day Out. Headliners included Red Hot Chili Peppers, Metallica, Iggy Pop, Pearl Jam, MIA, Lily Allen and Bjork. These festivals promoted not only big bands, but bands all the way down the list.

It was possible for a local band to get a gig at those big events on a side stage, in the middle of the day. We began to see bands like Eskimo Joe start off on the side stage early in the day at the Big Day Out. Two years later, they were on a side stage across the national tour and two years after that they were on the main stage on the national tour as the headline act. Another band like that is Birds of Tokyo, which started off at the 2007 Big Day Out on a side stage. In 2009, they played the Sydney, Brisbane, Melbourne, Perth and Auckland concerts and were national stars. We can also trace Jebediah, Frenzal Rhomb, John Butler Trio, Tame Impala and Downsyde on those kinds of trajectories. It peaked at the 2013 Big Day Out when 13 WA local acts were given gigs, including Tomás Ford, Sugar Army and Boys Boys Boys!.

My personal experience with this was at Summadayze one year. Members might remember Underworld’s album *Underneath the Radar*; they were the headline act. Members probably remember the posters that they use for festivals with the headline act in big font and then each line under that lists more artists in smaller and smaller font right down to the bottom. We had WA acts like Micah, Voltaire Twins, Markus, Boys Boys Boys!, Yummy Fur, Hickey,

Tomás Ford, The Typhoons, Brash and Sassy and Mia Sonos and right at the bottom corner in the smallest font was my band, 6000 Red. In hindsight—we had a good time and we got paid—I do not think they were putting on my band with the intention of making much profit. The promoters were building relationships with bands to see what the next big thing might be. They were cultivating local talent by doing that. In my case, they wasted their money! But as we saw with the Big Day Out line-ups, local bands can grow from local exposure to national exposure to international exposure, and those promoters were prepared to have a punt on those bands to see what might happen.

We developed a healthy ecosystem for supporting local music, and through that we got bands like Pendulum, Tame Impala, John Butler, The Waifs, Eskimo Joe, San Cisco, Sleepy Jackson, Empire of the Sun, Katy Steele, Karnivool, Gyroscope, End of Fashion and Birds of Tokyo. I give a special shout-out to Birds of Tokyo because its drummer had the first small industrial-scale CD burner in Perth, so we would go around to his place and sit on his lounge room floor to burn CDs for our next CD release. These are all bands that brought their music, profits and business back to Western Australia, instead of departing Western Australia for the rest of the world and not returning.

We have an incredibly healthy music scene in WA. It is still producing great work. The number one played song in the world last week was written by two guys from Perth. It is a Justin Bieber track—maybe we cannot always account for taste! Justin Bieber and The Kid LAROI had a number one song with their track *Stay*. I give a big shout-out to Michael Mule and Isaac De Boni, who form FnZ, for their work in producing a worldwide number one. We have a healthy music system. We have reached a very good stage. Promoters can engage in this kind gesture of fostering local music only if they are confident in their business position, their tickets sales and profits. Scalper bots and the multinational corporations that run the internet scalping operations erode all those confidences.

The success of the WA music industry in the early 2000s is due to much more than confidence in festival ticketing, but the role of successful national touring festivals in promoting local music and getting it out into the world was undoubtedly one cog in the explosion of musical success that we experienced during the years of the Gallop and Carpenter governments. Those companies that have perfected scalping bots erode that local music system and the festival business model, and the entire event history suffers with it. This includes sports; I am imagining the big events at Optus Stadium and the trickle-down effect all the way to the junior sporting level, where clubs are provided money from the profits in that ecosystem.

If people are concerned that I am talking about something that is from some time ago, prior to COVID, I note an article titled “Fake offer for Perth grand final tickets” on page 5 of yesterday’s *The West Australian*. It states that a company is already offering tickets to a grand final when we do not know what the venue will be or how much the tickets will cost. However, we can get a reserve seat priced at \$1 500, apparently. That is just extraordinary, and the consumer deserves to be defended from that kind of ridiculous and outrageous action.

MS J.L. HANNS (Collie–Preston) [10.57 am]: I begin today in speaking to the Ticket Scalping Bill 2021 by recognising that the member for North West Central referenced that Hon Mick Murray suggested this legislation. I think that is very funny because Mick Murray is certainly very careful with his money, so it is no surprise that the percentage of the potential increase in price is 10 per cent. Mick would certainly think that was a fair and reasonable amount.

I speak in support of this very important bill today and, in doing so, wish to unashamedly declare my contribution today as a sort of love letter to the music industry in Australia. Surprisingly, it appears that the member for North West Central and I have two things in common. We are both clearly West Coast Eagles supporters, who are few and far between in this chamber, and we appear to have grown up in an era when getting tickets to a concert or event was a test of physical and mental endurance. This meant taking days off school, I am ashamed to say, to travel to Perth to line up for tickets outside venues such as the Perth Entertainment Centre. Sometimes we would camp out for several days to secure the tickets to our preferred concert or event.

Several members interjected.

Ms J.L. HANNS: Absolutely. Very good. Sit back, member for Scarborough; you’re in for a ride.

Mr V.A. Catania: Remember when you would dial on the dial-up phones.

Ms J.L. HANNS: Please do not pre-empt my speech. I must have left this on the printer for the member to read. The alternative was sitting on the floor in the passageway of our houses for hours, attached to a spiral-corded rotary dial phone, all in the hope of securing tickets to the must-see event. If we got disconnected from the call, we spun the dial again, trying our luck to rejoin the queue.

By the 2000s, the technology had updated and the phones were at least cordless and people were able to buy tickets for events such as the 2005 mighty West Coast Eagles versus Sydney grand final. Sadly, we lost by four points, but in 2006, we backed that up, with the even mightier West Coast Eagles winning by a point over Sydney in the grand final. I managed to secure two tickets to that event. I attended both the 2005 and 2006 grand finals, I am very pleased to say. Sadly, though, at the 2006 grand final, I was six months pregnant with my son. I ended up in the very last row of the fifth tier of the Melbourne Cricket Ground, and behind me were the port holes. Given that I needed to go to the toilet every 15 minutes, it was not a particularly pleasant experience! But we were winners. It was a very dry grand final for me that year.

More recently, we have been able to acquire tickets much more conveniently with a computer, provided we can remember our username and password, which is a challenge for me! Tickets can certainly be purchased in this way. Although these new technologies help make purchasing tickets more convenient, they have also made way for both the consumers of events and the people who make these events possible to be totally robbed and scammed by unethical practices. I would like to focus on this particular point: consumers suffer losses in a number of ways, including that the resale of tickets at inflated prices makes events unaffordable for many people.

I previously referred to attending the 2006 West Coast Eagles versus Sydney grand final and, as I said, I am a proud member of the mighty West Coast Eagles and travelled to Melbourne for this event. As a member, I was lucky to secure tickets through the ballot. Other friends of mine were not so lucky and they took their chances and travelled to Melbourne anyway in the hope of securing tickets on the day. They were able to get tickets for the grand final, but not at the ticketed price, like I had been able to. They paid \$300 more per ticket than I did. They were very excited and they got to see the mighty West Coast Eagles win their third premiership—again, their third of four premierships, just for the Dockers supporters in the chamber! The fact of the matter is that people should not be required to pay an extortionate amount of money to view popular events. My friends were able to afford these tickets, but the average punter and footy fan would probably not be in that position. Although this occurred in Victoria, the principle is still the same and applies to events in Western Australia: selling tickets significantly above the ticketed price is un-Australian.

The member for South Perth referenced the great Australian band Birds of Tokyo. I believe that I have previously informed the house that my cousin Adam Spark is a member of this great Aussie band. Having a contact on the inside in the Aussie music industry, of course I sought his comments on ticket scalping. This was his contribution to the debate —

... there is no reason for any 3rd party (ie ticket scalper) to be any part of the process between the event and the ticket buyer. It's completely unfair to the ticket purchaser to pay any more than the amount set by the promoters. On the artists' side it's heartbreaking to see any one fan pay more than another for the same show. Get rid of ticket scalpers, cuz!

So, I am doing my best for you, Adam.

Although I have digressed, I return to my love letter to the Australian music industry. This is an industry sadly ravaged by COVID. No words do justice to describe the impact of COVID on the music and events industry across Australia.

I will take the words of Clare Bowditch, musician, author and Australian Recording Industry Association award winner, and they will have to suffice. In addressing the National Press Club of Australia earlier this year, Clare demonstrated that she is an articulate, passionate advocate for the music industry. She and her husband both work in this industry. They love their jobs, as do thousands of performing artists across Australia. The Australian music industry is said to be worth \$1.6 billion annually. This music industry has already undergone a massive upheaval due to emerging technologies. In the old days, artists wrote music and sold compact discs, cassettes or vinyls, which generated an income.

Ms A.E. Kent interjected.

Ms J.L. HANNS: The member for Scarborough does not know what a CD is! Or vinyl! Vinyl is retro and hip now. That is it; absolutely.

Along came music streaming—hopefully, the member for Scarborough is familiar with this—which meant that traditional income sources narrowed. If an artist generated airplay on radio or television advertising, that meant income from royalties. Clare reports that she was paid 0.002¢ to 0.008¢ per play on air. She estimates that she was making a grand total of \$12.50 a month in royalties. Most artists make the bulk of their income from live gigs. In her National Press Club address, Clare told the gut-wrenching story of the impact that COVID has had on the industry and the people who work in it. In March 2020, she got a call from her agent telling her that she had lost her job—clearly due to COVID. Clare and her husband's gigs earned them 85 per cent of their family income. Clare's first thoughts, though, were of the members of her support crew, who had lost their jobs because their jobs involved supporting her and others like her in the music industry—people such as sound technicians, truck drivers, publicity representatives and the band. She estimates that for every live gig cancelled due to COVID, 100 people lost their jobs.

This year the I Lost My Gig national survey was conducted in Australia. It estimates that job losses since 1 July 2021 due to the COVID pandemic have meant that 2 000 performing arts professionals have lost their jobs as a result of the cancellation of 28 000 events across Australia. This came at a cost of \$84 million worth of lost income. The I Lost My Gig survey estimates that 99 per cent of people who work in the gigs and events industry cannot get income insurance. This leaves these workers in a really perilous situation, and 50 per cent of these workers have sought employment in other industries since July 2021.

Karen Eck, the creator of an online petition at Change.org, has called for big businesses to support the Aussie music industry. The idea came to her after listening to seven hours of royalty-free elevator-style music while she was on hold to Qantas. I had a similar experience recently. Karen's plan is simple: encourage businesses to play Aussie music, which pays royalties to these artists, and help to replace income lost due to the cancellation of gigs.

Ticket scalping is an affront to artists, their crews and the people who attend these events. In the music and events industry, which has been decimated by COVID, the support that this bill will give is twofold. Firstly, it will outlaw the practice of ticket scalping by proposing large fines for those people who engage in these practices. I would like to think that those who attempt to purchase tickets at an inflated price will stop and think about this: Who deserves to be making the money from these events? Is it the people who sell the tickets or is it the people who entertain us by making the music, opera or theatre productions, special events or sporting events that we are so passionate about?

Being able to hold major events while the rest of the country and our friends in New Zealand are in lockdown has been made possible because of the McGowan Labor government's approach to keeping us safe. Regional events such as the Truffle Kerfuffle, Lost and Found Festival, Margaret River Gourmet Escape, Broome Cup and agricultural shows are all able to be held because WA has been able to stay relatively safe. The upshot of this is that everyone's livelihoods have been protected as much as possible due to the decisions of this government. WA is in a position that is envied by many across Australia. The government is supporting regional arts and culture events with the regional arts and cultural investment program, which will contribute almost \$20 million over the next four years to boost the regional arts and culture sector, much of which will include concerts and events like those I have just mentioned.

Clare Bowditch had every right to be angry at the loss of her income and the ability to support her family doing a job she loved during the COVID pandemic. Although not based in WA, she and thousands of other musicians and performing artists are impacted by ongoing COVID restrictions and both interstate and international border closures. Although she could have been angry, Clare's message was really simple. She pleaded with Australians who, like me, love live performing arts and sporting events. She asked those present at her National Press Club address and the rest of Australia: when is this country going to be vaccinated, because until then, we cannot get our jobs back? It is a sobering thought.

MR H.T. JONES (Darling Range) [11.09 am]: I rise to make a brief contribution in support of the Ticket Scalping Bill 2021, which was first introduced in 2014, as mentioned by the member for North West Central. The bill attempts to introduce laws to protect consumers in Western Australia from unscrupulous ticket scalping practices.

I am also a fan of live music and other ticketed events, going back to my early teens. Although, I must admit I have been disappointed by some of the 1980s revival tours recently, and vowed never to do it again. But I keep going back!

Mr V.A. Catania: Is that when you had long hair?

Mr H.T. JONES: It is ticket scalping!

The first major concert I attended was at the Perth Entertainment Centre in 1979. At the age of 12, I went to see Rod Stewart—not so good. I was used to his classics *Maggie May* and *Sailing*, but, unfortunately, in 1979, it was the Blondes Have More Fun tour and his hit at the time was *Da Ya Think I'm Sexy?* I probably was not the target audience for Rod Stewart at that time, but all was not lost because the support act was Cold Chisel. So I saw Cold Chisel in 1979.

In 1980 I saw Fleetwood Mac, also at the Perth Entertainment Centre. They had just released their classic album *Rumours* and were promoting *Tusk*. As a 13-year-old, I must admit that I was a fan of Stevie Nicks. In 1981 and 1982, I saw Stray Cats, a rockabilly trio from the United States, and Simple Minds at the Embassy Ballroom on William Street, which has since been knocked down. That was a great venue. I think it was licensed, but as a 15-year-old, I got in. It was a small venue and the atmosphere was really great. At that time Simple Minds were in their heyday. I recall Jim Kerr's performance; it was outstanding. The member for South Perth mentioned Dave McComb and The Triffids. They also played at the Embassy Ballroom, but unfortunately I did not get to see them then. But my sister was a close friend of Dave McComb. I feel sorry for his family because he was taken far too young.

Mr D.J. Kelly: There's a film coming out in the next month about his life. It'll be showing at Luna.

Mr H.T. JONES: Yes.

In those days, all my concert tickets were bought on my behalf by older sisters, who, as mentioned by other members, obtained those tickets by camping outside the Perth Entertainment Centre, the Perth Concert Hall or other venues, or perhaps by buying them at Dada Records or 78 Records.

Mr V.A. Catania: That's a blast from the past; isn't it?

Mr H.T. JONES: I think they are still open.

Bulk purchasing of tickets was made difficult in those times because of limitations imposed by the sellers. Scalping did occur but not on the grand scale that we see today. It was generally the case of buying a couple of tickets and maybe seeing the opportunity for profit, or not, selling them to friends and family or in *The Sunday Times* Readers Mart. I would not have been able to afford scalped tickets—or, more accurately, my parents would not have paid for them—and would have missed out on the opportunity to see some of those concerts.

In more recent times there are many examples of ticket scalping of concerts and sporting events, depriving people of the opportunity to see their idols in the flesh. I was too slow to buy tickets for the Bledisloe Cup—the good tickets.

Although the member for North West Central, again, mentioned tickets are available. But people are selling the better tickets on Gumtree for above face value. There were some for \$200 above face value. After the last game between the Wallabies and the All Blacks, some Australians may be trying to offload their tickets before the next match!

My research was not as comprehensive as that done by the member for Cockburn, but I did speak to my daughter about the current state of affairs. She mentioned that the recent Kendrick Lamar concerts in Australia sold out in minutes, apparently the mosh pit tickets sold out in a matter of seconds. The member for Cockburn mentioned the automation of ticket buying; that deprived my daughter of buying a ticket to Kendrick Lamar at face value. Another factor of buying tickets online is that people have to be online at the time to buy them, otherwise they miss out. People like FIFO workers and my former colleagues in the Navy who are away at sea or on submarines cannot buy tickets at the time of release. Allowing mass sales in very short order does not give those people an opportunity to buy tickets.

