Parliamentary Debates
(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE ASSEMBLY

Tuesday, 6 August 2024

Legislative Assembly

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THE SPEAKER (Mrs M.H. Roberts) took the chair at 1.00 pm, acknowledged country and read prayers.

BILLS

Assent

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

1. Firearms Bill 2024.
2. Electoral Amendment Bill 2024.

ELECTORAL AMENDMENT BILL 2024

Returned

Bill returned from the Council without amendment.

BUSINESS OF THE HOUSE — TABLED PAPERS

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [1.02 pm]: I draw to members' attention a minor change in relation to tabled papers. Typically, at the commencement of each sitting day, the Clerk reads the list of tabled papers to the house as prescribed in the standing orders. That list is then published each day in the *Votes and Proceedings*. On the first sitting day following a period of recess, the list can be quite long and time consuming. Rather than reading the full list to the house, I authorise the Clerk to simply table the list, provide copies of it in the Legislative Assembly Office and email a copy to all members. I will continue to present those papers that are required by statute to be tabled by the Speaker.

PAPERS TABLED

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

BILLS

Notice of Motion to Introduce

1. Police Legislation Amendment Bill 2024.

Notice of motion given by **Mr P. Papalia (Minister for Police)**.

2. Young Offenders and Prisons Legislation Amendment Bill 2024.

Notice of motion given by **Mr P. Papalia (Minister for Corrective Services)**.

COOK GOVERNMENT — PERFORMANCE

Notice of Motion

Mr R.S. Love (Leader of the Opposition) gave notice that at the next sitting of the house he would move —

> That this house notes that after seven years in power, the Cook Labor government has failed to prioritise the needs of Western Australians over ideological pointscoring and vanity projects, sacrificing better outcomes for political gains.

NICHELIVING

Statement by Leader of the House

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [1.04 pm]: I rise on behalf of the Minister for Commerce to provide the house with an update on Nicheliving. On Tuesday, 30 July, the Building Services Board decided to not renew Nicheliving's builders' registration, based on financial grounds. Without building contractor registration, Projex Management and Construction can no longer carry out, or be contracted for, building work. The board's decision enables home owners with incomplete or defective work under home building work contracts with Projex Management and Construction to make a claim on their home indemnity insurance policies and consider other arrangements for completing their projects.

The company has more than 230 incomplete home building work contracts on its books, with more than 130 builds significantly delayed beyond two years. The government has been monitoring Nicheliving's operations since 2023 and the regulator, Building and Energy, has been investigating complaints since late 2022. The registration renewal process began in February 2024 and Building and Energy has been methodical in its assessment.

In the interests of due process, there were constraints on what information could be made public during the re-registration process. Although the government has certainly been limited in what information it could make public, claims that it has not taken action on Nicheliving are simply untrue. Any decision about the registration of a builder, especially in the environment in which the building industry currently finds itself, is not taken lightly.

The government is aware that Nicheliving has lodged an appeal to the board's decision with the State Administrative Tribunal, and the government will obviously be opposing that. If Nicheliving lodges a separate application for a stay of the decision until SAT makes its determination, the government will oppose that as well on the grounds of it not being in the public interest. Although the technical reason for this decision was based on Nicheliving's financial position, we know that it has treated its customers poorly and many have suffered. If a building company is not doing the right thing, it can be investigated by the regulator.

Customers will now have the opportunity to complete their homes through another builder and move on with their lives. QBE has processes and procedures in place to manage the transfer of homes, as it has done many times in the past when builders have become insolvent. Given the scale of homes affected by this decision, the government has met with QBE and offered its assistance to ensure that customers of Nicheliving are transferred to new builders in the shortest time possible.

GANHANDO O MUNDO SCHOLARSHIP PROGRAM

Statement by Minister for International Education

MR D.A. TEMPLEMAN (Mandurah — Minister for International Education) [1.07 pm]: Today I inform the house about the recent participation of Western Australian schools in an international scholarship program offered by the government of Brazil called Ganhando o Mundo, which means "winning the world". As part of the scholarship program for academically talented but financially disadvantaged students, the state government of Paraná in Brazil sponsors 1 000 high school students annually to spend a semester in another country. This year, 250 places were allocated to Australia. Western Australia received the largest share, with 88 students studying in our secondary schools in semester 1, 2024. Between January and July 2024, 59 students studied in 14 public schools and 29 students in six non-government schools. These students were aged between 15 and 17 years and were enrolled in years 10 or 11.

