Parliamentary Debates
(HANSARD)

FORTY-FIRST PARLIAMENT
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LEGISLATIVE ASSEMBLY

Thursday, 24 October 2024

THE DEPUTY SPEAKER (Mr S.J. Price) took the chair at 9.00 am, acknowledged country and read prayers.

PAPERS TABLED

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

PILBARA PORTS — LUMSDEN POINT

Statement by Minister for Ports

MR D.R. MICHAEL (Balcatta — Minister for Ports) [9.02 am]: I am pleased to inform the house about the rapid progress the government is making on the development of new berths and logistics facilities at the Port Hedland port. Pilbara Ports is building a huge new port facility at Lumsden Point, which will help diversify the Pilbara economy by supporting critical minerals projects and the renewable energy transition. Lumsden Point will facilitate the export of battery metals such as lithium and copper concentrates and the import of renewable energy infrastructure, including wind turbines and blades, as well as support the growth of direct shipping services to the Pilbara. The project is jointly funded by the state and commonwealth governments, with total contributions of $546 million. Iron ore exporters BHP, Fortescue, Roy Hill, Hancock Prospecting and Mineral Resources have also committed $65 million, which has been allocated to support initial dredging work. Dredging has now commenced to create a deeper access channel, swing basin and berth pockets to ensure the safe and efficient berthing of vessels at the new berths. About one million cubic metres of material is currently being removed under a contract awarded earlier this year to Jan De Nul Group. Environmental monitoring is being carried out as part of the dredging program to minimise the risk of impact to surrounding habitats. Dredged material will be disposed of at a designated reclamation area within Lumsden in accordance with the approved environmental management plan.

Lumsden Point is a visionary project of this government and is expected to boost Australia's gross domestic product by $2.1 billion per annum. It is expected to save 3.6 million tonnes of emissions by 2055 by supporting direct shipping to the Pilbara and providing a pathway for renewable energy infrastructure. The project is a demonstration of the government's commitment to forward-looking infrastructure that will support the next stage of the Pilbara's economic development as well as catering for continued strength of the iron ore exports for which it is famed worldwide.

CADETS WA — COOLBINIA PRIMARY SCHOOL RIVER RANGERS

Statement by Minister for Youth

MS H.M. BEAZLEY (Victoria Park — Minister for Youth) [9.03 am]: I am pleased to inform the house about another community milestone in our Cadets WA program—this time with the River Rangers unit at Coolbinia Primary School, which I had the pleasure of visiting last week with the member for Mount Lawley. The River Rangers unit at Coolbinia Primary School has provided incredible opportunities for young people since 2013 by teaching students useful life skills such as leadership, teamwork, conservation, first aid, and, of course, camping and hiking. Cadet units set up young people for the future by instilling in them the values of leadership, service, resilience and environmental conservation. River Rangers are part of the wider Cadets WA program facilitated by the Department of Communities. The Cook Labor government is proud to support the unit at Coolbinia Primary School with annual funding of $17 500—a significant investment in the young people of this wonderful school and the surrounding suburbs.

Most importantly, these units, and indeed the wider Cadets WA program, would not be a success without the support of dedicated volunteers. For context, nearly 9 100 young people participate in the Cadets WA program through 186 individual cadet units across the state. Collectively, these units are supported by more than 1 100 volunteer instructors. Like the other 185 units, the Coolbinia Primary School River Rangers is very fortunate to be led by a number of committed volunteers, some of whom have achieved significant milestones in recent years. That is why it was such a pleasure to recognise two of these incredible volunteers: Richard Joyce received a five-year service certificate and Dr Elaine Lewis received a 10-year service medal. I thank both Richard and Elaine for their work in empowering students to make the world a better place.

I take this opportunity to recognise Elaine for another milestone. Elaine is retiring at the end of the school year after more than 30 years of distinguished service as an educator, including 15 years at Coolbinia. Elaine has led a marvellous career and her dedication to environmental and social sustainability in the classroom is inspiring. The Cook Labor government is proud to continue to support community organisations such as the Cadets WA program as we recognise the importance of children and young people having access to extracurricular activities to help them grow and thrive.

WALGA LOCAL GOVERNMENT CONVENTION — WOMEN IN LOCAL GOVERNMENT FORUM

Statement by Minister for Local Government

MS H.M. BEAZLEY (Victoria Park — Minister for Local Government) [9.06 am]: I was delighted to attend and speak at the WALGA Local Government Convention 2024 and the Australian Local Government Women's Association 2024 Women in Local Government Forum earlier this month. The events showcased the excellent work occurring in local governments. The theme of this year's Western Australian Local Government Association convention was "Innovation Ecosystem", focusing on harnessing the potential of collaboration and innovation to foster dynamic change. The 650 delegates who attended heard from some amazing speakers and brought their own breadth of experience and ideas. I was honoured to present the place innovation awards at the conference.

The awards celebrate innovative projects and initiatives that use place-making principles to make a positive difference in people's daily lives. The awards, administered by Town Team Movement in partnership with the Department of Local Government, Sport and Cultural Industries, focus on innovative place-making ideas that help activate local spaces, build community connections and foster greater collaboration within local government. Three local governments were awarded for their place-making achievements. The outstanding achievement award was presented to the City of Melville for the Canning Bridge Place Grants program. This project reinvested revenue from parking fines in the local area to fund activities and build improvement projects, turning the negative of a fine into a much bigger win for the community through improved public spaces for all to enjoy.

The City of Subiaco won the Peel and metropolitan award for the revitalisation of Walmsley Lane off Rokeby Road. The area was converted into a welcoming space that increases foot traffic for local business and contributes to the broader appeal of Subiaco's town centre. The Shire of Carnarvon was recognised in this year's regional award category for its The Future is Me youth engagement program. This project saw a neglected, graffiti-riddled part of Carnarvon transformed into an attractive public space with a new skate park, in turn improving engagement with local young people and boosting enthusiasm around the town. The Future is Me project required exceptional innovation and an evidence-based approach to co-design the program with community members. I extend my congratulations to the award winners, who were selected from an excellent group of nominations this year.

Concurrent with the WALGA convention, it was wonderful to see ALGWA present an expanded forum for the first time this year, enabling more women within the sector to attend. The forum encouraged empowerment and celebrated diversity across the local government sector. Across both the convention and forum, it was fantastic to acknowledge the excellence and dedication that is delivered by local governments from around the state, and to encourage further innovation and collaboration across the sector.

CHILDREN'S WEEK WA

Statement by Minister for Culture and the Arts

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [9.09 am]: This week is Children's Week WA. It is a timely reminder of our collective responsibility to protect and advocate for the rights of children. Our children and young people deserve a safe and happy life free from harm. Sport and recreation, and culture and the arts are vital to our children's welfare. That is why the Cook Labor government engages with children and young people and works closely with the sport and recreation and culture and the arts sectors to ensure there are opportunities for every young Western Australian to develop a strong sense of physical, mental, emotional and social wellbeing from an early age.

This week, the Department of Local Government, Sport and Cultural Industries, Sport Integrity Australia and SportWest have come together to reaffirm their commitment to support and enable safe, fair and inclusive environments in Western Australian sport. Their partnership, together with the WA government's significant investment in SportWest's True Sport child safeguarding initiative, will continue to see state sporting associations and clubs work towards understanding and implementing the 10 National Principles for Child Safe Organisations, in line with the national integrity framework. This is an extensive body of work that includes education and support to empower the sporting community to improve child-safe practices.

The Cook government is playing a vital role in promoting arts and culture to children and young people through a variety of programs. Since the launch of the Cook government's flagship Creative Learning Partnerships program in 2022, 223 schools across eight regions have participated, benefiting 32 000 students and 270 artists with over $4.6 million in funding. In 2023–24, the Partnerships Acceptance Learning Sharing program supported 288 schools with $796 000 to promote reconciliation and celebrate Aboriginal cultures, learning and healing for children and families. In 2024, DLGSC has progressed many important child safeguarding reforms to ensure our children and young people feel safe, respected and empowered when participating in our vibrant arts and culture, and sport and recreation industries and spaces. These include being a key partner for the WA government's statement of commitment to child safety and wellbeing; establishing a child-friendly complaints process; and implementing a self-assessment tool for local governments to help understand and respond to important child-safe reforms. These

efforts are part of a broader piece of work in line with the royal commission recommendations to keep children safe no matter where they are. Working together, we can empower and upskill the Western Australian community to support our children so they can thrive.

WESTERN AUSTRALIAN INSTITUTE OF SPORT — GYMNASTICS PROGRAM — SPORT INTEGRITY AUSTRALIA REVIEW

Statement by Minister for Sport and Recreation

MR D.A. TEMPLEMAN (Mandurah — Minister for Sport and Recreation) [9.12 am]: I rise to provide an update on the state government's response to Sport Integrity Australia's 2022 review findings of emotional and physical harm experienced by participants in the Western Australian Institute of Sport women's artistic gymnastics program, which ran from around 1988 to 2016. Following the report's publication, I directed the Department of Local Government, Sport and Cultural Industries to oversee WAIS's implementation of the review's recommendations to facilitate a restorative reconciliation process and undertake a culture and governance review of WAIS. I also announced the establishment of a child safeguarding unit within the department.

I am pleased to say the final report of the culture and governance review of WAIS is now complete and I will table a summary of it today. The report contains 30 recommendations to improve the experience of elite athletes of all ages training at WAIS. This includes prioritising athlete wellbeing through the development of an athlete safeguarding framework, the establishment of governance structures to support the oversight of athlete safeguarding, and effective responses to complaints. WAIS has accepted, or accepted in principle, all of KPMG's recommendations, committed to developing a plan to support implementation of the recommendations, and already made positive steps to address the issues highlighted by the report. Along with the culture and governance review of WAIS, the department has worked with the Department of Justice to facilitate the restorative process recommended by Sport Integrity Australia. I would also like to acknowledge that WAIS has completed implementation of the four recommendations from the Sport Integrity Australia report, notably becoming the first National Institute Network organisation to formally adopt the Sport Integrity Australia's national integrity framework.

The state government invests significant money in WAIS to deliver programs that support our high-performing athletes. The benefits of this investment can be seen through the outstanding performance of WA athletes during the Paris Olympic Games and Paralympic Games. I am confident that WAIS is working to lead the country in not only the pursuit of sporting excellence, but also its support for the mental and physical wellbeing of its athletes. I now table an executive summary of the review report, which can be found in full on DLGSC's website.

[See paper 3328.]

HOUSING — COMMUNITY HOUSING PREQUALIFICATION SCHEME

Statement by Minister for Housing

MR J.N. CAREY (Perth — Minister for Housing) [9.15 am]: I rise to inform the house on a new process to cut more red tape for community housing providers to boost delivery of new social and affordable housing across Western Australia. The community housing prequalification scheme being introduced by the Department of Communities will support and promote growth in the community housing sector by reducing procurement times and costs, allowing CHPs to prequalify for predetermined categories of developments. CHPs will be allocated to prequalification categories following an assessment of the mandatory requirements and statements of interest. The scheme is also available to other departments that work with CHPs, including DevelopmentWA and the Department of Planning, Lands and Heritage. The scheme is non-mandatory and CHPs will be free to choose to apply to be on the scheme, while government departments can choose whether to utilise CHPs from the scheme or undertake a traditional procurement process for individual opportunities. The community housing prequalification scheme will facilitate development opportunities for CHPs through efficient, effective and flexible procurement processes. With this scheme, along with our other nation-leading planning reforms, we are turning WA's planning system into one of the best in the nation by cutting unnecessary red tape to accelerate the delivery of housing and boost homelessness services across the state.

BENTLEY REDEVELOPMENT PROJECT

Statement by Minister for Lands

MR J.N. CAREY (Perth — Minister for Lands) [9.16 am]: I rise to inform the house on the draft Bentley redevelopment scheme and draft master plan, which have been released for public comment. The Bentley redevelopment project will transform the 30-hectare site into a vibrant and inclusive community, bolstering housing supply eight kilometres south-east of the Perth CBD. The project is anticipated to deliver between 800 to 1 000 new dwellings, comprising a mix of housing types to accommodate the diverse needs of the community, including social and affordable housing options. The Bentley site was subject to extensive sand mining activities pre-1970, with the former sand quarry requiring earthworks and remediation for ground conditions to support residential development.

The Western Australian Planning Commission has approved DevelopmentWA's stage 1 subdivision application to deliver 46 residential lots and two development sites. Works are expected to begin on these subdivision works onsite around early November 2024. The draft master plan proposes that one in seven homes across the precinct will be dedicated to social and affordable housing. Approximately 12 per cent of the site is set aside as public open space. Those areas will support a range of recreational facilities, including playgrounds, sports courts and community spaces to support an active community. Two community information drop-in sessions are being held this month, details of which will be published on DevelopmentWA's website in the coming days, and the closing date for feedback on submissions is Saturday, 16 November 2024. Community feedback will be considered by DevelopmentWA before finalising the redevelopment scheme and master plan.

I wish to thank the member for Victoria Park, Hon "Honna" Beazley—sorry, Hannah Beazley. I just called her "Honna"; thank you, "Honna". I thank Hon Hannah Beazley for her advocacy on this project. This is just the latest in a number of large-scale major renewal projects that are currently being undertaken following years of neglect by the previous Liberal–National government in this area. These projects are being undertaken in Bentley, North Beach, Subiaco and Beaconsfield.

HOMELESSNESS — INITIATIVES — REGIONS

Statement by Minister for Homelessness

MR J.N. CAREY (Perth — Minister for Homelessness) [9.19 am]: I rise to inform the house about a number of homelessness initiatives that have been announced for regional Western Australia. Firstly, the Cook Labor government recently announced a boost to services in Kalgoorlie, with a $2 million two-year pilot to introduce an enhanced outreach program and expand current homelessness services with a case management focus. Bega Health Services will use the funding to deliver a dedicated assertive outreach service, including brokerage to support and complement return to country approaches and an expanded scope for its existing case management services. I want to acknowledge the efforts of the member for Kalgoorlie; thank you.

In Albany, we have announced a registration of interest for the expansion of Housing First Support Services in the region. The Housing First Support Services ROI is seeking interest from community services in the Albany area to deliver intensive wraparound supports for adults or families experiencing homelessness. Additionally in Albany, the Cook Labor government is partnering with local organisations to support the Albany In-Reach Supported Accommodation Service. The pilot program will use former homes to provide five accommodation units for those experiencing homelessness. The initiative is being supported with $700 000 of state government funding and has been developed in partnership with Anglicare, Advance Housing, the Country Women's Association of WA and the Albany Community Foundation. Those investments are part of the $15.7 million to expand Housing First Support Services across Western Australia announced earlier this year as part of the 2024–25 state budget. I recognise the strong advocacy for their respective communities of the member for Kalgoorlie, Ali Kent, and, of course, the member for Albany, Rebecca Stephens.

YOUTH CRIME AND ANTISOCIAL BEHAVIOUR — MEEKATHARRA

Grievance

MS M. BEARD (North West Central) [9.21 am]: I rise today to bring a matter of concern to the attention of the Minister for Police, and I thank the minister for taking my grievance. I need to again highlight some of the enormous challenges being experienced by towns across my electorate, particularly in relation to escalating juvenile crime and antisocial behaviour that is often undertaken by children under 10 years of age.

Recently, Meekatharra has seen an alarming rise in juvenile and general crime, with many incidents involving children under 10 years of age. Residents are now repeatedly voicing their concerns about the surge in criminal activity. They advise that the problem has reached a crisis point and is impacting people and services. This was reiterated to me recently by a community leader and long-term residents noting that in their many decades in the town they could not remember it being so unsettled. It has been widely acknowledged across the community, and it is very clear, that the police are doing an absolutely outstanding job to maintain law and order, and we thank them for their dedication. However, it seems the team is under incredible pressure as the first point of call and has limited assistance on the ground from other external key stakeholders. The police force in the town can undertake only what is within its capability and without additional support from other services, in many cases, it is unable to prevent or effectively respond to incidents, particularly those involving children under 10 years of age who need specialised attention.

As the minister would appreciate, it is imperative that swift and effective action is taken to ensure the safety and wellbeing of residents, the community and visitors to Meekatharra. This grievance is about highlighting some of the challenges and the need to work together to find urgent workable solutions and outcomes. It is just not acceptable for young people to be walking the streets at night into the early hours causing trouble and dysfunction across the town, and not attending school—we have low attendance rates—presumably without their parents' knowledge of their whereabouts. We need the parents and carers of children to be held to account and for vulnerable children to be provided with the range of supports that many of them desperately need. If unacceptable levels of antisocial behaviour and crime are not curbed, we will be left waiting for a tragedy to happen.

The situation has become untenable for many. Local residents have suffered significant property damage, violent incidents, theft and vandalism, impacting them both financially and mentally. Recently, one resident's home was vandalised and looted while they were out of town. The house is uninhabitable. They have been left homeless and will need to seek alternative accommodation when they return to town. Despite investing in their property and contributing to the community, this resident now finds that they are homeless due to unruly criminal behaviour. It is not an isolated case; many Meekatharra residents have faced similar disruptions to their lives and livelihoods. Long-suffering businesses, organisations and residents are enduring repeated costly damage to their property and the town's reputation, with multiple daily incidents being the last straw for some. The situation is a tinderbox that is about to explode, with the potential for a tragedy to occur and for someone to be very seriously injured.

Escalating crime and antisocial behaviour levels have resulted in tens of thousands of dollars of damage and had a detrimental impact on our community's liveability and people's mental health. It has impacted people's perception of the town and jeopardised its ability to grow tourism and its population. People are now contemplating the need to leave town. Just today, I heard a story about a local ambulance volunteer who needed to fuel the ambulance to attend an incident 80 kilometres out of town. They arrived at the BP fuel stop only to find the bowsers had been smashed and were out of order so they could not refuel. Fortunately, the driver was in a position to fill the tank using their own resources, but it is a sad day when the destruction of property impacts our essential services and hardworking volunteers, not to mention puts people's lives at risk.

Not only that, from listening to truck drivers' comments on the radio while driving, it is clear that Meekatharra is fast becoming a "don't stop" town due to the rock throwing, ginging and theft. It is a terrible outcome for local businesses and the community.

It is abundantly clear that Meekatharra is struggling to cope with the rise in criminal activity and antisocial behaviour and is desperate for assistance. Residents of Meekatharra have made it clear that they want to see sensible and tangible measures to address the issues they are facing. This includes additional resources and infrastructure to meet the needs of and to cope with juveniles who need assistance. We recently heard the Premier and Minister for Child Protection speak of their record spend on wraparound services. The Premier talked about holistic solutions, which we desperately need in the bush; they seem to be sadly lacking in Meekatharra at the moment but are urgently needed.

The government must prioritise the safety of its citizens. The minister would agree that the people of Meekatharra deserve to feel safe in their homes and to have a government that listens to their concerns and acts decisively. The community has had enough; it is at breaking point and crying out for respite. People desperately need a break from the constant fear of disruption from antisocial behaviour. The community is resilient and desperate to work with the government to find workable solutions. I know the minister may well dismiss what I am saying on the basis that these issues are not within his portfolio, but given police are doing an incredible job and are the first point of contact, I implore him to hear the calls for help. I want to work with the Minister for Police and other ministers and discuss what is needed to better support the police and the community. I want the minister to understand that I am more than happy to work with him and others to find ways to resolve the issues and find solutions. I thank the minister for taking my grievance.

MR P. PAPALIA (Warnbro — Minister for Police) [9.27 am]: I thank the member for raising this matter with me. It was concerning to hear what the member said about Meekatharra. I make the observation: I hope this is not the first time the member is bringing this issue to the attention of my office. In the event that the member is approached by residents or constituents about any matters—I have said this to the member before—she should always investigate whether they have been reported to police. For instance, when the member raises a matter like the ambulance driver being unable to refuel because of criminal damage to the service station bowser, she should note whether the damage was reported, because clearly that would require police to investigate and it could potentially identify an offender and have resulting consequences. There are incidents and events that people have not reported. I know it is frustrating when anyone has an offence committed against them and they feel deeply aggrieved. It is serious and personal and because people have been the subject to crime, as a victim, it gives them a sense that there has been a significant uplift in crime. I ask that the member for North West Central, as the local member, seek advice on whether an incident has been reported to police. In the event that it has been reported, she can then provide me with an incident report number so that I can investigate and seek advice from police on what action has been taken. In the absence of that, sadly, as much as an event may have occurred, if police are unaware of it because someone has not reported it, they cannot respond, investigate or seek to identify the offender. They cannot execute an action that will result in a change through either the person being charged or, in the case of juveniles, potentially being brought to the attention of juvenile justice. In the absence of that, I cannot really respond to the nature of the member's claims or concerns. Having said that, now that the member has raised the matters with me, I will have my office approach the commissioner's office and seek advice about whether police have witnessed and experienced the recent uplift in crime in Meekatharra that the member referred to.

Often in small places like Meekatharra, it can take only a small number of people or sometimes just an individual to result in a significant uplift in crime as a consequence of high-harm offenders conducting a range of offences. It may be something like that. We regularly witness it in small towns when there has been an influx of people from

elsewhere as a consequence of a local event like a funeral or something of that nature. Sometimes, as the member knows, juveniles are brought along to a town that they are not from and, as a result, there can be an outcome like an uptick in crime. Can the member please have her office notify mine? She knows my staff, who she can get in touch with. The member could also provide me with any more specific detail around the nature of the offence, such as times, dates and that sort of information, and whether it was reported to police. If she has an incident report number, I can pursue it on the member's behalf, seek advice from the police and provide her with greater insight about what happened from the police's perspective, what was done about it and what they intend to do about the challenges that the member referred to, particularly things such as rock throwing. It needs to be reported. Sometimes people may dismiss it as being an irritant, an annoying activity and that is potentially very dangerous, but they may not go so far as to report it to police.

In the absence of a report to the police, a couple of things happen. Firstly, if police are not aware of it, something may be occurring on a regular basis in a particular location. Reporting it would enable them to intervene, take action and stop that behaviour. The behaviour may also result in unnecessarily increased anxiety and concerns in the community. It is quite possible that an action could be taken to stop something like that. We have seen it in other towns on occasions when behaviour escalates for a short period. Police take action, it is then dealt with; we divert the juveniles from that sort of behaviour and get a good outcome all around. It is absolutely possible, but in the absence of a report, police do not even know about it and cannot take action.

I thank the member for bringing these matters to my attention. If she can please provide any further information she has, particularly specifics of the time, date and nature of the activity, I will seek advice from the commissioner. Potentially, further action may be taken in the event that it has not been. Regarding working with other agencies, police do that, and I work with other ministers to focus on these sorts of issues, because, as the member knows, a lot of those matters are not really police related. We can seek assistance from other agencies via ministers if I know more detail about it. I thank the member for bringing it to my attention.

COLLIE JUST TRANSITION PLAN — NUCLEAR POWER

Grievance

MS J.L. HANNS (Collie–Preston — Parliamentary Secretary) [9.34 am]: My grievance today is to the Minister for Energy. I thank the minister for taking my grievance and for his consideration of these important issues that confront my community as a result of the reckless actions of federal opposition leader, Peter Dutton. As the minister is aware, Collie is undergoing significant changes as part of the Cook government's just transition policy. The energy system and my community are simultaneously undergoing changes that are linked through the local economy, the social fabric of the town, its people and the future of the ageing coal-fired power infrastructure. Collie and its residents are proud of the coalmining history of the town and the role that we have played in powering Western Australia over the last century. We are on a new journey, one that has received significant support from the Cook Labor government. Our path to a just transition began with new tourism opportunities and is now expanding into advanced manufacturing, renewable energy and critical mineral sectors. The community is evolving as we diversify the local economy and reduce our dependence on coalmining and coal-fired power stations. We have added new blue collar industries, including Koolinup Emergency Services Centre, Frontline Fire and Rescue Equipment, WesTrac Technology Training Centre and Quantum Filtration Medium. Larger industries such as Green Steel WA and Magnium Australia are looking to establish large-scale manufacturing operations in Collie between now and the last power station closure dates of 2029.

The Cook Labor government's plan for my community is clear—attract new industries, create new jobs and support workers to transition to these new industries. *Collie's just transition plan* is receiving national and international attention for its ability to bring industry and businesses; local, state and federal governments; unions; and the community together to develop a shared vision for our future. I take this opportunity to thank the Just Transition Working Group for its incredible work to map out our future. We are doing this by bringing the community along with us on the just transition journey that began in 2017 and will continue to support the community through 2029 and beyond. That is why the announcement by the federal opposition of plans to build a nuclear power station in Collie is so concerning. Mr Dutton's captain's call to build a nuclear power station in Collie has been called risky and reckless by former Liberal Prime Minister Malcolm Turnbull on a recent *Four Corners* program. Mr Turnbull echoed my sentiments that it was such a bad idea, the Liberals had never pursued it while in government.

The fact that my community and its future may be in the hands of Mr Dutton is terrifying. He has already stated that he will override any state, local government or community opposition to his plans. This was evident at a recent community forum held in Collie by Nuclear for Australia. In attendance was O'Connor Liberal member of Parliament, Rick Wilson, who referred to the presenters as experts in the nuclear field. I find it concerning that the Liberal Party looks to these experts for advice whilst single-handedly dismissing that of the real experts—Australia's CSIRO. I suspect I know why its members are not listening to Australia's leading science experts. CSIRO's *GenCost 2023–24* report told the Liberals an inconvenient truth, that nuclear is the most expensive form of energy, but it is pursuing it anyway. The Collie nuclear community forum was, to quote Mr Dutton, well-attended by the "200 people who turned up". Another inconvenient truth about the forum is that many Collie local residents,

despite registering to attend, were either not given meeting details or were turned away at the door, whilst attendees from as far away as the goldfields and Perth were given entry to the meeting. Disappointingly, local and respected Aboriginal community member Stevie Anderson was rejected at the door. I taught Stevie many years ago at Collie Senior High School, and saw that she had been locked out of the meeting. The next morning, I gave her a call. She was very upset, as she had gone to find out more so that she could inform our elders and find out for herself what the possibility of nuclear power would mean for our community. The sneaky tactics continued the following day when Mr Dutton entered and exited via the back door for a secret 90-minute meeting with the Shire of Collie. As he was leaving, Mr Dutton dodged questions from the waiting media and locals who were there protesting against nuclear power in Collie.

Later in the day, Mr Dutton was reported by *The West Australian* on Friday, 18 October, as saying some very hypocritical things. When discussing a proposed offshore wind farm, Mr Dutton said that a coalition government would scrap this proposed wind farm, stating that it was 20 kilometres off Geographe Bay. This is incorrect as recent changes to the proposal now place the proposed wind farm 30 to 50 kilometres off Geographe Bay. He went to great pains to defend that scrapping the wind farm proposal was based on it not having the necessary social licence in the community and in the article states —

> "It's not supported by the residents, not economically viable … Because it's not in the environment's best interests, it's not in the economy's best interest, it's not in the region's best interest, and it's not in the interests of small businesses or residents here in this local community.

The press conference was held in Busselton, which is in the state electorate of Vasse, a seat held by the Leader of the Liberal Party. The article continues —

> "What Australians now realise is that their power prices will continue to go up and up under Anthony Albanese."