I am glad to see that there has been some self-regulation in the music industry, with some ticketing companies mandating the use of a particular third party, such as Tixel, for the resale of their tickets. The sites limit the resale value to no more than 10 per cent and offer a secure avenue for sellers and buyers alike. The Tixel website states —

We're on a mission to get more fans to events they love while driving the industry to be fair, accessible, and transparent. We've built an event marketplace that helps fans get to their favourite shows without paying through the nose to be there.

That is what this bill aims to do as well. I also note that Gumtree—I had not seen this before—has a space to put the face value of tickets, and it mandates that people selling tickets do that. That gives buyers an opportunity to know what they are getting into.

There is an undisputed need to protect the people of Western Australia and the music industry. The member for South Perth explained the link there, especially as the music industry has suffered so much during COVID. On the link to the local music industry, I want to indulge the house and take the opportunity to mention a young lady from Serpentine who in the future I hope will achieve a level of success in music and ticket sales. Sally Pottinger, who goes by the name of Sally Jane, is the daughter of a former shipmate of mine. She is also employed by Regional Development Australia Peel's Pinjarra office. She is a young lady with a great future. I will read from her biography on her website —

Sally Jane is a vibrant young country music, singer, songwriter and guitarist from Serpentine, Western Australia.

... Sally Jane is making her mark in the Australian Country music scene with the award of People's Choice at the 2020 WA Country Music Awards.

She was also a finalist in the emerging artist category and won junior vocalist of the year for 2019. Sally graduated from the Country Music Association of Australia Academy of Country Music in 2020 and performed at a number of venues during Australia's largest music festival in Tamworth, including opening the festival on the main stage and performing harmonies for one of her many mentors, nine-time Golden Guitar winner Lyn Bowtell. Highlights for Sally include performing at leagues club in New South Wales, music festivals in the Pilbara, the Kings Park dawn services for the RSL and even a booking in Tasmania while she was on an Australian tour earlier this year. Her website bio concludes —

Country music allows Sally to express herself and tell her story, 'I love it that people can dance and sing along with me and share the experience.'

A roll-on benefit of supporting the music industry is that Sally Jane also has a compassionate desire to give and regularly supports charities through music, including Friends of Finlay, which is a charity in support of a young boy who has been diagnosed with hepatoblastoma, a rare type of liver cancer; Warnbro Swans Integrated Football; Relay for Life; and the Jarrahdale Veterans Transition Centre. I had not heard of Friends of Finlay before, and it prompts me to mention the formation of the Parliamentary Friends of People with Rare and Undiagnosed Diseases, which will be launched by the Premier and the Leader of the Opposition in the courtyard on 19 October. For the benefit of the member for Mandurah, Sally Jane will be performing at the Oyster Bar tomorrow at 7.00 pm.

I have no hesitation in supporting the measures that prohibit the resale of tickets that are subject to a restriction on resale at a price that is higher than the original price plus 10 per cent. The Ticket Scalping Bill 2021 will protect people like my 12-year-old self, musicians like Sally Jane embarking on their own musical career, and the people of Western Australia who value a fair go and seeing a gig at a fair price. I commend this bill to the house.

MR P. LILBURNE (Carine) [11.20 am]: I rise to speak in support of the Ticket Scalping Bill 2021, formulated by the Minister for Commerce. I wish to congratulate the Western Australian government for bringing it before the house. It is a fantastic piece of legislation that will put fans of music, sport, art and culture first. As the effective member for Carine, I have actively supported and contributed to the cultural events and art displays in my district. All varieties of sport and music events throughout the year are promoted by the Mark McGowan Western Australian Labor government.

As a child of the 1970s and 1980s, one of my favourite bands was Kiss. As a young lad, posters of Kiss adorned my bedroom walls. These otherworldly band members and characters produced fantastic rock music songs such

as *Shandi, I Was Made for Lovin' You* and *Rock and Roll All Nite*. As a youngster, I was particularly interested in a pair of dragon boots worn by the bass player, Gene Simmons. Given that I am currently confined to this distinctly unglamorous moonboot for the foreseeable future, perhaps a bit of Kiss-esque razzle-dazzle is just what I need! Despite attending the Perth show of their Farewell Tour some two decades ago—at no less a venue than Burswood Dome—Kiss are booked to again grace the shores of our great state of Western Australia on 14 November 2021.

Mr S.N. Aubrey: Do you still wear make-up?

Mr P. LILBURNE: Only on Saturday nights, member!

How extraordinary it is that in a couple months, all things being equal, the good people of Western Australia may well have the opportunity to attend a stadium rock concert of the calibre of Kiss.

Mr D.A. Templeman: You'll be able to get those boots out again!

Mr P. LILBURNE: As a matter of fact, minister, I have one on right now!

Members heard in this place yesterday that the astonishingly proficient management of the COVID-19 pandemic in our state by the McGowan Labor government has allowed for the organisation of this event. Led by our Premier and Minister for Health, Western Australians find themselves in this fortunate and enviable position. However, to get to the crux of this bill, if someone were to type “Kiss tickets Perth” into their search engine, they would find that a majority of the top search results are for ticket resale sites—essentially, online scalpers. These ticket resale sites are advertising tickets for Kiss and other events at mark-ups from 70 per cent to more than 500 per cent of the face value of the ticket as described by the official distributor.

I wish to acknowledge all the previous supporters of this bill; I feel that for me to go over those figures in detail again would be a waste of the house's time, but it is very important to note that the levels of mark-up are astounding. What makes this practice all the more insidious is the deception. These ticket resale sites look every bit as legitimate as any official ticket retailer; the scalpers go to extraordinary lengths to exercise this deception—yet we hear, time and again, stories from hardworking Western Australians of tickets being fraudulent, cancelled, or otherwise invalid, locking disappointed fans out of events and costing them hundreds, if not thousands, of dollars in the process. This sneaky and underhanded business model risks pricing well-meaning sport, music, arts, and culture fans out of their favourite concert, match or performance, and it harms the artists, performers and entertainment industry professionals who dedicate their lives to bringing joy to ours. As I have said in this place previously, I have looked after Australian performers such as Delta Goodrem and Michael Hutchence. I have seen the professionalism that these Australian performers bring to their art, and I greatly respect it.

In my own electorate of Carine, there is a fantastic establishment known as the Carine Tavern; it is 200 metres from my electorate office on Beach Road.

Mrs J.M.C. Stojkovski: That's handy!

Mr P. LILBURNE: It is indeed, member!

This iconic institution is frequented by people from North Beach, Karrinyup, Sorrento, Gwelup, Marmion, Duncraig and, of course, Carine. Over the last few years The Carine, as locals know it, has hosted some great Australian bands including You Am I, Jebediah, Ash Grunwald and End of Fashion—that last one may reflect upon the member for Moore!

The thought of these unscrupulous scalpers taking advantage of the amazing people that I am so proud to call constituents is enough to make me concerned. I thank the Minister for Commerce for her excellent leadership in relation to this bill. That is why I am pleased to be able to commend this bill to the house. I thank the Acting Speaker.

MS S.E. WINTON (Wanneroo — Parliamentary Secretary) [11.26 am]: I, too, would like to make a contribution to the Ticket Scalping Bill 2021. Like the member for Cockburn I, too, am a proud Dockers supporter and wear my scarf today with pride. It is not often we get the opportunity to wear it, given that it is six years since we last won the Western Derby, but here's to many, many more! I note that last Sunday's Western Derby was played before some 51 692 fans. It is fantastic that at the moment, here in this state, we are able to not only attract such large crowds to our local derby, but also contemplate hosting AFL finals games here in the near future.

I have to say to the member for North West Central that I disagree with everything he says in this place, and particularly with his summation that the Dockers are not a prospect for making it into the finals. I believe that if they beat St Kilda on the weekend, and some other matches go according to plan, we might yet see them in the finals and perhaps even in the grand final. That would be one miracle.

Ms S.F. McGurk: Where there's life there's hope!

Ms S.E. WINTON: Absolutely, and I do have hope. I confess that I placed the great sum of \$1 on Fremantle winning the premiership. Members should get in on that, because the odds at the moment are 300 to one!

Mr V.A. Catania: Can I just say, we often don't agree, but one thing we can all agree on in this chamber is that we need to have a Western Australian team in the finals, whether it is Fremantle or West Coast, as long as we have one team in the finals and we have a grand final here in Western Australia. That would be fantastic, wouldn't it?

Ms S.E. WINTON: Absolutely! The member for North West Central is right: it would be great to have a Western Australian team in the finals, and for Western Australia to get the opportunity to host an AFL grand final. I have to also say that Western Australians absolutely love their footy. The Dreamtime game was not a Western Australian-hosted game, but 55 000 Western Australians attended it. Likewise, the AFL would be pretty confident that Western Australians would turn out in huge numbers to any finals we can host in Western Australia, whether the Dockers are in it or not. I, too, want to make a very quick contribution to the debate on the Ticket Scalping Bill 2021. As members have said, this was a 2017 election commitment. It was introduced in this place, but, unfortunately, it was another example of the many bills that we have had to reintroduce because they did not get passed by the Legislative Council last time. The last time I went to a concert was on 23 February 2020 to see Queen at Optus Stadium. It was the most incredible concert I have ever been to. The reason I mention it is that it was just a matter of weeks or days before life changed for all of us with the pandemic unfolding around the world and the implications for us in Australia. I mention it because since then, and many members have mentioned it, COVID has impacted on many of our lives and on many industries, but none more so than the live entertainment industry, whether it is football, as we talked about, or concerts and various live events. It is fantastic, though, that Western Australia, due to its approach in dealing with the pandemic, has not only kept its economy going, but also provided a much greater opportunity for the live music industry to keep going than many other states of Australia and certainly other places around the world have.

Members have described the problems with ticket scalping. I loved the member for Collie–Preston talking about the good old days when we had to line up for concert tickets and phone in et cetera. Now technology has moved on to such an extent that new methods of purchasing tickets have allowed ticket scalping to become a very sophisticated and multibillion-dollar industry that does not benefit anyone that ticket sales should be benefiting. We do not get a fair crack at tickets, and when we do, in many instances we are desperate so we pay inflated prices because the events sell out so quickly. Very often when we buy tickets at an inflated price because we are desperate to see a particular concert, we do not even know what the mark-up was in the first place and we assume we are paying the price the promoter originally charged. When the bill was debated here in 2017, we heard stories of people who were prepared to pay inflated prices, which is bad enough, but then turned up to the concert to find that they could not get in because the tickets were void.

It is unaffordable to many people in Western Australia to attend events. When I made a contribution to debate on this bill in 2017, I mentioned that it was not just the high-end, big concerts such as Queen that people found increasingly unaffordable to attend, but that scalpers got in on family events, too. At sporting events such as the Scorchers cricket matches that attract families, the cheap family tickets are sold for prices way beyond what families can afford, due to the fact that scalpers grab all the tickets. As many members have indicated, very importantly, the people who get cheated most are the creators of the industry in the first place, whether they be performers or event organisers who carry all the risk in organising and putting on events.

This bill is a long time coming. It will ban the resale of tickets at a mark-up of more than 10 per cent of the original price. I think that is fair and reasonable. Sometimes we buy tickets but, for a number of reasons, we might not get the opportunity to go to the event. This bill will still allow people to onsell their tickets at a reasonable rate so that they are not out of pocket. People will no longer be able to advertise tickets at inflated rates. Importantly, this bill provides that when a person buys tickets from a non-seller, they are required to not only be told the original price, but also receive information about the seat at the concert as part of the process of getting the tickets, which is really important.

We have talked about technology. Obviously, a key element of this bill is preventing software and technology being used by scalpers to purchase large numbers of tickets. I will not talk much about the sticks involved, but we obviously need them to make sure that people will abide by the new laws. They will include fines for breaches of \$20 000 for individuals and \$100 000 for bodies corporate.

The member for Cockburn mentioned that this bill had its beginnings in 2014 when the Premier, the then Leader of the Opposition, introduced a private member's bill that was blocked in this house. Interestingly, I read the *Hansard* of that debate and the bill really came out of a Senate Economics References Committee report into ticket scalping in Australia. That report recommended that the federal government do something about ticket scalping. It was very clear that the federal government was not going to show leadership, and it has required state governments like those of New South Wales, South Australia and now Western Australia to take on this issue to ensure that people in the community can enjoy entertainment, concerts and the like at a fair and reasonable price and also have the opportunity to have a crack at getting tickets in the first place before they are sold out artificially.

Western Australia is now in a really lucky position because Western Australians have been wonderful and disciplined in adhering to the various restrictions that have been put on them. COVID has had a significant impact on the events industry, and the measures in this bill are important in assisting the sector and getting fans back to see public events.

In closing, I want to highlight that the McGowan government's thinking on supporting culture and the arts throughout the pandemic has not been based on a kneejerk reaction. It has been a specific and targeted campaign that originally dates from our recovery plan. Over \$76 million of the recovery package has gone to support culture and the arts in this state, including \$30 million for the redevelopment of the Western Australian Perth Concert Hall and \$15 million

to upgrade His Majesty's Theatre. There was \$15 million that went to Getting the Show Back on the Road, which was a share-the-risk package to reactivate live performances and touring activities. There was \$5.6 million for venue hire waivers for local performing arts companies to support them during those difficult times. There was a \$350 000 contribution to events delivered by the West Australian Music Industry Association and a \$5 million Lotterywest investment for the Creative Communities artists-in-residence program. I will leave my contribution there. I wanted to highlight that the Ticket Scalping Bill was important when we introduced it in 2019, but it is even more important now during these COVID times to make sure that we continue to support, encourage and nurture a thriving live entertainment and large events industry in this state. I commend the bill to the house.

MR Y. MUBARAKAI (Jandakot — Parliamentary Secretary) [11.38 am]: I rise to make a brief contribution to the Ticket Scalping Bill 2021, because I understand that we have limited time to debate this bill as we hope to pass it shortly. I completely agree and concur with the remarks just made by the member for Wanneroo. She has summed up remarks of members who spoke prior to her who identified the core reasons why it is imperative that this bill pass this house. As members understand, this bill was introduced in the fortieth Parliament under the McGowan government, but to the dismay of us all, it did not manage to pass the upper house. So we are back again, and for that reason we have all made our contributions about why post-COVID this bill has merit in this place and the community of Western Australia.

I congratulate and commend the Minister for Commerce, Hon Amber-Jade Sanderson, for reintroducing the Ticket Scalping Bill. The main issue here is fairness—fairness for the consumer, the system itself, the fans, the artist and, obviously, the business owners who take the risk of organising these huge events and have a black market sector of individuals who basically cause disruption and sadness for fans who want to attend these many events across a calendar year in Western Australia. Largely speaking, we in Western Australia have been so lucky and very fortunate to continue to have the freedom to attend concerts with maximum capacities. We heard the previous speaker, the member for Wanneroo, talk about the maximum number of events orchestrated with huge crowds. To see venues filled and experience the buzz and atmosphere is how the artist thrives on their performance. Whether we talk about sports or culture and music events, these are important atmospheres.

What happens when ticket scalpers use new technologies thanks to the internet? Obviously, our world now relies on the internet and it is a major benefit; however, it comes with some disadvantages. People use technologies known as bots to basically acquire systematically online as many tickets as are desired, and they onsell them for a surplus, sometimes 100 to 300 per cent on the price of those tickets. Tickets become unaffordable for the fans, individuals and families who really want to go out and enjoy the entertainment right here in our backyard. It is completely unacceptable. I am glad that this bill pretty much points out that if someone has acquired a ticket and is unable to attend an event, a 10 per cent surcharge to onsell it to friends or family or otherwise is a legal and right way of doing it, unlike scalpers who acquire hundreds or thousands of tickets and sell them for three times more than the original price. When they do not sell all their tickets, the stands are empty. People who wanted to attend the event are completely disappointed. We are losing the merit of having places of entertainment for individuals and families across the board for their hobby or pleasure.

I will continue my remarks on this bill, but will not go into too much detail. This bill highlights the importance the McGowan Labor government has brought back into the forty-first Parliament with the merits of this bill. I reflect that in some countries in the world, particularly the United Kingdom, tickets can be resold, in a sense, with an attached framework of hospitality packages, such as hotel stays, obviously to encourage tourism. These are practical parameters that some countries have adopted to avoid ticket scalping. This bill will protect WA consumers from the increasing ticket scalping that occurs across events. The resale of tickets at inflated prices, without adding any goods or services, is unacceptable. Obviously, the loss is only to the consumers. There is absolutely no doubt that the unfair behaviour will cease to exist. I commend this bill to the house.

I would also like to talk about some things that have been organised in my electorate over the next month, such as the Youth on Health Festival, at which the Harrisdale Senior High School drama students will perform. Student performers will express their own stories of “keeping up with appearances”. Keeping up with appearances is not new. People have always strived to fit in and pretend that everything is better than it really is by the way they dress or behave, which is quite a concern, especially among young people who are impacted more than ever by the power of social media and the impact it has. It creates a sense of anxiety about people's personal success, wealth and body image. The internet has become a treacherous place in this regard, but there is also an opportunity for young people to use it in a positive way. The Act-Belong-Commit YOH Fest is a leading forum for youth health education in Western Australia, allowing thousands of school students to take part in an innovative and revolutionary approach to help education through the arts. The YOH fest uses the arts platform for primary and high school students to explore important health issues and to harness their creativity and enthusiasm to convey these health messages to their peers. The Harrisdale students will perform at the Subiaco Arts Centre on 31 August.

Harrisdale Senior High School will compete in the Volleyball WA Schools Cup. A friend of the office, a work experience student, Ethan, will participate. I can tell you, Madam Acting Speaker, that Ethan is a big lad and I am sure he will do himself and his school proud on the court. I wish the team all the very best.

Students from the Leeming, Aspiri and Harrisdale Primary Schools in my electorate will participate in the annual Western Australian choral festival. I congratulate Abigail Albert, who will sing three solos at the event, and I wish her all the very best.

I will not take too much longer, but on this note I will thank previous speakers who have contributed to debate on this bill and, once again, I commend the bill to the house.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [11.47 am] — in reply: I am of course representing the Minister for Commerce in responding to the second reading debate of the Ticket Scalping Bill 2021. I thank the member for North West Central and shadow spokesperson for commerce for his contribution. I will go through a couple of the matters that were raised by the member for North West Central. I thank the members for Cockburn, South Perth, Collie, Darling Range, Carine, Wanneroo and Southern River for their contributions and insight to and strong support for events of a sporting and culture and the arts nature and for recognising the importance of ensuring that those events can take place and be staged or performed, and the interests of consumers with ticket purchases can be strongly supported.

Members have highlighted the intention of this bill. A number of members highlighted the history of the bill, its early gestation, and acknowledged the former member for Collie–Preston, who, of course, did raise this issue as a concern some time ago. I am sure that wherever he might be caravanning at the moment, or indeed enjoying regional Western Australia in his retirement, he would be very pleased to hear that this bill has been reintroduced by the Minister for Commerce and, indeed, will be passed by this place and, it is hoped, supported and passed in the other place.

I will not go through the purpose of the bill—that has been highlighted—but I will touch on some points to reassure the member for North West Central and other members on the operation of the bill. The member for North West Central highlighted the issues that came up during the Standing Committee on Legislation’s consideration of the Ticket Scalping Bill 2018. I want to touch on a couple of clauses that he highlighted, including the reason for some of the recommendations not being supported. It is obviously the normal process for the statutory review to occur after five years when built into legislation. The advice was that requiring a review after only three years, as was proposed, would ultimately provide insufficient data with which to judge the effectiveness of the legislation, so it is five years. I think the member himself also agreed that we are in exceptional circumstances due to COVID and that is why five years is appropriate.

On the issue of definitions raised in recommendation 2, Parliamentary Counsel’s Office has inserted a definition of ticket scalping in clause 3 of the Ticket Scalping Bill 2021 that clarifies that issue. Recommendation 3 to change the terminology of “declared” to “prescribed” was supported and has been changed. Recommendation 6 supported a proposed amendment to insert a note under clause 3 describing the application of Fair Trading Act investigation powers. A note has been inserted in clause 14 of the Ticket Scalping Bill to address this issue.

The member for North West Central also highlighted—it is a good point—the issue around the purchase of tickets. The member referred to his large family and my large family and when people want to purchase a number of tickets to support their club or whatever. I assure the member that consumers will be able to purchase a large number of tickets for family and friends. There are no restrictions in the legislation on the number of tickets that can be purchased, as long as none of the tickets are resold for more than 110 per cent of the original ticket price. Event organisers, understandably, may limit numbers, as the member may be aware, but that is ultimately a commercial decision and is not affected by this bill.

The member asked how the original ticket price is determined and why a reseller is allowed to add 10 per cent to the purchase price. The original ticket price is the price for which the ticket was purchased from the organiser or authorised ticket seller, including booking fees or commissions. The additional 10 per cent permits the reseller to recover additional costs such as postage fees, advertising et cetera. Having considered the available models and the results of commonwealth consultation in late 2017 with stakeholders on this matter, and after discussion and further consultation, it was decided that the complexity of the New South Wales model, which requires transaction costs to be itemised, makes it unreasonably difficult to monitor compliance. As a result, the model used in Queensland was adopted. It allows the reseller to recover the cost of the ticket paid to the original seller including booking fees plus 10 per cent. That is generally considered to be an appropriate percentage.

In terms of compliance, in his second reading contribution, the member highlighted that there is a six-month period before proclamation. He is exactly right. That period will allow for the broader public and interest groups to be educated on the implications of the bill. That will be undertaken by the department before proclamation and implementation of the intent of the bill. That will be an important component of the role, if you like, of Consumer Protection. The member asked how compliance will be undertaken. Obviously, Consumer Protection will undertake active compliance, including monitoring social media pages, Facebook and sites such as Gumtree. As the member is probably aware, a lot of consumer reports and complaints come through to the department from people’s interface with those mediums. Again, the focus on education of the public will be a feature of the work of the Commissioner for Consumer Protection and of course other communication methods, including press releases and media statements.

The member asked about the regulations once they have been drafted. The member is obviously well aware that for transparency, the regulations will be visible because they will be tabled here in Parliament and will be subject to the procedural mechanisms that impact on the tabling of regulations in the Parliament. Hence if there is a request or intent to move a disallowance motion, that will be up to any member of this Parliament when the regulations are tabled.

I thank the member for not requiring that we go into consideration in detail. Obviously, there will be an opportunity for further debate on this bill in the other place. However, broadly, all the contributors to the second reading debate highlighted their strong support for this bill. It is modern legislation and deals with ticket scalping, which ultimately undermines producers and performers and impacts on consumers. Therefore, this legislation is important and on behalf of the Minister for Commerce, I commend the bill to the house.

Question put and passed.

Bill read a second time.

[Leave granted to proceed forthwith to third reading.]

Third Reading

Bill read a third time, on motion by **Mr D.A. Templeman (Leader of the House)**, and transmitted to the Council.

ADMINISTRATION AMENDMENT BILL 2021

Second Reading

Resumed from 26 May.

MR D.A.E. SCAIFE (Cockburn) [11.59 am]: I am very pleased to rise today to support the Administration Amendment Bill 2021. This is an important bill. We say that a lot in this place, but this is an important bill. The reason we say it often is that we are often speaking to important bills; it is certainly the case here. This bill deals with an issue that is technical in nature in relation to statutory legacies payable in the case of intestate estates. That is an issue of significance because, as I will outline in my contribution, a surprising number of people die without a will, and as a result, the Administration Act 1903 essentially provides a fallback position for the distribution of the deceased's estate. The bill updates the amounts of the statutory legacies that are paid to spouses or surviving partners of people who die intestate, as well as in more limited circumstances to parents of people who die intestate. It is a short and technical bill, but it is a much-needed update. The statutory legacies in the Administration Act 1903 at the moment are as low as \$50 000 when the intestate dies leaving issue, meaning a person's children or other lineal descendants such as grandchildren, but only as high as \$75 000 when the intestate dies leaving no issue. Those are the statutory legacies at the moment. Those amounts have not been updated since 1982. It is 39 years since these statutory legacies have been updated.

Mrs J.M.C. Stojkovski: That is older than you, member!

Mr D.A.E. SCAIFE: It is older than me, member for Kingsley! She is quite right. It is an unfortunate fact of this place that our ages are freely available on the Parliament website. I will touch on this. I thought that I was the second youngest member of Parliament. The member for Scarborough beats me; he was born in 1990. I was born in 1988. I pipped the member for Hillarys by about six months, but then I discovered Hon Ayor Makur Chuot was born in 1989, so I am in fact the third youngest member of this Parliament. The member for Scarborough keeps his place as baby of the house. It is quite fitting with his young, boyish good looks and luscious locks. In any event, I digress.

The last time we updated statutory legacies was in 1982, and indeed reform has been a long time coming. This bill is yet another bill that was introduced in the previous Parliament, and there have been minor changes. The minor changes relate to further updating the statutory legacies, the amounts that are set out in this bill, because again, time has passed since the bill was introduced in the previous Parliament. I had a look at the *Hansard* of the debates when this bill was introduced last time. It is again another unfortunate fact of this place that this is something that members here do, I am going to say for fun, but certainly as part of ensuring we constructively contribute to this place. I read the contributions of the former members for Mirrabooka and Hillarys, and the member for Armadale. I thought to myself that the first of those speakers retired, the second was defeated and the third, the member for Armadale, is in the worst position, because he has now left us for the gilded cage of cabinet, so it is left to some of us, such as the member for Kingsley and I, to instead carry the contributions in this Parliament.

Before I comment on the bill I want to echo something said by members in the previous Parliament, particularly by the former member for Hillarys, and that is: I encourage people to make a will. There are many myths about what happens if someone dies without a will. Some of those myths include that the state will simply take the whole of the estate. That is not true. I want to dispel that myth. The Administration Act 1903 provides a backstop, which is what we are essentially discussing an amendment to here today, and it provides those statutory legacies that are distributed to partners and to issue in the case of intestate estates. But my message to members of the public is: do not rely on it. One of the reasons that it should not be relied on is that, unfortunately, the statutory legacies that are set out in the act have been woefully inadequate for quite some time. The other reason that I encourage people to

make a will is that for those of us who have lost loved ones, we all know that death is a very messy business within families. It often brings out the worst in families. That is when people discover all sorts of family secrets that have been kept hidden for a long time. They are coping with their own emotional stress. They are coping with the emotional stress of their family members and people who knew the deceased. They might be processing any regrets that they have in their relationship with the deceased, but they are also required to face all these forward-facing challenges like planning a funeral and dealing with how to distribute the estate and the property within the estate. Having a will with a properly appointed executor with clear instructions on the distribution of the estate will take some of the stress away during what is a very difficult time.

However, I will say, I admit, that this is a case of do as I say, not as I do. I note an exchange in the previous Parliament between the member for Armadale and former member for Hillarys. The member for Armadale admitted that for a very long time he did not have a will. The former member for Hillarys made the observation that he had prepared letters of administration for many deceased lawyers who died without wills. I am guilty of that. I do not have a will. I have no excuses; I am a lawyer by background and I should know better. I am not as young as I like to think I am, as I have already touched on. The excuse that the member for Armadale gave at the time—I have to admit, it was certainly said tongue in cheek—was that he was very poor. I suspect that is an overstatement. It is certainly not a claim that I would make, though I would say that members are welcome to look at my annual return and see just how asset rich I am. The answer to that is that my annual return is pretty threadbare; nonetheless, I will be taking my advice and I encourage everybody to do the same. Make a will. Do not rely on the backstop of the Administration Act 1903.

The structure of my contribution today is that I will run members through the riveting history of succession law in Western Australia. I can see already that I have the attention of the member for Landsdale and the Leader of the Opposition.

Ms M.M. Quirk: You know what I say? Where there's a will, there's a way.

Mr D.A.E. SCAIFE: Member for Landsdale, I am going to show the way!

Ms M.J. Davies: I have got my notebook ready to go!

Mr D.A.E. SCAIFE: The Leader of the Opposition has her notebook ready to go. I respect that. I will be very impressed if there is anything in my speech that the Leader of the Opposition decides to reflect on. We will see how we go.

The history of succession law reform in Western Australia is actually critical to understand this bill because, as I have said, this reform is a long time coming. It shows why the matter was first legislated for in 1903 in this state. That history also shows that we have let too much time pass without implementing important reforms and without updating the statutory legacies. That history underlines how important it is that we update statutory legacies now. We will not only update the statutory legacies, but also insert a formula for the ongoing updating of statutory legacies into the future. That will mean that those statutory legacies will not fall behind in relative real value in the way that they have in the past. My intention is to go through that history and use it to tease out some important facts about intestacies in Western Australia and explain why this reform is beneficial for the people who have the least. I will get to some details that show that people who die without a will are the people who often have the least and whose families have the least, so this is an important reform to protect those people and their families. It is a very good thing that this Labor government is prioritising this reform.

I will start with the early history of WA's succession law. Members will be interested to know that WA inheritance rules have their origin in the English Statute of Distribution 1670, when Charles II was the monarch of England. In fact, when I was doing my research, I found out that Charles II dissolved the English Parliament in 1681, just 11 years after the Statute of Distribution had been passed. I am sure there are still a few people around today who would like to dissolve Parliament, but, fortunately, here we are carrying on debate and doing good work for the community. The inheritance rules in the Statute of Distribution 1670 were then modified and implemented in Western Australia through the Administration Act 1903. The root of those rules and their 500-year history meant that they were dynastic, medieval and focused on essentially protections of the landed gentry. I will not take us back that far and work my way through. Instead, I have gone through *Hansard* to find the second reading of the Administration (Probate) Bill, which was introduced on 28 January 1902, so we have only 119 years of history to get through over the next 17 minutes.

In the second reading debate a contribution was made by Hon Walter James, MLA, who was the member for East Perth. He became the Premier and Attorney General in July that year, about six months after that second reading debate. Hon Walter James, MLA, was succeeded in his role as Premier by Hon Henry Daglish, MLA, who was the first Labor Premier for Western Australia. I quote the comments made by Sir Walter James, which is in the *Hansard* of 28 January 1902 at page 2556, because what Mr James said is eerily similar to comments made by the Attorney General and other members in the previous Parliament about why this reform is so important. Sir James said —

Clause 14 makes an important alteration in the existing law, for it provides as to what interest in the share of the other a surviving husband or wife is entitled. The clause says: —

(a.) Where the net value of the property of the deceased does not exceed the sum of £500—to the whole of such property; (b.) Where the net value exceeds £500—to the sum of £500 absolutely, and also to one half-share of the residue where there is no issue surviving, and where such issue survives, the wife shall be entitled to one-third share of the residue, and such issue to the remaining two-thirds.

Of course in the case of an estate left by will, the will determines the proportion (so far as the law in this State is concerned). In the old country, the law provides that if a husband or wife dies leaving a small estate, the whole of it goes to the wife or husband, as the case may be. Hon. members will realise that in a comparatively small estate the person having the first claim is the surviving husband or wife, as the case may be; because, quite apart from the fact that the survivor is interested in the children as much as the deceased parent would be, a person who dies leaving a wife or children, if the estate does not exceed in value £500, that amount may under the present law be so cut up as not to be of use to any of them, because the share of the children may be tied up until the age of 21 years is attained, and the amount payable to each child may be so small that its investment would not produce sufficient to even clothe the child.