This statement is the height of hypocrisy, and it makes it clear to me that Mr Dutton, the Liberals and the Nationals are playing politics at the expense of the people of Collie and its surrounds. Mr Dutton's comments should be rewritten as —

> Nuclear is not supported by the residents. It is not economically viable. It is not in the environment's best interests, it is not in the economy's best interests, it is not in the region's best interests, and it is not in the interests of small businesses or residents here in this community. What Australians now realise is their power prices will continue to go up and up under Dutton's nuclear energy plans.

On ABC Great Southern radio on 22 October, Liberal member in the other place Hon Dr Steve Thomas said that he thinks most people in Collie are currently against the federal opposition's plans for a nuclear reactor, despite Mr Dutton's claims to the contrary. On this, Hon Dr Steve Thomas and I agree.

I have been contacted by a large number of constituents asking me to reject nuclear energy and stand up for my community, hence this grievance today. I am working incredibly hard to support my community. Can the minister please outline to my community that the *Collie's just transition plan* is secure with a Cook Labor government and assure Western Australians that our energy future is not one that needs to include a nuclear reactor in Collie?

MR R.R. WHITBY (Baldivis — Minister for Energy) [9.41 pm]: I thank the member for Collie–Preston for this grievance. It is a shame that for most of the member's grievance, there was not a single member of the opposition present to hear her. At least there is one now, but for most of her grievance there was not a single member in the chamber from the opposition, which says something.

We know the member cares deeply about her community and its future, which is why she is so concerned by Liberal leader Peter Dutton targeting her community with his dangerous, reckless and hugely expensive nuclear-only policy. Peter Dutton is a far-right warrior driven by hardcore ideology. With him, it is nuclear at any cost—and what a cost! Nuclear is the most expensive form of energy by a country mile. Why on earth would we go nuclear when the cheapest form of new energy is renewable; and we live in a place like Western Australia?

WA has plentiful sunshine, world-renowned wind resources and so much space. We are blessed more than any other place on the planet with the key ingredients for cheap, clean, renewable energy. Yet Peter Dutton, with local Liberals complicit, keeps on telling the big lie that nuclear is the answer. It is not just hard-headed dollar and cents economics that rules nuclear out, nuclear is not practical for a system like ours. It has one speed—flat out. It cannot be dialled up and down as required. It is far less flexible than gas. Nuclear cannot let in cheaper renewables when the sun shines bright and the wind is blowing, like gas does.

Peter Dutton does not care about the business case. He has admitted it will be underwritten by Australian taxpayers. He wants to create a socialised energy market with his hands deep inside all of our pockets only to sell us the most expensive electricity imaginable. That is why the Liberals have a nuclear-only policy. Quite apart from the practical aspect of nuclear not having the flexibility of allowing cheaper renewables into the grid, massive taxpayer subsidisation of expensive nuclear power will destroy the private investment market for renewables, and it simply takes too long. We do not have time to waste.

Even in the United States, where they invented nuclear power, nuclear is on the wane. The World Nuclear Association says that nuclear power, as a share of electricity generation, is in decline. The last nuclear power plant built in the US has been an unmitigated disaster. The Vogtle plant in Georgia was supposed to cost $US14 billion. It has come in at $US35 billion. It is the same power plant Peter Dutton wants to build in Australia—the Westinghouse AP1000. The project sent Westinghouse broke. Now the people of Georgia are getting the highest power bills they have ever seen, almost five times as much as Perth households. Get this; the poor Georgians are also having to pay a tariff for the massive construction cost blowout.

What sort of extra power levy does Peter Dutton have in mind for Australian families? As for his plan for so-called small modular reactors, they cannot just be ordered from a factory because they do not actually exist yet. Even other Liberals realise the insanity of Peter Dutton's nuclear plan. Malcolm Turnbull, as the member pointed out, described it as reckless, stupid and dangerous. David Crisafulli, the Queensland Liberal leader facing election this very weekend, said —

> "no, no, no, I gotta be … clear, it's not part of our plan."

Members, Collie has powered WA for more than a century. Collie has served us well. The community wants to continue to play a critical role in our energy future, and it actually is right now. Labor knows the cheaper, reliable and secure way forward is renewables, solar and wind, backed by batteries and firmed by gas. We are building some of the biggest batteries in the world in Collie. It is part of the Cook Labor government's $662 million investment in new industries in Collie.

The people of Collie deserve more than someone who sneaks into town, has a closed-door meeting with a select few, and then sneaks off again, as Peter Dutton did last week. They deserve a government that is committed to a truly just transition and a local member whose husband works at a Collie power station and understands the need for clarity and certainty for her community. WA Labor is getting on with delivering clean, affordable and reliable power for Western Australians. Now, there is a theory behind Peter Dutton's unaffordable nuclear policy. Malcolm Turnbull called it out when he said —

> To be quite honest, I think from the Liberal Party's point of view, nuclear power is something to talk about, but never to build.

I think Peter Dutton is engaged in the most cynical political exercise in a generation. There are people who want to believe there is a simple fix to the challenge of the energy transition and climate change, and some even doubt the need to act at all. But Peter Dutton is only trying to score a political point and disrupt the transition to renewable energy, not to deliver a solution. It is incredibly selfish and reckless, and it threatens Western Australia's and Australia's future economic prosperity.

PICKERING BROOK — METROPOLITAN REGION SCHEME AMENDMENT

Grievance

MS M.J. DAVIES (Central Wheatbelt) [9.47 am]: I rise today to provide the Minister for Planning with an opportunity to update the Parliament and the community of Pickering Brook on the progress of a proposal to rezone approximately 17 hectares of land from rural to urban to facilitate residential and economic development for this community. I thank the minister for taking the grievance.

I raise this issue in the Parliament because members of the community, who are watching very interestedly, have asked me to do so. They are frustrated and disappointed that after years of consultation, work and expectation they have no resolution or timeline for resolution. I would understand the minister's response yesterday if this was a matter that had just emerged and there was more work to be done. I am not unreasonable, and neither are the good people who have been working diligently with his government. I am not prone to offering unsolicited praise for the government, but in reviewing the timeline and work that has been done to date, I would say it has been comprehensive and thorough. So, it is baffling to me and the community that there has been no final decision as a result of all this hard work.

This is a matter that has been at the centre of a project taskforce that comprised the Minister for Transport; Planning; Ports, who is now our Treasurer, as the chairperson; the Minister for Regional Development; Agriculture and Food, the then Deputy Premier, now Premier; and the chair of the WA Planning Commission. There was also a project working group, chaired by Matthew Hughes, MLA, the member for Kalamunda, with representatives from the Department of Planning, Lands and Heritage; the Department of Biodiversity, Conservation and Attractions; the Department of Jobs, Tourism, Science and Innovation; the Department of Fire and Emergency Services; the Department of Primary Industries and Regional Development; the Department of Water and Environmental Regulation; the City of Kalamunda; the City of Armadale and the community. It is quite a comprehensive group of people and organisations.

I will take the minister to the government's website, which outlines the process that has been undertaken to date. Starting with the community consultation, it included face-to-face discussions with landowners and other

community stakeholders, and a survey was also conducted. The second step was detailed investigations within the Pickering Brook planning investigation area. Then part 1 of all that work was published as the *Pickering Brook and Surrounds Sustainability and Tourism Strategy,* which was submitted to the taskforce for consideration. The fourth step was further detailed investigation within the strategy area to consider issues relating to tourism and economic development. Part 2 of the *Pickering Brook and Surrounds Sustainability and Tourism Strategy* was prepared and submitted to the taskforce for consideration. No fewer than 11 documents on the website have been published as a result of the work done by the working group to inform the decisions of the taskforce. That includes soil surveys, land assessments, bushfire management plans and risk assessments, a tourism gap analysis for the area and transport scenario planning.

In answer to a question without notice in Parliament on November 2018 asked by the member for Kalamunda about the work to be done by the taskforce and working group, the then Minister for Planning, now Deputy Premier, replied very enthusiastically —

> We need a strategy going forward, as I said, for the sustainability and the future of the Pickering Brook town site. There is an ageing population moving away and we need to make sure that there is some sustainability and a future for all those communities. There is the potential for tourism. We will work together and make sure that agriculture, planning, tourism, councils and the community work together to get a plan to sustain those town sites, to promote tourism and to make sure that agriculture in that area has a future and matches the commercial realities out there.

Sadly, that enthusiasm, at least from the community's perspective from the outside looking in, seems to have waned. Residents are dismayed and frustrated that after seven and a half years of consultation, investigation, reports and talking, they are still none the wiser as to the future of this proposal.

The first report that was produced by the working group for the consideration of the taskforce was dated November 2020 and titled *Pickering Brook and surrounds: Sustainability and tourism strategy: Part 1— Pickering Brook townsite: Working group report and recommendations to the state government taskforce.* It contains nine recommendations. In short, and to borrow words from the chair, the member for Kalamunda, in the report's foreword —

> The nine recommendations contained in the Report point the way for the sustainable and measured expansion of Pickering Brook. The modest scale of the proposal will protect the character of the town and preserve the dominant agricultural land use and rural amenity which provide and will continue to provide the foundation for new and compatible business development. It is agriculture and the district's rural amenity that make the town and district an attractive and increasingly popular tourism destination in the Perth Hills and we must ensure that this is preserved.

The first recommendation is crystal clear: to support an expansion of the Pickering Brook townsite for approximately 14 to 17 hectares of land located immediately west of the existing townsite. That recommendation, along with the eight others, was made in November 2020. It is now October 2024. Today I ask the minister how many times the taskforce has met in total, and whether it has met since he became the Minister for Planning. If it has met since the minister became Minister for Planning, how many times has it met, and what work has been undertaken to progress this proposal? In reference to correspondence from the minister's office in April this year to members of the Pickering Brook community, advising that bushfire matters were being further investigated, can the minister provide an update, given six months has passed? Finally, can the minister advise when a decision will be made to progress or shelve the proposal? I think the Pickering Brook community has been patient. It has participated in consultations and has accepted that government departments needed to investigate and provide data for the working group and taskforce to consider. The community's patience has run out, and it would like to know what this Labor government's intention is for the future of Pickering Brook and surrounds.

I would urge the minister not to kick the can down the road until after the election. Please take this opportunity to provide the community with some guidance on what the government is doing and when it can expect a decision to be made. They are watching in and listening keenly for the minister's response. I thank the minister for taking this grievance.

MR J.N. CAREY (Perth — Minister for Planning) [9.53 am]: I thank the member for her grievance and the information she provided. First of all, I need to be very clear that the taskforce and working group are separate from the metropolitan region scheme amendment process. People need to understand that. The MRS amendment process is done under the authority of the Western Australian Planning Commission. The planning reforms that we made strengthened the independence of the WAPC. We have seen that in other matters within the electorate of Bullwinkel, including the Stoneville proposal, which was rejected by the WAPC. I say, respectfully, that we must respect the independence of the WAPC and the MRS amendment process, not just when it suits us politically. On one issue like the Stoneville plan, which people were against, they are very happy to say that the WAPC has done the right thing, and then on another issue, they tell the WAPC to hurry up and get this land urbanised. Planning is a complex process. One cannot advocate for particular positions with the WAPC when it suits one's purpose.

This request was lodged with the WAPC. I want to go through the history for the MRS. I am advised that it seeks to rezone approximately 14 hectares of rural land in Pickering Brook as an urban zone and to facilitate expansion for residential development. As we know, an MRS amendment process is a rigorous assessment process that considers a wide range of matters and issues on behalf of the WAPC. We know that the creation of new town sites or the expansion of townsites into the fringe areas, such as the Perth hills, is not a simple exercise. As I point to other projects, it is not a simple exercise. This is a complex proposal that is subject to many constraints and requires robust consideration and, ultimately, the WAPC, as the independent authority, must be satisfied that the constraints can be resolved or adequately mitigated through the process and the final recommendation.

As I said yesterday in this chamber, there are some complexities. I did not refer to the bushfire considerations, but one example is the amendment area, which we know is located in a bushfire-prone area. As part of this rigorous assessment process, consideration must be given to the advice of Department of Fire and Emergency Services. I understand that DFES has raised some not insignificant concerns with the proposal regarding bushfire risk mitigation. If we think back to the Stoneville proposal, a key concern and consideration was bushfire risk. We should not underestimate or devalue the expertise of DFES. Given the location in the densely vegetated Perth hills, we are talking about a significant bushfire risk. As I also said in my response yesterday, there are also key water supply issues. The amendment—I have further information today—is located within a priority 2 public drinking water source area. As the potential future properties are proposed to be unsewered, consideration of the ongoing management and protection of the Middle Helena catchment area is required. I want to be clear that this is not a simple tick-and-flick process. There is a significant catchment area supplying run-off into the Lower Helena Pumpback Dam, which is a drinking water source for the integrated water supply scheme. These are some of the hurdles. I do not say that they are insurmountable, but it is complex, and the process regarding an MRS amendment needs that proper consideration. This will rest with the WAPC, and it will ultimately make the decision to initiate the amendment. It must be satisfied that some of the complexities and challenges raised by government agencies can be resolved or mitigated through planning conditions or other matters.

I will come back to this again. For political purposes, it is very easy to say that issues such as Stoneville and bushfire are a key concern, but then at this project we should not consider those concerns or they are not really matters of consideration. Every metropolitan region scheme amendment can be complex and challenging. Ultimately, it has to go through a rigorous assessment process by the Western Australian Planning Commission, and I respect that process.

FITPACKS — NEEDLE AND SYRINGE EXCHANGE PROGRAMS — KIMBERLEY

Grievance

MS D.G. D'ANNA (Kimberley — Parliamentary Secretary) [10.00 am]: My grievance is to the Minister for Health; Mental Health, and I thank her for taking my grievance. I thank the minister for the opportunity to address her today regarding a pressing issue affecting the health and safety of our communities in not only Broome but also across the Kimberley. I know that this is not a new issue; it has been around for a while. Over time, our communities have seen a wider prevalence of discarded syringes in public areas—parks, footpaths, staircases, playgrounds and bus stops, just to name a few. I understand that the use of methamphetamine, or "ngarbi" as it is sometimes referred to by locals, was once largely concentrated in metropolitan areas, but it is now spreading into our towns and communities, bringing new challenges to areas that are already challenged.

Although I understand that the distribution of clean syringes is a vital health initiative aimed at preventing disease transmission, it has inadvertently raised significant concerns among residents about public safety and needle disposal. I have had discussions with local shires across my electorate that have also raised concerns and have been looking at alternative options, such as the Shire of Broome, which has proposed the provision of retractable needles. I acknowledge that the shires have acted promptly, increasing their efforts to keep public spaces clean. However, this has come at a cost—straining local resources and placing an additional burden on ratepayers—and may not accurately record essential data on the true number of users to support further evidence-based solutions and initiatives. It is crucial that we find a balanced solution that ensures the health of our community and assesses the true picture of users and the supports needed, without imposing financial strain or unsafety on the people who live there.

We must acknowledge the undeniable benefits of providing sterile needles. By reducing the transmission of bloodborne diseases such as HIV and hepatitis C, these programs serve not only those who use drugs, but also the wider community. Preventing these diseases can lead to significant long-term healthcare savings, which we all recognise as important.

Some needle and syringe programs operate primarily on a distribution basis without requiring the return of used returned syringes. Although those programs are important for harm reduction, they may not directly tackle the issue of needle litter as effectively as exchange-based programs. The incorporation of a return system into these services can create a balanced solution, fostering public health and ensuring public safety. But as we promote these health services, we cannot ignore the need for more effective syringe disposal strategies. Needle and syringe exchange programs offer a promising model in addressing this issue. By encouraging users to return used syringes in exchange for clean ones, these programs not only facilitate responsible disposal, but also actively reduce needle litter,

increasing public safety. This structured return system is essential for maintaining the cleanliness and safety of our parks and playgrounds—places where our children and families gather. Moreover, needle and syringe exchange programs extend beyond just syringe exchanges. They allow for the provision of essential support services such as addiction counselling, mental health support and healthcare referrals. These holistic services contribute to the overall wellbeing of individuals, supporting their journey towards recovery and improving community health outcomes. In turn, they provide a path to a stronger and safer community.

I respectfully ask for the minister's support in addressing this issue. I ask the minister to please outline the steps being taken to assist Broome's local government to manage the costs associated with syringe disposal services. Additionally, I would appreciate an update on the progress of implementing a needle exchange program in Broome. Our shared goal is to ensure the health and safety of our community while effectively managing the realities of drug use. This requires a coordinated effort that balances harm reduction with public safety.

Furthermore, I would like to address another concern raised by my community regarding methamphetamine use in our community. We need a comprehensive approach to tackle the associated risk for not just users but non-users and future users as well. This includes education on the dangers of methamphetamine, early intervention, increased access to treatment and support services, and community engagement initiatives that encourage discussion and understanding.

Alcohol and drug services are essential, but they are only one part of a holistic approach to promoting community safety by addressing the root cause of substance-related harm, preventing crime and improving public health. These services provide a critical support network that not only helps the individuals and families struggling with addiction, but also creates safer and healthier communities. The health and safety of our community must remain a top priority. By investing in programs that encourage responsible disposal of syringes and the provision of essential support services, we can create a safer environment for everyone. I look forward, as does my community in the Kimberley, to the minister's response and to working together towards an effective solution for Broome and the Kimberley.

MS A. SANDERSON (Morley — Minister for Health) [10.06 am]: Firstly, I thank the member for Kimberley for her grievance today and for her acknowledgement that this is a complex issue. She has been a really powerful advocate on behalf of her community. This is an important issue not only for health, but also more broadly across the Kimberley as well. I understand that the community is concerned about needles being incorrectly disposed of. There seems to be an increase in that. I share that concern, particularly with reports and feedback that we have had from the community around playgrounds and footpaths. Community safety and harm reduction has to be at the forefront of our minds.

In terms of drug and alcohol services in the Kimberley, the Mental Health Commission provides $28.8 million to the WA Country Health Service a year for the provision of public health, mental health and drug and alcohol services delivered by WACHS. That is just in the Kimberley region. This includes the Kimberley Community Alcohol and Drug Services, which provides outpatient AOD counselling for individuals and families, and a lot of prevention activities and diversion services. This financial year, the commission also provided $9 million to non-government organisations for a range of mental health and AOD services in the Kimberley. There are also two commonwealth-funded AOD residential rehabilitation centres that are run by Aboriginal-controlled organisations.

I refer to the needle program in Broome. This is a long-established practice under both Liberal and Labor governments, and there is a lot of evidence that it actually reduces the harm and risk of bloodborne disease and the spread of communicable diseases. It is primarily about harm reduction for drug users. The needle and syringe program provides sterile needles and syringes for intravenous drug users, which means there is no need for people to share needles. This has significantly reduced the spread of diseases like HIV and hepatitis B and C. We know that addressing drug and alcohol usage requires a multifaceted approach. Harm reduction is just one part of a broader approach, but it is a very important part, and we need to maintain support and community support for it. Without this program, there would be much more sharing of needles and a greater risk of spreading those diseases. All needles and syringes that are handed out are also provided with a safe disposal container. Additionally, the packs are labelled with safe disposal information, but we acknowledge that there are challenges getting people to dispose of them safely and we are committed to addressing those challenges.

The use of retractable needles has been floated by the shire and others. Unfortunately, there is a lot of evidence that they spread more bloodborne diseases when they retract because they spray a fine mist of blood upon retraction. They are not suitable for limiting the spread of those diseases.

To manage the spread of litter, we have already set up more disposal bins to ensure there are more bins for people to dispose their needles and syringes. Additionally, Broome is now receiving support from the Pilbara needle exchange to support the establishment of a Broome needle exchange program. That will take some time to get up and running, but that will be a key feature of the harm-reduction strategy. Broome will have a proper needle exchange program, which will allow people to access supports to withdraw and stay clean, and information about safe drug use and safe withdrawals. It will allow us to get to those people and give them more options to come off the drugs they are using.

We know that these issues require a partnership approach. No one agency or level of government can fix all these problems or resolve all these issues. That is why local governments are important partners in our management of this. They are at the frontline of managing community litter and waste. We are absolutely interested in this and are talking to the Shire of Broome to resource it with a temporary uplift of FTE and access to waste disposal facilities to allow it to clean up areas in the community that have high traffic use like footpaths, outside schools, playgrounds and so forth. The WA Country Health Service has been in contact with the shire and the shire met with the Premier last week. The shire certainly has been talking to my office. I understand that I will meet with the shire next week. I am looking forward to meeting the shire to understand exactly how the state government can support it so it can make sure the public areas are made safer while we set up and establish the Broome needle exchange program.

I thank the member for Kimberley for her advocacy on this issue and her acknowledgement that this is a complex issue. The drivers of drug addiction are incredibly complex. The needle program is a really important part of harm reduction and I absolutely acknowledge that that harm reduction needs to extend to all the community, and we are committed to that.

EDUCATION AND HEALTH STANDING COMMITTEE

Eighth Report — Annual Report 2023–24 — Tabling

MR C.J. TALLENTIRE (Thornlie) [10.12 am]: I present for tabling the eighth report of the Education and Health Standing Committee titled *Annual report 2023–24*.

[See paper 3329.]

Mr C.J. TALLENTIRE: This is the fourth and final annual report of the Education and Health Standing Committee in the forty-first Parliament. Our reports, as always, are based on the information of experts from WA and other jurisdictions, community members and people with real experience. Over the reporting period we had the benefit of hearing from the 36 witnesses who appeared before the committee. That enabled us to develop 37 findings and make 24 recommendations.

Our sixth report titled *A different kind of brilliance: Report of the inquiry into support for autistic children and young people in schools* was one of the highlights of the year, especially in terms of meeting the courageous people and families who are living with autism. That gave the committee an opportunity to gain a sense of the courageous manner in which they were dealing with the situation. Indeed, the people we met inspired us to adopt the title *A different kind of brilliance*. It is important to note that the tabling of that report warranted some very sensible media coverage. I think that is an encouraging indication of the growing community interest in and understanding of all matters relating to neurodiversity. The level of interest could also be taken as a measure of the prevalence and therefore the need for improvements and greater capacity in our schools. I know that the minister has taken that to heart and that government processes are in place to ensure that the recommendations we put forward will be adopted and taken further.

Another report we tabled in the reporting period was on the fast-developing changes to our food systems. Our report on that is titled *New bite: How alternative proteins could improve dietary and planetary health*. I will not bother to name the media outlet that sought fit to make puerile comments on the report, but I will compliment the Minister for Agriculture and Food and the Department of Primary Industries and Regional Development on the excellent response to the recommendations and findings, especially regarding the opportunity for investment in plant-based proteins in WA, capitalising on the state's great expertise and capability within the existing broadacre agriculture system. The department advised that the national market for alternative proteins is set to reach $1.65 billion by 2033. The government response noted that our current plant-based protein broadacre farming of pulses—mostly lupins—provide a break crop. After people have been through the wheat or oats phase, they grow a break crop of lupins. That helps with the nitrogen fixation in the soil, so it is very useful from that point of view. That accounts for three per cent by value and four per cent by volume of all broadacre grain production.

I turn to the progress of some other reports delivered by the committee. It was pleasing to see that the recommendations of the committee's 2022 report titled *Making hope practical: Report of the inquiry into the response of Western Australian schools to climate change* has continued to receive support and was recently referred to at the Australian Climate Change Education Summit. Understandably, some commentary expressed a degree of disappointment that some of the recommendations have not yet been implemented, but I would like to highlight two recommendations from that report that I think are especially germane to how we continue to shape our education system as we cope with the changing climate and also deal with other matters relating to student health. Recommendation 4 states —

> That the Minister for Education and Training ensures that transport is included as an operational focus area in future revisions of the Department of Education's sustainability framework.

I note the success of the Your Move schools program. That is all about encouraging young people to get to school under their own steam and reversing the current trend of only about 20 per cent of kids getting to school under their own steam. I note especially the health benefits that come from that additional activity, the educative benefit of road safety, and the good lifestyle habit that comes from people thinking that if they are going only 1.5 kilometres,

why would they not walk rather than jump in a car? They are the benefits that come from the work that is going on to implement that recommendation. When I was in Victoria Park over the weekend, in the Minister for Local Government's electorate, I saw some of the excellent initiatives by the Town of Victoria Park to make young people feel safer. Victoria Park has a magnificent walking bus system to get to certain primary schools in the area and now along Archer Street are some protected bike lanes. That is exactly the sort of thing we need to make it much safer and easier for people to get to school in an active travel manner.

Recommendation 10 of the report states —

> That the Minister for Education and Training ensures additional funding for FTE allocation for a Sustainability Coordinator role in all schools.

People at the Australian Climate Change Education Summit were particularly keen to hear about the implementation of that, but I am not sure that the progress is there yet.

Relevant to both our climate change and schools report and our alternative proteins report is the 2024 Europe report of *The Lancet*, titled *Countdown on health and climate change: Unprecedented warming demands unprecedented action*. For members of the Education and Health Standing Committee, the wisdom contained in this *Lancet* report makes it almost required reading. There is a worrying standout point in this report. It states —

> Adopting healthy diets with low environmental effects is an important mitigation strategy that can deliver substantial health co-benefits. Energy-dense but nutrient-poor diets have caused increasing trends in non-communicable diseases, while co-existing with undernutrition.

This is a situation that we really have to worry about. According to *The Lancet* —

> Using food consumption estimates with epidemiological models, this indicator estimates that in 2020, 2·48 (95% CI 2·59–2·36) million deaths were attributable to imbalanced, non-sustainable diets …

It is absolutely important that we make progress by implementing some of the recommendations contained in our reports on alternative proteins and schools adapting to the challenges of climate change.

In relation to diet, I note a recent petition that I facilitated and that was promoted by the Cancer Council of WA that called for changes to planning laws. These changes were recommended by the Department of Health's *Sustainable health review: Final report to the Western Australian government*. I refer specifically to recommendation 2a, which calls for —

> Changes to planning laws to limit unhealthy food outlets and to support access to healthy food options, including near schools.

These changes to planning laws would allow health considerations to prevail over the profit interests of land developers and fast food companies. Indeed, that petition has been tabled and I know that the Cancer Council will continue to promote the need for that recommendation of the sustainable health review to be implemented. It makes it very clear what the health benefits would be.

I also want to mention our *Report of the inquiry into the Esther Foundation and unregulated private health facilities*. I remind the house of recommendation 1 of that report, regarding the Private Hospitals and Health Services Act 1927 and the need for an expansion of the regulator's investigatory and enforcement powers. Underway at the moment is our inquiry into support for health and medical research funding and priorities. This is sure to provide some interesting information, including findings on the proportionate shortfall in nationally available funding coming to WA. That is something we will have tabled before the end of this Parliament.

A recurring theme for our committee and for previous Education and Health Standing Committees is the increasing prevalence of noncommunicable diseases. In the fortieth Parliament, the Education and Health Standing Committee challenged prevailing views on type 2 diabetes and discussed the reversibility of that disease. No doubt the EHSC in future Parliaments will have its own priorities, but in a spirit of continuity, I would like to take this opportunity to suggest an examination of the economic and health benefits of greater investment in preventive health, specifically in relation to physical exercise being seen as a priority preventive health measure. It is a sad irony that we are proudly a nation of sports lovers, while we suffer myriad health consequences caused by declining rates of physical activity.

I offer my sincere thanks to my parliamentary colleagues on the committee: the deputy chair, the member for Maylands; the member for Dawesville; the member for Hillarys; and the member for Pilbara. The smooth functioning and quality of the committee's work is, in large part, thanks to our exceptionally diligent and gifted committee staff. On behalf of the elected members of the committee I want to especially thank principal research officer Catie Parsons and her successor, Dr Sarah Palmer; and research officer Sylvia Wolf and her successor, Maddison Evans.

It has been an absolute honour to chair the Education and Health Standing Committee. It has been a very productive period for us. If the recommendations that we have endeavoured to convey to this Parliament and to the government are fully adopted, we will make significant progress in the journey towards a healthier and better-educated Western Australia.

JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

Fourteenth Report — Annual report 2023–24 — Tabling

MR M. HUGHES (Kalamunda) [10.25 am]: I present for tabling the fourteenth report of the Joint Standing Committee on the Corruption and Crime Commission titled *Annual report 2023–24*.

[See paper 3330.]

Mr M. HUGHES: I am pleased to table the Joint Standing Committee on the Corruption and Crime Commission's annual report for 2023–24. It was a productive year for the committee, which held 18 deliberative meetings and five evidence hearings with 20 witnesses, and tabled three reports with a total of 49 findings and 39 recommendations. The committee's eleventh report, *What happens next? Beyond a finding of serious misconduct: Examining the responses to a finding of serious misconduct and building integrity in public agencies*, was tabled in November 2023. The report covered a wide range of issues relevant to what happens after a public officer is found to have engaged in serious misconduct. The committee reported on sanctions and other outcomes imposed on officers of public agencies, including local governments; whether lessons had been learnt from misconduct events; whether appropriate action is being taken to systemically respond to misconduct events; and prevention of misconduct and building integrity in public agencies. We also reported on criminal prosecutions after findings of misconduct and recommended measures for improving outcomes and the integrity of the public sector. Many committee recommendations suggested that legislative amendments to the Corruption, Crime and Misconduct Act 2003 be considered as part of the long-awaited reform of that act.

The committee's twelfth report, *Going rogue: Serious misconduct by a commission officer: Parliamentary Inspector's report*, was tabled in March 2024. This report informed the Parliament that an officer of the Corruption and Crime Commission—its human source coordinator and manager of the human source team—had engaged in serious misconduct over three years. The Parliamentary Inspector found that between 2020 and early 2023, the officer had corruptly used her position as human source coordinator to obtain a personal benefit—namely, an extensive and intimate relationship with one of the commission's human sources. The report describes how the officer deceived the commission; exposed others to potential harm by revealing official information obtained through her work; and neglected to responsibly perform her job. The investigation exposed serious weaknesses in how the commission managed its misconduct risks.

In response to the findings, the commission unreservedly accepted that system failure contributed to the climate in which the officer's deception was made possible and continued over many years, and it initiated an independent review. The commission agreed to consider the work of its human source team, and whether the team should be retained or whether that service should be delivered in another way, after that review had been finalised. That review has been finalised and the commission has recently reported to the committee on the review and action taken to minimise its misconduct risks. The committee will report to the house on this matter in November.

On 22 May 2024, the Premier, Hon Roger Cook, MLA, recommended to the committee that a particular person be appointed as deputy commissioner of the commission under the Corruption, Crime and Misconduct Act 2003. In May and June 2024, the committee had correspondence with the Premier about its concerns about the lack of information he provided to the committee. On 15 August, after the 2023–24 financial year, the committee tabled the thirteenth report, *A lower standard: Information the Premier provides to the committee when undertaking its role in an appointment process on behalf of the Parliament*. The committee found that, contrary to convention and evident standard practice, the Premier refused to provide the committee with the report of the nominating committee and the names of the three candidates referred to him when recommending to the committee that a particular person be appointed as deputy commissioner of the commission. The Premier said that the committee does not require that information. The committee disagreed. The committee recommended that the Premier assure the house that his government will provide future Joint Standing Committees on the Corruption and Crime Commission with the report of the nominating committee and the names of the three candidates referred to him when referring an appointment to the committee under the Corruption, Crime and Misconduct Act 2003. The committee also recommended that the Premier and Attorney General, if concerned about the committee publishing information, consider amending the Corruption, Crime and Misconduct Act 2003 to insert a confidentiality provision similar to the laws in New South Wales and South Australia.

On 15 August 2024, the Premier advised the Legislative Assembly that the process he followed was consistent with the Corruption, Crime and Misconduct Act and was the correct way and that the role of the committee is to accept the name of the appointee or reject it by veto. The committee awaits the formal government response to its recommendations.

As I observed when tabling the report on this matter, the committee took issue with the process followed in the appointment of the deputy commissioner, not the person nominated. In this instance, the committee unanimously resolved to not veto the appointment. As such, Hon Michael Corboy, SC, who has a long and distinguished career, has been appointed as deputy commissioner.

I have a further observation to make about the Leader of the Opposition's attempted politicisation of the report of the committee and the characterisation of the chair of the committee, the member for Kalamunda, as being the Premier's man on the CCC committee. My appointment to the committee was a decision of the Legislative Assembly. I would hope that in a healthy and mature democracy, it should be possible for members of the majority party, as members of a bipartisan oversight committee of Parliament, to take issue with the decisions of the executive government without that being seen as a basis for political pointscoring. But, then, perhaps I am a bit naive. In my view, having been a member and then chair of the committee for close on eight years, rigour in parliamentary oversight is essential. The executive government is responsible to the Parliament of Western Australia and to the people of Western Australia. There is a clear point of difference between the advice given to the Premier about the process for the appointment of the deputy commissioner and the position that the committee has adopted on historical precedence.

Although the law has changed and the committee has been provided the right to veto a proposed appointment of a commissioner, and now also a proposed appointment of a deputy commissioner, rather than giving assent to an appointment by bipartisan and majority support as applied prior to the amendments to the act, the amended act does not prevent the Premier from providing to the joint standing committee the nominating committee's report that informed the Premier's recommended appointment.

Public confidence in the integrity of institutions is critical. The Corruption and Crime Commission, under the leadership of the commissioner, Hon John McKechnie, AO, KC, and the deputy commissioner, Hon Michael Corboy, SC, and the Parliamentary Inspector of the Corruption and Crime Commission, Matthew Zilko, SC, play an important role in improving the integrity of the public sector. I thank them for their productive engagement with the committee and this Parliament and wish them well.

I also sincerely thank my colleagues on the committee: Hon Dr Steve Thomas, MLC, deputy chair; Hon Mia Davies, MLA; and Hon Klara Andric, MLC. Their bipartisan, professional and collegial approach has enabled the committee to responsibly discharge its oversight and other duties in this Parliament. My committee colleague Hon Mia Davies, MLA, the member for Central Wheatbelt, and I will not be contesting our respective seats at the general election in March 2025. She joined the joint standing committee following her resignation from the position of Leader of the Nationals WA and Leader of the Opposition and replaced Shane Love, MLA, on the committee. Mia has brought a wealth of experience of Parliament and parliamentary procedures and her sharp mind to the work of the committee in the oversight of the CCC. I wish her well in her future endeavours on her retirement from this Parliament.

To conclude my remarks, the committee has been ably served over the term of this Parliament by Suzanne Veletta, its principal research officer, and Jovita Hogan, her associate research officer. Both are long-serving and experienced members of the staff of this Parliament. We have benefited greatly from their combined experience. On behalf of the joint standing committee, I wish to place on record our thanks for their dedication and professionalism in their support of the work of the committee. It has been a pleasure to work with each of them.

It has also been a pleasure to have been a member of this committee over two terms of Parliament and to have served as its chair in the forty-first Parliament.

MS M.J. DAVIES (Central Wheatbelt) [10.36 am]: I was not intending to speak to the annual report of the Joint Standing Committee on the Corruption and Crime Commission, but it has just occurred to me that it will be the last opportunity I will have to do that. I was prompted by the member for Kalamunda in thinking that I need to say a very big thankyou to the hardworking staff who have supported us. I certainly came to this committee having not been a member of a committee for some years. I found it to be very collegial, to echo the comment of the member for Kalamunda, and hardworking. We deal with some very serious issues that come across our desks.

I take this opportunity to thank the member for Kalamunda for his leadership. He is very diligent and is certainly prepared to ask the difficult questions. We have responsibility for oversighting some incredibly important bodies, and those questions need to be asked on behalf of the Parliament and the people of Western Australia. I thank my colleagues and, in particular, the member for Kalamunda for his leadership and consistent and diligent work in making sure that the committee maintained the level of scrutiny that I think is appropriate for the powers that the Parliament has afforded the CCC.

Thank you to the Corruption and Crime Commissioner and the staff who come before us on a regular basis, the Parliamentary Inspector of the Corruption and Crime Commission and also the committee staff, who have done a wonderful job in making sure that our reports are provided in a very timely and concise manner.

VISITORS — JUSTICES OF THE PEACE

Statement by Acting Speaker

THE ACTING SPEAKER (Ms M.M. Quirk) [10.38 am]: Members, before we proceed to orders of the day, I welcome the group of justices of the peace who are in the gallery and thank them for their service to the community. I understand they are guests of the member for Armadale, the Minister for Education. Welcome to Parliament today.

FAMILY COURT AMENDMENT (COMMONWEALTH REFORMS) BILL 2024

Consideration in Detail

Resumed from 23 October.

Clause 5: Section 5 amended —

Debate was adjourned after the clause had been partly considered.

Mr R.S. LOVE: Before debate was adjourned yesterday afternoon, we were discussing the expanded definition of a "child" and "member of the family" of a child. The Attorney General was explaining the status of Aboriginal kinship in the determination of that, but he was not able to conclude his remarks. Perhaps we can take it from late in that discussion when we were talking about the definition of "kinship".

Mr J.R. QUIGLEY: This proposed amendment will implement recommendation 9 of the Australian Law Reform Commission's report *Family law for the future—An inquiry into the family law system: Final report* that states —

> Section 4(1AB) of the *Family Law Act 1975* (Cth) should be amended to provide a definition of ***member of the family*** that is inclusive of any Aboriginal or Torres Strait Islander concept of family that is relevant in the particular circumstances of the case.

The commonwealth introduced that recommendation into its amendments, and we are mirroring it in Western Australia. It is already applicable to married Aboriginal and Torres Strait Islander people because they come under the Family Law Act 1975. This amendment will provide equal consideration for the children of a union in which the parents are not married.

Mr R.S. LOVE: This provision is already operational and well understood. Does the definition mean that the person who is a family member under this component of the definition of family in Aboriginal kinship has to be an Aboriginal or Torres Strait Islander person to be a considered a member of a child's family under this provision?

Mr J.R. QUIGLEY: It would depend upon the circumstances. I was in Roebourne a month ago for the commemoration or memorialisation of the death of a lad called John Pat 40 years ago when he was in custody, which precipitated a royal commission. There I was reacquainted with an old school friend from Christ Church Grammar School—I was an Aquinian—who now has very long Rastafarian hair. He went through, and was initiated in, Aboriginal lore. He now resides with his partner, an Aboriginal lady. It is arguable that he would fit within that culture. He and his partner do not have a child due to age, but having been initiated into the Indigenous community, the Yindjibarndi, and having gone through lore, if they had a child and were unmarried, he would fall within the definition. It would also apply to a nephew or a niece.

Mr R.S. LOVE: A nephew or niece in Aboriginal culture does not necessarily mean there is a blood relationship, but I take the Attorney General's point.

I refer to clause 5(7), which states —

> In section 5(1) in the definition of ***step-parent*** paragraph (c) after "marriage" insert:
>
> or de facto relationship

I would have thought that there is somewhat of a difference—I take it that this provision is already operating in commonwealth law so we know how it operates—between a de facto relationship and a marriage in that if people have entered into the formalisation of their relationship by getting married, their children would automatically be accepted as stepchildren in that marriage. De facto relationships can develop in many different ways, and there are different understandings of the responsibilities and the like. Is there a difference in practice? Does the court look at the circumstances of a de facto relationship to see whether there was acceptance of a person as a step-parent?

Mr J.R. QUIGLEY: The amendment reflects the contemporary understanding of a step-parent. The court itself is very experienced and attuned when determining what is a de facto relationship. The concept of a de facto relationship is already very important in property matters in the Family Court. The member would be well aware of the amendments that we brought in earlier this term that put a de facto partner on an equal footing with a married partner in superannuation splitting. What I am endeavouring to make clear is that the court itself regularly determines whether there is a true de facto union.

When a couple has been cohabitating for two years, they are presumed to be in a de facto union. They could be cohabitating—living under the same roof—despite being separated; it would be a matter of evidence. If they had been cohabitating for two years, it would be presumed that they are in a de facto relationship or de facto marriage. It is about the court always looking at what is in the best interests of the child. The court is well experienced in determining what a step-parent is as a result of a de facto union.

Clause put and passed.

Clauses 6 to 10 put and passed.

Clause 11: Section 33B inserted —

Mr R.S. LOVE: Can the Attorney General provide a brief explanation about the necessity of proposed section 33(2), which relates to the protection of registrars in conducting conferences et cetera. Can the Attorney General explain why this provision is necessary? Has an issue led to the inclusion of this proposed subsection?

Mr J.R. QUIGLEY: Clause 11 of the bill will insert proposed section 33B, headed "Protection of registrars", to make clear that a registrar of the court conducting a conference relating to a matter relevant to a relevant proceeding has the same protection and immunity as a judge in performing the functions of a judge. Proposed subsection 33B(2) will make it clear that the provision does not limit any other protection or immunity a registrar has in relation to a conference or otherwise. The question of immunity for Federal Court judges is a hot topic in Australia at the moment amongst the judiciary as a result of a High Court decision in the case of Judge Vasta, who was found to be liable for the wrongful imprisonment of a litigant before the court. The court held that that went beyond what he was authorised to do and, therefore, lacked immunity.

When registrars sit in case conference or are mediating, they need to be protected from anyone suing them because they are acting in good faith as registrars of the court. If it is inside the courtroom and a judge is presiding, the judge is doing so under immunity. People cannot go around suing the judge for defamation because he has made a comment about them in the judgement. It is problematic that registrars no longer simply perform the function they performed when I first started practice—that is, as souped-up clerks of the court who performed administrative functions. Now they are very engaged in mediation and case conferencing. Their role has evolved enormously and they need immunity from civil lawsuits.

Clause put and passed.

Clauses 12 to 20 put and passed.

Clause 21: Part 4AA inserted —

Mr R.S. LOVE: Why is it necessary to insert in the act a provision for family report writers and what is the aim of this clause?

Mr J.R. QUIGLEY: Family report writers play an essential role in family law parenting matters. Family report writers prepare reports that provide information and recommendations about parenting arrangements that are in the best interests of the child or children. Family reports are then considered by the parties, their legal representative and judges. Reports and public inquiries have raised concerns about family reports and the professionals who prepare them. A series of recommendations, including from the Australian Law Reform Commission and the joint select committee, have been made about improving the skills, competencies and accountability mechanisms of family report writers. Regulating family report writers will provide greater confidence to families, the court and all those involved in the family law system that family reports are prepared by professionals who have the skills and knowledge to undertake this important task. There are some very skilful family report writers in Western Australia. I am thinking of one professional in particular, but I will not name him here. Family report writers, as professors of psychology, interview both parents and the children—sometimes the children with each of the parents, sometimes without—and from that interaction write a report to the judge or court to assist the court in determining the primary question: what are the best interests of the child?

Clause put and passed.

Clauses 22 and 23 put and passed.

Clause 24: Section 66 replaced —

Mr R.S. LOVE: This clause will insert proposed section 66, which states —

> The objects of this Part are —
>
> (a) to ensure that the best interests of children are met, including by ensuring their safety; and
>
> (b) to give effect to the Convention on the Rights of the Child done at New York on 20 November 1989 as ratified by Australia at 17 December 1990.

Is that convention changeable over time or is that set in stone as it was ratified in 1990 by Australia?

Mr J.R. QUIGLEY: Clause 24 will repeal section 66 and substitute a simplified objects provision in part 5 of the act, redefining the objects of part 5 to include only the best interests of children and in doing so to give effect to the Convention on the Rights of the Child as ratified by Australia, as the member noted, on 17 December 1990. The repeal and substitution of section 66 does not indicate that the repealed objects and principles are no longer relevant, but rather the intention is to simplify the objects to better assist with the interpretation of part 5 and to avoid duplication with section 66C. The convention may be considered as an interpretive aid to part 5 of the act. To the extent that the act specifically departs from the convention, the act will prevail. This provision is not equivalent to incorporating the Convention on the Rights of the Child into domestic law. For example, part of the

Convention on the Rights of the Child is that the child has a right to know and have knowledge of or a relationship with each of their parents. This convention does not overrule what is now legislated federally and will soon be legislated in this state—that is, that the best interests of the child will be the prevailing consideration.

For self-represented litigants the relevant United Nations article is incorporated in the best interests factors. It is not necessary to specifically list relevant articles, objects and principles that reflect the convention as these are largely incorporated in the proposed best interests factors in section 66C. They include article 3.1, the best interests of the child; article 9.3, the relationship with the parents; article 12.1 and 12.2, the views of the child; article 19.1, protection of the child; and article 13, the right to benefit from culture. They are all considerations for the court but they do not overrule the primary consideration; that is, what is in the best interests of the child overall. There is a formal process for amending and ratifying United Nations conventions, and that will not be undertaken under this bill.

Clause put and passed.

Clause 25: Section 66C replaced —

Mr R.S. LOVE: As the Attorney General pointed out when he was talking about clause 24, this clause sits alongside clause 24. Proposed section 66C(2)(a) to (f) lays out the six considerations that will go forward to be considered by the court. Can the Attorney General tell me whether those definitions previously operated under the federal law? If so, is there a clear understanding of how they are to be interpreted?

Mr J.R. QUIGLEY: The federal Family Law Act is litigated within the Federal Circuit and Family Court of Australia (Division 2). It has been hearing and determining cases with these changes since about 6 May this year. The tier 2 judges of the Federal Court of Australia have been considering these factors since May this year. It is settled but we do not have sufficient cases to provide data. The way is clear for courts to interpret the legislation guided by what has been happening in the Federal Court for the last six months.

Mr R.S. LOVE: The change that we will undertake with this bill is that six points will be considered instead of 14 points. That change has been in operation federally only recently. Will there be any key changes with the deletion of the 14 points and the insertion of the six? Will that bring in any further elements? I understand that one would be asking for the view expressed by the child. Is that new or novel? Will it be different from what was there before or is it simply reordering and codifying a simpler version of the earlier points?

Mr J.R. QUIGLEY: As the Leader of the Opposition noted, clause 25 will repeal section 66C and replace it with a new section 66C. The replacement clause reflects section 66C of the federal act that is already in operation for children of married couples. The two-tier structure in section 66C of the federal act was recently revised. The first tier provided two primary considerations and the second tier provided 14 additional considerations. The structure is now a list of just six general considerations, with an additional factor to consider for Aboriginal and Torres Strait Islander children. Proposed section 66C will make it clear that when deciding whether to make a particular parenting order in relation to a child, the court must have regard to the best interests of the child as the paramount consideration. Nothing is missing from the clause that was in the larger list under the two-tier structure—the two primary considerations and 14 tier-2 considerations. It was all too complex for litigants, especially self-represented litigants. It had to be compressed into a simple form that even self-represented fathers seeking access could more easily understand.

Mr R.S. LOVE: The Attorney General says the provision has been broken down and will be simpler to read, but proposed clause 66C seems to encompass the same matters and there is not really anything new. From my reading of the new and old versions of the section, they are not particularly different. Section 66C(2) of the act lays out five principles and has a separate further explanation on Aboriginal and Torres Strait Islander children that is similar to proposed new section 66C. In a sense, this clause will simply reorder the provisions and nothing will change in how the court will consider these matters; it will simply make the provisions clearer for litigants, particularly those who are unskilled in legal matters, to understand the process. Is that correct?

Mr J.R. QUIGLEY: Yes, I agree with that.

Clause put and passed.

Clauses 26 to 32 put and passed.

Clause 33: Sections 70A and 70B replaced —

Mr R.S. LOVE: This clause will remove the presumption of equal decision-making and apply a different process. During the briefing the opposition received, we were provided with some slides. I imagine they were also provided to government members. The document states that clause 33 will repeal the presumption that it is in the best interests of the child for the child's parents to be required to make joint decisions in relation to major long-term issues. Did that presumption come about from any particular consultation or representation? I assume it is already in the commonwealth legislation, so have any statistics been gathered to see whether removing the presumption has affected final orders that have been made?

Mr J.R. QUIGLEY: As I stated before, the commonwealth legislation came into effect on 6 May this year, so in terms of data being available, there is nothing I can take the member to that is meaningful. We have moved away from the presumption of equal parenting time and responsibility. The presumption will be negated or withdrawn. The repeal of the presumption is in response to substantial evidence of community misconception about the law that parenting arrangements after separation are based on a parent's entitlement to equal time, rather than an assessment of what arrangements serve the child's best interests. This misunderstanding may lead parents to agree to unsafe and unfair arrangements or encourage the parties to prolong litigation based on an incorrect expectation of equal time. The repeal of the presumption will ensure that the law focuses on the child's needs, especially in matters involving allegations of family violence or other complex issues. It will also ensure that the purpose of the parenting framework is clearer, assisting parents settling their matters outside of the courts to more accurately and easily navigate the law. The changes will help ensure that out-of-court settlements place the best interests of the child at the forefront and that decisions about parenting arrangements are not influenced by misunderstandings of the parent's rights and responsibilities.

Mr R.S. LOVE: We were looking at clause 25 before and discussed the objects that were at the heart of determining what should be the final order —

Mr J.R. Quigley: It is 14 down to six elements.

Mr R.S. LOVE: Yes, the six elements.

One of the six elements that still remains states —

> (e) the benefit to the child of being able to have a relationship with the child's parents, and other people who are significant to the child, where it is safe to do so;

There is not a presumption, but there is still a consideration. The consideration, without it being a presumption, will be that it is up to the court, but that there is still an understanding that there is a benefit, if it is safe to do so, for there to be a relationship with both parents. To what extent will the removal of that presumption actually change the active consideration of the court?

Mr J.R. QUIGLEY: The fundamental position on parental responsibility will not be altered by the amendments. Separated parents will continue to retain parental responsibility that can be exercised jointly or separately, unless varied by a court order. This is already in section 69 of the Family Court Act. Under this section, each parent has a role in deciding what is reasonable in looking after the child. For example, to authorise medical treatment—except to the extent that a court orders otherwise. The court will still be able to make orders for shared parental responsibility and equal time if such outcomes are in the best interests of the child, but the court does not have to presume that joint decision-making is in the child's best interests. It will have to look into it to see if, in fact, it is in the child's best interests. The amendments make it clear that this allocation is now guided solely by the best interests of the child as set out in proposed new section 66C, which we have already discussed, rather than in that presumption.

The court must decide the allocation of parental responsibility on a case-by-case basis, with the paramount focus being on the best interests of the child, from the understanding that the best interests of each child may be different. This places the child at the centre of the decision-making and aims to better protect children from parenting matters as well as victim–survivors of family violence. The amendments will provide additional guidance to parents regarding consultation on major long-term issues, as seen in proposed new section 69A in clause 31, as well as in the court's powers to make orders that deal with the allocation of responsibility to make decisions about major long-term issues as seen in proposed section 70(3) in clause 32.

Mr R.S. LOVE: Has this change come about after a particular consultation or issue? I imagine there have been some differences of view around the removal of this presumption. When I was coming in today, I noted the presence of some posters. I did not speak to anyone. I do not know if there was a process there or something, but there were some posters at the south entrance to the Parliament about a Family Court of Western Australia issue. I wonder if that was to do with someone feeling aggrieved. I am sure there are many people who come away aggrieved from decisions of the Family Court. I just want to know about the consultation around this and if there has been any negative reception to the changes.

Mr J.R. QUIGLEY: I thought that when these changes came in that there might be pushback from angry dads or something like that. Some years ago, there were movements or demonstrations by disaffected fathers for changes to the law that led to the presumption being inserted in the first place. When the presumption was removed in May of this year, I anticipated hearing a lot of blowback. However, these changes have gone through and have been accepted without a whimper. There has not been any public blowback.

The recent inquiries into the family law system have concluded that the presumption of equal shared responsibility is commonly misunderstood. An order for equal shared parent responsibility simply means that parents are required to make joint decisions about major long-term decisions, for example, about a child's education or health. However, the majority of parenting matters are settled outside of the court. The Australian Law Reform Commission report and the joint select committee inquiries, as well as numerous other studies, have found that this part of the law

is commonly misinterpreted as creating a right to shared time with the children, which has never been the case. This means that parents can enter negotiations based on the incorrect assumption that they have a right to equal time entitlements. This can lead to inappropriate arrangements for children and increase parental conflict. These amendments are aimed at centring decision-making back on the child and treating each child in their best interests on a case-by-case basis, rather than presuming the same starting point of equal time for each child. That can lead to trouble because a person may believe that they have a right, when they do not have a right. It was only a presumption that could always be met and negated.

Clause put and passed.

Clauses 34 to 36 put and passed.

Clause 37: Section 89AAA inserted —

Mr R.S. LOVE: This clause concerns the insertion of the reconsideration of final parenting orders. I note that it does not preclude an agreed position between the parents being reconsidered, but it rules out any litigation around the final parenting order, unless there is a material change in the circumstances. I am wondering about two points. Firstly, could the Attorney General give me some guidance on what change of circumstances might comprise a material change? Specifically, could simply the age or the different developmental stage of the child or the views of the child be considered a material change?

Mr J.R. QUIGLEY: Most of that is set out in proposed section 89AAA(2), which states —

> For the purposes of determining whether the court is satisfied as mentioned in subsection (1)(b) —

That is that there is a change in circumstances that warrant a reconsideration —

> and without limiting section 66C, the court —

This is permissive —

> may have regard to any matters that the court considers relevant, including the following —
>
> (a) the reasons for the final parenting order and the material on which it was based;
>
> (b) whether there is any material available that was not available to the court that made the final parenting order;

There might be subsequent reports from psychologists or report writers or whatever that were not available to the original court. Further —

> (c) the likelihood that, if the final parenting order is reconsidered, the court will make a new parenting order that affects the operation of the final parenting order in a significant way —

That is either by varying, discharging or suspending the final parenting order in whole, in part or in some other way; and finally —

> (d) any potential benefit, or detriment, to the child that might result from reconsidering the final parenting order.

The court can have regard to those matters when considering or reconsidering or being asked to reconsider a final parenting order.

Mr R.S. LOVE: In the process that will be undergone to get to that point, the court cannot reconsider a final parenting order, but it will have to consider a reconsidering of the order. There is a preliminary step in there somewhere. Can the Attorney General explain how that will work?