The point made as far back as then is that statutory legacies are important because they ensure that the spouse or partner is able to secure a fair share of the estate; historically, that share could be used to purchase a modern home before the estate is divided up amongst other, say, issue or entitled persons. The history of succession law in Western Australia shows that that is a critical reform because intestate estates are much smaller on average than estates that are left by people who have died with a will.

A report of the Law Reform Commission of Western Australia, *Project no 34—Part I: Distribution on intestacy*, deals with this issue.

[Member's time extended.]

Mr D.A.E. SCAIFE: Paragraph 13 of the Law Reform Commission's report states —

One factor which has influenced the Commission in reaching its conclusions is that the great majority of intestate estates are small. Appendix 2 sets out the values of a sample (257) of estates filed during 1971–1972. Of these, 72% were worth \$4,000 or less.

If we go to appendix 2, we see that the figures are worse than that, because the figures show that three, or 1.2 per cent, of the total estates were insolvent, 33, or 12.8 per cent, of the sample were considered to be negligible in value and 113, or 44 per cent, were valued at under \$2 000. All added up, that shows that 58 per cent of intestate estates in 1971–72 were worth less than \$3 000. Similar facts are exposed in other jurisdictions and in more recent times. A report of the New South Wales Law Reform Commission reflects on this matter. I refer to the 116th report published in April 2007 by the New South Wales Law Reform Commission, titled *Uniform succession laws: Intestacy*. Paragraph 1.17 of that report states —

There is also evidence to suggest that intestate estates are, in general, of smaller value than their testate counterparts. A sample of probate files from the NSW Probate Registry in 2004 showed that the average value of the estates of those who died with wills was \$774,802, while the estates of those who died without wills had an average value of \$213,888. This tendency has also been observed by a number of law reform bodies over the years, including those of Western Australia, England and Wales, and Alberta.

That report indicates that in New South Wales in 2004, the average intestate estate was valued at about 27.6 per cent of the average testate estate. That highlights the importance of this reform. Frankly, wealthier people are clearly more likely to have wills, so this bill will largely assist people who are less well off, because people who are intestate are overwhelmingly more likely to be less well off. The history of law reform also shows that intestacy is surprisingly frequent throughout Australia. If I were to be hit by a bus tomorrow, as some of my political enemies may wish, I, too, would be contributing to that figure. The report of the New South Wales Law Reform Commission makes this point at paragraph 1.12 —

Intestacy would appear to occur quite frequently in Australia. In 1994, in South Australia, 6.44% of applications for grants were made in circumstances of intestacy. In the same year, the rate was believed to be 14% in Queensland, just over 10% in Western Australia, and between 6% and 8% in other jurisdictions.

We have a situation in which intestacy is surprisingly frequent in Australia. It may be as high as 10 per cent in Western Australia. We know that the people who leave intestate estates have much smaller estates; they are people who are much less well off. As a result, ensuring that the amount of statutory legacy that is paid to the surviving partner or spouse is particularly important. The way that the bill will address the need to ensure that surviving partners are looked after is, as I said earlier, by updating the amounts of the statutory legacies.

Historically speaking, statutory legacies were a means by which a spouse could acquire the matrimonial home. It has long been recognised that because the amount of statutory legacy is so low under the current act, that intention can no longer be realised. Nobody thinks that in 2021 in Perth, \$50 000 or \$75 000 is an amount that could acquire the matrimonial home in the case of a deceased estate. In fact, in some parts of Perth, it would not even amount to a 10 per cent deposit on a home. This was acknowledged by the then Premier of Western Australia on 6 August 1990,

when a media release was issued that stated that the government intended to introduce legislation seeking to have the basic sum increased from \$50 000 to \$125 000 and \$75 000 to \$175 000 respectively. It intended to introduce legislation seeking to amend the Administration Act so that future changes to the basic sums in the table in section 14 could be prescribed by regulation. That was a media release issued in 1990. At that time, it was thought sufficient to increase the amount of \$50 000 to \$125 000 and \$75 000 to \$175 000, yet we have not introduced that reform since that time. As a result, those figures are exactly the same as they were in 1990 and exactly the same as they were 39 years ago. It has been a consensus in the legal profession that these days the amount should plainly be closer to \$500 000 to meet the cost of even a modest house. It is worth reflecting on the fact that no other state or territory in Australia has statutory legacies as low as those in Western Australia, so we are well and truly behind in historical terms and we are well and truly behind other jurisdictions.

That brings me to the features of the bill. The starting point in statutory legacies is that there is an assumption that the surviving partner of a deceased person should be entitled to a portion of the estate; therefore, a certain sum of money, which is referred to in the act as the statutory legacy, is handed over to the partner or spouse of the deceased person. After that has been done, any children or other blood-line relatives of the deceased share the balance of the estate with the deceased's partner or spouse. In order to achieve that aim, what is needed, as I have made clear, is an update to the amounts of the statutory legacies. I will run through the amounts that the bill proposes to increase the statutory legacies to.

In the case of a partner legacy when the intestate dies leaving issue—that is, children and grandchildren—under the current act, which has not been changed since 1982, the statutory legacy is set at \$50 000. Under this bill, it will be set at \$472 000, which is up from the \$435 000 included in the 2018 bill. In the case of a partner legacy when the intestate dies leaving no issue, the current amount of \$75 000 will be updated to \$705 000, which is up from the \$650 000 included in the 2018 bill. In the case of parental legacy when the intestate dies leaving no partner or issue but they have surviving parents, the current amount of \$6 000 specified in the act will be increased to \$56 500, which is up from the \$52 000 included in the 2018 bill.

Those are very significant increases and they reflect the contemporary reality of the cost of a home or what would be an adequate amount as a statutory legacy to be left to the surviving partner of a person who dies intestate. The amounts in this bill have obviously been updated from the amounts in the bill that was introduced in the last Parliament to reflect the fact that further time has passed. Due to factors such as inflation, the amount that should be reflected as a statutory legacy has obviously increased.

The second important measure in the bill is that it will do what the government said it would do in 1990, which is to provide a formula for updating the legacies so that we do not have to keep coming back to this issue. The measure that will be used for updating the statutory legacies will be a formula in which the denominator is the average weekly total earnings of a full-time adult employee in Australia published by the Australian Statistician. There is also a fallback provision whereby the Attorney General can review the statutory legacies.

In conclusion, statutory legacies have not kept up for 39 years. There have been multiple recommendations from law reform commissions and previous inquiries for reform in this area. It has been 39 years since the last updates, and many more since some of the earlier inquiries in this area. The lack of reform has created problems for the surviving partners of people who have died intestate. They are estates that are smaller. It is a case that arises surprisingly frequently. This is an important bill that has been scrutinised and I commend it to the house.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [12.29 pm]: I rise on behalf of the opposition to make a contribution to the debate on the Administration Amendment Bill 2021. I am very happy to do so after the member for Cockburn, who obviously has a great deal more knowledge about the history of the legislation than I might bring to Parliament. I note, as I do with all these bills, that our shadow Attorney General is in the Legislative Council and members can expect some further questions there. But there is no opposition from us on the need for this bill; that has been clearly articulated and we understand that it has been a long time coming.

I share the member for Cockburn's sentiments that we should all have a will. Again, I am in the same basket as him, in that I do not have a will. Every time I have gone to sit down and start thinking about how I might do it, it just becomes a little bit overwhelming, and I suspect that is the same for so many of us. I do not have dependants so either my sister or her husband, or my mum would probably have to deal with the mess left behind should I leave this mortal coil unexpectedly. This conversation will probably prompt me to add that to the ever-growing list of things that I need to attend to in my personal life so that I do not leave it for others to deal with.

My experience dealing with the families of those who pass away intestate is generally through my office. It is a very confusing and distressing time for those families. I probably get a proportion more of these cases than others because I have a very good friend in Northam who also happens to be one of the funeral directors used by many families in the region. Of course, they deal with all the challenges of the funeral arrangements, but also how that interplays with whether the family has the ability to deal with someone who has passed without a will. It is a complex area. Certainly, at the very best of times trying to plot a pathway through what needs to happen when someone passes is challenging while people are dealing with the grief that comes with it.

I will not go through the history of how we got here. My understanding is this five-clause bill will amend the Administration Act 1903, which deals with how the estates of deceased persons are to be handled by administrators. The bill seeks to increase the statutory legacy amount prescribed for spouses or de facto partners and parents, which were last adjusted 39 years ago. Most notably, the bill will increase the legacy amounts that surviving spouses or de facto partners are entitled to when a person dies intestate from \$50 000 to \$472 000 if the deceased has children, and from \$75 000 to \$705 000 if the deceased has no children. It will also increase the statutory legacy amount that surviving parents are entitled to when a person dies without a will and there is no surviving spouse or de facto partner or children from \$6 000 to \$56 500. The bill will insert a new provision into the act that sets out a formula that can be used by the minister for calculating the above legacy amounts into the future. Hopefully, that means future Parliaments will not have to come back and have this conversation, because it certainly seems like it has been a long time between drinks dealing with this issue. As I understand it, the formula is based on the estimated average weekly earnings of a full-time Australian employee as published by the Australian Bureau of Statistics.

It became evident in the briefing provided to our shadow that the bill is almost identical to the Administration Amendment Bill 2018, which failed to progress through the fortieth Parliament. It should be noted that the 2018 bill was read a third time in the Legislative Assembly on 3 April 2019 and introduced into the Legislative Council on the same day but was never again brought on for debate. The Legislative Council in the last Parliament was not given the opportunity to progress this legislation. The key differences between this bill and the previous bill are that the legacy amounts have increased using the formula prescribed by clause 5 of the bill and the formula to be applied by the minister has been amended to reflect average earnings as published by the Australian Bureau of Statistics in November 2020.

My notes say that there is no obligation on the minister to update the statutory legacy amounts and that the bill does not contain a review clause. I think we have had subsequent advice that perhaps the Attorney General intends to introduce a review clause and will amend the bill —

Mr J.R. Quigley: I will give you an undertaking that during consideration in detail I will move an amendment for a review clause for the statutory amount.

Ms M.J. DAVIES: It is always interesting when the government amends its own bills.

Mr J.R. Quigley: We took up a suggestion. We are always open to suggestions, member. It was by the shadow at the briefing.

Ms M.J. DAVIES: I understand it was one of the suggestions put forward by the shadow Attorney General. It seems to make good sense, so I am very pleased to see that the government has taken that on board.

The only other comment I will make is that the genesis of the two bills—the 2018 bill and the one we are dealing with now—was a report published in 2007. There was a working group established in 2003 that comprised experts from the Supreme Court of WA, the legal profession and Public Trustee's office, and some academics. I understand this working group still exists; however, its composition has changed. The opposition wants to know the extent to which the bill deviates from the recommendations made by the working group and whether the current working group considers that this bill is sufficient, given quite a significant amount of time has elapsed between when the working group's report was published and the debate on this bill. As I said, the speaker previous to me, the member for Cockburn, gave us a good history lesson on why it is important that we are having this conversation. There is no opposition from the opposition on this legislation. We agree that it is a very sensible reform. As always, I am sure that the shadow Attorney General will have some further questions in the Legislative Council for the Parliamentary Secretary to the Attorney General. I look forward to the Attorney General's answers to those questions and his amendment during consideration in detail.

MRS J.M.C. STOJKOVSKI (Kingsley — Parliamentary Secretary) [12.36 pm]: I rise to make a contribution to the debate on the Administration Amendment Bill 2021. It is yet another bill that the Attorney General has introduced in the house. I have lost count of how many bills this Attorney General has introduced in the house since 2017, but it is quite a number.

This is quite a technical bill. It is very short; it has only five clauses. But it will have a long-ranging impact over the years. The bill will do two things. It will increase the statutory amounts paid when somebody passes away without a will. The amounts were last adjusted in 1982. Unlike my colleague the member for Cockburn, I was alive in 1982, but I was really quite young. Upon the death of a loved one, the current legislation often requires, depending on the circumstances, costly arrangements for the surviving spouse or partner to stay living in and maintain their family home. This can put quite a burden on surviving loved ones at a time when they are distressed and grieving the death of their partner. The second thing the bill will do is provide a formula for calculating the statutory legacy amount in the future. The formula that will be used is the average weekly total earnings of a full-time adult employee in Australia as published by the Australian Bureau of Statistics in November 2020. This is a really important part of the legislation. The capacity for the Attorney General to review the amount contemporises the legislation and will allow it to move with the times. It means that the legislation will not have to constantly come back to Parliament to be updated. I note that when the 2018 bill was introduced and then debated in 2019, the amount identified for

partners with children was \$435 000. In the few years since then, that has increased to \$472 000. This is a substantial increase just over the last few years, but it is really important to note that we are coming off a very low base of just \$50 000 for partners with children. For a partner with no children, it was \$75 000. When this bill was introduced previously, the amount was \$650 000. That has now increased substantially to \$705 000. If the person who passes away does not have a partner or children to leave anything to, it goes to the parents. That was previously \$6 000. In a previous iteration of this bill, it was \$52 000; now we are up to \$56 500.

All these things are really important parts of this bill, and I congratulate the Attorney General on bringing it in. It highlights an even more important issue in Western Australia: wills. The last two speakers have spoken about the fact that people should have wills but do not. I am not one of those people; I have a will, but I have to acknowledge that it is thanks to the Attorney General that I have a will because it was the introduction of the previous bill that spurred me on to finally getting around to doing wills for my husband and me at the beginning of 2020. I thank the Attorney General; he is responsible for at least two people having their wills written.

Mr J.R. Quigley: I hope there's no need for them for a long while!

Mrs J.M.C. STOJKOVSKI: As do I, Attorney General!

It was something that we identified when this legislation was brought in, both in a personal capacity and in my electorate office. Back in 2019, I contacted a friend of mine who is a family and estate lawyer and asked him to conduct a wills workshop. We thought it was a bit morbid, but that there might be people interested in it. We advertised it widely within my electorate and the response was quite amazing. At the workshop we had Leo Barry from Vibe Legal. He gave a very comprehensive workshop about wills and living wills, and how they interact with other legal instruments that deal with end-of-life choices, such as —

Ms M.M. Quirk: Power of attorney.

Mrs J.M.C. STOJKOVSKI: Power of attorney. I thank the member for Landsdale; the word escaped me!

Leo went through a whole variety of things to do with wills, and touched upon what happens if people do not have a will. The workshop was really well attended by people in my electorate; we had more than 50 people at one of the community centres on a Friday afternoon to listen to Leo talking about wills, what we should have in our will, and how important it is to have a will. I felt quite guilty about it, and finally did my will.

The Leader of the Opposition is not alone in not having a will; I had a look at some of the research commissioned by Maurice Blackburn Lawyers in 2019 and it showed that more than half of Australians do not have a will. Of those who do not have a will, 40 per cent have no idea what will happen to their assets in the event that they pass away without a will.

Ms M.J. Davies: I don't think anyone likes facing their mortality, do they?

Mrs J.M.C. STOJKOVSKI: No, and that actually comes up in the research. Thirty per cent of people who did not have a will felt that they had nothing of value to pass on, 28 per cent felt that they were too young to need a will and 16 per cent just did not want to have a will because they did not want to think about dying. That is fair enough; it is an awful thing to have to think about dying and what will happen to you when you die. As a parent it was quite a confronting process to go through: What happens if we die before either of our kids get to 18? What happens if we die between the time when our eldest gets to 18 and our youngest is still a minor? Who is going to look after them? Who gets what, and how do we carve up all that? It is a really awkward conversation, but on the other side of it, I am really happy that we have done it because now I have some confidence about what will happen for my children and what will happen to our assets. My husband was very concerned about what would happen to his beloved cars. All that is now written down.

Ms C.M. Rowe: What about the dog?

Mrs J.M.C. STOJKOVSKI: We did not have the dog when we did the will, so we might have to make an adjustment!