Mr J.R. QUIGLEY: Certainly. Proposed section 89AAA will codify the common-law rule established by Rice v Asplund (1979) FLC 90–725 and elaborated on in subsequent cases; that is, if a final parenting order is in place, the applicant must establish that there has been a significant change in circumstances since making the final order before the order can be reconsidered. The rule is founded on the notion that continuous litigation over a child is not in the child's best interests. The process is that an applicant will have to make an application to the court to reopen the case. It is the court's discretion, having regard to all those matters I have enunciated already, whether the court will permit reconsideration.

Clause put and passed.

Clauses 38 to 40 put and passed.

Clause 41: Part 5 Division 6 Subdivisions 3 and 4 deleted —

Mr R.S. LOVE: I referred earlier to the fact that we have been provided some information by the Attorney General's office on these provisions and the more important ones were codified and set out for us. I intend to ask a brief question on each of those clauses, because it was highlighted as being the major import of these changes. I ask the Attorney General to explain a little bit. Clause 41 will delete existing part V, division 6, subdivision 3,

"General obligations created by certain parenting orders". It is really to be read in conjunction with clause 63, which we will come to later. Is there anything the Attorney General would like to say about clause 41 to explain that change?

Mr J.R. QUIGLEY: It is consistent with the intention to simplify and streamline key parts of the act. The previous subdivision 3, "General obligations created by certain parenting orders", has been consolidated into proposed part V, division 13, subdivision 4. These considerations will not be removed from the act; they are being consolidated and will be put elsewhere in the act where they fit more appropriately.

Madam Acting Speaker, I wonder if I could prevail upon you and ask for a five-minute comfort break?

The ACTING SPEAKER (Ms A.E. Kent): Of course, yes. I will leave the chair until the ringing of the bells.

Sitting suspended from 11.27 to 11.32 am

Clause put and passed.

Clause 42 put and passed.

Clause 43: Sections 107 and 108 replaced —

Mr R.S. LOVE: This is another of those matters highlighted by the Attorney General's office. This is highlighted as new offences under clause 43. Proposed sections 107A and 108A relate to retaining a child outside Australia, and these new offences will remedy that. The explanatory memorandum talks about a legislative gap under the existing law. This reflects changes to the commonwealth act made in 2018. Unlike a lot of the other changes to the commonwealth act that we have dealt with, which came into effect in May this year, this issue is much more longstanding. My first question is: have there been any practical issues because of the legislative gap that exists between the Western Australian law and the commonwealth law? How does that operate, given that an offence committed by someone outside of Australia, I would have thought, would fall under commonwealth law automatically? Can the Attorney General explain what the gap was and how this will be remedied and whether any issues occurred because of that gap?

Mr J.R. QUIGLEY: The gap was that since May, a married parent who took a child out of Australia without consent has been liable for prosecution. As I was saying, it was an offence previously if a person took a child outside of Australia without consent. If someone had the child for a week during the holidays —

Mr R.S. Love: You said 2024. Is it 2024 or 2018?

Mr J.R. QUIGLEY: If they are taken outside of Australia without consent, that is an offence. However, if someone gave consent to take the child out of Australia and did so lawfully but retained the child while away and did not come back, that is the gap in the law. If they were given permission to take the child to Bali for a week, but they did not come back, there would be a problem. I am told by my much-beloved daughter, Isabella, who is duty counsel down at the Family Court, that the really busy days are Tuesdays after a long weekend or the first day after school holidays when parents come in distressed because a child has been taken and not returned. When a child is taken outside Australia by consent and not returned, there is a very heavy penalty, and rightly so.

Mr R.S. LOVE: The explanation given by the Attorney General's office was that the changes that will be made by clause 43 reflect the changes that were made to the commonwealth law back in 2018. That is, not 2024 but 2018.

Mr J.R. QUIGLEY: That is right. That is for the offence of taking a child outside Australia. We have had that offence for married people since 2018. However, that did not cover when the consenting parent was in a de facto relationship.

Mr R.S. Love: Until 2024?

Mr J.R. QUIGLEY: Until 2024.

Clause put and passed.

Clauses 44 to 47 put and passed.

Clause 48: Section 160 amended —

Mr R.S. LOVE: Again, this is one of those measures that we were told was a very important change. It refers to a family report writer, which I think we spoke about briefly at some other point. Maybe I have the wrong clause. I have the wrong one. I think I have mistaken my handwriting. Now that we have stopped here, perhaps the Attorney General can explain a little about this clause and we will move on to another one.

Mr J.R. QUIGLEY: This clause will insert proposed section 160(1)(g) to include a family report writer and will apply to proposed section 65AC. Section 160 of the Family Court Act requires the notification to child welfare authorities of reasonably held suspicions of child abuse or the risk of child abuse. The addition of family report writers to this list of professionals is consistent with the types of professionals already holding obligations under subsection (1). As such, family consultants, family counsellors, family dispute resolution practitioners and lawyers independently representing the child's interests all have an obligation to notify the authorities of the child abuse.

Including notification amongst the obligations of family report writers is also consistent with the role and nature of the work of family report writers in undertaking family assessments, seeking the views of the child or children involved, and providing expert witnesses on parenting arrangements for the purposes of the court making parenting orders.

Clause put and passed.

Clause 49 put and passed.

Clause 50: Part 5 Division 8 Subdivision 4A inserted —

Mr R.S. LOVE: This is another clause that was highlighted by the Attorney General's office. It relates to information sharing, and we were told that the amendments will give effect to key parts of the national strategic framework for information sharing between the family law and family violence and child protection systems. Can the Attorney General give a brief explanation as to how this will actually operate? I might ask a follow-up question after that.

Mr J.R. QUIGLEY: Clause 50 will insert proposed subdivision 4A, "Orders for information in child-related proceedings", under part 5, division 8 of the act, to implement new legislation relating to orders for information sharing between agencies. Proposed subdivision 4A will insert into the act proposed sections 162C to 162K, to establish an enhanced, court-initiated national information sharing scheme through the introduction of two different orders—firstly, requiring the provision of particulars, and secondly, requiring the provision of documents or information from sharing agencies in child-related proceedings. This could be from police or other agencies, including the Department of Communities. The intention of proposed subdivision 4A is to ensure that the family law courts will be able to access all relevant information relating to family violence, child abuse, or neglect affecting the child concerned in the proceedings, or a party to the proceedings, when considering what is in the best interests of the child and determining family law and parenting matters. That could also include the schools—education.

Mr R.S. LOVE: Does this provision exist in the commonwealth legislation?

Mr J.R. QUIGLEY: Yes, it already does.

Mr R.S. LOVE: This now sits in a court that has federal and state jurisdiction in Western Australia. I noted the contribution to the second reading debate by the member for Cockburn, which was quite instructive about some of the reasons for the Western Australian system being separate from the rest of Australia. Having that dual role meant that there was a better way to share information and processes between various state agencies and the Family Court here in Western Australia. If that is the case, why is it necessary to have this commonwealth law, when we already have those operational understandings in place in Western Australia?

Mr J.R. QUIGLEY: The Family Court of Western Australia already has a comprehensive practice and excellent information sharing amongst agencies in Western Australia. This helps with information sharing nationally, because it could be with interstate agencies or the like. We have to make the laws that are applicable to couples who have had children whilst in a de facto relationship consistent with the laws that are applicable to the issue of married couples.

Mr R.S. LOVE: This provision already exists for the children of couples who are married, but does not at the moment exist for people in Western Australia who are in a de facto relationship—is that what the Attorney General is saying?

Mr J.R. QUIGLEY: Yes, and that is the whole purpose of this bill—to mirror what the commonwealth government has already passed, so that we are consistent and so that there will be no cracks. Practitioners and the courts will not have to deal with the children of a de facto union on a discriminatory basis.

Mr R.S. LOVE: When did the commonwealth act change in this regard? Was it in 2024?

Mr J.R. Quigley: Yes.

Mr R.S. LOVE: That automatically changed the situation for married couples in Western Australia, so this system already exists and is being used in Western Australia for the children of a married couple—is that correct?

Mr J.R. QUIGLEY: That is correct. This whole bill is designed to mirror what is already operative. We are not extending or changing the regime that was introduced or passed by the commonwealth Parliament in May 2024. We are playing catch-up to have our legislation mirror the commonwealth provisions.

Mr R.S. LOVE: I am getting a little confused—and that is not unusual—but I understood that this amendment was new for the system in Western Australia. The Attorney General is saying that the changes have been in effect in Western Australia since May 2024, with regard to married people—yes? This will not be a new insertion into the act overall, but only with regard to de facto relationships. Is that right?

Mr J.R. QUIGLEY: That act only applies to the issue of de facto couples. The issue of children of married couples and married couples in their applications is already covered in exactly the same manner. This is playing catch-up for de facto couples. We are doing this because if we referred this power of de facto couples to the commonwealth,

the commonwealth would just take over the whole space and it would no longer be the Family Court of Western Australia; it would be the Family Court of Australia. We would have no purchase over it or right to select judges for it. There are a whole range of issues. Although it is just a little bit more tedious and time consuming than the case in other states where the commonwealth says "this is what it is" in all respects, we in Western Australia jealously guard our sovereignty and our control, not of the courts, but of the administration of the courts, because it is the Western Australian Family Court.

Mr R.S. LOVE: The very start of the explanatory memorandum of the bill states that this bill —

> … proposes to amend the *Family Court Act 1997* … in line with substantive reforms made to the *Family Law Act 1975* (Cth) … and the *Federal Circuit and Family Court of Australia Act 2021* … If passed, the Bill will also consequentially amend the *Adoption Act 1994* … and the *Surrogacy Act 2008* …

When was the Western Australian Family Court Act last amended to include this provision of information sharing at the commonwealth level?

Mr J.R. QUIGLEY: The commonwealth information-sharing provisions relate to married couples. All decisions made about parenting orders and otherwise, including information sharing relating to married couples, are decisions made under the Family Law Act of Australia. This bill relates to unmarried couples and the children of unmarried couples. Those decisions are not made under the Family Law Act 1975 because the commonwealth could not legislate in respect of unmarried couples. Under section 51 of the Constitution, our founding fathers set out the heads of power that the colonies at that time or states would have when they were formed in the commonwealth back in 1899. I think negotiations went into July 1900 for the passing of the legislation, but they set out specifically what powers the commonwealth would have. They had power over immigration, foreign affairs and marriage. That is why we had the Marriage Act of Australia. It was never given a head of power to adjudicate or regulate disputes between citizens of Western Australia unless they fell under a particular head of power, which was the head of power relating to marriage.

Mr R.S. Love: Or we cede the power to them.

Mr J.R. QUIGLEY: Or if we cede the power to them—which we will never do.

Mr R.S. Love: But the other states have.

Mr J.R. QUIGLEY: The other states have. Sir Charles Court stood firm and said, "No, we're going to retain the sovereignty of Western Australia." Overall, I think it has been to our benefit as other states look jealously upon the efficiencies obtained in our court. When we need new magistrates, the Chief Judge puts a submission to me through the Solicitor-General outlining that another magistrate is needed. We can react quickly. We can bump a registrar up to a magistrate very quickly. We can do that in a couple of weeks. If a magistrate is ill—we have had this recently—we can very quickly appoint a temporary magistrate, usually one of the registrars, to be an acting magistrate. Therefore, there is no interruption to the list. Western Australia does not have to wait for an answer from Canberra as to whether it will agree to appoint a temporary magistrate. We can do it because we know that it is sometimes hard to get the commonwealth to respond expeditiously to this state's requests.

Mr R.S. LOVE: I think we have done that clause. No—one more thing.

The ACTING SPEAKER (Ms M.M. Quirk): You always do this! You have one more question on this one.

Mr J.R. Quigley: You should have put the motion.

Mr R.S. LOVE: Never mind.

The ACTING SPEAKER: I have done that before!

Mr R.S. LOVE: I am sure the Attorney General has lots of better things that he could be doing.

I have a question on the Information Commissioner Bill that recently passed—or that might still be in the other place—about the major changes to information processes in Western Australia.

Mr J.R. Quigley: It is the Privacy and Responsible Information Sharing Bill 2024, which the member and I had discussions on.

Mr R.S. LOVE: Yes. How will that interplay with any of these changes or will it have no bearing on these provisions?

Mr J.R. QUIGLEY: It does not really. They are information-sharing agreements between agencies such as between the Department of Communities and the Western Australia Police Force or between the Department of Communities and the department of housing. They have to have an information officer, and, as the member knows, a registered information agreement. These come from court orders. The court is not an agency of government.

Clause put and passed.

Clauses 51 to 52 put and passed.

Clause 53: Section 165 amended —

Mr R.S. LOVE: Simply, as this was highlighted as something of particular import by the briefing notes provided to the opposition, can the Attorney perhaps provide a brief explanation on the importance of the independent children's lawyers, who are obviously already operating in relation to married children—not married children; I meant children of married couples! Well, I suppose technically they could be married. Can the Attorney General explain a little bit about how that operates?

Mr J.R. QUIGLEY: On a lighter note, we could, of course, have married children of a de facto couple!

Clause 53 will amend section 165 by inserting proposed subsections (5A) to (5E), setting out the duties of the independent children's lawyer to meet with and seek the views of children and the role of the court in overseeing this process. These new duties complement the existing duties in subsection 165(5), which require the independent children's lawyer to act impartially and, among other things, facilitate an agreed resolution of matters at issue in the proceedings to the extent to which doing so is in the best interests of the child. The new provisions will largely replace the substance of sections 165(4) and 164(5) relating to the independent representation of a child's interests, which will be deleted by clause 52. The amendments to section 165 seek to ensure that the child is provided with an opportunity to express their views and be heard, consistent with article 12 of the Convention of the Rights of the Child, which states —

> 1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
>
> 2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Once amended, this section will further regulate and guide independent children's lawyers, who are appointed by the court itself. They are chosen from a panel of independent children's lawyers to represent children. They meet with the child, take the child's views and appear before the court to put the child's views to the court in accordance with the convention itself.

Clause put and passed.

Clauses 54 to 62 put and passed.

Clause 63: Part 5 division 13 replaced —

Mr R.S. LOVE: During the debate on clause 41, we talked about the deletion of part 5, division 6, subdivision 3, "General obligations created by certain parenting orders". Clause 63 provides a redrafted and streamlined division 13. Can the Attorney General provide a brief explanation of how it has been arrived at? If it is already in use in Western Australia, how has it been shown to more be effective than the provisions currently in place?

Mr J.R. QUIGLEY: As to any data, which the member asked about in the last part of his question, it has been in operation for married couples for only five months so there is not a sufficient quantity of data. Clause 63 will delete part 5, division 13, "Consequences of failure to comply with orders, and other obligations, that affect children" and replace it with proposed part 5, division 13, "Orders in proceedings relating to contraventions of child-related orders" and proposed part 5, division 14, "Dealing with people who have been arrested". This redraft of part 5, division 13 will not significantly change the underlying principles of compliance and enforcement provisions; rather, it is intended to make the consequences of noncompliance with parenting orders clearer and the provisions easier for the courts to apply. It is aimed at making the division simpler to understand and easier for participants in the family law system to comply with. The simpler provisions will make clear the full scope of the court's powers to enforce orders, impose appropriate sanctions in more serious cases and encourage compliance with parenting orders, which are made in a child's best interests. We have sought anecdotal evidence from the court, which has advised that for judicial officers, it will be business as usual, and that although there is an appreciation of the simplification and streamlining of the provisions, there will be no substantive operation in their practice.

Clause put and passed.

Clause 64: Part 8 Division 1A inserted —

Mr R.S. LOVE: This matter, which was highlighted as being particularly important, concerns the overarching purpose and duty of the family law practice and procedure provisions. The clause introduces an overarching purpose of the family law practice and procedure provisions to facilitate the just resolution of disputes and the statutory duty that parties and lawyers must cooperate to achieve this purpose. It also includes penalties for noncompliance. Prior to May 2024, a different regime was in place in Western Australia. What has been the experience of these provisions coming into effect in the married law area? Has there been any feedback on the change in the overarching purpose and duty, particularly the need for lawyers and parties to cooperate to achieve this purpose, and noncompliance penalties?

Mr J.R. QUIGLEY: This clause will insert into part 8 proposed division 1A, "Overarching purpose of the family law practice and procedure provisions", and proposed section 211C, which sets out the overarching purpose of family law practice and procedure. This is part of the amendments relating to family law case management and procedure that are aimed to better protect children and parties from the harmful effects of protracted and adversarial litigation by implementing recommendations 30, 31 and 32 of the Australia Law Reform Commission's report. Paragraphs (a) to (d) of proposed section 211C(1) will establish that the overarching purpose of family law practice and procedure is to facilitate the just resolution of disputes, ensuring the safety of families and children, promoting the best interests of the child in proceedings when their welfare is paramount, adhering to the law and resolving matters as quickly and as inexpensively as possible.

Paragraphs (a) to (e) of proposed section 211C(2) elaborate on proposed section 211C and outline the objectives of the overarching purpose, which include the just determination of all proceedings, the efficient use of the judicial and administrative resources available to courts, the efficient disposal of the overall court case load, the timely disposal of all proceedings and the resolution of disputes at a cost proportionate to the importance and complexity of the matters in dispute.

Proposed sections 211C(3) and 211C(4) set out how the new overarching purpose will be incorporated into family law practice and that this will be by requesting that the relevant rules and provisions with respect to the practice and procedure of the court be interpreted and applied and any power conferred or duty imposed by them be exercised and carried out in a way that promotes the overarching purpose, which is to determine the matters in the best interests of the child. But we do not have data.

Clause put and passed.

Clauses 65 to 67 put and passed.

Clause 68: Parts 8A and 8B inserted —

Mr R.S. LOVE: This is another of those matters that was considered to be important enough to be highlighted. This clause will empower courts to issue harmful proceedings orders to prevent litigants from initiating proceedings that could harm the other party or child. Courts can restrict litigants from initiating proceedings without leave if further action may harm the other party or child. There are two aspects to this. One is that it refers to the other party as well as the child.

I note that clause 37 will prevent any reconsideration of a parenting order that had already been sent forward. How will this clause operate as opposed to clause 37, which would seem to protect the child already if an order is already in place? If that is the case, why is this particular provision needed?

Mr J.R. QUIGLEY: Clause 68 will insert two new parts in the Family Court Act—part 8A, "Suppression and non-publication orders", and part 8B, "Decrees and orders relating to unmeritorious, harmful, and vexatious proceedings". Part 8A contains 12 substantive provisions that replicate the provisions in part XIA of the commonwealth Access to Justice (Federal Jurisdiction) Amendment Act 2012. A non-publication order prohibits or restricts the publication of information but does not otherwise prohibit or restrict disclosure of information in another way. A suppression order is stricter than a non-publication order. A suppression order not only prohibits the publication of information, but also prohibits other forms of disclosure, which could be narrower than publication, such as disclosure to particular persons. It is not just a question of publication generally, but it restricts publications to classes of people and particular persons.

Mr R.S. LOVE: I am particularly interested in part 8B, which is the protection against harmful litigation component and covers harmful proceedings orders, and the fact that clause 37 will protect in certain circumstances against there being a reopening of a final parenting order. Why is clause 37 necessary? Is there a range of other issues that litigants can potentially come to court to initiate proceedings for that might cause harm to the child or the other party?

Mr J.R. QUIGLEY: Clause 37 will apply only to applications for reconsideration of the parenting order. This provision will apply generally to orders being sought, not just to those circumstances in which there is an application to reconsider a final parenting order. A harmful proceedings order is an order restraining a party to the proceedings from making further applications and serving them on the respondent to the proceedings without first obtaining leave of the court. This power is intended to allow a court to proactively intervene or intervene upon application by a party to the proceedings before further applications are served on the other party—sometimes they do that just to distress the other party—therefore limiting the detrimental effects, such as major mental distress or financial or psychological harm that may result from further applications. Parties can make many new applications throughout the ongoing proceedings, seeking many interim orders.

This will allow the court to protect the parties and the children from repetitive applications—and mum has then got to shell out money to lawyers to meet a repeat application or to apply for legal aid. It is a form of harassment. Amendments passed by the commonwealth now prohibit this in relation to married couples, and we are extending the same protection to a woman who has been in a de facto relationship and had children.

Mr R.S. LOVE: Thank you, Attorney; I do not think we should be characterising who may or may not be causing the litigation. I heard the Attorney General say that this will prohibit, but it will not prohibit this behaviour; it will prohibit that sort of behaviour only if the court issues a harmful proceedings order. The application can still be made.

Mr J.R. Quigley: Yes, well.

Mr R.S. LOVE: It is not a fine point. I was just going to ask: have any harmful proceedings orders been made under the commonwealth law?

Mr J.R. QUIGLEY: Once again, I do not have that data, but anecdotally we know that there has been at least one made. I will make further inquiries to see whether we have any updates on that when it gets to the other place. We know about one so far from talking, anecdotally, rather than from any hard data.

Mr R.S. LOVE: Anecdotally, how common is the practice of vexatious litigation in that regard?

Mr J.R. QUIGLEY: It is known that people do that. We see reports coming through from time to time, especially from women who are ground down by the process. They get a judgement, they have the judgement and then it brings on another application, just to put them through the grinder. It is most unfair on the parent who is also trying to discharge caring responsibility for the child in their care. We can soon see how harmful repetitive applications would be to the respondent wife.

Clause put and passed.

Clauses 69 to 72 put and passed.

Clause 73: Part 11A inserted —

Mr R.S. LOVE: I think we touched upon this when we talked about definitions under one of the very early clauses about the broadcast of information that is held under clause 73, which introduces part 11A, "Restriction on communication of accounts and lists of proceedings". Regarding proposed section 236A(1)(d), we spoke about the differences between someone putting something on their private Facebook page as opposed to something that was freely circulated. Could the Attorney General explain this a little, because this is one of those clauses that the briefing notes highlighted as being important? How will this make any material change to the privacy and communication of the proceedings of the court?

Mr J.R. QUIGLEY: Certainly. Proposed part 11A will continue to protect the privacy of families and other persons connected with family law proceedings by restricting public communication of information that identifies children, families and other persons involved in family law matters. Proposed part 11A aims to clarify the law in this area and will not introduce any significant new changes to the existing law. Section 243 of the Family Law Act has been rewritten for clarity to assist with understanding the scope and limitations of offences under this part.

Clause put and passed.

Clauses 74 to 77 put and passed.

Clause 78: Section 243A replaced —

Mr R.S. LOVE: Clause 78 will expand search powers. We see the deletion of existing section 243A and insertion of proposed section 243A, "Making arrests under this Act or warrants", and proposed section 243B, "Powers to enter and search premises, and stop conveyances, for making arrests under this Act or warrants". We are told that these changes were made under commonwealth law six years ago, in 2018. Proposed section 243B in Western Australian law will be a new power to enter and search premises and conveyances where the police reasonably believe the arrestee is. Can the Attorney General explain the importance of proposed section 243B and whether it has had any consequential affect in that it has not been available in the case of a de facto situation but has been in regard to a formerly married couple, and whether that power has been used in that six-year period?

Mr J.R. QUIGLEY: As the member will see, proposed section 243B will expand the powers that already exist that enable the police to enter premises to search for a child whilst limiting the time within which that search can be undertaken so that there is minimal interruption to the family or the children in the middle of the night. Obviously, if the police locate someone at one o'clock in the morning and take the child with them, it will be significant for not just the child, but also other people. It could be taking the child, recovering the child and arresting the parent who has absconded with the child. To limit disruption, they will be limited to not entering the premises between 9.00 pm and 6.00 am. It will expand the powers but clarify the circumstances under which they can and cannot be executed.

Mr R.S. LOVE: In practice, given that police probably have procedures they would use in such circumstances, for six years there have been differences in the powers that they have regarding de facto arrangements as opposed to marriage arrangements. In practice, would in fact residual powers in other legislation have provided them with an avenue to treat situations similarly?

Mr J.R. QUIGLEY: We have not got any specific case examples for de facto couples that have been brought to our attention, but the important thing is that we are now catching up to ensure that the powers that exist are equal to those of the commonwealth. Although the motivation for this proposed section is not to fix a problem that

we identified at the moment for de facto couples but to make our legislation consistent with the commonwealth so that should the need arise in a dispute, it will not matter whether the child who has been withheld is the child of a married couple or a de facto couple, the police search powers will be the same under each act.

Clause put and passed.

Clauses 79 to 81 put and passed.

Clause 82: Schedule 2 Division 4 inserted —

Mr R.S. LOVE: This clause relates to transitional arrangements. Can the Attorney General explain how the operation of the system will kick in to ensure that there is certainty and consistency of approach for people who are already in circumstances and going through litigation et cetera? Can the Attorney give some explanation about how that will be treated?

Mr J.R. QUIGLEY: I will start with the easy part. The new law will apply for cases that commence after proclamation. There will be an interregnum period of one month for cases underway at the time of proclamation. The parties will be notified of the new law and, as mentioned in the commencement provision, will be given a delay of at least one month from proclamation to give time to refurbish their application and evidence in view of the new principles and requirements of this amending bill. I will try to make that clear. For a case already commenced and underway, there will then be proclamation and a one-month interregnum during which the parties can refresh or amend their application to address the primary object, which is the best interests of the child.

Mr R.S. LOVE: An automatic delay of one month and a stay in proceedings will apply so parties cannot proceed with the existing information. I will sit down at this point; then I will ask another question.

The DEPUTY SPEAKER: I will take that as a statement.

Mr J.R. QUIGLEY: As I said, when the new law commences, people will have one month. Nothing will be delayed. Proceedings will not be delayed. In the month after proclamation, they will have the opportunity to either amend their application to reflect the new law or perhaps file further affidavits to address the criteria. People will have that opportunity, but nothing will be stayed or delayed.

Mr R.S. LOVE: I do not know the number of people affected by this or the amount of work involved. Part 4AA is about the family report writers et cetera. Are there sufficient numbers of them for people to have their reports written? Is the Attorney General confident that the one-month period will be enough for these changes to be provided for?

Mr J.R. QUIGLEY: Is the member asking me whether one month will be sufficient?

Mr R.S. Love: Are you confident that there are enough report writers, for instance, to get those documents prepared?

Mr J.R. QUIGLEY: The report writers are already writing. There will be no interruption to them or that process.

Mr R.S. Love: They haven't been in place for these provisions, though.

Mr J.R. QUIGLEY: That is right. There are now. The courts and the legal profession, as I said to the member yesterday, are eagerly awaiting this bill. That is why the government has brought it on in this last session to get it through. Children out there are the subject of proceedings, and we want to make sure that those proceedings are determined in the best interests of the child. They are all waiting for this to pass. They are all familiar with the provisions because they are applicable to the children of married couples already.

Mr R.S. LOVE: The Attorney General is saying that the family report writers are already in place, but they may not have necessarily written a report for a de facto couple because there was no requirement to do so. My specific question was: are enough resources provided to enable that one month to be an effective change period?

Mr J.R. QUIGLEY: As I mentioned earlier when dealing with report writers, they are a new concept. There are already many report writers in the city or the state writing reports for the Family Court. The proposed new sections about family law report writers will regulate their conduct and rapport, but it is not a new concept.

Clause put and passed.

Clause 83: *Adoption Act 1994* amended —

Mr R.S. LOVE: Both clauses 83 and 84 will make consequential amendments to the Surrogacy Act and the Adoption Act. The only change to the Surrogacy Act will be about the communication and proceeding of penalties. Similarly, the Adoption Act will maintain its effective existing prohibitions on publishing identifying information. Can the Attorney General confirm that those will be the only effects on that legislation?

Mr J.R. QUIGLEY: That is correct; the Leader of the Opposition is quite right.

Clause put and passed.

Clause 84 put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MR J.R. QUIGLEY (Butler — Attorney General) [12.40 pm]: I move —

That the bill be now read a third time.

MR R.S. LOVE (Moore — Leader of the Opposition) [12.40 pm]: Twenty-four years in the Parliament is a lengthy time. I am grateful for the Deputy Speaker's instructions and that of the Minister for Police. The Attorney General and I have been considering the implications of the Family Court Amendment (Commonwealth Reforms) Bill 2024 over the last couple of hours and a bit of yesterday as well. I do not know whether the advisers are still around, but I would like to thank them for their clear advice to the Attorney General and for enabling good and precise explanations for the changes in front of us.

The Attorney General has always been very patient in his responses in consideration in detail on many pieces of legislation that we have worked through, and today was no exception. I thank the Attorney General for that and for providing good explanations for why certain changes are being made. We are simply reflecting changes to the Western Australian law that relate to non-married couples and their children. The changes will ensure that the provisions are consistent with the provisions that changed, mainly in May 2024, I believe, and some of the provisions that have been in place since 2018 under the commonwealth act that apply to Western Australia for people who have been married at some point. Those provisions have not applied to de facto relationships until now.

The Attorney General gave us a little history of the constitutional reasons why Western Australia has a different set of circumstances from the rest of Australia. Basically, all Australian states originally had the power to legislate for and have courts that addressed situations for unmarried people, but under the Constitution that power for married couples was given to the commonwealth at Federation. That is the reason that there are two systems. The only reason Western Australia retained its own Family Court is that it never ceded that authority in the 1970s when the other states of Australia did. I thank the Attorney General for that explanation of the constitutional background and the differences between the two courts.

We also heard discussions from other members of this place who are legal practitioners. Some of them gave good explanations of the provisions of the new legislation. I thank the Attorney. I think he will probably wish to contribute a little in response to my contribution to the third reading debate. I expect that we will see this pass through the other house and come into operation over different stages, but hopefully very soon.

MR J.R. QUIGLEY (Butler — Attorney General) [1.44 pm] — in reply: First, I acknowledge and thank opposition members, particularly the Leader of the Opposition, for their participation in the debate on and support of the Family Court Amendment (Commonwealth Reforms) Bill 2024.

Debate interrupted, pursuant to standing orders.

[Continued on page 5679.]

VISITORS — BRIAN AND ALESSANDRO OMONDI

Statement by Speaker

THE DEPUTY SPEAKER (Mr S.J. Price) [12.45 pm]: On behalf of the member for Hillarys, I acknowledge Brian Omondi and his son Alessandro from Beldon, who are in the Speaker's gallery this afternoon.

LIVE EXPORT — FEDERAL GOVERNMENT POLICY

Statement by Member for Central Wheatbelt

MS M.J. DAVIES (Central Wheatbelt) [12.45 pm]: Last week's visit to Western Australia by the federal Labor government to announce a pitiful increase in the so-called transition package for the live sheep export industry reveals a federal Minister for Agriculture, Fisheries and Forestry who is deeply out of touch with the very industry she is supposed to represent. The transition package is a feeble attempt to soften the blow of the industry's impending closure, but the WA industry is not fooled and is not buying it. Let us be clear: WA farmers, truck drivers, veterinarians, livestock agents, shearers, feedlot operators and rural communities do not want compensation; they want their legitimate and ethical industry to continue. Labor's decision to shut down live sheep exports is not based on genuine problems with animal welfare; it is a move driven by political motives, designed to appease inner-city activists and secure votes in metropolitan areas.

Minister Collins' visit to WA to push ahead with banning the live sheep trade exposes a federal government that is far removed from the realities of regional WA. For years, the live sheep export industry has operated under some of the strictest animal welfare regulations in the world. It has worked hard to address the issues raised by animal welfare advocates, evolving and improving its practices over time, yet this progress has been ignored in favour of a politically convenient narrative. A cynical person might conclude that the federal minister's low-key visit signals a deeper issue—even she knows the compensation package is insufficient and embarrassing.

By avoiding the spotlight and limiting engagement with the very industry being impacted, Minister Collins gives the impression that she lacks the courage to face the legitimate frustrations of WA's farmers and regional

communities. These are people who do not want token financial gestures; they want a future in which their industry is not sacrificed for political convenience. It is not only disappointing, but also disrespectful to an industry that has been the backbone of Western Australia's economy for decades.

BRIAN OMONDI — LIFEVAC DEVICES

Statement by Member for Hillarys

MS C.M. COLLINS (Hillarys) [12.47 pm]: Today I rise to acknowledge the remarkable advocacy of Brian Omondi, a local Beldon father who has turned his personal tragedy into a mission to improve safety. On 15 January 2024, tragedy struck when Brian's 22-month-old son, ZaZa, choked on a grape that was offered to him by another toddler at the Iluka foreshore. There is no greater shock than the death of a child, but in the face of such sorrow, Brian decided to channel his pain into positive change. Following the loss of young ZaZa, Brian came to my electorate office and shared with me his mission to ensure that no other Western Australian parent has to go through what he went through. Brian created an online petition, which now has over 10 000 signatures, calling upon grocery retailers to have mandatory choking hazard warnings on high-risk food items to remind people to take extra care.

Brian has become an advocate and champion for the LifeVac airway clearance device to be installed throughout our community. These medical devices, which are licensed in Australia under the Therapeutic Goods Administration, use suction to remove choking hazards from the oesophagus when conventional first-aid techniques have failed. In moments of emergency, being equipped with lifesaving technology can mean the difference between life and death. In July, I joined Brian at a City of Joondalup council meeting at which he delivered one of the most powerful and moving statements about his experience and his mission. I am pleased to share that, as of 22 October, the City of Joondalup council voted to install LifeVac devices in city-managed community venues. If this device saves one life, it is worth it. I am honoured to know Brian and support his tireless efforts to make WA safer for our children. ZaZa's legacy will live on through his important work.

FAMILY AND DOMESTIC VIOLENCE — RUAH CENTRE FOR WOMEN AND CHILDREN

Statement by Member for Vasse

MS L. METTAM (Vasse — Leader of the Liberal Party) [12.49 pm]: It was a privilege to attend the opening of the new Ruah Centre for Women and Children last night, the Angela Wright Bennett Centre. This world-leading centre is purpose-built for women and their children to access holistic life-changing services in one location. Although the goal remains to eliminate family and domestic violence, it is equally important to support and provide a safe haven to those fleeing family and domestic violence and ensure that they have the support they need to be safe, heal, recover and thrive. This centre will support them to break the cycle of violence. It is significant to mention that the centre will provide not only 13 self-contained units and support services for up to 13 women, but also 26 beds for children. They, alongside their mothers, should never have to experience this kind of violence. Keeping mothers together with their kids in that time of crisis is one of the essential and empowering aspects of this project. With access to accommodation, support, counselling and legal services under one roof, the Ruah centre offers a safe place to stay and begin the healing and rebuilding process. It has never been more important to support women and children fleeing family and domestic violence across our state. That is what Ruah will do.

Congratulations to Debra Zanella, Louise Ardagh and the team at Ruah and all the sponsors and those who have got behind this wonderful achievement on behalf of women and children in this state.

DR ROS WORTHINGTON, OAM — TRIBUTE

Statement by Member for Geraldton

MS L. DALTON (Geraldton) [12.51 pm]: I rise today to honour the memory of philanthropist Dr Ros Worthington, OAM, who sadly passed away after choosing voluntary assisted dying following a terminal cancer diagnosis.

I had heard about Ros long before I met this amazing woman, who was a trailblazer from our community and the driving force behind important causes such as Midwest Charity Begins at Home, the Western Australian branch of the Make-A-Wish Foundation of Australia and Lifeline WA. Ros also created the Love Angel Foundation, which taught children the lifelong values of love, compassion and philanthropy. She was the founder and patron of Breast Cancer Care WA, helping thousands and raising millions for those who need it most.

I attended Ros's celebration of life service in Geraldton recently, at which her family and friends paid the most heartfelt tribute to a woman who gave so much. I would like to express my deepest condolences to all who loved her.

Because of her outstanding work, in 1998 Ros received an Order of Australia Medal, she was recognised as one of the 100 most influential people in the state and, in 2015, she was crowned Western Australian of the Year.

I bumped into Ros a couple of months ago and when I asked her how she was, she hugged me tightly and told me she had six weeks to live, however had decided to leave on her own terms by availing herself of voluntary assisted dying. Ros was very keen to raise the profile of that and will share her journey through a documentary. She was still thinking of others. I am proud to be part of a government that in 2021 enacted legislation that allows voluntary assisted dying in WA so that people like Ros, with a terminal illness, can now ask for medical assistance for end-of-life support.

I have great admiration for Ros Worthington. She was an inspiring, selfless and fun-loving leader who was dedicated to making the lives of Western Australians easier.

Vale, Dr Ros Worthington, OAM. You will be deeply missed in the Geraldton and Western Australian communities, but your legacy of making a difference will continue.

ESPERANCE AND DISTRICTS AGRICULTURAL SOCIETY — ESPERANCE SHOW

Statement by Member for Roe

MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition) [12.53 pm]: I rise to bring attention to the enormous effort that goes into the organisation of community events such as the Esperance and Districts Agricultural Society's annual Esperance Show. On 18 and 19 October, the Esperance Showgrounds came alive as the community rallied together for the show. From one year to the next, the society's committee is in the process of organising and finalising one show and then starting on the next.

As one of the society's patrons, a role I serve alongside Ian Mickel, Simon Stead and Hon Shelley Payne, MLC, I would like to take the time to thank the society's president, Graham Cooper; the vice presidents, Karyn Unstead and Jake Hann; the immediate past president, Ewin Stewart; the secretary, Fleur McDonald; the treasurer, Jan Turley; and the assistant secretary, Lauren Cooper, for their commitment to the society and the show it delivers. With the management committee of Peter Miller, Keith Unstead, Andrew Beaton, Lance Norwood, Scott Lawrence, Ben Davidson, Helen Lloyd, Win Bingham, Val Richter, Corrina Worth, Lorraine Bale, Linda Styles, Lorraine Jones, Theresa Christian, Gaye Walsh and Judy Clancy, these people are the stalwarts who have the personal dedication to community that sees them devote time and energy to a mammoth task. Between them, they fill a multitude of roles, from equipment coordinator to historian, but they have to seek Swans Veterinary Services' expertise to fill the role of honorary veterinary officer.

On a personal level, I appreciate the opportunity to interact with people who visit the Nationals WA's stand. The show provides me with a chance to meet and chat with people that I might not catch up with otherwise, and is a valuable way of staying connected with the community. This year's seventy-second annual show was a testament to the people on the Esperance and Districts Agricultural Society committee, and those who have taken part in its organisation since the first show in 1952.

WORLD TEACHERS' DAY

Statement by Member for Bateman

MS K.E. GIDDENS (Bateman) [12.55 pm]: I rise to acknowledge World Teachers' Day, and to celebrate the incredible dedication of teachers across WA, particularly within my electorate of Bateman. Our teachers shape the future of our community by inspiring and skilling the next generation. Beyond that, they serve as social workers, counsellors, mediators, negotiators, conflict-resolution specialists, mental health responders, mandatory reporters, family support workers, and behavioural specialists. It is a highly skilled and complex profession that demands not just intellectual capacity, but also emotional and social investment, and for that reason, it is one of the most challenging professions.

I am grateful to have the opportunity tomorrow to participate in the celebrations at Applecross Senior High School and Winthrop Primary School. Applecross Senior High School teachers create a learning environment in which students are challenged and supported to achieve their personal best. As a result, it is one of the highest-performing schools in the state. It is led by principal Paul Leach and his outstanding leadership team. At Winthrop Primary School, principal Karina Meldrum has supported Winthrop Primary School teachers to achieve an inclusive and nurturing atmosphere that fosters emotional and social development as well as academic growth. I would like to acknowledge Zarin Salter, along with all the dedicated volunteers from the Winthrop P&C, who organise a wonderful morning tea. This annual event is a true reflection of the strong community spirit that exists at Winthrop Primary School.

Across our community, the support of our P&Cs adds incredible value to the hard work and dedication of our teachers, and all those involved in the education of our young people. From Applecross, Melville, Rossmoyne and Leeming Senior High Schools; to Applecross, Ardross, Booragoon, Bateman, Brentwood, Kardinya, Mount Pleasant and Winthrop Primary Schools; and to St Benedict's School, Mel Maria Catholic Primary School and Corpus Christi College, we have outstanding teachers who are committed to the success and wellbeing of their students. On World Teachers' Day, we celebrate their dedication, passion and resilience. Thank you for all that you do.

GINGIN, BINDOON AND LANCELIN COMMUNITIES

Statement by Member for North West Central

MS M. BEARD (North West Central) [12.57 pm]: Over the past few weeks I have had the pleasure of spending time in the wonderful communities of Gingin, Bindoon and Lancelin, meeting locals and attending some fantastic events. I was able to attend the 2024 Cullalla Feedlot Gingin Campdraft in Gingin, an annual event that brings

together riders and their horses from across the state for three days of competition at the Gingin Campdraft Club. This is a unique and exhilarating sport, in which riders and their horses skilfully work cattle whilst racing against the clock, demanding a blend of speed, precision, agility and teamwork. The annual Campdraft offers something for everyone, with action on the arena, a welcoming community atmosphere and some remarkable displays of horsemanship.

The Bindoon Agricultural Show is another fantastic example of a vibrant and dedicated community event, showcasing the very best of our regional communities. With beautiful weather setting the stage, the Bindoon Ag Show offered something for everyone, with local produce, an art exhibition, rides and a variety of stalls and displays on offer. From families to farmers to locals and visitors from afar, the atmosphere was buzzing with excitement, and the community spirit was on full display. Events like these highlight the best of rural WA and remind us of the importance of coming together to celebrate our shared heritage and agricultural success, with the Campdraft and Bindoon Ag Show truly capturing the essence of community. Congratulations to the Bindoon Agricultural Society and the Gingin Campdraft Club committees, sponsors, volunteers, exhibitors and the wider communities for putting together such fantastic events. They are a testament to the strength and dedication of the region and communities.

I also recently joined my federal colleague Melissa Price, MP, for lunch with the Gingin Care Group. It was a fantastic opportunity to sit down with Sylvia and dedicated members of the group, who are doing incredible work supporting the local community. It is clear that the Gingin Care Group plays a vital role in ensuring the wellbeing of its members, and it should be acknowledged for its ongoing efforts.

With the change of electoral boundaries and the newly created seat of Mid-West now encompassing areas within the midwest, Gascoyne and Murchison regions, and stretching from Coral Bay to Meekatharra and Muchea, I look forward to continuing to meet with communities and locals across the regions.

REDCLIFFE AND BELMONT JUNIOR FOOTBALL CLUBS

Statement by Member for Belmont

MS C.M. ROWE (Belmont) [12.59 pm]: I wish to acknowledge Redcliffe and Belmont junior footy clubs in my electorate. The clubs provide local kids with the opportunity to learn and hone their skills via their incredibly popular summer academy programs, which have been running for years, as well as via their usual winter season games. Both clubs, of course, rely on the tireless efforts of their fantastic volunteers. One such volunteer who was recently acknowledged for her efforts and achievements this season was Jayde Dalton from Redcliffe Junior Football Club, who was awarded female coach of the year at the Metro Central Junior Football Conference. Congratulations on this well-deserved award. Congratulations also to Sarah Jackson who received the club person of the year award for Redcliffe at the recent Western Australian Football Commission awards night. They are two fantastic volunteers.

As for the players, the Redcliffe year 8 blue division team was 2024 premiers, and the Redcliffe year 4 team was undefeated. I wish to extend my congratulations. Several Redcliffe players were also selected to play for WAFL colts this season: life member Kai Millington, and Chris Jordan, for Perth; Deacon McGuire and Tyson McGuire for East Perth; and Tylah Williams for Swan Districts. For Belmont Junior Football Club, it was fantastic to see president Darren Guild announced as volunteer of the year for the Perth district in the community football awards. The Auskick coordinator of the year award was won by Allira Mach—congratulations; club person of the year was Frank Ivicevich; and Kelly Dalton was a finalist for administrator of the year. Congratulations on these well-deserved awards.

I would also like to give a shout-out to players Levi Calcott and Luke South, who were named as members of the metro central team of the year; Callum Quinn, Ashley Clayton, Cooper Bennie and Jordie Buchanan, who were selected for the under-14 Perth development squad; and William Tilbee, who was awarded the past players encouragement award for his first season playing with Perth colts. I also congratulate Arnav Pandey, Ashley Clayton and Isaac Giancola for their awards across their different age groups, and the year 10 Belmont team, who were premiers in the blue division. Congratulations.

Sitting suspended from 1.00 to 2.00 pm

QUESTIONS WITHOUT NOTICE

ROAD SAFETY — PASSENGER RESTRICTIONS

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

Thank you, Madam Speaker. It is good to see you back.

I refer to a report in *The West Australian* yesterday that more than seven weeks after the road safety summit, itself called because of an unfolding crisis, the government may at long last take action to implement tighter P-plate restrictions.

(1) Can the Premier confirm that he is now finally considering further restrictions for novice drivers, and will these include passenger restrictions?

(2) What further matters will the Premier be considering as a priority?

(3) Will he guarantee that these new regulations will be in place before Christmas?

Ms M.M. Quirk: That is three questions!

The SPEAKER: Before I give you the call, Premier. Member for Landsdale, it is so good to be back and thanks for pointing out the very obvious.

Mr R.H. COOK replied:

(1)–(3) I thank the member for the question. It gives me an opportunity to remind the member yet again that just days following the road safety round table the government released a $32.5 million package around initial responses to the road safety round table. We said that we would further consider the suggestions that were provided at the road safety round table. The member said that that was in response to an unfolding crisis, but it was not. This was about my government having an absolute priority around issues to do with road safety. That is why we called the road safety round table. It was to make sure that we were aware of the range of ideas of both experts and people with lived experience in the community. We continue to consider both that ongoing advice and to reflect on the discussions that were had at the road safety round table. In relation to forthcoming announcements or pending decisions of government, that, my friend, is not something that I would be bringing to this place. We will make announcements when we make announcements.

ROAD SAFETY — PASSENGER RESTRICTIONS

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

I have a supplementary question. Is the Premier saying that he will not be making changes to the P-plate regime? Is it yes or no?

Mr R.H. COOK replied:

I do not know whether the member was listening to what I said. I just said I am not going reveal in this place at this time what the government may or may not be considering or potentially announcing.

Visitors — Serpentine Primary School

The SPEAKER: Before I give the call to the member for Jandakot, on behalf of the member for Darling Range, I would like to acknowledge deputy principal Zoei Nixon and student leaders from Serpentine Primary School.

STATE ECONOMY

740. Mr Y. MUBARAKAI to the Premier:

I refer to the Cook Labor government's commitment to creating local jobs and strengthening the economy.

(1) Can the Premier update the house on the state of the Western Australian economy?

(2) Can the Premier advise the house of any alternative plans to create jobs and grow the economy?

Mr R.H. COOK replied:

(1)–(2) I thank the member for the question. It is a very important one. Of course, as I foreshadowed last week, today is 24 October and we officially have three million people as our population in Western Australia. I do not know how they calculate these things, but nevertheless the statisticians have declared that Western Australia's population has passed the three-million mark. Two sets of information were quietly released by the Australian Bureau of Statistics last week. The first was the ABS labour force data, highlighting WA's economic success. It revealed that WA had equalled its longest period of sustained low unemployment. It also revealed that a record 1.62 million people were in jobs.

The second piece of information last week was from the WA Liberal Party. In stark contrast to the ABS data, the Liberals' so-called plan claims that the state is in crisis. In fact, the Liberals managed to cram the word "crisis" into their wafer-thin catalogue 28 times. What was more concerning was the fact that the plan failed to articulate any serious economic policy or the fact that even after seven and a half years in opposition, this was the best that the Liberals could do.

The government has done a lot over the last seven and a half years. More than 321 000 jobs have been created since Labor came into government in 2017. The number of people in a job reached a new record of 1.62 million and we have grown the domestic economy by 23.9 per cent from pre-pandemic levels. These are astonishing outcomes—astonishing—and are a huge credit to the people of Western Australia. That growth is around 70 per cent faster than the rate of growth in the national economy. We kept unemployment below four per cent for 35 of the past 36 months.

In short, over the last seven years, Labor has taken the worst-performing economy and made it the best-performing economy in the nation and we got WA's fair share of the GST. As we know, there are those over east who continue to attempt to dismantle the GST deal—the latest being Allegra Spender. Those

people do not understand or know that we are already propping up the rest of the nation with the billions of dollars flowing from Western Australia to the east. My government will always fight for Western Australia's fair share and to maintain our fair share of the GST. We will fight Peter Dutton and the teals and anyone else who lines up to try to dismantle our fair share of the GST. Let us not forget the Liberal Party's record last time it was in office. Let us have a look at that. It sent WA into a recession. This is the most astonishing statistic. It took debt in Western Australia from $3.6 billion—a responsible amount when it took over from Labor last time—to a whopping $44 billion. Reflect on that, members. That was at a time of record revenue growth. It not only took all the money, but also borrowed to pay the bills and destroyed the state's public finances. There were 25 000 jobs.

Several members interjected.

The DEPUTY SPEAKER: Members, the Premier is on his feet.

Mr R.H. COOK: There were 25 000 jobs lost in the opposition's last two years of government. It was the highest unemployment in the country and not one single job was created in its second term of office. If crisis is how the Liberal Party describes the current situation in Western Australia, how would it describe its own management? Western Australians know that the biggest risk to the Western Australian economy is the Western Australian Liberal and National Parties. The Liberal Party's so-called blueprint released over the weekend confirms that. It was a word salad of myths that highlight its inexperience and ineptitude and the major risk that it poses to the Western Australian economy.

Several members interjected.

The DEPUTY SPEAKER: Ministers!

Mr R.H. COOK: The word "blueprint" may sound solid and convincing but the WA Liberal Party's loose collection of platitudes and talking points does not represent anything like a blueprint for Western Australia. The English language is an incredible thing, but it is no match for the audacity and the incompetence of the WA Liberal Party and its outrageous representation of its so-called economic blueprint for Western Australia.

The DEPUTY SPEAKER: Before I give you the call, Leader of the Liberal Party, I remind everyone that we have certain rules in this place about how people behave. If things start to get a little bit rowdy, like they did yesterday, I will start calling people to order. Okay. Just remember, you get three chances and we will see what happens after that. Let us carry on.

FAMILY AND DOMESTIC VIOLENCE OFFENDERS — SUPERVISION

741. Ms L. METTAM to the Minister for Prevention of Family and Domestic Violence:

I refer to the minister's joint media statement highlighting that repeat and high-risk family violence offenders will be tracked across the justice system, including as part of bail, parole and post-sentence supervision following the passage of new laws through the state Parliament.

(1) Can the minister advise how many family and domestic violence offenders are currently on bail and being supervised in the community?

(2) How many offenders have had monitoring imposed on them since the bill came into operation?

Ms S.E. WINTON replied:

(1)–(2) I welcome the opportunity any time to get up and speak on the topic of the prevention of family and domestic violence and our strong record when it comes to keeping women and children safe. I would have been happy to attempt to answer some of those questions with a bit of notice, and also suggest that clearly some of the specific questions are actually aimed at the Attorney General's agency, not mine. Since I have the opportunity, I will talk about our approach to family and domestic violence and the prevention of it under this government, which has seen some $420 million invested just in this term.

Members would know that our government knows how to work in partnership with our sector partners because we know that the experts and those with lived experience are best placed to guide government policy and government investment. That is what we have done. Members know the outcome from the taskforce was the system reform plan—a groundbreaking strategy to recalibrate the way we think about the prevention of family and domestic violence in this state. I say "groundbreaking" because it was not designed by us in government; it was designed by the experts, our sector partners. Through that, we now have an implementation plan guided by the sector that says that this government should place its priorities on risk assessment, risk management, workforce development and information sharing. We have a very sophisticated implementation plan backed in by investment in our budget to ensure that the 17 actions of that system reform plan are now being worked on with our system partners. In fact, Dr Alison Evans, who the other side wants to quote, is working intimately with government to oversee that important work of the whole of government.

> I find it a little bit frustrating to hear from the other side. When we talk about the prevention of family and domestic violence, everyone in the community understands that it is everyone's responsibility to play their part. The only people in this state who do not understand that it is the joint responsibility of everyone are those opposite, who seek to politicise victims of family and domestic violence for their own gains. I will point out a particular example we heard today, which was gobsmacking in its arrogance. We have something here called private members' statements. Just before the lunch suspension, the member for Vasse, the Leader of the Liberal Party, used her time to get up and congratulate Ruah —

Several members interjected.

Point of Order

Mr R.S. LOVE: Point of order —

Mr J.N. Carey interjected.

The SPEAKER: Member for Perth.

Mr J.N. Carey interjected.

The SPEAKER: Member for Perth! I am about to hear a point of order. I remind people —

Ms R. Saffioti interjected.

The SPEAKER: One thing you do not do in this place—ministers should know that—is speak over the Speaker or speak when the Speaker is speaking. I have also advised many a time that points of order, whether you agree with them or not, are heard in silence.

Mr R.S. LOVE: The minister is attempting to answer the question from the member for Vasse and cannot get her answer across because of the interjections from the Minister for Housing and the Deputy Premier. I ask that they be brought to order.

The SPEAKER: That is right. The interjections were disorderly. I am asking for them not to continue. The minister has been on her feet for some time already. I ask her to bring her answer to a close because I am confident there will be a supplementary and she will get a further opportunity in the next round.

Questions without Notice Resumed

Ms S.E. WINTON: Thank you, Speaker.

The Leader of the Liberal Party used her time, and rightly so, to acknowledge the incredible work that Ruah is doing in opening the Ruah Centre for Women and Children in the middle of Perth. That is what leaders should do; they should recognise the awesome work that is happening. But where was she when Ruah needed her to stand up as a leader in the last few years to make sure that this was happening?

FAMILY AND DOMESTIC VIOLENCE OFFENDERS — SUPERVISION

742. Ms L. METTAM to the Minister for Prevention of Family and Domestic Violence:

If the member is the Minister for Prevention of Family and Domestic Violence —

Ms S.E. Winton: I am.

Several members interjected.

The SPEAKER: Order, please.

Ms L. METTAM: — how is it that she is not across her brief and she cannot answer simple questions about announcements she made with much fanfare?

Point of Order

Mr D.A. TEMPLEMAN: Madam Speaker, the Leader of the Liberal Party has again forgotten what a supplementary question is supposed to be. It is simply a short supplementary question to the main question asked. She has failed to do that in this case and I do not think the question should now be answered.

The SPEAKER: That is an opinion—one that is shared by some and not shared by others. The interjections while she was asking the supplementary did not help. I will allow the minister to respond to whichever part of the supplementary she chooses.