It is really comforting to know that we now have those things written down, even to the point of what happens with our organs. Do you want to be buried or would you like to be cremated? People have differences of opinion on that. I note that when one of my cousins in Ireland passed away, he had a requirement in his will for his partner to take his ashes to four different corners of the world, because travelling was one of the things they loved doing together, so he felt that by putting that in his will, he would ensure her need to travel, even without him. Obviously she is not travelling anywhere right now, but she did make it to Australia, which was one of the places where he wanted his ashes spread.

Although it sounds a bit morbid, it can actually leave a lasting legacy of you, your family and your relationships, so I really encourage all members and all members of the public who do not have a will to make it one of their priorities over the next 12 months, because it takes a little time to have these conversations and think about what you want to do.

One of the biggest things that is often forgotten about by the 30 per cent of people who say they do not have anything of value to leave is superannuation and linked life insurance, which can both be left in wills. Many people

do not turn their minds to how their superannuation and life insurance will be dealt with after their death. This issue was highlighted by another of my lawyer friends, Lindsay, who also works at Vibe Legal. She gave me a really practical example. Lindsay, her husband, Leo, and I are all of Irish descent. They were born there and I was born here, but we are all in the Irish community and we have a great association called the Claddagh Association. We were talking about the fact that the Claddagh Association often assists in tragic circumstances in which young Irish expats are killed here in Western Australia, and about what happens when that occurs. Claddagh often steps into the breach and helps to repatriate the remains of those people back to Ireland. Lindsay said that a lot of Irish expats who work here are working in the mining and construction industries and receive good wages and, consequently, good superannuation. That superannuation can be used to help in the process of repatriation so that the parents can bring their deceased children back to Ireland if they are killed in Western Australia.

Under the current legislation, if a young Irish person is tragically killed and they do not have a partner or children, the parents will receive only \$6 000, which is not enough to undertake both repatriation and a funeral; the rest is split between siblings and other family members. Under the changes proposed in this amending legislation, that amount will increase to \$56 500, which should, we hope, help to cover the costs of repatriation and a funeral. When you think about it, a lot of Irish expats who die in Western Australia are young people in their 20s, so their parents have to deal with both the loss of a child and the financial impact of bringing them back to Ireland.

I discussed this bill with legal practitioners because although we can sit here in Parliament and make amendments and changes to legislation, it is out in the field where people will have to actually implement and work with the legislation on a day-to-day basis. The legal practitioners agree with the Attorney General that the preceding statutory limits in various cases were grossly inadequate and that historically statutory limitations were inserted to provide a means by which a partner could acquire the matrimonial home. For a partner with no children, the amount was \$75 000. I would love to find a house in Perth for \$75 000, but, unfortunately, that is just not going to happen! If a person had children, the amount was only \$50 000. We are raising the amounts to \$435 000 for a partner with children and up to \$705 000 for a partner with no children. That is much more reflective of the contemporary housing market in Western Australia. Although the amounts may not buy an entire home—hopefully they will—in a person's current or preferred location, they will certainly go a long way to providing a home for a spouse, particularly if the spouse left behind is not the breadwinner or primary income earner in the relationship. Lindsay and Leo both agree that the amendments made in the bill will provide a legitimate means by which a partner of a recently deceased person can receive a just proportion of the deceased estate. That is particularly pertinent to spouses who are not breadwinners or full-time workers. That is really important to highlight, because as we know from listening to the Minister for Housing, the Minister for Community Services and other ministers in this house, there is growing need for these reforms for women between the ages of 55 and 60 who are reflected on our social housing waitlists. Some of those situations have potentially impacted on the need for this legislation.

Debate interrupted, pursuant to standing orders.

[Continued on page 3164.]

AFGHANISTAN — HON FATIMA KOHESTANI

Statement by Member for Landsdale

MS M.M. QUIRK (Landsdale) [12.51 pm]: Merely months ago we welcomed and celebrated a record number of women into Parliament. I reflect, by contrast, on the perilous position of a colleague and director of the Global Organization of Parliamentarians Against Corruption, the duly elected Hon Fatima Kohestani, a 30-year-old Hazara and member for Ghor province in Afghanistan. She advised us this week that MPs in Afghanistan are being subjected to searches of their homes, requiring them to flee. Fatima has achieved bachelor degrees in law and political science and a master's degree in human rights and global humanities from the University of Leicester, where she taught gender studies. In Afghanistan, Fatima worked as a legal officer–trainer for the European Union Police Mission, as a human rights consultant for the United Nations Assistance Mission in Afghanistan, and for the United Nations Development Programme and the United Nations Population Fund. As a member of GOPAC representing the South Asian region, she advocated strongly for all South Asian women parliamentarians. In all of these roles she has been an important agent for change.

We are all horrified and saddened by the television images from Afghanistan. Each of the fearful thousands escaping has an individual story like this. As a woman and a member of the long oppressed Hazaras, Fatima is vulnerable. I urge federal colleagues to use whatever means available to lobby for her safety and for all at-risk Afghani women, and for the Morrison government, in particular, the Minister for Foreign Affairs; Women, Marise Payne, to exercise compassion and common decency to permit Fatima's resettlement in Australia.

BREAST CANCER — PINK SHEARING FOR LIZ DAY

Statement by Member for Central Wheatbelt

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [12.53 pm]: I rise to pay tribute to an outstanding annual event in my electorate organised to raise funds for research into breast cancer. The Pink Shearing

for Liz Day was an idea formed in 2014, when shearer Tom Reed and his wife Lucy tragically lost their good friend Liz Roberts to breast cancer. The event is held at Di and Quent Davies' shearing shed in Yorkrakine. I can almost guarantee that it is the only shearing shed in the state painted pink, and for the event it is liberally decorated with bras of all shapes and sizes.

This year the event raised an enormous \$70 000-plus, which included \$3 000 from the Jumbuck Shearing team, which donated nearly two days of wages to the cause. We were treated to the Jumbuck Shearing team blade-shearing sheep from the Manunda Merino Stud in Tammin, enjoyed woodfired pizza prepared by Bernie Quade and were entertained by live music well into the night. Attendees were quick to put their hands up to support this most worthy cause. They had plenty to choose from, with generous donations from businesses and individuals for the 65-plus auction items including saltbush plants, tonnes of lime, tonnes of finishing pellets and much, much more.

This event is now one of the major contributors toward Breast Cancer Research Centre Western Australia's annual fundraising targets. I congratulate Tom and Lucy and the Jumbuck Shearing crew, Di and Quent Davies and family, and everyone involved for their continued efforts in the fight against breast cancer. It is an illness that has impacted so many of our families and friends.

POLICE — YARNING — ABORIGINAL LANGUAGES APP

Statement by Member for Carine

MR P. LILBURNE (Carine) [12.54 pm]: Yesterday I had the pleasure of attending a briefing by representatives of the police department about the Yarning application. The Aboriginal affairs division and digital policing division have created a suite of mobile telephone applications, including Yarning and cultural protocols apps. These applications leverage off the existing OneForce mobile program and are a platform for officers throughout the state to easily access appropriate Aboriginal cultural information specific to the subdistrict they are policing. Both applications have cultural endorsement from the Aboriginal police advisory forum, senior Aboriginal community members and senior members of partner agencies, including the Aboriginal Mediation Service, the Aboriginal Legal Service and the Department of Communities.

These applications contribute to the Western Australia Police Force innovate reconciliation action plan and Closing the Gap outcomes and are an example of our efforts to improve Aboriginal wellbeing in Western Australia. The Yarning software was designed to demonstrate fairness and care to Aboriginal persons by providing spoken Aboriginal language interpretations of key messages, including those relating to rights in police custody and COVID-19. The application allows officers to select an Aboriginal language and play selected messages to improve understanding by Aboriginal people who may have difficulty comprehending English.

A trial version of the application was conducted in the Pilbara police district from March 2021, with the full application being released on 10 August. To date, the feedback on Yarning has been overwhelmingly positive. The application currently contains eight Aboriginal languages interpreted by Aboriginal interpreters from Western Australia with a further three to be added.

SEA VIEW GOLF CLUB — COTTESLOE

Statement by Member for Cottesloe

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [12.56 pm]: As patron of the Sea View Golf Club in Cottesloe, last Saturday I had the pleasure of attending the club's patron's day as its guest. I also had the honour of presenting the winner's prize to the grade winners for the weekend's golf competition. I am pleased to announce that the winners of last weekend's competition were Stuart Campbell in the A grade and Harrison Shepherd in the B grade. Well done to both Stuart and Harrison for a great day's play!

Sporting clubs such as the Sea View Golf Club have played a crucial role during the COVID-19 pandemic. They have provided a focal point for people to connect during this time. Sea View's membership has almost doubled since the start of 2020. There has been a whopping increase of 400 new members at the club for 2020, with total membership peaking in the mid-800s, up from the mid-400s, which is where it sat for over five years. I believe this reinforces the important role that local clubs such as the Sea View Golf Club have in our local communities, especially during a time of crisis. The benefits they provide to not only people's physical health, but also their mental health through making real connections with other people has never been more important. Consequently, I take this opportunity to congratulate all who are involved with the success of the club, especially the volunteers, including the club president, Bill Cox, and the club's head professional, Tristan McCallum. I greatly value the important contributions they make to our community.

COASTAL WASTE WARRIORS — DAWESVILLE

Statement by Member for Dawesville

MRS L.A. MUNDAY (Dawesville) [12.57 pm]: I rise today to recognise and commend the incredible work of a local community group in my electorate of Dawesville called Coastal Waste Warriors. Coastal Waste Warriors

holds a once-a-month community beach clean-up with a mission to conserve our natural environment and marine life and raise awareness of the negative impacts of littering and plastic pollution. Since it started in December 2018, over 1 500 volunteers have collectively removed over 2.6 tonnes of litter and marine debris along the Mandurah coastline. The organisation has a very inspirational backstory, with chairperson Kirstin Field and her family starting Coastal Waste Warriors in memory of her beautiful little girl Amber Dawn, who adored nature and the ocean. Shortly after Amber passed away, her kindy teacher Jenny Dowie wrote a book called *Amber Dawn Princess Warrior and the Dolphin Rescue*. It is a beautiful children's story about Amber saving a dolphin from fishing nets. It was illustrated by Belinda Joynes and published by Maggie Dent. Coastal Waste Warriors has turned the family's pain and loss into positive action, inspiring a community to keep our waterways clean.

I had the pleasure of attending its latest clean-up event at Pyramids Beach on Sunday, 8 August. I learnt that the group not only works to maintain the coastline, but provides education on alternatives to everyday plastic items, and some of the debris found is recycled into artwork. Coastal Waste Warriors was recently awarded a \$3 148 community litter grant to implement a behaviour change campaign to help keep our waterways clean. There is no better time than now to bring attention to and commend the mission of Coastal Waste Warriors, particularly with the McGowan Labor government's policy that will bring forward our Plan for Plastics, with phase 1 banning a range of single-use plastics at the end of this year.

BLUEBUSH WILDLIFE RESCUE AND REHABILITATION

Statement by Member for Moore

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [12.59 pm]: I would like to highlight today the important work of Bluebush Wildlife Rescue and Rehabilitation caring for and rehabilitating injured wild animals. Registered wildlife carers Shannyn Bean from Coorow and Sue Rose from Buntine estimate that they care for and rehabilitate 80 to 100 animals each year, with the aim of returning them to their local habitat. Aside from the more common kangaroos and euros, they pick up injured birds including wedge-tailed eagles and tawny frogmouths, as well as bobtails and spiny-tailed skinks from Morawa, Coorow, Carnamah, Perenjori, Dalwallinu, Wongan Hills and surrounds. Caring for wildlife takes patience and dedication. A young joey without fur, known as a pinkie, can be in care for 12 to 18 months and when very young, requires feeding every three to four hours. Shannyn estimates the cost to raise a kangaroo is about \$1 000, and that is without possible vet bills.

Shannyn and Sue do not generally receive financial help but Bluebush was recently granted funding by the US-based Society for the Prevention of Cruelty to Animals, which has enabled them to build an additional pre-release pen for kangaroos. Bluebush acknowledges the generous assistance of local vets Kirsten and Hannah Tunstill of Wheatbelt Vet Services who assist with many injured animals. Thank you, Bluebush Wildlife Refuge and Rehabilitation.

Sitting suspended from 1.00 to 2.00 pm

EMERGENCY EVACUATION ALARM SYSTEM TESTING

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.00 pm]: Members, the Parliament's emergency evacuation alarm and code black alarm familiarisation exercise is about to commence. The test will take approximately four minutes, and I would encourage you to listen carefully to the public-address broadcast and advice for instructions. This is happening throughout the building, and the Legislative Council is being similarly advised.

Mr V.A. Catania: Have they got six minutes?

The SPEAKER: Hopefully, the focus is on us.

[Emergency evacuation alarm system tested.]

The SPEAKER: We are very lucky to have Michael Loney to announce all that. It was very professional!

VISITORS — DAVID BOOTHMAN, WATTLE GROVE PRIMARY SCHOOL AND CARCOOLA PRIMARY SCHOOL

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.07 pm]: There are a few people I would like to acknowledge in the Speaker's gallery today, one being Mr David Boothman, the former Mayor of the City of Stirling, who has just retired as a councillor after 27 years. I understand that he is here as a guest of the member for Balcatta.

On behalf of the member for Forrestfield, I would like to welcome staff and student leaders from Wattle Grove Primary School to Parliament House today.

On behalf of the member for Murray–Wellington, I would like to welcome Ms Sharon Hunt and the year 6 student leaders from Carcoola Primary School. I welcome all those students.

What a day to come here, with all that extra fun that we do not normally have!

QUESTIONS WITHOUT NOTICE**PERTH CASINO ROYAL COMMISSION — HON NEVILLE OWEN****446. Ms M.J. DAVIES to the Attorney General:**

I refer to the Attorney General's joint press conference with the Minister for Racing and Gaming on 5 March in which he announced that Justice Neville Owen would be appointed as lead commissioner for the Royal Commission to inquire into and report on the affairs of the Crown Casino Perth and related matters.

- (1) Is it true that the Attorney General told a journalist on 3 August that if he had known of the business and personal connections between Justice Owen and Mr Kerry Stokes, he would not have supported the decision to appoint Justice Owen?
- (2) When the Attorney General learnt of the connection, did he raise concerns with anyone about the independence of the royal commission, given the perceived or the potential of real conflict that exists between those investigating Crown and its current and former executives?

Mr J.R. QUIGLEY replied:

- (1)–(2) I thank the Leader of the Opposition for the question. In March this year, I fully supported the appointment of the Honourable Neville Owen to the Perth Casino Royal Commission as a royal commissioner. He had my full confidence in his integrity to conduct that function as an eminent jurist, and he still has my full confidence as an eminent jurist to continue with his work. He has my full support.

PERTH CASINO ROYAL COMMISSION — HON NEVILLE OWEN**447. Ms M.J. DAVIES to the Attorney General:**

I have a supplementary question. I thank the Attorney General. Just so I am absolutely clear, did the Attorney General not tell a journalist that had he known of the business and personal connections between Justice Owen and Mr Stokes, he would have objected to the decision to appoint Justice Owen?

Mr J.R. QUIGLEY replied:

I have no recollection of ever telling a journalist that at all. My position is that from the outset I have always supported and continue to support the appointment of Mr Justice Owen in his work in the royal commission. I am not aware of any conflict. I am not aware of any conflict at all that Mr Justice Owen has that would prohibit him or inhibit him in his work.

STATE ECONOMY — JOBS**448. Ms J.J. SHAW to the Premier:**

Before I begin, on behalf of the member for Southern River, I welcome the students from Excelsior Primary School.

I refer to the McGowan Labor government's commitment to driving the state's economic recovery and creating more jobs for Western Australians. Can the Premier update the house on today's Australian Bureau of Statistics job figures and outline what they show about this government's unprecedented investment in creating jobs, supporting business and driving economic growth?