Questions without Notice Resumed

Ms S.E. WINTON replied:

Thank you, Speaker. I would like to correct the record about what was said by the Leader of the Liberal Party. It is not a case of "if" I am the Minister for Prevention of Family and Domestic Violence; I actually am the Minister

for Prevention of Family and Domestic Violence. I am very proud to be so. I work very closely with the sector. What I suggest the member should do is ask for a briefing from me, and allow me to introduce her to some of our sector partners —

Several members interjected.

The SPEAKER: Order, please.

Ms S.E. WINTON: — so she critically understands what is needed in the portfolio and so that she understands the policy and the system reforms that are driven by the sector partners. I am happy to open the doors of my ministerial office and introduce her to any sector partners, as she needs, as she is clearly not talking to them.

BUNBURY OUTER RING ROAD

743. Ms J.L. HANNS to the Minister for Transport:

I refer to the Cook Labor government's record investment to improve roads in rural and regional Western Australia.

(1) Can the minister update the house on the construction of the Bunbury Outer Ring Road, now known as the Wilman Wadandi Highway?

(2) Can the minister advise the house what this important road project means for south west residents, tourism and road safety?

Ms R. SAFFIOTI replied:

(1)–(2) I thank the member for Collie–Preston for the question. Of course, today we announced the opening date for the new Bunbury Outer Ring Road, the Wilman Wadandi Highway. That will be open to full traffic on Monday, 16 December. That project will be transformational for the south west. Whether it is tourists going down south, an Eaton, Bunbury, resident trying to connect to the shops, see the doctor or pick up the kids from school, it will make life easier. It is estimated that it will save at least 20 minutes' travel time. I think that is probably a bit conservative. As we know, there is a lot of congestion sometimes when people head down on long weekends or over the holidays, but at least 20 minutes will be saved every time people travel along that road. It will remove the need to go through 13 sets of traffic lights along the drive to Busselton. As I said, currently there is very much a mix of tourist and local traffic. The Shire of Dardanup, for example, has huge ambitions, as do other councils in that area, to continue to grow its population and also the job-creating industrial sites. This will also help to open up all those opportunities for iconic tourism sites like the Ferguson Valley. We expect that over 15 000 people a day will use that road when it opens. For those visiting Margaret River, for example, there will be a saving of 20 minutes in drive time and the removal of 13 sets of traffic lights. This project was called for by the entire south west community. We supported a lot of local jobs, as the member for Bunbury highlighted today, with a significant amount of funding going to local businesses, direct Aboriginal employment and a significant number of Aboriginal traineeships. This project has delivered on many fronts.

We are very proud of our investment in infrastructure across the state. Last year, we spent over $11.4 billion on asset investment across the state. That made sure we have the infrastructure to service our growing population. This morning, the Western Australian population hit three million. I feel like we need to do a conga line! We need to continue to facilitate that infrastructure. Imagine if this government had not been elected in 2017. There would be no Albany ring-road. The trucks would still be going through the centre of Albany. There would be no Bunbury Outer Ring Road and the congestion in that area would grow exponentially over time. Of course, there would be no Metronet. That means that those thousands of people who are now catching the Yanchep rail line would not be. Imagine the congestion on the freeway if those people were not getting onto the train. That has been a record investment. As I said, this investment is not only helping to support the very fast-growing population, but also making sure we can serve new residents in our outer suburbs and throughout the regions over decades to come. That infrastructure spend has more than doubled from $5.1 billion since members opposite were in government. We have received feedback about not only their blueprint, but also the lunch that the Leader of the Liberal Party attended. Questions were asked there like, "What are your infrastructure priorities?" The response was, "We don't have any." Another question was, "What's your view on Westport?" The response was, "We don't have a view on Westport."

Ms S.E. Winton: Where it is? It's not in there.

Ms R. SAFFIOTI: We had a quick look. We could not find any of their infrastructure priorities because they do not believe in infrastructure.

In relation to the last question that the Minister for Prevention of Family and Domestic Violence answered, the Liberal Party wanted to block the Ruah development. That is what it did. The Liberal Party–dominated City of Perth rejected —

Ms L. Mettam interjected.

Ms S. Winton interjected.

The SPEAKER: Order, please! Minister and Leader of the Liberal Party, can you both just desist for a moment. Your interjections are unruly and, minister, your question is not about Ruah. That is not your portfolio area. I would ask you to return to the question you were asked.

Ms R. SAFFIOTI: I am referring to the significant investment that we have facilitated across the state in infrastructure. But, seriously, the member made a two-minute statement today after the Liberal Party tried to block the Ruah development. We had to call it in. I had to call it in and I was criticised by the Liberal Party for calling it in. I am incensed by that last commentary.

Back to our key infrastructure program. Of course, supporting the state —

Ms L. Mettam interjected.

The SPEAKER: Order, please!

Ms R. SAFFIOTI: What was that?

The SPEAKER: No, do not respond. Sorry. That interjection was unruly and it is good that you did not hear it.

Ms L. Mettam interjected.

Ms R. SAFFIOTI: What was that? Is she called to order?

The SPEAKER: She will be called to order when I choose to do so, thank you.

Ms R. SAFFIOTI: We are delivering infrastructure across the whole state. We are creating jobs and making sure that we deliver the infrastructure to support our growing population.

SHARKS — HAZARD MITIGATION — ESPERANCE

744. Mr P.J. RUNDLE to the Minister for Fisheries:

I refer to the shark warning towers in Esperance. The Twilight Beach tower has not been in operation since June and I understand that the Kelp Beds and West Beach towers have issues as well.

(1) Why is the Department of Primary Industries and Regional Development and Fisheries putting the safety of Esperance people and tourists at risk by not maintaining this government's infrastructure?

(2) Similar to the whale carcass issue a couple of weeks ago, why is the government and the minister's department ignoring their responsibilities and trying to offload marine issues onto the Shire of Esperance?

Mr D.T. PUNCH replied:

(1)–(2) I always take these great opportunities to remind the house of the world-beating response that we have to making sure that we reduce the risk of shark attacks in Western Australia. The beach tower network and the shark-tagging program are a partnership with local governments. Certainly, they are part of a partnership with the Esperance shire council, as they are with local governments around the state. The agreement with the Shire of Esperance is that the shire looks after the towers, as local governments do, and the state installs them.

Mr P.J. Rundle: They can't find any agreement.

Mr D.T. PUNCH: The shires look after them and the state installs them. That was the agreement. That is the understanding. The department goes out of its way to work closely with local governments to make sure that the infrastructure is fit for purpose. The technicians from DPIRD have been working on those towers. We know that they are old. They have been working on the best strategy for replacement and working with the Shire of Esperance and Surf Life Saving WA. I expect that those towers will be replaced in the near future, but the agreement has always been that the local government maintains them.

I have not received any correspondence, that I am aware of, from the Shire of Esperance. I have not had a phone call about these matters from the Shire of Esperance. I certainly encourage the shire, if it has a concern about these matters, to get in touch with me. The policy around those towers, as I understand it, was actually introduced by the Barnett government. Those agreements around the maintenance of those towers are a longstanding arrangement that was established under the Barnett Liberal–National government.

SHARKS — HAZARD MITIGATION — ESPERANCE

745. Mr P.J. RUNDLE to the Minister for Fisheries:

I have a supplementary question. If the Department of Primary Industries and Regional Development and the Department of Biodiversity, Conservation and Attractions cannot handle these simple tasks, how does the minister expect them to manage the south coast marine park, which he and the Minister for Environment are imposing on the people of Esperance and the south coast?

The SPEAKER: Before I give you the call, and I will give you the call, a supplementary question is supposed to be a short, sharp question about the original thing that you asked about, not a vague link to an old favourite issue.

Mr D.T. PUNCH replied:

That was a disgraceful attack on the staff of the fisheries section of DPIRD. They work incredibly hard. The shark management team —

Mr P.J. Rundle interjected.

Mr D.T. PUNCH: Let me finish.

Several members interjected.

The SPEAKER: Yes, you have the floor. Please do not interject, everyone.

Mr D.T. PUNCH: Those staff work incredibly hard. They take their roles seriously in relation to the best way to manage the shark risk on our coast. It is a very large coast and those staff work incredibly hard. For the member to come in here and call them out like that is absolutely disgraceful. The member should take a good look at himself.

HEALTH — STATE HEALTH OPERATIONS CENTRE

746. Ms C.M. ROWE to the Minister for Health:

I refer to the demand placed on hospitals and emergency health services across the nation, including in Western Australia.

(1) Can the minister update the house on the Cook Labor government's delivery of the $47.2 million State Health Operations Centre?

(2) Can the minister advise the house how this centre builds on other measures to provide better care to patients right across WA?

Ms A. SANDERSON replied:

(1)–(2) I thank the member for Belmont for her question. We know that we deliver health care across the largest health jurisdiction in the world, covering 2.5 million square kilometres, with around three million episodes of care every single year. Services are provided through outpatient clinics, ambulances, patient transfers, Royal Flying Doctor Service flights and all the activity that occurs in our metropolitan hospitals. Delivering that care at the right time and in the right place is a huge challenge in this kind of jurisdiction. For many years, management of the logistics and patient flow fell to our frontline hospital staff, who had to navigate the complex hospital system to find the right outcomes for their patients. Patients had their care disrupted as they were moved between different patient transport modes. Coordination of that flow also became even more challenging during our winter peak, when hospitals face a sudden surge from ambulances. A site in Halls Creek, for example, was not aware of what was going on in the metropolitan area when they put a patient on an RFDS flight to the city.

The new State Health Operations Centre—SHOC—changes all that with its revolutionary way of managing patient flow across our entire system. It uses real-time data to coordinate transfers based on ambulance demand across sites. This gives the system the ability to predict and prepare for surge demand. It uses AI technology and predictive analytics to predict surges and demand, allowing sites to prepare in advance for what is expected. It also incorporates virtual care services, such as the virtual emergency department. All WA Country Health Service telehealth mental health services and obstetric services will be co-located with SHOC. For example, if a patient in regional WA starts to deteriorate really quickly, the specialist in the country health team will be able to speak with clinicians on the ground and decide whether the patient needs to get to a tertiary hospital as soon as possible. Rather than the clinician onsite making that call and coordinating the transfer with the RFDS and St John Ambulance, SHOC will take that work off clinicians and seamlessly coordinate with the RFDS, St John Ambulance and multiple hospital sites to ensure that the patient can get to an airstrip, be flown to Jandakot and go straight to, for example, Fiona Stanley Hospital, where they know a bed is available. That will be more efficient for clinicians, allowing them to focus more time on their clinical work. Patients will also know that they will have a more seamless journey with less handover clunkiness and fewer handovers.

SHOC will ease pressure and make our system more resilient to demand. It will ensure that patients who do not need an emergency department will be able to get other care, whether through a virtual consultation with a specialist or an extended care paramedic. It will also help to smooth demand and capacity across our system so that hospitals have fewer uneven peaks and troughs throughout the day. It will also ensure that we maintain a really good geographic spread of ambulances so that they can always be on call and get to priority 1 calls as fast as they can.

SHOC is the way of the future. Other states have been doing this. It is supported by all our key partners in health—the RFDS, St John Ambulance and the Australian Medical Association—but it was completely dismissed and undermined by the Liberal Party, which called it tinkering around the edges. The Liberal Party has failed to show any interest whatsoever in this fundamental change to the way that we coordinate health care. The Cook Labor government has real, long-term solutions to the challenges facing our health services. The Liberals have no plan and no detail.

MUSEUM — DEFACED PAINTING PERSPEX ACQUISITION

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

I refer to the Western Australian Museum's acquisition of a piece produced by vandalism that has been excused as cataloguing history, as well as to remarks from climate activists today who called their disruption of a Woodside annual general meeting with a stink bomb and flares "an excellent prank". Does the state government support the Western Australian Museum's acquisition of this piece and the subsequent publicity boost it has given to criminal activists?

Mr R.H. COOK replied:

Thank you, Acting Speaker. My apologies, Madam Speaker; it is the second time that I have done that!

I thank the member for the question. Of course, as the member well and truly knows, the state government does not run the Museum; the Museum is run by a board, and it has always been thus. It is an entity unto itself, whereby it runs museum services and processes on behalf of the people of Western Australia. The state government's position on the vandalism that occurred at the Art Gallery of WA has not changed. Ultimately, this is a decision for the Museum. Receiving this piece is probably not something that we would have supported, and we urge the Museum to use common sense in making decisions around its use. However, this is not a decision for government. I am not the chief censor. It is not my job to look over the shoulder of arts organisations and decide what they should or should not do or exhibit. That is the nature of arts and culture. This is not a piece that I would necessarily have wanted the Museum to pick up. I mean, I think it elevates or tries to glamorise what is essentially a piece of vandalism. As the Deputy Premier; Minister for Transport observed earlier today, when rail carriages are vandalised with graffiti, we scrub off that graffiti and try to eliminate the impact of that vandalism in terms of people's visual amenity.

At the end of the day, this is a decision for the Museum. The Western Australian Museum is on the record as saying that it received the donation because, like any public institution, the Museum documents the issues and events that occur in our society. The Museum has also said that it does not indicate the Museum's support for the cause, but rather its recording of the event. Sometimes history is uncomfortable. If we were in the habit of deciding what did and did not occur in history, we would go to a very dark place indeed. I fully support the Western Australian Museum's independence and its right to decide what it should or should not acquire and exhibit. Obviously, it is not to my taste and I deplore any acts of this nature, but the act occurred. Mercifully, our law enforcement agencies were able to respond to that. However, I will not stand as the censor-in-chief and I will not, on behalf of the government, condone or condemn the actions of the Museum.

MUSEUM — DEFACED PAINTING PERSPEX ACQUISITION

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

I have a supplementary question. Given the endorsement this acquisition gives to those activists, will the government order a review of the Western Australian Museum's acquisition practices in light of this incident?

Mr R.H. COOK replied:

Quite frankly, I completely reject the premise of the member's supplementary question. The Museum does not condone it, and it has made it very clear that it does not. I will not be reviewing its processes as a result of this acquisition.

EDUCATION — BETTER AND FAIRER SCHOOLS AGREEMENT

749. Ms K.E. GIDDENS to the Minister for Education:

I refer to the Cook Labor government's commitment to quality education for all Western Australians.

(1) Can the minister update the house on the delivery of the joint federal–state Better and Fairer Schools Agreement, which will provide increased resourcing for all WA public schools?

(2) Can the minister advise the house whether he is aware of any other proposals to support public education in Western Australia?

Dr A.D. BUTI replied:

(1)–(2) I thank the member for her question and for her great interest in all things education. It is good to finally have a question on education posed to me. The opposition spokesperson on education has asked me I think two questions on education in the last 14 question times. The last time I received a question on education was 18 September, and prior to that it was 8 August, so it is good that our side is showing keen interest in education matters.

In regard to the member's question, yes, the Cook Labor government is incredibly committed to ensuring that our public school students and staff receive the support they need in order for students to succeed. That is why we signed the Better and Fairer Schools Agreement with the commonwealth. As a result, the federal government has committed an additional $785.4 million to Western Australian public schools that will be rolled out over a five-year period from next year. That will raise the commonwealth's contribution

> from 20 per cent to 22.5 per cent. Likewise, the state government will increase its commitment to the same amount. Therefore, $1.6 billion over and above the normal funding will come into our public education system between 2025 and 2029. But there are rumblings from Canberra that maybe the opposition, certainly the Greens and even some of the crossbenchers, may oppose the necessary legislation that has been introduced by Hon Jason Clare to allow the commonwealth to increase its funding from 20 per cent. It is very important that we know the position of the members opposite. Are they going to their federal counterparts and advocating for the passage of this legislation? If they are not, they are denying Western Australian public school students $785.4 million over the next five years. This is an incredibly important question that they must answer. It is incredibly important that the candidate for Bullwinkel answers this question, as she is now part of the federal election team for the National Party. As a spokesperson for education for the opposition in Western Australia, will the member for Roe support the passage of this legislation? Do not get up and say to me that I should not be asking you questions because what I will take, if you are unprepared —

The SPEAKER: Minister for Education, that is exactly right, you should not be asking questions. You will need to sit in opposition before you get to ask the questions. You can ask a rhetorical question and you can speculate, but do not expect that you are asking a question of the opposition.

Dr A.D. BUTI: It was a rhetorical question and silence from members opposite in this house or outside this house —

Point of Order

Mr R.S. LOVE: The inference that the silence is in any way some sort of response is in direct contravention with the order that you have just made, Madam Speaker, and I ask you to bring the minister to order.

The SPEAKER: Thank you for your comment, but it is not a point of order. Minister, you do well know this, especially since I have just said that it is not your role to ask a question of opposition members—nor is it their role to respond. You can talk about them not responding outside the house or whatever, but you should not draw an inference from them being orderly during question time.

Questions without Notice Resumed

Dr A.D. BUTI: Silence by the opposition, inside or outside Parliament, on this matter will of course denote where it stands. That is quite clear.

The member also asked: can the minister advise the house whether he is aware of any other proposals to support public education in Western Australia? On 29 January, Peter Rundle, the opposition spokesperson for education, the member for Roe, published an opinion piece in *The West Australian* headed "Peter Rundle: Underfunding and lack of staff at schools needs to be government's highest priority". It has a great picture there of him in the main street of Katanning or Narrogin—great photo. It is interesting that this came out a day before we signed the statement of intent with the federal government—the first jurisdiction in Australia to sign a statement of intent—to increase our funding. In the op-ed, the member for Roe states —

> The gift to our children of a good education cannot be over-estimated.

True. He then says that we should not centralise services. He says —

> … my preference would be a ramped up model with well-resourced local services rather than the centralised services we see now.

No further detail has been provided all year. That is the most we have got out of the opposition as far as education policy is concerned. The member for Roe concludes his op-ed by saying —

> I do listen to the many teachers who contact me frustrated with the system. The minister should remember that listening is the key to good communication and outcomes. It is a basic concept in education.

I am listening, but the member for Roe has not asked me a question. What does he think about education? What does he think about the Better and Fairer Schools Agreement? I am listening and waiting for the member for Roe to communicate.

Then we get to the Liberal Party. We all know about this great document that it published on the weekend. This document should have gone into the no-policy show bag that the Liberal Party gave out at the royal show. When I brought this to the attention of the house last week, I did not mention that there was the Hon Nick Goiran numbers calculation on preselection for the Liberal Party, which had in it, "disbelief in evolution and creationism plus being an anti-vaxxer equals preselection for the Liberal Party". I can tell members why that is the case. In an op-ed, I think online, the Liberal candidate for South Perth said that we should not have had mandated vaccinations during the COVID period. Regarding the Minister for Transport, she also said we were building transport to nowhere. Do the residents of Ellenbrook, Darling Range, Armadale and Yanchep live nowhere? The Minister for Transport should look at that. The Liberal candidate for South Perth said we are building trains to nowhere. If you are an anti-vaxxer and you do not believe in public transport, you are guaranteed preselection in the Liberal Party according to the Hon Nick Goiran calculation model.

This document that the Leader of the Liberal Party said was so great is really interesting when it comes to education, and the Premier talked about this yesterday. Page 8 of the document states —

> We have heard the concerns of our communities, police, doctors, nurses, teachers, small business owners, and industries across the state.

But education is not mentioned throughout the document. If the Liberal Party had listened to the concerns of teachers —

Ms L. Mettam interjected.

Dr A.D. BUTI: Madam Speaker, I am not asking for interjections.

Ms L. Mettam interjected.

The SPEAKER: Yes, perhaps you could bring your answer to a conclusion soon, please. And you cannot interject, Leader of the Liberal Party.

Dr A.D. BUTI: In that document, no priority is attached to education. Is that not unbelievable? One of a state government's major priorities is the education of its students and citizens. There is not a mention besides the Liberal Party saying it has listened to the concerns of teachers. Either teachers had no concerns, which we know is not true because the State School Teachers' Union of WA has put out an election position document, or the Liberal Party is not listening. The member for Roe said the Liberal Party should be listening and it is not listening. We know where the Liberal Party stands on education because between 2013 and 2015, the Liberal–National government cuts to public education in WA included over $200 million cut directly from public school budgets in 2014, a further $45 million cut from secondary school budgets in 2015, over 800 teaching positions and over 1 000 education assistant positions cut in 2014–15, 150 central and regional office positions cut—that goes completely against the policy position that member for Roe stated earlier in the year—200 redundancies across the sector in 2015, 110 Aboriginal and Torres Strait Islander education officers cut in 2014, and an average reduction in expenditure of $714 per student per year. The legacy of the Liberal–National government in public education is absurd, and this document, which does not even refer to education, just tells us what the Liberal Party thinks about public education in Western Australia.

HOSPITALS AND HEALTH CAMPUSES — DIGITAL OUTAGES

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

I refer to reports that WA hospitals were forced to revert to paper overnight after a widespread IT meltdown that impacted emergency departments across the state.

(1) How was this able to occur under the minister's watch for the second time this year, given taxpayers paid $200 million for the electronic medical record and critical health ICT infrastructure programs as part of this year's budget?

(2) Were there any notifications of clinical incidents across the WA health system that had a severity assessment code rating over the period hospitals were affected by the IT incident?

Several members interjected.

The SPEAKER: The interjections were not helpful. I was about to advise the member that that was a very lengthy question. Maybe in the future I will not give you a supplementary if you ignore the length of the first question.

Ms A. SANDERSON replied:

(1)–(2) I am advised that there was a power outage last night that affected the use of the data systems. The State Health Incident Coordination Centre was stood up at 9.21 pm to support the response. Services have now been restored. We are advised that backup procedures were followed. There are well-documented and practised downtime procedures that clinicians have put in place. This is why we have the State Health Operations Centre in one of the most resilient buildings in the country, alongside Western Australia Police Force. The centre will operate even when other sites are disrupted, providing the eyes and ears for the system 24/7 to keep patients safe and our sites operating as smoothly as possible. I know this caused disruption and I thank the staff for their very hard work in continuing to deliver services throughout that time. There were no reported adverse events. I can confirm that it was neither a cyber attack nor an external power supply attack. Investigations are ongoing into the cause.

HOSPITALS AND HEALTH CAMPUSES — DIGITAL OUTAGES

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

I have a supplementary question. Given that code yellows were called at Fiona Stanley Hospital and Sir Charles Gairdner Hospital, what procedures has the minister put in place to ensure that this does not happen again?

Ms A. SANDERSON replied:

We implemented the $42 million State Health Operations Centre, which is a resilience centre for our operations. Unfortunately, these events occur from time to time across every sector, not just the healthcare sector. There are

very well documented procedures that are well practised by staff and clinicians. I thank them very sincerely. They worked through the night, as did the State Health Incident Coordination Centre, which was stood up immediately. That centre is for state incident responses. The staff worked through the night to restore power, and power was restored to all sites by 10 this morning.

REGIONAL DEVELOPMENT — INVESTMENT

752. Ms L. DALTON to the Minister for Regional Development:

I refer to the Cook Labor government's commitment to creating jobs and supporting the diversification of regional economies.

(1) Can the minister advise the house how this government is maximising the use of local operators in state-led projects across regional WA?

(2) Can the minister further advise the house how this government's regional investment is delivering real economic growth, economic diversification and sustainable job growth in regional Western Australia?

Mr D.T. PUNCH replied:

(1)–(2) I am delighted to answer this question and I thank the member for it. Only two weeks ago, I was in the member's electorate of Geraldton to announce the successful recipients of round 7 of our regional economic grants. In fact, I have been around all the regions announcing those grants. Like all regional Labor MPs, the member for Geraldton is a strong advocate for her community. She does not let ministers escape lightly.

It is thanks to the fantastic economic work that has been happening throughout the Cook Labor government and the fiscal discipline we have been exercising that we have been able have a record investment in regional WA. Importantly, we have been able to make sure that local suppliers and contractors benefit. We are committed to maximising local content and our local content adviser networks have ensured that local businesses are connected to government supply, with some great outcomes. Along with the Department of Jobs, Tourism, Science and Innovation, our regional development commissions lead the local-content approach that has been in place since 2018. In 2022–23, 21 per cent by value of government procurement was locally supplied and $1.2 billion of the $5.79 billion of government contracts awarded in the regions was locally supplied. That was up by $174 million from the previous year. I have some great examples. Wauters, a great southern–based company, was awarded an $18.5 million contract at the Albany TAFE campus. That is great infrastructure in the regions. South West Fire, which is based in Collie, member for Collie, was awarded over $11 million for the manufacture and installation of up to 50 fire units. In Kalgoorlie, a 100 per cent Aboriginal-owned business called Bilung Civil was awarded its first contract for $1.68 million. Today, I was out there with the Minister for Transport to announce the completion date for the Bunbury Outer Ring Road, the Wilman Wadandi highway, which is a $1.64 billion spend in regional WA. Of that, $545 million has gone to local content over the life of the project. That is all thanks to the fiscal discipline and economic management of the Cook Labor government.

With that sort of record, I was pretty shocked about something that I will come to in a second; I will keep members waiting. Some of those outcomes have led to fantastic improvements in the unemployment rate. In January 2020, Mandurah, member for Mandurah, was sitting at 7.8 per cent and is down to 4.6 per cent. Unemployment in Bunbury was 6.1 per cent in January 2020 and is down to 2.9 per cent. For the rest of WA, the unemployment rate in January 2020 was 6.3 per cent and is down to 4.2 per cent. The wheatbelt, member for Central Wheatbelt, was 4.3 per cent and is down to 2.7 per cent. That is a fantastic outcome. Our spend over the forward estimates is now a record $12.8 billion. That is thanks to the economic management of the Cook Labor government.

I am wont to pursue the Nationals WA's Facebook posts. I subject myself to them on a regular basis—I do not know why—and there it was, a post from the Leader of the Nationals. I know the National Party finds it difficult to lie straight in bed at night, but this was particularly belligerent. The Leader of the Nationals' post states —

> … under Labor, royalty regions funding has been cut and siphoned off to pay for their Perth election promises, like Metronet.

We know that the Nationals like Metronet now. The Leader of the Nationals posted an election promise to bring back royalties for regions to its full to former glory. Of course, the Nationals ran up $40-odd billion in state debt and starved most of the other portfolios of money by siphoning it into royalties for regions. I did a little bit of homework and compared the last four years of our term and the previous Liberal–National government's term. Do members know what? On average, the former government spent $930 million on royalties for regions, or just slightly over. What did we spend? On average, we spent the cap, which is $1 billion a year. There have been no cuts to royalties for regions. It was spent in accordance with the act.

Several members interjected.

The SPEAKER: Order!

Mr D.T. PUNCH: The Leader of the Opposition does not like it because he used it for petunias and flowerbeds and left a lot of local governments having to manage the fallout of that, whereas we are out there with record projects in roads and infrastructure, and record expenditure to make our ports in the regions fit for purpose for the future. We are building a future for regional WA. It is a future in which people can build a career and build on it and run a business and build on it. That is what our regional economic development grants are doing. We are getting out there and supporting local businesses to expand to produce something locally that cannot be produced anywhere else.

I was equally shocked when my colleagues drew my attention to a fairly thin document called *Building a better future*. I was disappointed that I could not find anything about disability, seniors or fisheries in it, but I found a reference to regional development. It says —

> The WA Liberals will refocus Royalties for Regions to boost regional economies by supporting local businesses and creating opportunities for growth.

I have been out there over the past few months with our local members doing exactly that. The opposition definitely looks to our policy initiatives. Historically, the former shadow Treasurer and former Treasurers have been very quick to say that royalties for regions should disappear. Hon Mike Nahan said that it should be one budget across Treasury. Hon Dr Steve Thomas was out there saying that is the case. The Nationals is saying that it will redo the legislation to make sure that money goes to regional WA. It does not need to do that because it is already going to regional WA. The Nationals members are specialising in misinformation. One side of the alliance wants to get in there and wreck Treasury, wreck our fiscal position and go out there and spend and try to legislate to make sure that we go into more debt. The other half of the alliance is wishy-washy on royalties for regions now. It had some very definitive positions a while back, but I am struggling to know what they mean now.

I am very keen to hear the detail of what legislative changes the Nationals members are proposing. There has been record expenditure on, and record commitment to, regional WA—$12.8 billion is well above royalties for regions. We do not just sit on royalties for regions; we build a future for the regions right across every one of our portfolios and by each of our ministerial colleagues. That is what we are doing for regional WA. We are the only party people can trust with royalties for regions and the future of our regions. All there is on the other side is debates and arguments and the Nationals potentially walking out of an alliance cabinet in the distant future, because that is what they do when they do not like it.

The SPEAKER: The member for North West Central with the last question.

NIGHT PLACE PROGRAM

753. Ms M. BEARD to the Premier:

I refer to the Attorney General's very positive media release yesterday about the success of a pilot program for disengaged youth: the Department of Justice-funded Night Space program, run by the Marra Worra Worra Aboriginal Corporation in the Fitzroy Valley, which is providing critical support for disengaged youth through a culturally appropriate and trauma-informed approach. Given the Attorney General's overwhelming endorsement of the program, and the program's demonstrated success in engaging many children in its first four weeks of operation, can the Premier outline the government's plans to expand this program in the immediate future to other regional towns in need, such as Meekatharra and Carnarvon, where similar youth crime and disengagement issues exist?

Mr R.H. COOK replied:

I thank the member for the question. This gives me another opportunity to talk about the great work that my government is doing to provide safe spaces and opportunities for young people—particularly in small, remote communities—to be engaged and safe and to get opportunities in life. The Marra Worra Worra program is a program of which I am particularly fond. It is run by a very good friend of mine, Clinton Wolf, who never misses an opportunity to let me know about the great work that program is doing, or about more opportunities to fund it. I thank him for keeping me regularly updated on the second of those two items! I can see that the Minister for Education is a little scarred from that! We want to continue to provide great opportunities for our young people, and we are doing so on the basis of evidence that supports the programs that we need to focus on. We are making sure that we continue to provide vibrant communities for these young people.

What is also very important in that regard is the work that the Minister for Police; Racing and Gaming is overseeing with regard to liquor restrictions in some of these communities, and the impact that that is having. It results in less antisocial behaviour, which leads to safer homes and kids being less likely to walk the streets at night. That means they are less likely to undertake antisocial behaviour. We are looking at a range of programs to do that.

We need a unified approach in the community, particularly around the issue of restrictions on the sale of alcohol to reduce antisocial behaviour. We need all members of the community, particularly members of the community

involved in the liquor industry, to work with government to make sure that we provide good outcomes. I know that the member for North West Central has had plenty of opportunity to reflect on those programs, and I am sure she will look at the work that has gone on in Carnarvon—Minister for Police—and the impact that that has had on reducing antisocial behaviour and creating safer places for kids in that community. I am sure the member for North West Central would have praise for the effectiveness of those programs. They have been very effective.

I particularly thank members of the hospitality industry who got behind the government and worked with it to implement those programs. We will continue to look at other opportunities, but I thank the member for pointing out how successful the program we have implemented in Fitzroy Crossing has been. I am sure there is lots we can learn from it.

NIGHT PLACE PROGRAM

754. Ms M. BEARD to the Premier:

I have a supplementary question. Despite the success of this program, why is the government delaying the implementation of programs like that in Carnarvon and Meekatharra, where there is desperate need for them?

Mr R.H. COOK replied:

I am just having a quick look through the Liberal Party's blueprint of priorities for a hypothetical Liberal government. Excuse me, Madam Speaker; I am just trying to find it. It might be in the small print. It might be in here somewhere. I am sure the Liberal Party would have mentioned early intervention and services that support kids from low socio-economic backgrounds, but if members want to just chat amongst themselves, I will see whether I can find it! Nope, I cannot find it. It is not there. It is not a priority for the Liberal Party.

Members opposite do not care. They do not care about this stuff. All they want to do is sow fear and division in the community and see what political gains they can make out of the fear and division they bring into the community. That, of course, is writ large in the sort of people that the Liberal Party is preselecting. Before he fell on his sword—just after the Leader of the Liberal Party said that she did not have the strength or leadership to make him fall on his sword—the former Liberal candidate for Mandurah was an absolute specialist in fear and division.

But the Liberal candidate for Mandurah was small fry compared with the Liberal candidate for Albany. We have seen some of the most disgusting and underhanded tactics from the Liberal candidate for Albany, to really drive a wedge into that community. He is making sure that he is growing division and hatred in that community by attacking members of the LGBTQIA+ community. That is the future of the Liberal Party. That is the future of the Nationals WA, should Barnaby Joyce finally get his hands on the WA branch!

We know what members across the way represent. They represent division. They represent fear. They represent the dog-whistling tactics we saw around the Voice referendum. Only WA Labor represents the way forward—properly resourced programs that understand the complexities of the social issues that young people in our communities confront. We are putting the resources in place and making sure that we have supports there so that young people can get the best possible opportunities in life.

LEGISLATIVE ASSEMBLY — VISUAL AIDS

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [3.05 pm]: Members, earlier in question time the Minister for Education held up what he described as a "Liberal showbag", which looked like a bag with a Liberal insignia of some kind on the side. Although no-one from the opposition raised a point of order as to whether he had permission to use that prop, I can advise that he did not seek permission from me to use it, which he should have done. That is a reminder for everyone.

I loosened the rules. Under previous Speakers, we had requirements about the props that members might want to use. Members were coming to me daily with laminated A4 and A3 pages that had graphs on them, showing expenditure or whatever, and I said, "I don't need to look at and approve every A4 or A3 piece of paper". But if it is bigger than A3, or is a different kind of prop, members need to seek the permission of the Speaker or whoever is in the chair, to bring it in. The Speaker will make a ruling on whether the prop can be used or not.

Members, that concludes question time.

FAMILY COURT AMENDMENT (COMMONWEALTH REFORMS) BILL 2024

Third Reading

Resumed from an earlier stage of the sitting.

Question put and passed.

Bill read a third time and transmitted to the Council.

GAMBLING LEGISLATION AMENDMENT BILL 2024

Second Reading

Resumed from 14 August.

MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition) [3.09 pm]: I rise today to speak briefly on the Gambling Legislation Amendment Bill 2024. I would like to point out that the bill has been discussed in the joint party room and the opposition supports the legislation.

I take the opportunity to ask some questions to get clarity during consideration in detail. I support the strengthening of the Gaming and Wagering Commission's enforcement powers. Obviously, we have to make necessary amendments while legislation is reformed as recommended by the Perth Casino Royal Commission. The bill will amend a number of acts: the Betting Control Act 1954, the Casino Control Act 1984, the Casino (Burswood Island) Agreement Act 1985, the Gaming and Wagering Commission Act 1987 and the Racing and Wagering Western Australia Act 2003.

The main features of the bill include increasing the penalty scenario across the board. I am sure the minister will point out during consideration in detail why some penalties have increased so substantially. Monetary penalties have increased for 118 offences. The bill also introduces 14 new penalties for offences. Some of the questions I look toward relate to adjustments for the administration arrangement for the special purpose accounts, which I assume will align with existing functional and operational practices. Also, the authorised officer part of the bill appears to be a sort of potential Mexican stand-off between an authorised officer and a police officer. How they interact is another question I have. I will also ask about penalties of imprisonment, which do not currently exist. A positive from this is probably that it will allow authorised officers to work with the Western Australia Police Force to appropriately manage those chance discoveries, whether it be drugs, firearms or other issues that may be seen during the execution of a warrant. This also helps with anti–money laundering and counterterrorism financing. I will also ask about the creation of the Henry VIII clause, which is fairly unusual in current legislation. I know it exists in certain other bills and legislation, but I am not a big fan of Henry VIII clauses. I am sure the minister and his advisers will enlighten me why it is required in this legislation. Also, I have some questions about what seems to have arisen in relation to running lotteries, permit holders and bank guarantees that appear to be part of this legislation. I am curious how that will work and who will be obliged to provide the bank guarantees, how much they will be and which lotteries or particular events they will relate to. They are some of the issues that I am concerned about.

I have a lot of respect for the Gaming and Wagering Commission. Its membership is a pretty good quality line-up. The new chairperson, Gary Dreibergs, is well respected. There is also the deputy chairperson, Katie Hodson-Thomas, and the other members—Colin Murphy, Deirdre O'Donnell, Michael Sarquis, Helen Creed and Sam Buckeridge. The Gaming and Wagering Commission's role has changed to some extent over the last couple of years. Once again, its objective is to make sure that, in relation to the gaming and wagering industry, it approves or withholds approvals for licences, permits, certificates and authorisations relating to gambling and the use of premises subject to those various acts that I mentioned earlier. Its broad objective is to take steps to minimise harm to the community or any part of the community caused by gambling and also to seek to receive, disseminate or publish information relevant to gambling and the incidence of gambling and its effect on the community. They are some of the objectives of the Gaming and Wagering Commission.

There is also the interplay of the department. As we know, this is one of the government's super departments, if you like, with the machinery-of-government changes, which we opposed, and still oppose, because there are too many different roles for one department, with different ministers overseeing one department. We could see two or three ministers trying to get a handle on what is going on in a particular department. I can only speculate on the challenges that the directors general in these departments have. This department is another one that has been blended in with the Department of Local Government, Sport and Cultural Industries and the like. Looking through the legislation, some of those responsibilities appear to have been transferred across from the Gaming and Wagering Commission to the department. They are some of the questions I will ask from my perspective.

I notice the legislation quite often uses the word "et cetera". It is used time and again, which I think is not ideal. I will ask on occasions what et cetera means. It is used quite often through the legislation and the explanatory memorandum. I think it is important. The word "et cetera" does not really give an explanation.

They are some of the details from my perspective that I am interested in. I would rather spend the time, quite frankly, on consideration in detail, than on standing and talking for any longer. I understand there may be another speaker from the other side. As far as I am concerned, I would rather use the valuable time asking questions of the minister and his advisers, so I leave my contribution here.

MS C.M. ROWE (Belmont) [3.17 pm]: I rise today to speak on the Gambling Legislation Amendment Bill 2024. I am really pleased to speak on this bill. I would like to take the opportunity to congratulate the minister for bringing it to this place. It is the second tranche of legislative reform resulting from the Perth Casino Royal Commission. It follows on from the Casino Legislation Amendment (Burswood Casino) Act 2022.

The proposed reforms contained in this bill address a broader remit of the Gaming and Wagering Commission. In particular, it assists targeting interactive gambling services. The big players in interactive gambling services are sport betting sites and apps. This bill will strengthen the regulations and framework that they operate within.

I have felt very strongly about gambling for a really long time, probably much to the shock and horror of my parents, especially my dad, who grew up delighted to be able to go to Flemington Racecourse and place a bet as a kid and young man. I think for my eighteenth birthday, I remember my parents took me to Crown casino in Melbourne. It was relatively new. I remember being pretty horrified. We walked through the casino area where people were using the poker machines. That really had a lasting impact on me and influenced how I view gambling. As I was there during the day, it was quite apparent that people had been playing on those machines all evening.

Tim Costello, the chief advocate for Alliance for Gambling Reform, has been a very strong advocate in this space for a really long time. He claims that Australians lose the most money when gambling per capita of any nation in the world. That is quite a scary statistic. Last year the federal Labor government tabled a report of its inquiry into online gambling and its impacts on those experiencing gambling harm. It found that each and every year Australians lose approximately $25 billion.

Roy Morgan Research recently conducted a poll. Quite frankly, it is shameful given some of the things that it promotes to encourage and assist gambling houses to target gamblers, especially problem gamblers. The results of the poll found that the number of Australians betting on sport doubled in the past five years—from about seven per cent of the population to around 15.5 per cent. Just to be clear, that equates to around 3.26 million Australians. It is estimated that one in 10 of those sports betters are problem gamblers. We are not talking about a small number of people. The poll also highlighted that one-third of the amount spent on bets is placed by problem gamblers.

Further, the Australian Gambling Research Centre's latest study revealed that two in three participants who regularly bet on sports online are classified as being at risk of gambling harm. It is really troubling that those at highest risk are those aged 18 to 34 years. This increase has to be seen in the context of the extent of advertising in which betting companies engage. According to Nielsen research, the gambling industry spent a huge $310 million on advertising in 2022. It is estimated that last year alone, over one million ads bombarded our screens. The Alliance for Gambling Reform expressed its concern that the relentless wave of gambling advertising that inundates our community, whether it is on our televisions—mostly, people do not look at TV—or their laptop device or phone. Mobile phones normalise and conflate betting and sport as though they are interchangeable and synonymous with one another. The Alliance for Gambling Reform says it is akin to "grooming children and young people to gamble". That is a real cause for concern, especially for legislators. For many children and young people, gambling has become synonymous with sport, as I said, especially major sports such as rugby league and Australian Rules.

Dr Livingstone, an academic at Monash University, has conducted research on gambling, and she warned that children are becoming so accustomed to the link between gambling and sport and it is such a normal practice in the community that they have come to accept that the two go hand in glove. Another academic, Dr Hannah Pitt from Deakin University, has also been researching gambling—in particular, how it impacts and influences children and young people. She warned that young people are being exposed to gambling almost everywhere they look. She identified that there is a direct link between an increase in the incidence of problem gambling in young people—the increase is massive—and the increase in spending on advertising by betting agencies. As part of her research, she interviewed a lot of young people and children. Some of the children were as young as eight years. They were able to recall different sports betting brands and identify which celebrities were associated with those betting brands—that is, which ones endorsed the betting companies. That is really troubling as it means they are exposed to that, presumably as a result of watching live sports shows and so forth.

Again, Tim Costello from the Alliance for Gambling Reform, observed —

> "Our kids are being mainstreamed into gambling and sport, normalised—expecting that gambling and sport … go together.

Of great concern is that through the research of Roy Morgan, betting companies can source or buy data—they probably have to buy. Its website states —

> … the primary determinants of gambling spend, frequency and venue for poker machines, casino table games, wagering and sports betting, lotteries, scratchies and online gaming.

It boasts, and very much so, that, for a price, betting companies can access complete data on demographic identification of the gamblers, participation rates and the frequency and the amount they are spending. They can look at gaming behaviour by venue and also buy information on the comprehensive measures of venue loyalty, other activities that engage consumers to use products more and a whole bunch of other things. It is really plain that they are exploiting gambling addiction. It is a huge industry. I am happy to provide these quotes to Hansard. Roy Morgan boasts —

> No other … market tool can help you compete more aggressively.

It is specifically referring to helping casinos, lottery companies and any kind of betting agency. That is really shameful.

As some members would know, Sportsbet is Australia's most popular gambling app. It is the official betting partner of the Australian Football League and the National Rugby League. I acknowledge that it provides critical sponsorship for those sporting codes. There is a real reluctance to move quickly away from or ban that association between advertising during sports events and banning them from sponsoring those codes because it would obviously potentially affect those codes. It is still worth noting that a lot of other countries have put really firm boundaries and restrictions in place in this space, especially when it comes to how children are exposed to betting.

I want to share an ABC interview, the transcript of which I have here. The man named is Callum. The ABC changed his name to protect his privacy. Callum has been struggling with gambling addiction for a number of years. He has recovered. He has not placed a bet for over a year. Troublingly, he said that Sportsbet still sends him text messages daily, sometimes multiple times a day, encouraging him to come back to their services. Callum said that Sportsbet sends messages offering a $50 bonus bet if he completes a survey. The interviewer asked Callum whether he was aware that he can register to not receive correspondence from any betting agency. Callum was not aware of that. Clearly, there is a lot of work to do in that space around education.

Dr Livingstone, who I quoted earlier, explained that when there is a monetary incentive to complete a survey, for example, that is used to assist a betting agency to personalise the rewards they offer and their ads so that they are directed and tailored specifically to a gambler, it is absolutely predatory in nature.

Dr Livingstone, who wants such inducements to gamble banned, as they are in many other countries, warns —

> "Gambling is not an ordinary commodity. It's not like buying soap powder—it's addictive. They know it's addictive, their best customers are people who are addicted to it.

His research also indicated that those with gambling addictions make up most of the revenue of gambling companies. Again, that reinforces the fact that those people who are in dire need of help provide all the money to those betting companies to keep doing what they are doing, which is preying on the misfortunes of others.

Professor Gordon, a lead researcher across five Australian universities, is looking into the experiences of 51 sports betting app consumers. His research has highlighted that participants are betting while on the train, the bus, at home, at work or in the pub because we all have a mobile casino in our pocket in the form of a mobile phone. It has become readily available.

I would like to take this opportunity to share with the house comments made in an ABC online news story in April last year. They were taken from an interview with a 35-year-old man with a gambling addiction. His name was removed from the article to protect his identity. I will read it because I found it quite impactful.

It states —

> If I had to put a number on how much I've lost gambling, I'd say it'd be $150,000 over the last 20-odd years. It started at a young age. My dad loved horse racing, but he wasn't a big gambler himself — the biggest bet he'd put on would be $5.
>
> On Saturdays, we'd go to the races together … From the time I was about 16, bookmakers on the track were happy to take my bets … When I was 18, I started with online betting.
>
> As I got older, and the responsibilities kicked in, and I was earning more money, that's when the gambling picked up …
>
> I can have one or two drinks and know to stop, but as a gambling addict, I can't have one or two bets. It'll turn into me betting all day and night.
>
> Five hours could go past in the click of a finger. I'd have friends messaging me or try to call me and I wouldn't take their calls because I was in that bubble.
>
> I wouldn't eat during those days. I'd even forget about my children and what they were doing.
>
> For me, all the gambling was done on apps on my phone …
>
> You're doing it on your own: you don't want anyone to know, because you know that what you're doing is wrong and you've got a problem. There's a lot of secrets and lies.
>
> When I was losing, my mind went straight to how to find more money to win it back.
>
> I've manipulated people to loan me money; I've borrowed from banks; I've used those same-day loans where you borrow $300 and you've got to pay back $1,000. A couple of years ago, my partner and I were in the process of building our first home together and I was taking the savings to gamble.
>
> You're not thinking about the consequences down the track. It's just, 'I need to do it and I'll do whatever it takes' …
>
> I've got a full-time job and I've never been unemployed. I was managing a team of people and I still found time to gamble all day, every day …

> I was gambling so much that I'd get offered box seats at football games and sporting events by the betting companies. They sell it to you, saying you're in the top five per cent or 10 per cent of customers this month, but it's just turnover — they just want you to keep coming back.
>
> About a year-and-a-half ago, I tried to take my own life.

Thankfully this man has sought help and is in recovery, but it really highlights the severity of gambling addiction and how ruinous it can be to a person's life. It can affect many people. He was employed; he has never been unemployed. Because there is a lot of stigma around it, unfortunately people do not seek help. All the research points to people not seeking help when they have a problem with gambling addiction.

HealthDirect sums it up simply —

> Gambling addiction can seriously affect all areas of life. Consequences of problem gambling can include financial losses, bankruptcy, losing a job, homelessness, mental health conditions and the breakdown of personal relationships. They can be serious not only for you, but also for members of your family and for your friends and associates.

The late Peta Murphy, who chaired the House of Representatives Standing Committee on Social Policy and Legal Affairs in federal Parliament, said —

> There's a concern that we are producing, if we haven't already produced, another generation of Australians who see sport and betting as intrinsically linked, and sport almost as a vehicle for which betting can occur.

Ms Murphy said the inquiry heard devastating evidence from people who had suffered as a result of being hooked on online gambling. It prompted the committee's demand for a national gambling strategy to be developed. She said —

> Instead of saying it's each individual's responsibility to not gamble in a way that causes themselves or others harm, it's acknowledging that in fact there's a collective responsibility and a public health issue.

Ms Murphy and the committee expressed the view that a national strategy should be developed with a focus on prevention, especially looking at education, early intervention, and measures that could make it easier for problem gamblers to seek help when experiencing harm due to their addiction.

In light of that report and some of the stories I have read—and there are so many more because it is a problem that affects many people in the community—I think we need to look at all the things that we can do to remove stigma so that people seek help. Further, I think there is a lot we can do, and are clearly doing, especially in this bill, to reduce the likelihood of people forming gambling addictions. Any reform that looks to strengthen oversight of betting companies is something I wholeheartedly support.

I commend the bill to the house.

MS M.M. QUIRK (Landsdale) [3.34 pm]: That was a valuable contribution, and we cannot ignore the adverse social impact that gambling has on so many in the community. I want to speak briefly on another matter. Firstly, I congratulate the minister for bringing on the Gambling Legislation Amendment Bill 2024 so quickly to Parliament after the Perth Casino Royal Commission. In my experience, legislation following these sorts of reports quite often lag for some time, so I commend the minister for his expedition in getting these important amendments to the house.

I want to speak briefly about money laundering. My experience is by its very nature historical. Members who have been in the house for a long time will know that I was regional counsel with the National Crime Authority for 10 years before entering Parliament; therefore, I have a lot of experience in various money laundering methodologies, and I maintain my interest. In the early days, the operators of casinos, in my experience, were notorious for facilitating money laundering. In fact, there was a casino squad from the Western Australia Police Force that was attached to the casino, and I think those officers were victims captured by the casino. I am aware of an occasion when we wanted to execute search warrants for instances of money laundering and the operators were tipped off by that squad before we could execute the warrant. I know things have changed. I welcome the fact that there is a new operator and it can incorporate these changes as part of its new operational regime.

As we know, organised crime is opportunistic. Offenders will identify loopholes in legislation and capitalise on them. This is why the amendments on structuring, which I will talk about shortly, are vital and important. There were also issues in relation to junkets. Although junkets are a great tourism asset and an important part of the casino's business, it was certainly my experience that there was a tendency to turn a blind eye to irregular practices when they related to junkets. In some cases, those irregular practices were facilitated by casino management.

These amendments seek to narrow the gap where, as I said, organised crime can seize on these loopholes and go about its normal business. There is an important thing about this legislation. Under the AUSTRAC legislation, we all know about the requirement to report transactions over $10 000; however, this also relates to what are known as suspects transactions. They can be substantially lower amounts of money. A common example might be someone who is asked by an organised criminal organisation to launder money. They go into the casino with as little as $4 000, put $2 000 on red and $2 000 on black and effectively, although there is a bit of a discount, can go away with

a receipt saying he has won close to $4 000 from the casino. That was a very easy way to launder money. If such a person or a succession of people who looked slightly suspect were to do that now, and it was known to security and the casino through its various checks and balances, that conduct may well be subject to suspect reports under this legislation.

I welcome the change. I think the new operator can go into its operations knowing that it has to meet certain requirements by virtue of these new laws. In any event, I expect that it would be good corporate practice to insist on robust compliance because that should be part of any risk management scheme. If it is not undertaken in that robust manner, the shareholders would quite rightly be able to ask why the casino cannot comply with sensible legislation to protect the community from money laundering offences and even that of financing terrorism.

Congratulations, minister. This is an excellent development with these amendments that are being introduced in such a timely fashion. From the safe distance of retirement, I will watch the progress of this legislation with interest. Thank you.

MR P. PAPALIA (Warnbro — Minister for Racing and Gaming) [3.40 pm] — in reply: I thank members for their contributions. Hopefully the Gambling Legislation Amendment Bill 2024 will have passed before the member for Landsdale has retired and she will be able to witness and observe what happens.

Ms M.M. Quirk: Sorry, minister. I meant the implementation.

Mr P. PAPALIA: Yes, the implementation. That is a fair point. Beyond that, her very informed observations about money laundering and the potential benefit of this bill to address part of the risk associated with that is appreciated. I make the observation that this is not the only thing we have done. Previous ministers have already acted and a range of measures have already been implemented in response to the Perth Casino Royal Commission.

The member for Belmont's observations about the harm imposed or caused by gambling are fully acknowledged, and I appreciate her contribution.

Some measures in this bill will deal with interactive gambling. They are associated with a gap in the legislation at the moment. The commonwealth's Interactive Gambling Act 2001 defines "regulated interactive gambling service" and creates an offence for providing those services if they are not licensed in an Australian jurisdiction. However, the Western Australian legislation does not contain a mechanism to licence or regulate providers of interactive gambling services, such as internet-based betting platforms. This bill will address that omission and rectify the situation.

The member for Roe's concerns can be addressed in consideration in detail. I understand that he wants to go to that and I am comfortable that his concerns can be addressed then. I commend the bill to the house and I look forward to pushing on and addressing his questions.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

Consideration in Detail

Clause 1 put and passed.

Clause 2: Commencement —

Mr P.J. RUNDLE: Is this priority legislation? Will it be treated as a priority in the other house; and, if so, when will its implementation take place?

Mr P. PAPALIA: It is our intention to get this legislation through both houses of Parliament as rapidly as possible. Obviously, there are competing interests in the other place, but my ambition is to get it passed and the law will come into effect as soon as it can.

Mr P.J. RUNDLE: Assuming that the bill is passed by the end of November, is there a prediction for when royal assent will take place and the act will come into being?

Mr P. PAPALIA: I am informed that a couple of elements of the bill require regulations to be drafted and that work has commenced. It is difficult to say exactly when the act will come into operation, but it will be as fast as possible. I anticipate it will be early in the new year, subject to passing through here and the other place and once those regulations are complete.

Clause put and passed.

Clauses 3 and 4 put and passed.

Clause 5: Section 4B amended —

Mr P.J. RUNDLE: I am working with the bill and its explanatory memorandum, which at times is more comprehensive than the bill. What is meant by the term "approved events or contingencies"?

Mr P. PAPALIA: I am informed that that refers to betting activities that might speculate who might kick the first goal of a football game—things of that nature. It refers to any range of contingencies around gambling on sports events.

Mr P.J. RUNDLE: With regard to the penalty, what will constitute a failure to comply with the requirements?

Mr P. PAPALIA: I am informed that a set of conditions, published online in the *Government Gazette*, details the terms and conditions for event betting. If someone breaches those conditions, they will be subject to that fine.

Mr P.J. RUNDLE: Can the minister articulate how someone reports a failure? How is it picked up, how is it reported and what is the process for identifying the infringement and applying the penalty? How does that all work?

Mr P. PAPALIA: This is a role and responsibility of the Gaming and Wagering Commission. It might identify a breach through its own oversight activities or a breach might be reported to it. There is probably a range of means by which a breach can be brought to its attention. The Gaming and Wagering Commission will then carry out its role, which is to enforce the law and potentially prosecute people who have breached it.