Mr M. McGOWAN replied:

I thank the member for the question. Just before I answer that, I would like to provide an update to the house on the evolving situation in Afghanistan. First of all, I think I would speak on behalf of all of us when I say how tragic and sad it is what has occurred in recent days in Afghanistan and the human tragedy that is unfolding before our eyes.

We knew on the weekend that there would need to be some evacuation of people out of Afghanistan. We were in contact with the commonwealth government, and the health minister and I advised our bureaucrats that we were very keen to do what Western Australia could do to assist Australians and visa holders coming out of Afghanistan if that was required. The commonwealth has taken up that opportunity. As of the first flight, which is due to arrive within the next 24 hours, up to 100 evacuees will go into hotel quarantine in Perth. These evacuees are a mix of Australians and visa holders—obviously, mainly the interpreters and the like who assisted our defence forces in Afghanistan. We have been working on this arrangement since Saturday. The flight will arrive either tonight or tomorrow morning with these people on board.

Police, Health and the Department of the Premier and Cabinet have been working around the clock to make sure that this can be put in place. We have made space available in the Hyatt Regency hotel; some floors have been cleared in order to put these evacuees in that hotel. We will ensure, and I have received every guarantee, that every COVID-19 safety protocol will be adhered to from the airport to quarantine, and beyond. We will do everything we can to ensure that every precaution is put in place to protect those people coming in, and, indeed, to protect the broader Western Australian community and the staff involved from any COVID-19 infections or any other illnesses as part of this. It is obviously a very serious matter. We just want to do our bit as Australians to assist those people impacted and assist the commonwealth government in its time of need.

On to the question from the member, we have been focused on two things over our time in office, in particular the last 18 months. That is the health and safety of Western Australians, and also creating jobs for Western Australians. The two are not mutually exclusive. Today's ABS job figures highlight that fact. The unemployment rate has fallen to 4.6 per cent. That is the lowest unemployment rate in eight years. By contrast, when we arrived in office, the unemployment rate in Western Australia was 6.5 per cent. Under this government, we have seen a massive drop in unemployment. The youth unemployment rate is now the lowest it has been since 2014 and also the lowest of all the states. When it comes to creating jobs, we have a record number of Western Australians in work. There are now 1.41 million Western Australians in work. In terms of the monthly figures, in July we saw 6 500 jobs created in Western Australia. The encouraging thing is that these were full-time jobs. By contrast, there were 2 200 jobs created across the rest of the country. So if it was not for Western Australia, the nation would have gone backwards. Under this government, 106 800 Western Australians are in work above the number who were in work when we came to office. That is 106 800 jobs created under this government, in the midst of a worldwide pandemic and recession.

We will continue to invest and create opportunities to drive our jobs growth, whether it is from investment in training and TAFE; cutting red tape; investing in infrastructure such as Metronet; the Perth City Deal, an initiative by Edith Cowan University; or the WACA redevelopment project, on which I turned the first sod this morning. That goes to show that if we have a government that has the right priorities and is prepared to take action when required, particularly in relation to COVID, we can create good health outcomes and good job outcomes at the same time.

HOSPITALS — REGIONS — CODE YELLOW DECLARATIONS

449. Mr R.S. LOVE to the Minister for Health:

I refer to walkouts by staff at Hedland Health Campus, the first ever code yellow for Albany Health Campus, and reports that Kalgoorlie Health Campus should be on code yellow because staff cannot find beds for patients.

- (1) Why are claims being made by workers that issues at these hospitals have been ignored by management?
- (2) What is the government doing to support those overworked and understaffed regional hospitals so that the health and safety of patients and staff is not in constant jeopardy?

Mr R.H. COOK replied:

- (1)–(2) Thank you very much for the question. Can I just say, member for Moore, at the risk of sounding like a broken record, that our hospitals are under significant demand pressures at the moment. This is a result of a pandemic spike, for want of a better description, in all our hospital systems, not only in Western Australia but throughout the country.

However, in Western Australia we have an opportunity to respond because of the great work done by the McGowan government to improve the state of the state's finances. In particular, can I take members through a range of the spending priorities that we have already announced. That includes a \$1.9 billion package as part of our forthcoming budget. That will see an extra 332 beds, equating to staff of 456 nurses and 91 doctors. That is already part of our program to continue to expand our health system to make sure that we get the supply that we need in response to the demand that we are experiencing.

In particular, we are doing a lot of work on staffing to make sure that we can improve the access to the workforce that we need in these highly constrained times. That is why I am very pleased to say that we have already recruited a significant number of nurses and doctors as part of this recruitment drive. That includes 25 new emergency department staff in the next fortnight for Sir Charles Gairdner Hospital, and 14 new midwifery graduates at King Edward Memorial Hospital for Women. Three new perioperative nurses have started just this week at King Eddies, and three more will start in the next few weeks. Four overseas midwives will be starting at King Eddies next month. Of the 173 doctors we are trying to recruit from overseas, 35 are already in Western Australia, 13 are currently in quarantine, and we are expecting the remainder over the coming months. A lot of work is being done to make sure that we continue to improve the situation, not only for our frontline workers, but also for the patients who go to their hospitals to receive the care they need.

Part of the problem that we have is that our healthcare workforce has been working hard over the 2020–21 period in dealing with the anxieties associated with the COVID-19 pandemic, and now in meeting this post-pandemic demand spike, so they are tired. They are looking to a government that can provide them with the resources they need so that they can meet the demand pressures in their workforce. Thank goodness we have a McGowan government that can do just that.

HOSPITALS — REGIONS — CODE YELLOW DECLARATIONS

450. Mr R.S. LOVE to the Minister for Health:

I have a supplementary question. My question referred specifically to country hospitals. Has the minister been briefed by the WA Country Health Service and directed it to immediately address the concerns of workers in those hospitals who claim that their workplace is unsafe?

Mr R.H. COOK replied:

Unlike those opposite, I think those workers are all Western Australians, whether they work in the country or metropolitan area. Our recruitment drive is about making sure that all hospitals in Western Australia have the resources they need and the workforce they need.

Mr R.S. Love: So the answer is no; you have not been briefed by WACHS?

Mr R.H. COOK: That was not my answer. All our hospitals will benefit from our recruitment drive and from the extra resources that we will provide as a result of this budget, not just country hospitals. We consider all hospitals to be an important part of our healthcare service.

CORONAVIRUS — VACCINATIONS — REGIONS

451. Ms D.G. D'ANNA to the Minister for Health:

I refer to the McGowan Labor government's significant efforts in rolling out the COVID-19 vaccination program to those living in regional and remote parts of the state, and in particular to vulnerable Western Australians. Can the minister update the house on the rollout of the COVID-19 vaccination program in regional Western Australia?

Mr R.H. COOK replied:

I thank the member for the question and her ongoing advocacy, particularly for people in her electorate who live and work in remote communities. Before I answer the member's question, I add to the Premier's comments my thanks to the healthcare and police teams who are working tirelessly to prepare Western Australia for the efforts around the Afghanistan evacuees.

I am on a drive to make sure that 80 per cent of adult Western Australians are fully vaccinated by year end. I could say that all I want for Christmas is two jabs each!

Several members interjected.

Mr R.H. COOK: Work with me here! It is a Thursday afternoon—come on!

Mr D.A. Templeman: It's a tough room.

Mr R.H. COOK: It is a tough audience, Minister for Culture and the Arts.

We have made a lot of progress, but there is still much to do to improve our vaccination rates, particularly in regional communities. Across Western Australia, our first dose percentage is now 44.5 per cent and our second dose percentage is 25 per cent. That is why we are working tirelessly to make sure that we continue to improve our vaccination rates. I think more than 28 000 doses were administered in Western Australia yesterday, so we are making really good progress.

Today, I was out at Perth Airport to announce an innovative collaboration that we are implementing with Rio Tinto as part of our vaccination program for strategic workforces. In this case, miners coming off swings will, as they come back into the airport, be greeted by Rio Tinto health teams. We are making sure that we are giving them the opportunity to be vaccinated. By increasing the level of convenience, we will increase the vaccination rates of that workforce. In addition, Rio Tinto and WACHS health teams will be working in Tom Price and other communities in which Rio Tinto works to ensure that members of those communities have the opportunity to be vaccinated. Obviously, Rio Tinto workers, their families and other community members live in those communities. We will be announcing a similar program with other resources companies in the coming weeks and months. It is an important program.

To date, only 16 per cent of people who live in remote communities have had their first dose; 7.9 per cent have had both doses. That is alarmingly low, so we have to increase our efforts to make sure that we can improve that. We can do it. In the Warmun Aboriginal community, member for Kimberley, over 76 per cent of eligible residents are now vaccinated. We can do this. We are working not only with the unique features of the Western Australian health jurisdiction, which has a highly remote and dispersed population, but also against insidious anti-vaccination groups, cloaked in the disguise of religious fundamentalism, who are encouraging members of the community to resist the vaccination program. It is just not good enough. I am very pleased to see that the Western Australia Police Force is deploying an officer and chaplain to try to get around this campaign that is entwining some of these communities and creating confusion, concern and anxiety, which is undermining our efforts to get the community vaccinated. We know Aboriginal communities in particular are vulnerable to any outbreak of COVID-19. That is why it is important that we take every opportunity to make sure they are vaccinated. We are working closely with Aboriginal medical services and the commonwealth to make sure we can lend a hand wherever we can to continue to lift vaccination rates. As the Warmun community has demonstrated, we can do it, but we need to do it together. We are not safe until we are all safe. That is why Aboriginal communities, particularly in remote areas, are a fundamental target of our successful vaccination program.

CORONAVIRUS — NATIONAL RESPONSE PLAN — VACCINATION THRESHOLD

452. Dr D.J. HONEY to the Minister for Health:

I refer to the *National plan to transition Australia's national COVID-19 response* agreed upon by national cabinet.

- (1) What modelling has the WA Chief Health Officer undertaken on an appropriate vaccination rate that will trigger phase D under the national COVID exit plan?
- (2) If no modelling has been undertaken, how could the minister have any idea about what vaccination rate will trigger phase D—opening up—enabling the minister to inform the Premier ahead of national cabinet?

Mr R.H. COOK replied:

(1)–(2) The Premier gave a very comprehensive answer to this question just yesterday.

Dr D.J. Honey: On what modelling?

Mr R.H. COOK: Just yesterday —

Dr D.J. Honey: You didn't answer what modelling has been done at all.

Mr R.H. COOK: — the Premier answered this question.

Dr D.J. Honey: What modelling? That's the question.

The SPEAKER: Order! Leader of the Liberal Party, you have asked the question; you have repeated the question. I think we will just allow the minister to answer at this point in time.

Mr D.T. Punch interjected.

The SPEAKER: And with no further contribution from the member for Bunbury, thank you.

Mr R.H. COOK: National cabinet received a report from the Peter Doherty Institute for Infection and Immunity, and the Prime Minister made public that briefing and modelling, which showed that we need to get at least 80 per cent of the eligible adult population vaccinated before we can consider moving to other phases in the program. The Doherty institute continues to canvass the fact that we will need public health measures to continue in addition to the vaccination program to keep the community safe. The Premier made it quite clear that we will use all the measures at our disposal to make sure that we keep Western Australians safe. That includes border arrangements, if that is what is required to make sure Western Australians can live in a COVID-safe Western Australia.

But there are threats to that. The Delta strain is a threat to keeping Western Australians safe. New strains that we are not aware of are a threat to the safety of Western Australians. There is another threat to the safety of Western Australians—that is, the Liberal and National Parties of Western Australia, which once again come into this place and undermine the people of Western Australia and the efforts that they are undertaking, successfully, I might add, in the face of their undermining, to protect ourselves from COVID-19. I have a message for those opposite: we stand with the people of Western Australia who want a COVID-19-safe outcome. We stand with the people of Western Australia in opposing the Liberal and National Parties in their efforts to undermine us.

CORONAVIRUS — NATIONAL RESPONSE PLAN — VACCINATION THRESHOLD

453. Dr D.J. HONEY to the Minister for Health:

I have a supplementary question. Has the Chief Health Officer provided the minister with modelling or advice on the ability of Western Australia's health system to cope with the stress that could be put on the system by phase D, given the dangerous levels of ambulance ramping and code yellows we are currently experiencing?

Mr R.H. COOK replied:

Madam Speaker, I draw your attention to the fact that that is no way a supplementary question; it is basically the member for Cottesloe wanting to take the story a little further because he did not listen to the first answer. That is what happens when the member writes supplementary questions and does not listen to the answer. Of course, he could have listened to the answer from the Premier yesterday.

Dr D.J. Honey: He didn't talk about modelling either.

Mr R.H. COOK: Indeed, he could have asked the Premier yesterday. Premier, when was the last time the member for Cottesloe asked you a question?

Mr M. McGowan: Three months ago.

Mr R.H. COOK: Three months!

Several members interjected.

The SPEAKER: Order, please!

Several members interjected.

The SPEAKER: Deputy Premier, perhaps you could answer the question and not invite others to comment.

Mr R.H. COOK: We have all seen that modelling. That modelling was done by the Peter Doherty Institute for Infection and Immunity. We continue to be advised by the Chief Health Officer and his health teams, and, my God, what a great job they have done so far in protecting the Western Australian community, and, through the great leadership of Premier McGowan, protecting us from you!

DOG AMENDMENT (STOP PUPPY FARMING) BILL 2021

454. Ms L.L. BAKER to the Minister for Local Government:

My question—unsurprisingly!—is to the Minister for Local Government. I refer to the McGowan Labor government’s commitment to stopping the cruel and inhumane treatment of dogs through a combination of strategies and our legislation to stop puppy farming, which passed through this house yesterday. Can the minister remind the house what this legislation will mean for people who choose to exploit dogs for their own commercial gain; and, is the minister aware of anyone in this house or around the place who is still opposed to this legislation?

Mr J.N. CAREY replied:

I want to thank the member for her question. I think it is obvious and everyone knows in this house that the member for Maylands has been an incredible advocate, who worked with the former Minister for Local Government to deliver this legislation. We took it as an election commitment in 2017. We brought it back as a commitment in 2021, and yesterday, it passed. It will tackle the cruel practice of puppy farms using a very comprehensive system of regulation.

Unfortunately, the member is right; there are those who wish to undermine this great legislation. I note that the opposition spokesperson, Hon James Hayward, took to the radio this morning to start the fear campaign. He said two things. “We’ll be stuck with a very rigid compliance regime that will mean everybody’s rates will have to go up to cover the cost”—scare number one. He also said, “We’re not going to oppose the legislation. The government’s had good support for it ... We will certainly propose some amendments”. Let us be clear. Number one is that we are creating a central registration system that will make it easier to register and gain approvals. That will assist local government. But what is also clear is that members of the opposition want to gut the legislation. They say they support it, but, in fact, they do not. They will gut the legislation, create enormous exemptions and not allow for effective regulations. It should not be surprising that Hon James Hayward and the other members do not understand dog welfare.

Dr D.J. Honey interjected.

Mr J.N. CAREY: Thank you, member for Cottesloe. I give the member some great credit. It is very clear from the matter of public interest debate last night that he understands dog breeds and dog welfare very well. He referred to the member for Kimberley as being a “chi-chuana”! Apparently, that is a new breed that I am not aware of. I understand that the member for Cottesloe knows of other breeds that we are not at all aware of: the “hard-border collier”, the “shiatsu” and the “bich-and-fries”! What we are seeing from the member for Cottesloe is a “congo” line of gaffes —

Several members interjected.

Mr J.N. CAREY: Conga, Congo!

Several members interjected.

Mr J.N. CAREY: I will never live that one down!

Today, the member for Cottesloe referred to “James Carey, the housing minister”. I do want to say that he is my long-lost brother. He is actually a “chi-chuana” breeder in the south west! I understand that the Liberal Party has hired some young Liberal gun to do its social media and to keep making constant attacks, but perhaps the Leader of the Liberal Party might get his party to actually invest in policy development, rather than dirt units and social media attacks. We are genuinely trying to make a better Western Australia. This legislation will ensure effective regulations and protect all those beautiful dogs, including the “chi-chuanas”!

CYCLONE SEROJA — SMALL BUSINESS GRANTS

455. Mr V.A. CATANIA to the Minister for Small Business:

I refer to the town of Kalbarri.

- (1) With the government’s announcement of the \$4 000 small business grant in Kalbarri following cyclone Seroja, will the minister revisit the restrictive criteria, including the importance of mum-and-dad businesses that are integral to the local tourism industry, and include those businesses that earn under \$75 000 and are not registered for GST?
- (2) When will the minister’s government build the promised and much-needed workers’ accommodation facility in Kalbarri, which is urgently needed to house tourism workers and tradies to assist in the rebuild of the town, the community and the tourism industry?

Mr R.R. WHITBY replied:

- (1)–(2) I thank the member for the question. First of all, I would like to think that the Nationals WA and the opposition generally would be very supportive and congratulatory of the amazing efforts of restoring the community of the midwest. The biggest disaster recovery funding arrangements in the history of Western Australia have been attained by the good work of the Western Australian government in concert with the federal government and the 16 local governments in the midwest.

The best thing that we can do for businesses, not just in Kalbarri, but around the state, is to keep the doors open. That is what we do when we go hard and we go early with lockdowns that have an effective result. We know what is happening in Sydney today; there are 688 new COVID-19 cases. We have zero cases in Western Australia today; that is the difference. We had the same outbreak, member. We dealt with the same issues. The same Delta variant came to Western Australia and we dealt with it, and other places did not. The very best thing that we can do for our local businesses is to keep the doors open. That is what businesses want. They do not want to have their hand out; they want to be doing business.

If there is another lockdown, and we pray that there will not be, but if there is, we will always consider the needs of small business. There has been a huge variety of assistance with well over a billion dollars' worth of assistance to businesses and the community since this pandemic began. We look at all the needs of businesses, but we do not have a bottomless pit of money. We do not throw away taxpayers' money; we have probity arrangements around that and we need to ensure that taxpayers' money is spent wisely. We will never have enough to reimburse businesses for lost income. It is about helping them with their costs and cash flow and about helping those who are most in need. It is a very careful way of controlling the money. It is something that, I guess, members of the opposition are not familiar with. When we are dealing with taxpayers' money, we have a burden of responsibility to use it wisely and we will continue to do so.

CYCLONE SEROJA — SMALL BUSINESS GRANTS

456. Mr V.A. CATANIA to the Minister for Small Business:

I have a supplementary question. This question is about the cyclone that hit Kalbarri, not about the pandemic or COVID-19. This is about the \$4 000 payment —

Several members interjected.

The SPEAKER: Member for North West Central, just sit for a moment. It is not for you to correct something that the minister has said that you think has been misleading. It is for you to ask a simple question. I will give you one last chance to just ask the question.

Mr V.A. CATANIA: What measures does the minister have to fast-track the progress of the recovery process for Kalbarri, including undertaking a review of some of the one-size-fits-all decisions made in relation to small businesses and their eligibility for the \$4 000 grant because of cyclone Seroja, not the pandemic?

Mr R.R. WHITBY replied:

Member, as I referred to in my earlier answer, there has been enormous support for the communities of the midwest both because of the pandemic and because of cyclone Seroja. This state is facing dual challenges in that regard, especially in the midwest, but the support that has gone to businesses throughout the midwest has been overwhelming. It started on day one with Communities' emergency support for businesses, for local communities and for families. We understand that there is an urgent need to get accommodation in that area for a workforce. Many tradespeople have already gone into Kalbarri, and, indeed, across much of the midwest already, so we are seeing rebuilding. If the member has been to Kalbarri recently, he will have noticed that a lot of the buildings have already been repaired. There is a lot more to go, but we are working, as part of the joint recovery arrangement with the federal government, with \$104-plus million, which is the biggest-ever spend on disaster recovery in Western Australia's history. We are working with our colleagues in the federal government, and we are working on the ground with local councils and shire representatives. We are getting that to provide accommodation for tradespeople when the rebuilding begins.

CYCLONE SEROJA — ASSISTANCE PACKAGE

457. Ms L. DALTON to the Minister for Community Services:

I refer to the state government's ongoing efforts to support those communities impacted by tropical cyclone Seroja.

- (1) Can the minister update the house on the emergency welfare assistance that has been provided by the Department of Communities in both the immediate aftermath of the devastating cyclone and the weeks and months that have followed?
- (2) Can the minister outline to the house how these efforts will continue into the future?

Ms S.F. McGURK replied:

I would like to thank the member very much for the question and for her work in her community. It has been a real pleasure working with her in dealing with this and other challenges in her electorate. Before I answer the question, though, can I just acknowledge that tomorrow we have a couple of special birthdays. The Minister for Health might be having a special day and the Minister for Sport and Recreation, too. One of them is having a significant birthday, but I will leave that for people to think about.

- (1)–(2) I have an important update for the house about how communities have been recovering from cyclone Seroja. I really want to take this opportunity to acknowledge the work of the Department of Communities and its

partner organisations, a number of community sector organisations, that have been working very hard on the ground since straight after the disaster, really from the get-go. Many of them have been doing that where they actually live in the community. They either live there or have family members who live in the affected areas. They are not only doing the work in the relief centres, and have been continuing to do the work since then, but they are dealing with the cyclone's impact on their own family members.

I can advise that as of 15 August, since the cyclone hit, the Department of Communities has deployed 210 frontline staff to work alongside 127 Australian Red Cross staff. They have responded to 4 013 calls to the disaster hotline. They have coordinated provision of over 6 400 meals or food boxes, and held 4 718 meetings with impacted residents about their welfare needs. There have been 7 458 applications for emergency financial assistance, and, as a result of that, \$2.62 million in financial assistance has been given.

The Department of Communities has been in touch with 415 households about category 3 and 4 financial assistance, which is for the replacement of essential household items or home repairs. This is a really significant contact. Members can see from those metrics that the Department of Communities has been doing the hard yards. The staff members have been out there. They are not only talking to people who come into the recovery centre, but also doing outreach. This is when some of the Department of Communities workers really come into their own. They know how to connect with people. They are patient. They have skills. They have head and heart, and it is a real pleasure to work with them.

The Premier noted that people will be coming from Afghanistan, and the Department of Communities will be part of that response as well regarding hotel isolation.

I would also like to thank all the community sector organisations, including the volunteers who have been part of this effort. I met some of those volunteers when I went to Northampton not that long ago, and some of them were from interstate. They connect with the Australian Red Cross. They might be people who are nearing retirement or have recently retired. They come across here and do a bit of volunteering. They holiday a bit, then go back to volunteering, and they have skills working in the recovery relief effort. I thank the members of the Department of Communities, the community sector organisations and the volunteers who have helped with the relief effort.

POLICE — CRIME STATISTICS

458. Dr D.J. HONEY to the Minister for Police:

I refer to the most recent Western Australian crime statistics published on the Western Australia Police Force website.

- (1) Can the minister confirm that violent crime—namely, crimes against the person—is now the worst in Western Australia's history?
- (2) Can the minister outline to the house how police response times have been impacted over the last 12 months?

Mr P. PAPALIA replied:

- (1)–(2) I thank the member for the question. What I can say with respect to crime statistics, member, is that Western Australia confronts, like everywhere in the world post-COVID, a significant uplift in family and domestic violence incidents. That has just been a sad phenomenon encountered right around the world, and that certainly feeds into statistics relating to crimes against the person. It is a significant challenge. It is something that we are confronting. We are employing more resources and putting more focused attention on this particular task than at any time in the history of this state. The Minister for Community Services was with me and the Commissioner of Police at the State Operations Command Centre only yesterday, getting briefed by police and Communities personnel, including the director general of Communities and other staff, about some initiatives that we can take to focus very much on this particular challenge and seek out the benefits of some of the technological advances that have been made in recent times. The establishment of the State Operations Command Centre under this government will enable us to provide better services to confront that challenge.

We all know, too, that right now we are in the midst of the biggest expansion of the Western Australia Police Force in a four-year period in the history of the state. There will be 950 police officers, above and beyond attrition, added to the force. That is something like a 15 per cent increase in the force. That is above and beyond attrition, so we will also be recruiting beyond that, so it will end up being around 1 200 police officers over our first term and this coming term. The challenges we face are associated with a growing population and around crime rates returning to where they were before the COVID pandemic. As a consequence of COVID, there was a massive drop-off in crime, which was experienced due to the border closures and the interruption of the methamphetamine flow into the state. But the challenges, once crime rates come back to pre-COVID levels, will be met with more resources, more capability and more focus than at any time in the state's history. That is true.

POLICE — CRIME STATISTICS

459. Dr D.J. HONEY to the Minister for Police:

I have a supplementary question. Will the minister commit to publishing police response times so that the public has confidence that police are responding in a reasonable time, as is the case with ambulances?

Mr P. PAPALIA replied:

I do not know why the member would be trying to attack the Western Australia Police Force. What an extraordinary thing to do at a time when we have been served by, I think, easily the best Commissioner of Police that the state has ever seen. The entire leadership of the Western Australia Police Force has been exceptional in this environment that no-one alive on the planet has confronted before. They have served us incredibly well. The police officers, to a man and woman, have served the state incredibly well, and you come in here and suggest that somehow their service is substandard. What I will do is I will commend the Western Australia Police Force and the officers who serve our state so well for the exceptional job that they do on behalf of all of us at this incredible time.

POLICE — YARNING — ABORIGINAL LANGUAGES APP

460. Ms D.G. D'ANNA to the Minister for Police:

- (1) Can the minister update the house on the work being undertaken to improve the ability for police officers to engage with Aboriginal people whose first language is not English?
- (2) Can the minister outline to the house how this work will help address long-term challenges such as language barriers?

Mr P. PAPALIA replied:

- (1)–(2) I thank the member for her question and for her very keen focus on the service delivered by our police force to her own electorate and the entire state. I am stunned at the continual benefit that we derive from the effort put in during the last term of the McGowan government to resource our police officers and improve support through technology and funding. The capability has been exceptional. It has resulted in a constant stream of subsequent outcomes as a result of your leadership, Madam Speaker. It is never-ending.

This is another one. Only last week I was able to attend, with the Commissioner of Police, the launch of the Yarning app. It was enabled as a consequence of the investment that the McGowan government made in its first term through the OneForce initiative, which provided every single police officer in the state with digital technology at hand for the first time. It enables a constant stream of developments in technology to enhance the service provided by the police. This app is one of them. For the first time, every single police officer will have the benefit of messages in eight Aboriginal languages, which will grow to 11 in coming weeks and more in due course. It will enable every police officer to seek out the appropriate language groups that might be employed in the geographical region in which they are operating and tap into a native speaker on the phone so they can talk to the person they are working with in the language that they are familiar with, giving them standard phrases or information that might be employed by the police. Obviously, they will ask whether they need an interpreter. If they do need an interpreter to continue the conversations outside the phrases available, each of the phones has a quick button that enables them to go straight to a 24/7 interpreter service to be assisted further.

The app is not all about confronting people. There are also things like, very appropriately, COVID information in the language of the native speaker given to them in a way they can understand. The app does not just include messages in Aboriginal languages; it includes messages in Kriol, which sounds a bit like Pidgin, for those who have heard that. It is spoken expansively in the member for Pilbara's electorate. Other Aboriginal communities further afield are more familiar with that. It also has a plain English recording, which provides information in plain English rather than legalistic terms to Aboriginal people whose first language may not be English. It may not even be their second, third or fourth language. It provides them with an appropriate service and enhances the service delivery by government and by the Western Australia Police Force.

I recommend the app to everyone in this place. If they need information about it or want to find out more, please contact my office and I will ensure they get a briefing. I also recommend that my fellow cabinet members consider how this app might be applied to their own portfolios. It has a very obvious application in terms of multicultural interests and culturally and linguistically diverse communities. In any other service delivery, if we need to convey standard phrases, something like this would be incredibly helpful.

CORONAVIRUS — INTERSTATE BORDER RESTRICTIONS — DETAINEES

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

I think the Minister for Police was going for the longest answer. There was a bit of a competition this week in terms of long answers.

The SPEAKER: He was not even close!

Ms M.J. DAVIES: Okay!

I refer to the fact that detainees from the New South Wales Villawood Immigration Detention Centre have been relocated to Western Australia's Yongah Hill Immigration Detention Centre, which is located in my electorate of Central Wheatbelt.

- (1) Can the Premier confirm whether the State Operations Command Centre approved entry of these detainees into Western Australia?
- (2) Can the Premier advise whether the detainees met all the requirements of the state government restrictions imposed at 12.01 am on Tuesday for every person entering from New South Wales to have had at least one COVID vaccination and to return a negative PCR test 24 hours prior to travel?

Mr M. McGOWAN replied:

- (1)–(2) The member is right. I learnt of these detainees from Villawood detention centre in Sydney coming to Western Australia yesterday morning. Obviously, I sought to interrogate that information once I learnt about it. I understand that they had already arrived. The responsibility for the movement of these detainees is the commonwealth Liberal–National government. It has organised this. There is no requirement for the detainees to complete a G2G PASS declaration. The advice I have is that there were 19 or 20 of them. They were escorted by 40 to 42 Australian Border Force, customs or other officers, who took care of security on the aircraft. The advice I received this morning was that the security detail or the customs officers remained on the aircraft and flew directly back to Sydney. That was the advice I was given at the emergency management team this morning. We have sought further information from the commonwealth about this because I did not know. I await further information from the commonwealth about these issues.

CORONAVIRUS — INTERSTATE BORDER RESTRICTIONS — DETAINEES

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

I have a supplementary question. Thank you, Premier; I appreciate that answer. Can the Premier confirm whether the State Operations Command Centre has an involvement in approving entry of the detainees into Western Australia? I accept that the commonwealth has responsibility but I am seeking clarification on what role the State Operations Command Centre has.

Mr M. McGOWAN replied:

I understand that the commonwealth makes these decisions. I do not know whether it advised us before it did it. I do not know at what point in time any advice was provided to the government of Western Australia. I do not have that information. I do not know whether the organisation that the member referred to had any role in or knowledge of this prior to it occurring. Obviously, I would expect that the commonwealth would not put the people of Western Australia at risk.

We have done everything we can to keep COVID out of Western Australia. We have obviously had it come in on a few occasions through various means. We locked down and did what was required to eliminate the virus in Western Australia on three separate occasions. Each and every time, we were successful. When the Delta strain came in in June, we locked down and eliminated the virus, as did Adelaide, and it looks like Queensland has. Victoria is doing its best and now New South Wales and the ACT have to do it. Let us be honest: that is because the New South Wales government did not do what was required back in June. It did not do what it had to do, and it did not do it for two months. It put further restrictions in place on the weekend that still do not appear to be harsh or hard enough. That is the problem that the entire nation faces.

It is frustrating as hell to me that we are going through this, that those states are going through this and that New Zealand has to go through it. The ACT, which went without a case for over a year, now has to go through it. Melbourne is going through it. The Delta strain has leaked out of New South Wales into Melbourne twice. We are all paying the price. The entire country is paying the price because the New South Wales government did not do what it should have done back in June and refused to do it for two months, despite so many people telling it to do so. It was divided and it was not showing the strength and the leadership it had to during its moment of truth. It is one of the greatest public policy failures I have seen in my lifetime of any government in Australia. It is just appalling.

The SPEAKER: Members, that concludes question time.

ADMINISTRATION AMENDMENT BILL 2021

Second Reading

Resumed from an earlier stage of the sitting.