Mr P.J. RUNDLE: Is there a three-strikes scenario or something similar? For argument's sake, if a betting website put up a bet on who is going to kick the first goal in that week's first football match, would they get a warning and a strike, or two or three strikes, or would the Gaming and Wagering Commission implement the penalty straightaway?

Mr P. PAPALIA: I am told that the Gaming and Wagering Commission applies a compliance framework that gives a range of responses. However, there is discretion. It will not rigidly impose a penalty on an organisation for a breach; it will depend upon the circumstances. It will apply discretion, having regard to the circumstances.

Clause put and passed.

Clause 6: Section 11 amended —

Mr P.J. RUNDLE: Proposed section 11(6), to be inserted by clause 6, states —

> A body corporate that holds a bookmaker's licence must, within 7 days after a person becomes or ceases to be a person …

How does someone cease to be a person?

Mr P. PAPALIA: There is no comma after "person". It states —

> … or ceases to be a person who occupies a position of authority in the body corporate …

That is what it is referring to.

Mr P.J. RUNDLE: What will the reporting requirements consist of and when will they be scheduled for tabling?

Mr P. PAPALIA: Can the member tell me where the report that he is referring to is in the bill?

Mr P.J. Rundle: Sorry; I suppose we could say that it is a return. It is mentioned in proposed subsection (6A).

Mr P. PAPALIA: Which line is the member talking about?

Mr P.J. Rundle: It is the third line, where it states —

> … lodge with the Commission a return in a form approved by the Commission.

Mr P. PAPALIA: Is the member referring to line 29?

Mr P.J. Rundle: No, line 14.

Mr P. PAPALIA: Proposed subsection (6A) states —

> A body corporate that holds a bookmaker's licence must, in the month of July in each year, lodge with the Commission a return in a form approved by the Commission.

That is when it will have to be done. The form will already have been approved by the commission.

Clause put and passed.

Clause 7 put and passed.

Clause 8: Part 2A inserted —

Mr P.J. RUNDLE: The explanatory memorandum lists a large number of interactive gambling services. What FTE will be required to monitor the various services that are listed? Is there some sort of prediction for the department?

Mr P. PAPALIA: What we are doing here will, in effect, address an omission. As I said in my response to the second reading debate, the commonwealth's Interactive Gambling Act 2001 recognises that online interactive gambling service providers must be registered in a state or territory of Australia. Our legislation at a local level—Western Australian legislation—does not enable that. The bill will enable any interactive online gambling service provider that is established in Western Australia to be registered. All the ones in the explanatory memorandum

that the member referred to are recognised by the federal legislation at the moment, but they are not registered here. As I understand it, there is perhaps one particular operator that operates from Western Australia but is not registered in another state or territory; therefore, it is effectively not complying with the federal legislation. We will enable that operator to be registered here in Western Australia and to therefore comply.

Mr P.J. RUNDLE: The minister and I know that a couple of companies are registered in the Northern Territory, in relation to horseracing betting or whatever. Will they also be covered by, or drawn into, this legislation?

Mr P. PAPALIA: No. As I said, the federal legislation expects an operator to be registered in a state or territory in Australia. If they are already registered, they already comply with the federal law. I think the ones the member referred to are already registered in the Northern Territory. An operator in Western Australia has, until now, been unable to be registered in Western Australia. The bill will enable that operator to be registered. Other operators that are not registered in another state or territory and want to operate from Western Australia will be able to comply with the federal law by being registered here.

Mr P.J. RUNDLE: I have a further question. If an operator wanted to swap, for argument's sake, from New South Wales to WA, would that be possible? How would that work? Would there be any advantage to it?

Mr P. PAPALIA: Yes, they will be able to do that. If they want to register themselves here, as opposed to another jurisdiction, then they can comply with federal law.

Clause put and passed.

Clause 9: Section 14A amended —

Mr P.J. RUNDLE: I note first dot point in the explanatory memorandum regarding proposed section 14A(2), which states —

- transfers responsibility for receiving returns lodged by bookmakers, and the function of approving the form of returns, from the Gaming and Wagering Commission to the Department.

Throughout the legislation there is reference to quite a lot of duties that are transferred from the Gaming and Wagering Commission across to the department. Once again, does the department foresee a large increase in full-time equivalents required to deal with this transference?

Mr P. PAPALIA: I am advised that this role is currently undertaken by the department anyway. It is under a service level agreement between the Gaming and Wagering Commission and the department, so this will just formalise the process that is currently extant.

Mr P.J. RUNDLE: Does the minister not foresee any changes in staff moving from one area to another or anything of that nature?

Mr P. PAPALIA: No.

Mr P.J. RUNDLE: Proposed section 14A(2)(b) states —

> when the return is lodged with the Department, pay to the CEO the racing bets levy on the whole of the gross revenue or turnover reported in the return in accordance with the *Racing Bets Levy Act 2009*.

Can the minister explain what that levy will be? Will there be a percentage or a figure?

Mr P. PAPALIA: The member is talking about something in a different act. The racing bets levy is defined by that act and the details and specifications of rates and management are in the regulations of that act, not this bill. It is not really relevant to this bill.

Mr P.J. RUNDLE: I will ask a similar question on clause 10.

Clause put and passed.

Clause 10: Sections 14B to 14D inserted —

Mr P.J. RUNDLE: The minister said in his previous answer that the levy related to a different act, but proposed section 14B is "CEO may assess racing bets levy in certain circumstances", and I refer to proposed subsection (1). For starters, who will be the CEO? Which CEO are we talking about? How will they make an assessment about that amount? Will it be off the cuff or will there be a formula? I am trying to get a bit more information.

Mr P. PAPALIA: To explain why this provision is in this bill yet the racing bets levy and all the detail associated with it are in another act, until now the Gaming and Wagering Commission was responsible for these processes. We will change that so the CEO of the Department of Local Government, Sport and Cultural Industries will assume the responsibility. That is why those references are in the bill. It is not really appropriate or relevant to explore the detail and operation of the racing bets levy because that is covered in a different act.

Mr P.J. RUNDLE: I hear what the minister is saying, but clause 10 lays it out quite comprehensively, so to the innocent bystander like me it appears as such.

Mr P. PAPALIA: Effectively, nothing will change with the racing bets levy and its management other than that the CEO of the Department of Local Government, Sport and Cultural Industries will now be responsible for all of the measures laid out, as the member says. They are already in place, but currently the Gaming and Wagering Commission is responsible. We are changing it to be the CEO of the department.

Mr P.J. RUNDLE: I thank the minister, I appreciate that. I refer to proposed section 14B(1)(b), which states —

> the CEO has reason to believe or suspect that —
>
> (i) a return lodged or other information given by the betting operator is materially incomplete or inaccurate; or
>
> (ii) the betting operator is liable to pay the levy, even though a return was not lodged …

My question, which I have written down, is: how much and based on what? I know the minister says another act applies, but the proposed subsection lays out the CEO as having almost carte blanche to decide whether an operator has not paid the levy or lodged their return. Proposed subsection (4) states —

> The CEO may require the betting operator to pay a penalty amount of up to 10% …

It is mentioned quite often.

Mr P. PAPALIA: All the measures the member refers to are currently available to the Gaming and Wagering Commission as it applies the Racing Bets Levy Act. This bill will afford that responsibility to the CEO of the Department of Local Government, Sport and Cultural Industries. Identical powers to those currently afforded to the Gaming and Wagering Commission will be afforded to the CEO to apply. Nothing will change in the detail and practice associated with the racing bets levy other than the individual enacting that authority or power will change from the Gaming and Wagering Commission to the CEO of the department. That is all that will happen.

Mr P.J. RUNDLE: I have a final question about that. I know there has been experience in the GWC in all the goings-on. Will some other assistance be provided from GWC to help the CEO deal with what is quite a lot of information here?

Mr P. PAPALIA: Remember how the member was railing against the machinery-of-government changes? One of the changes that created this department was to move the Department of Racing, Gaming and Liquor into the Department of Local Government, Sport and Cultural Industries. All of the experience and corporate knowledge associated with that department now resides in the Department of Local Government, Sport and Cultural Industries. I am informed that sometime ago, prior to the royal commission—I should know that as the minister!—the department CEO was the chair of the Gaming and Wagering Commission. As a consequence of the recommendations of the royal commission, that has been separated. The Gaming and Wagering Commission has been beefed up and assigned different roles and the department has its roles. There is no concern about knowledge and experience inside the department; it is all resident there.

Clause put and passed.

Clauses 11 to 15 put and passed.

Clause 16: Section 27E amended —

Mr P.J. RUNDLE: I am going from the explanatory memorandum, which states —

> The maximum fine remains at $10,000 on the basis that it is deemed adequate. Relevantly, most people required to comply with section 27E are also covered by legislation governing misconduct in the public sector. A minor breach of this provision could be dealt with by the Public Sector Commissioner …

Can the minister explain what would rate as a serious enough breach to get the maximum fine of $10 000 in the context of this clause?

Mr P. PAPALIA: This clause refers to a penalty associated with a breach of confidentiality by a public servant, subject to the Public Sector Management Act. The Public Sector Commissioner would determine the extent of the breach. Subject to the severity of the breach, it might be referred to the courts for further action.

Mr P.J. RUNDLE: It seems as though the Public Sector Commissioner could handle it if it was a minor breach. If the Public Sector Commissioner decided that it was a major breach, will it be the role of the CEO or whoever to implement the maximum fine of $10 000?

Mr P. PAPALIA: No, the Public Sector Commissioner is the head of the public service. This penalty relates to the Public Sector Management Act. I am informed that, alternatively, the courts could decide on the penalty for a breach, up to $10 000.

Clause put and passed.

Clauses 17 and 18 put and passed.

Clause 19: Section 28D amended —

Mr P.J. RUNDLE: This clause relates to "Publication of WA race fields restricted" and will increase the fine from $10 000 to $50 000. Can the minister explain what "WA race fields restricted" means and how that provision could be broken?

Mr P. PAPALIA: I think I will address the reason for the change because the member is delving into stuff that is related to betting and the like, which is not part of this bill. The member is talking about race fields and the like. The quantum of the penalty is being changed because it is a historical level and is not commensurate with the expectations in this modern environment. A penalty of $10 000 back in 1954 when the penalty was established was a significant amount of money. It has been beefed up to reflect the current value.

Mr P.J. RUNDLE: I hear what the minister is saying but, with all due respect, when the minister says I am delving into things that are not applicable, the heading is "Publication of WA race fields restricted". I am trying to get an explanation of what that even means. I do not understand what it means.

Mr P. PAPALIA: The member is talking about clause 19, which is headed "Section 28D amended". That is the heading in the bill. That is what we are doing in the bill. The member is now referring to the content of the act. The bill we are addressing today is before the member. I have explained that the reason for the increase in the penalty is that it is a historical amount that does not reflect the expectations or environment of today and so it is being increased.

Mr P.J. RUNDLE: I will ask a further question. As I said, the explanatory memorandum refers to 28D amended. When I look for some detail in the explanatory memorandum, it has that as the heading. I cannot be blamed for looking for an explanation of that, I would have thought. It does not appear as though I will make any headway.

Mr P. PAPALIA: The explanatory memorandum is not the bill. It has headings to assist people to understand where the content of the bill came from, what it applies to and it explains the context, but the bill before us is clause 19 and it has three lines. I assume, because this is what the member referred to in his second reading contribution, that the member would like an explanation for why the penalty will be increased by the amount proposed. I explained that it is because the original legislation that established the penalty was written in the 1950s and we are updating it and making it more commensurate with today's expectations around penalties for breaching the law.

Clause put and passed.

Clause 20: Section 32B inserted —

Mr P.J. RUNDLE: This clause talks about the delegation of power of the CEO. The explanatory memorandum states —

> This provision has been inserted to support the transfer of responsibility for the administration of special purpose accounts to the Department and the CEO of the Department.

Can the minister tell me up to how many people within the department the responsibility could be transferred to?

Mr P. PAPALIA: Those special purpose accounts are currently administered by officers who are already resident within the department. Those roles are undertaken by delegation from the Gaming and Wagering Commission at the moment, but as I explained earlier, this is a similar transfer of authority to the CEO of the department. It is administrative, really, because the officers already conduct the task on behalf of the Gaming and Wagering Commission; they are not part of the Gaming and Wagering Commission, they are part of the department. We are separating those things, and rightly assigning responsibility to the CEO as the line manager of authority.

Clause put and passed.

Clause 21: Section 33 amended —

Mr P.J. RUNDLE: Can the minister enlighten me about this clause, and perhaps clause 22, in relation to the Henry VIII clause? Which clause does that relate to?

Mr P. PAPALIA: We are establishing a head of power here that will allow regulations to be made to prescribe requirements relating to national frameworks and policies agreed to by the minister. Those types of things might include the national consumer protection framework for online wagering. The Western Australian government has entered into an interjurisdictional agreement with the governments of other Australian states and territories to address matters relevant to the operations of the rapidly changing gambling sector. The gambling sector is enterprising in pursuing new products and methodologies for attracting and keeping customers. The WA government from time to time unites with our jurisdictional counterparts for a regulatory position on gambling-related matters of public interest and safety.

The provisions of this head of power will give effect to the intent of the above practice, and ensure that regulations may be prescribed, as necessary, to compel gambling operators to comply with any nationally agreed framework, while the prescription of frameworks will be based on nationally agreed policies. It will give us a head of power to enable us to comply with agreements we make with other jurisdictions.

Mr P.J. RUNDLE: The minister said in his second reading speech —

> … part 2A of the bill will insert a head of power in the Betting Control Act …
>
> …
>
> Specifically, the new part will create a head of power for the making of regulations to allow, and require, interactive gambling service providers of a particular kind, whose base of operations is in Western Australia, to be licensed in WA.
>
> This approach requires the creation of a Henry VIII clause.

I am just trying to get this in my head. Is there a Henry VIII clause; and, if so, which clause is it? I cannot seem to find it anywhere.

Mr P. PAPALIA: That was what we were talking about earlier, under clause 8, with regard to online interactive gambling. I talked about it in my response to the second reading debate. Essentially, it enables the making of regulations in the future to address challenges that we may not have foreseen.

Clause put and passed.

Clauses 22 to 24 put and passed.

Clause 25: Section 12 amended —

Mr P.J. RUNDLE: There is a massive increase in the fine, from $10 000 to $250 000. Can the minister enlighten me as to why that has gone up by such a large amount?

Mr P. PAPALIA: Again, the increase in the penalty is to reflect contemporary expectations. I am informed that the penalty for this offence relates to the casino not notifying the Gaming and Wagering Commission of a new shareholder or holder of a relevant interest. In the past, failure to do that incurred a penalty of $10 000. The casino makes a fair amount of money in a year, so the intention is to increase the penalty substantially to reflect expectations.

Clause put and passed.

Clauses 26 to 29 put and passed.

Clause 30: Section 24 amended —

Mr P.J. RUNDLE: Clause 30(3) provides that the operator "must take all reasonable steps". Can the minister give us some clarity on those reasonable steps?

Mr P. PAPALIA: I am informed that it refers to occasions when the Gaming and Wagering Commission might provide a direction to the casino. The casino operator is then obliged to take all reasonable steps to comply with the direction.

Clause put and passed.

Clause 31: Sections 24A and 24B inserted —

Mr P.J. RUNDLE: I refer to proposed section 24A, "Approved manuals". Can the minister enlighten me once more as to who checks the manuals and how often they have to be revised et cetera?

Mr P. PAPALIA: I am informed that there currently are manuals that have been created as a requirement of the Gaming and Wagering Commission providing a direction. This provision will place that requirement into the legislation and the Gaming and Wagering Commission will approve the manuals.

Clause put and passed.

Clause 32: Section 27 amended —

Mr P.J. RUNDLE: I understand that this clause seeks to change the penalty for a first offence to $1 000 and the penalty for a second or subsequent offence to $2 000. According to the explanatory memorandum, I understand that children are not permitted in casinos except in some cases. Can the minister enlighten us on the definition of "in some cases"?

Mr P. PAPALIA: When the member asks for examples, we manage to come up with one. The provision would apply to someone under the age of 18. We are looking at the bill, as opposed to the act. The Casino Control Act 1984 states —

> This subsection applies to a person under the age of 18 years who enters or remains in the licensed casino concerned for the purposes only of —
>
> (a) employment in connection with the provision of amenities ancillary to the gaming therein;

That could be work as a chef or something like that. Or it could apply to a person —

> (b) obtaining a meal, if that person is accompanied by another person who is over the age of 18 years and is —
>
> (i) the spouse or parent of; or

(ii) a person in *loco parentis* to; or

(iii) the guardian of,

the person under the age of 18 years,

and the person under the age of 18 years does not participate in gaming in that licensed casino.

They can go there for a meal as long as they are in the company of a responsible adult.

Clause put and passed.

Clause 33 put and passed.

Clause 34: Section 30 amended —

Mr P.J. RUNDLE: It looks like this clause seeks to increase a fine. The explanatory memorandum states —

Fraudulent etc. practices in casinos or gaming operations

Can the minister explain what this clause covers?

Mr P. PAPALIA: I understand the "et cetera" that the member is concerned about in the explanatory memorandum is in a heading but it is not part of the bill itself. It will have no effect on the bill. Instances of "et cetera" appear only in headings, none of which have been amended by this bill. It is not really relevant.

Clause put and passed.

Clause 35: Section 30A inserted —

Mr P.J. RUNDLE: Obviously, the member for Landsdale referred to money laundering and the minister also expressed his concern about it. Why is the fine in clause 35 only $50 000? I thought the fine would be at the upper end of the scale.

Mr P. PAPALIA: This is just a routine reporting obligation. It is conceivable that there may be an inadvertent omission or something of that nature. During earlier consideration, the member for Landsdale talked about measures to counter money laundering. A range of measures are in place to target that. This is above and beyond the obligations of the Australian Transaction Reports and Analysis Centre. This is just an additional reporting practice to provide the Gaming and Wagering Commission with a little more insight. The proposed penalty reflects the nature of this report.

Clause put and passed.

Clause 36: Section 31 amended —

Mr P.J. RUNDLE: Clause 36 states —

… delete the Penalty and insert:

… a fine of $100 000.

Can the minister explain why the penalty of imprisonment has been deleted, according to the explanatory memorandum?

Mr P. PAPALIA: The decision to remove imprisonment penalties from the suite of gambling legislation was determined as appropriate for several reasons. There are 28 offences across the suite of legislation that include a penalty of imprisonment. I refer to section 6, "Principles of Sentencing", of the Sentencing Act. Section 6(4) states —

(4) A court must not impose a sentence of imprisonment on an offender unless it decides that —

(a) the seriousness of the offence is such that only imprisonment can be justified; or

(b) the protection of the community requires it.

Additionally, the removal of imprisonment penalties relates to the adoption of the infringement notice framework that relies on part 2 of the Criminal Procedure Act. Section 5(2) of the act provides that a modified penalty cannot be prescribed for an offence that is or includes imprisonment. The Gaming and Wagering Commission is not obliged to seek prosecution of a person suspected of committing an offence under the legislation it administers. Notwithstanding that, a prima facie case may exist. The prosecution must be in the public interest. When determining whether to commence a prosecution, the Gaming and Wagering Commission is required to take into consideration a number of public interest factors, such as the trivial or technical nature of the alleged offence in the circumstances, the availability or efficacy of any alternatives to prosecution, whether the offence is of a minimal public concern and the likely length and expense of a trial. There are no records to indicate that a term of imprisonment has ever been sought for breaches under these acts. Removing the imprisonment allows the Gaming and Wagering Commission to maximise the use of the enforcement tools at its disposal. The ability to issue an infringement notice with a modified penalty provides an effective administrative mechanism and deterrent to noncompliance to aid in regulating compliance with the law.

Clause put and passed.

Clauses 37 to 42 put and passed.

Clause 43: Section 3 amended —

Mr P.J. RUNDLE: The Minister for Sport and Recreation is even mentioned in this clause. Can the minister explain why this particular change of administrative responsibility is taking place?

Mr P. PAPALIA: This clause will insert definitions into the definitions part of the act.

Mr P.J. RUNDLE: I have to refer to the explanatory memorandum once again due to lack of detail. It refers to the preferred approach since the Machinery of Government (Miscellaneous Provisions) Act 2006. For argument's sake, what will happen if there is a change of government in March 2025—I should say when there is a change of government in March 2025—and the new government decides to increase the number of departments rather than reduce them as this government has done?

Mr P. PAPALIA: The new government would have to write a new law because of consequential amendments to everything. If the coalition government wanted to split up the Department of Local Government, Sport and Cultural Industries, it would have to apply whatever new department name it has, and it would have to search through all different legislation to ensure consequential amendments are made following the changes. This is not really relevant to this provision. I already explained that the reason for the administrative change is the role of the CEO will take on those special purpose accounts, administration and the like; these are already undertaken by the agency under a service level agreement with the Gaming and Wagering Commission. This formalises that structure and enables the agency CEO to have the responsibility. That arrangement will not be required. It changes nothing really in terms of what currently happens other than assigning the responsibility for administration of those special purpose accounts and other activities that it currently undertakes to the department CEO.

Clause put and passed.

Clauses 44 to 48 put and passed.

Clause 49: Section 36 replaced —

Mr P.J. RUNDLE: Can the minister explain the roles of an authorised officer and a police officer in proposed section 36(3)(b) and the reference in proposed section 36(4) and how they will interact? Who would be an authorised officer? If a police officer came into the picture, how will they interact? Who will have the ultimate authority et cetera?

Mr P. PAPALIA: Firstly, I am informed that there is no change regarding authorised officers and police officers. They already exist and conduct their roles, potentially at the casino. An authorised officer can employ their powers and infringe people, and so can a police officer. They might do it independently of each other or they might do it in collaboration. They often collaborate. The Western Australia Police Force works with the Gaming and Wagering Commission quite collaboratively. As the member observed, a former senior police officer chairs the Gaming and Wagering Commission, so they are very familiar with each other's practices.

Clause put and passed.

Clauses 50 to 55 put and passed.

Clause 56: Section 101 amended —

Mr P.J. RUNDLE: Can the minister explain the compliant guarantee, for argument's sake, with standard lottery applicants and permit holders having to provide a bank guarantee? What are its workings? What sort of lottery? Is there some sort of threshold as to the value of a lottery et cetera?

Mr P. PAPALIA: I provide a layperson explanation because that is what I am! At the moment, the Gaming and Wagering Commission can call for a bank guarantee in the event of a raffle having a prize of $30 000 or more. It is a policy decision. It is not necessarily the rigid level or obligation that would be imposed by the Gaming and Wagering Commission. It means that if someone conducts a raffle, they might be required to have a bank guarantee to confirm that they can deliver the prize.

Mr P.J. RUNDLE: We are talking about payments and so forth. Along the same lines, regarding the likes of, say, the poker leagues and other activities that require a standard permit, I understand, from the department—that is, they generally generate a profit that goes partially to a sporting club et cetera. I imagine they would not be caught up by this legislation.

Mr P. PAPALIA: The issue the member raised is not relevant to this part of the bill. I do not think the bill even addresses it at all. It is not a requirement. The member talks about policy that Gaming and Wagering Commission might develop. It has nothing to do with this bill.

Mr P.J. Rundle: Is the bank guarantee in relation to $30 000 and more with lotteries and events?

Mr P. PAPALIA: It is just in relation to standard lotteries.

Clause put and passed.

Clauses 57 to 59 put and passed.

Clause 60: Section 109C amended —

Mr P.J. RUNDLE: This question relates to the community trust account. Once again, I understand the transfer of responsibility for the gaming community trust account from the Gaming and Wagering Commission to the Department of Local Government, Sport and Cultural Industries. Can the minister explain what the account does and roughly how much happens to be in it or what the purpose of the account is?

Mr P. PAPALIA: I was the minister for four years when this was probably a much more substantial account than it will be in the future. It is unclaimed winnings from electronic gaming machines. I understand that we are going towards carded play soon; therefore, the likelihood of there being much unclaimed winnings will diminish. We are grasping here in terms of scale—from memory, it was something like $150 000 a year at the most. It might have been a lot less than that, but the grants would have gone to a wide spectrum of community activities. I recall things like men's sheds and other grassroots community activities. That will be unchanged but the amount will probably change because I expect there will be less unclaimed money.

Clause put and passed.

Clauses 61 to 64 put and passed.

Clause 65: Section 109K amended —

Mr P.J. RUNDLE: The penalty that can be imposed on Racing and Wagering Western Australia will increase from $100 000 to $1 million. Can the minister explain why that has increased so much and what environment that would be applied to?

Mr P. PAPALIA: The penalties have been elevated to address historical inconsistencies. It is a legacy penalty. By way of example, the equivalent penalty for the casino in matters of this kind will be increased to $100 million. The increase to RWWA is significantly less, but there is still a substantial increase from what it was. It reflects a more contemporary penalty.

Mr P.J. RUNDLE: If that took place and the penalty were applied, would there be any personal responsibility for members of the RWWA executive et cetera, or will it be paid for by the RWWA institution or department?

Mr P. PAPALIA: It is a penalty to RWWA.

Clause put and passed.

Clauses 66 to 74 put and passed.

Clause 75: Section 115 replaced —

Mr P.J. RUNDLE: Proposed section 115 states —

> (1) A person must not obstruct, impede or otherwise interfere with the doing of a thing required or authorised to be done under this Act.
>
> Penalty for this subsection: a fine of $100 000.

Can the minister explain the "doing of a thing"?

Mr P. PAPALIA: It is anything the person may be required to do under the act. An authorised officer may want to conduct an oversight or inspection activity. If it is impeded or interfered with, it will potentially result in a penalty.

Clause put and passed.

Clause 76: Section 121 amended —

Mr P.J. RUNDLE: Does this clause have any retrospective offences attached to it? Are past directors or employers captured in this clause?

Mr P. PAPALIA: No, it will be from when the bill comes into effect.

Clause put and passed.

Clause 77 put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MR P. PAPALIA (Warnbro — Minister for Racing and Gaming) [4.56 pm]: I move —

> That the bill be now read a third time.

MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition) [4.57 pm]: I thank Donna, Clare and Kelly briefly for their advice. As I said earlier, the opposition and I generally support legislation that will tidy up and improve enforcement in relation to the multitude of recommendations made by the royal commission. This is obviously another stage and I think it is important that it continues, regardless of which government is in place. From our perspective, we support it. The Gaming and Wagering Commission and the department have an important role working closely together because a lot of duties will be transferred across. Hopefully they will be resourced in the right way to carry out those duties. I leave my contribution there and say that we support the bill. Thank you.

MR P. PAPALIA (Warnbro — Minister for Racing and Gaming) [4.58 pm] — in reply: I thank the member for his contribution and for his support of the bill and I look forward to it passing rapidly through the other place and bolstering our defences against the threat of money laundering and, potentially, terrorism. I look forward to affording the ability to comply with some of the recommendations of the royal commission.

Question put and passed.

Bill read a third time and transmitted to the Council.

PLANNING AND DEVELOPMENT AMENDMENT (METROPOLITAN REGION SCHEME) BILL 2024

Returned

Bill returned from the Council without amendment.

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, 5 November 2024, at 1.00 pm.

House adjourned at 5.00 pm