MRS J.M.C. STOJKOVSKI (Kingsley — Parliamentary Secretary) [2.59 pm]: Before the luncheon break, I was about to wrap up my contribution to the Administration Amendment Bill. I was relaying to the Attorney General some of the comments made by a couple of people in the legal fraternity, who will have to implement this legislation once it is through. They were saying that the bill provides some practical and legitimate means by which partners of recently deceased persons will receive a just portion of the deceased estate. This is particularly pertinent

to spouses who are not the breadwinners. I was also highlighting the fact that recently we heard from my colleague the Minister for Housing that the increasing demographic on our social housing list is women between the ages of 55 and 60. This type of situation—that is, women not getting a just proportion of their deceased spouse's estate—can contribute to that increasing demographic. This bill is particularly important for women who are not the breadwinners, or full-time workers, to ensure they are entitled to receive an adequate amount of security at a time of significant bereavement. When someone passes away, there is a fair amount of distress and grief associated with that time. To be able to provide a little financial assistance or relief during that situation is very important. I commend the Attorney General on bringing this piece of legislation to the house and the fact that this will provide those people with a little relief.

Some comments were made about clause 5 of the bill and how it shows the ongoing commitment of the Western Australian government to accommodate economic norms by allowing for inflation and increasing the thresholds, which will prevent the problems we have seen for the last 39 years. This feeds back to the comments I made earlier about the Attorney General continually striving to contemporise legislation to ensure that we are able to be a bit more flexible and nimble in our legislative reforms, so that we are not constantly having to come back to amend bills when they can be managed via regulations or reviews.

Given that the previous limitations were set in 1982, the amendments are reflective of the current economic status and will align Western Australia with other Australian jurisdictions and other common law countries, such as Ireland. I, and the lawyers I spoke to, have an Irish background. The lawyers also wanted to point out that these laws are indicative of the Labor government's genuine sympathy for partners and children of recently deceased persons, allowing them the opportunity to persevere economically in such tragic times. It furthers the work that we have done in this space, particularly around payments related to people who were killed at work.

I thank the Attorney General for bringing this bill to the house back in 2018. On a personal level, it was the thing that got my family going and made us do our wills. It also provided an opportunity for my electorate to engage with this important issue through our wills workshop that was hosted by Vibe Legal. It is also just very good legislation. I commend the bill to the house.

DR J. KRISHNAN (Riverton) [3.03 pm]: I rise to commend to the house the Administration Amendment Bill 2021. I will relay a personal story from 2013. My mother-in-law passed away after a fungal infection in her lungs. My father-in-law and brother-in-law owned a small piece of property together. Because there was no will, the legal advice to my father-in-law, brother-in-law and wife was that as half the property belonged to my father-in-law, the other half belonged to the three others. It was a very messy situation to divide the property. The simple solution was to give it to my brother-in-law, but we had to go through a lot of legal paperwork to get that done, which cost money and time.

This bill is about making sure the statutory legacy payment matches the costs of current-day living. Imagine if someone was not given a pay rise for 39 years. That is how long it has been since the act was revised. The figures are not nearly enough. This bill relates to a surviving spousal partner; sometimes the parents survive when someone dies intestate.

This bill was introduced in 2018 and passed the Legislative Assembly on 3 April 2019. Unfortunately, it did not go through the upper house in the last Parliament and we hope we have sufficient time this time to get it through.

The bill also provides a formula for future calculations. What is the formula based on? It is based on a denominator, which is the average weekly total earnings of an adult working full-time in Australia. Based on that number as a denominator, a figure is calculated that is way, way higher than what it was 39 years ago. The bill will also allow the Attorney General to review this amendment once every two years. Apart from that, it will allow the Attorney General to review in between these regular review times, if he has to amend the statutory legacy payment amount. For a surviving partner to be eligible to receive at least a portion of the estate—the children and blood-line relatives as well—in 1982, the statutory amount without children was \$75 000, and with children it was \$50 000. The proposal now is \$472 000 with children, and \$705 000 without children. When the bill is enacted, that will make a significant difference. It will create security for those people who have lost a dear one. They will not have to deal with the legal and financial mess involved in sorting things out, and will be provided with decent financial support to live the rest of their life.

I have a few examples. When the sole owner of a property died, his surviving spouse had to access the property, but to do that this particular partner had to go through a deed of family agreement, which meant undergoing a legal process with his or her own children. The last thing someone would want to do when they have lost their partner is negotiate with their own kids to access the home. In another example, two people equally owned a house. After one died, the surviving partner took on the whole mortgage but did not have ownership of the property. This is, again, not fair. The third story relates to two minors. Trustees have to be employed to take care of the expenses of minor children until they become adults and can handle the finances. What does it mean for a single parent who has lost a partner? Does it mean more expenses, more responsibilities? This bill will help circumvent all of that. Sometimes the beneficiary may be a kid. There was a story of a drug addicted kid who abused their parents but was still entitled to a share of the estate, causing more legal problems.

In conclusion, this bill is about updating the statutory legacy amounts. The revised amounts will be in the *Government Gazette*. As discussed before, the nominated amount will be the average weekly total earnings for a full-time adult employee in Australia. The review will be every two years. I commend the bill to the house and I hope every member of the house supports it. Thank you for the opportunity to speak, Mr Deputy Speaker.

MS C.M. ROWE (Belmont) [3.12 pm]: I, too, am pleased to rise today to make a contribution to the Administration Amendment Bill 2021. I note that this is a very short bill, nonetheless it is a very important bill as it deals with statutory legacy amounts payable on intestacy. As other members noted, in essence, the bill will change and update the prescribed amount payable to a surviving spouse or de facto partner when a person dies intestate; that is, when they die without a will or, indeed, without a valid will. Before coming to this place I was a financial planner and would often speak to clients about the necessity to have a will in place. This is something I feel particularly passionate about. I have had a will in place for many, many years because I saw firsthand how detrimental it can be when people do not have a will in place. There are a variety of reasons people choose not to have a will. The member for Kingsley outlined a number of those clearly. It might be perceived, or in fact a reality, that some people do not have the requisite assets to necessitate a will. However, some people—I think it is 16 per cent—just do not want to face their own mortality. Whether people feel they have assets or not, it is important to have a will. As the member for Kingsley outlined, often people do not consider things such as superannuation in their day-to-day life. As a financial planner, I know that superannuation can have significant life insurance as a component.

It is really important that people do have a will. Incredible stress is caused when somebody loses a spouse or a de facto partner. Added to the stress that their loved one has just died, the absence of a will compounds that process of grieving, and can be even more distressing for them because they often have to go through extensive legal costs. Also, winding up the assets and distributing the estate can be incredibly time-consuming. That can also exacerbate the financial pressure on the remaining spouse. I want to point out that something I noticed through my previous career as a financial planner is that often, because of the difference in life expectancy between women and men—from an actuarial point of view, not just an anecdotal point of view—it is often the woman who is the surviving spouse. Another thing I was sad to note over the course of my career as a financial planner, and something that is well documented, is the huge discrepancy between the superannuation that men have versus what women have. Often women will be grieving the loss of a spouse or partner and they will not necessarily have other assets to fall back on because they have potentially taken time out from work to raise children and be a caregiver. They find themselves in the awful situation of not having sufficient assets on their own to continue to support their lifestyle and continue to pay bills and so on. They lose their spouse, who dies without a will, and they are in a really difficult situation. I was particularly moved to speak on this bill because I feel as though the amendments that pertain specifically to the amounts payable to a spouse and a de facto under the legislation will have a beneficial impact largely on women, particularly older women who, as I said, through my own experience—but it is also well documented—already do not have enough in their superannuation to support them throughout their retirement years. I was very pleased to speak on this bill.

That is a nice segue into acknowledging the work of the Attorney General to bring this small, technical but very important bill to this place. For whatever reason, many people do not have a will. One of the key elements of this bill is to make sure that people do not continue to be disadvantaged by the current level of statutory legacy amounts that are prescribed under the act. The bill looks to dramatically increase those statutory amounts that are payable when somebody dies intestate. As other members indicated, the amounts that are prescribed under the act have not been amended in nearly 40 years, so they do not reflect the current financial situation and the reality in which we find ourselves in Western Australia, where house prices are particularly out of reach right now for many people. It is important that that is addressed in the legislation by increasing the amounts. At the moment, it is only \$50 000 when a person dies intestate and the deceased—the person who has died without a current will—has children or any other lineal descendants. It goes up to only \$75 000 when the person dies and there are no children or lineal descendants.

They are quite small amounts. Most of us here would agree that that will not be sufficient if someone needed to buy out a property that they were living in with their spouse, who is now deceased. It is well overdue that we are looking at that because these amounts result in serious hardships for the spouse of the deceased. It can really thrust the grieving spouse into a situation in which suddenly their standard of living is impacted. That might not mean anything elaborate; it just means that they will not be able to maintain their current standard of living. The current rates are completely inadequate.

I will touch on another element but will not go into too much detail. The government has also increased the parental statutory legacy amounts from \$6 000 to \$56 500.

I would like to go back to focusing on the amount for de facto partners and spouses of people who die intestate. We are increasing the amount from \$50 000 to \$472 000 in situations in which the person who has died intestate leaves a child. When there is no child and a person dies without what is called “issue” in legal terms—that is, a child or legal descendant—the amount will increase from \$75 000 to \$705 000.

Another really important factor, in my view, is that there is now a clause in the bill that provides a formula for calculating the amount of the statutory legacies for the future. This is important because clearly this legislation has

not been looked at for 39 years. We can see that it has not kept up with inflation and it is not reflective of current economic circumstances. Including a formula will ensure that there will not be a huge lag between what is an acceptable and appropriate amount now and the amount into the future. The formula will use the average weekly total earnings of full-time adult employees in Australia as published by the Australian Statistician in November 2020 as the denominator. Importantly, as the bill has been amended, there is now a requirement that every two years the relevant minister, the Attorney General, must review the economic factors and the economic climate of the day to see whether it is necessary to apply the formula that I have just mentioned to adjust the amount to make sure that it remains appropriate and keeps up with inflation and the cost of living. That will be reviewed in Parliament every two years. That does not mean that the formula will necessarily be applied, but I think that is a really important element as well. Introducing a statutory formula will ensure that the beneficiaries of someone who dies intestate will still receive the benefit of the deceased person's estate.

This bill recognises that, essentially, the surviving partner of a deceased person should be entitled to a portion of the estate. As such, a certain sum, being the statutory legacy, is passed to them, and any children or other blood-line relatives of the deceased share in the balance of the deceased person's estate. It is clear that the amounts prescribed under current legislation—\$50 000 and \$75 000—really have not kept up with the pace of inflation or retained the purchasing power of the amount prescribed when the legislation was originally established all those years ago. It should be noted that when someone dies intestate and they owned a home jointly as joint tenants with their spouse or de facto, the deceased person's share of the family home will automatically transfer across to the spouse or de facto and is not included in the above amounts. However, the increased statutory legacy payment amounts will benefit a spouse or de facto if they owned the home as tenants in common with the deceased person, because there will now be provision for them to be able to buy out the deceased person's share or, alternatively, buy their own property using the legacy payment. Under the current legislation, if the family home were in the sole name of the deceased person, for example, the surviving spouse may have to enter into a deed of family arrangement with the remaining children just to retain and stay in their home. Ultimately, this results in unnecessary and excessive legal costs and increased stress for the person who is grieving, and they could end up grossly out of pocket. This bill will address that situation.

Another example of surviving partners being detrimentally impacted by the legacy amounts under the current legislation is the situation in which the family home is owned as tenants in common in equal shares. The deceased person's share forms part of their estate; the surviving partner may not be entitled to it and it may go to the deceased person's children. If there is a significant mortgage on the house in joint names, which is very common, the surviving partner becomes solely responsible for the debt on that house, despite the fact that they do not now own the whole house. This is clearly an unintended consequence of the existing legislation; nonetheless, it is not equitable and it is certainly not fair. I think that if we asked any member of the public, they would recognise that that is not fair.

The changes that we are putting forward in this bill are very much overdue, as I have mentioned. They will mean that grieving spouses are not left in financial hardship if their partner dies without a will. The changes proposed in this bill will mean a more equitable outcome for the spouse or de facto of the person who has died intestate. As I said at the beginning of my contribution, I think that because so many people in our community do not have a will, unfortunately, this is something that impacts a lot of people. As much as I would like to see everybody make a will, go and get a will kit from the post office or whatever, it is probably not going to change overnight. With that in mind, I think it is fantastic that we are making these changes so that when someone dies intestate, their surviving partners are not detrimentally impacted.

I again take the opportunity to congratulate the Attorney General, and I commend the bill to the house.

MR J.R. QUIGLEY (Butler — Attorney General) [3.26 pm] — in reply: I thank all members for their contributions to debate on the Administration Amendment Bill 2021. There has been emphasis on the importance of this wee little bill that will have a disproportionately beneficial impact upon surviving spouses and children of a deceased person. When I say “disproportionately”, I mean that the size of this bill is small, but the beneficial impact to surviving spouses and children will be large. As members have pointed out, the reserved amount will increase dramatically. The statutory legacy amounts had not been increased in 40 years and were as low as \$50 000 and \$75 000 depending upon whether the deceased left a spouse. That will now increase to \$472 000 and \$705 000 respectively. We can see the huge uplift in this.

As the member for Central Wheatbelt pointed out, this bill passed through the Assembly in 2018 and then sat in the other place whilst other matters were considered, and then Parliament prorogued. This must have given a lot of people frustration. However, I point out that I notice that under the previous Liberal government, there had been nine drafts of the bill prepared, but agreement could never be reached between the government members on how the statutory amount would be calculated, whether it was the median house price or the consumer price index et cetera, and these sorts of arguments bogged it down. This bill has been a long while in the making. A working group has worked on this very necessary and long-awaited reform, and I thank all those who participated in the working group for both their efforts in the working group and their patience in sticking with the task until we have been able to deliver this bill to the chamber.

Having said that there were nine drafts of this bill in the previous government, we consulted on our draft and I want to thank the opposition on this occasion for its contribution, not just to this debate, but during the briefings on this bill. I also thank the opposition for its suggestion that we build into the bill a review of the statutory amount. That came from the briefings. I thank the opposition for its suggestion and agreement to support both the bill and the review of the statutory amount. Because that will require an amendment to the bill as it was second read, we will need to go into consideration in detail so that I can move the necessary amendment agreed with the opposition prior to today. When I say “agreed”, it was suggested by the opposition during the briefings when the shadow Attorney General asked why we did not include a statutory review period.

Ms M.J. Davies: Just so that we are clear, we have not seen the amendment yet.

Mr J.R. QUIGLEY: Is it not on the notice paper?

Ms M.J. Davies: It was not given to us before it was put on the notice paper.

Mr J.R. QUIGLEY: It is on the notice paper.

Ms M.J. Davies: We did not see it before it came onto the notice paper.

Mr J.R. QUIGLEY: I thank members for their contributions to the second reading debate. I also thank the opposition for its suggestion that there be a review of the statutory amount.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

Consideration in Detail

Clauses 1 to 4 put and passed.

Clause 5: Section 14A inserted —

Mr J.R. QUIGLEY: I move —

Page 7, after line 9 — To insert —

14B. Minister must review sums for specified items

(1) In this section —

relevant sums means —

(a) the original sum for each specified item (as those terms are defined in section 14A(1));
or

(b) if an order under section 14A(2) is in effect — the sums declared by that order.

(2) The Minister must review the relevant sums and decide whether or not it is appropriate to make an order under section 14A(2) —

(a) on or before 30 June 2023; and

(b) on or before 30 June in every 2nd year after that.

(3) As soon as practicable after completing the review, the Minister must —

(a) prepare a report based on the review; and

(b) cause the report to be laid before each House of Parliament.

(4) Subsection (2) does not limit the times at which the Minister may make an order under section 14A(2).

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

ADJOURNMENT OF THE HOUSE

Special

On motion without notice by **Mr D.A. Templeman (Leader of the House)**, resolved —

That the house at its rising adjourn until Tuesday, 7 September 2021, at 2.00 pm.

House adjourned at 3.34 pm