Students lived with homestay families in Perth or at school boarding facilities in Perth and Bunbury. In addition to their studies, students had the opportunity to participate in a variety of activities, allowing them to engage with the wonderful social and cultural life Western Australia has to offer. I am pleased to report, based on feedback provided by students, families, schools and the government of Brazil, that the program was a success. Feedback from the state government of Paraná was that Western Australian schools were some of the most highly regarded schools in the scholarship program, both in Australia and internationally. The presence of Brazilian students in our schools enriched the learning experience for all students by equipping them with the knowledge, skills and abilities they need to succeed in a globally connected world.

This was a collaborative partnership across multiple Western Australian government departments, including the Departments of Education, Training and Workforce Development; and Jobs, Tourism, Science and Innovation, and our project partner, the Western Australian technical and vocational education and training consortium, and schools from the Catholic Education Western Australia and Independent Schools Western Australia networks.

I acknowledge the principals and school staff who did a wonderful job, both teaching and providing a supportive learning environment, and I thank the Australian Homestay Network and the many families opening their schools and hosting students as well as StudyPerth for organising the welcome and farewell events funded through the state government's international education schools engagement program. International education is a key priority for members of the Cook government. We are striving to grow the sector in Western Australia and are very proud of our involvement in the Brazil scholarship program.

DEFENCE INDUSTRY — INDIAN OCEAN DEFENCE AND SECURITY CONFERENCE

Statement by Minister for Defence Industry

MR P. PAPALIA (Warnbro — Minister for Defence Industry) [1.10 pm]: Western Australia recently hosted the Indian Ocean Defence and Security conference. In 2024, IODS became the premier defence and security summit for the Indian Ocean region, attracting visitors from across the globe and around the Indo-Pacific and hosting key leaders in defence and defence industry. The three-day IODS program featured a conference, trade exhibition, industry visits and networking events, along with the sold-out Better Together Ball, which provided a major fundraising opportunity to the RSLWA, Legacy WA and Police Legacy WA.

IODS drew 1 000 delegates, 3 000 exhibition visitors and over 500 school-aged visitors for the career's day. In a historic moment, the naval chiefs from the United States, United Kingdom and Australia met at IODS—their first meeting on Australian soil since the trilateral partnership was announced. The naval chiefs had a moderated panel discussion on the future of AUKUS and security in the Indian Ocean.

From the state government, the Premier, Deputy Premier and Minister Beazley participated in the conference. Western Australia also welcomed our Australian government colleagues Hon Richard Marles, MP, Deputy Prime Minister and Minister for Defence; Hon Madeliene King, MP, Minister for Resources and Northern Australia; Hon Matt Keogh, MP, Minister for Defence Personnel; and Hon Pat Conroy, MP, Minister for Defence Industry and Capability Delivery. IODS delegates heard from senior defence officials, geopolitical analysts, regional academic experts, industry leaders, and even a panel of four former Ministers for Defence about the security challenges being faced, but also the opportunities available and the importance of Western Australia to AUKUS and regional security.

IODS provided the opportunity for Western Australian defence industry, including hundreds of small and medium–sized enterprises, to demonstrate their ability to support defence capability in Australia and to our allied partners. The loud and clear message conveyed at IODS was that Western Australia is the gateway to AUKUS. Western Australia is at the forefront of a once-in-a-generation opportunity to secure the state's future, advancing technology-driven industries, building sovereign manufacturing capability and creating jobs for the next generation of Western Australians.

KOREAN ARMISTICE DAY — COMMEMORATION

Statement by Minister for Veterans Issues

MR P. PAPALIA (Warnbro — Minister for Veterans Issues) [1.12 pm]: On 27 July, I joined hundreds of Western Australians at the Korean War Memorial in Kings Park to commemorate the seventy-first anniversary of Korean Armistice Day. I had the immense privilege of assisting in the presentation of Ambassador for Peace medals awarded by the South Korean government in recognition of service during the Korean War.

We were fortunate to have four surviving Korean veterans present at the ceremony. Fred and Noel Wilson are brothers from Western Australia who served in the 3rd Battalion of the Royal Australian Regiment. Both brothers saw action in Korea and were wounded but returned home. Bevan Piper served in the 1st Battalion of the Royal Australian Regiment and the 2nd Battalion of the Royal Australian Regiment with my late uncle Joe. Maurice William Hill is a United Kingdom veteran who now resides in Western Australia, and he attended the ceremony with family, too. It was moving to witness the gratitude displayed for their service and humbling to discuss their experiences with them. Medals were also presented to the families of Walter Mackay, William Drayton Jamieson, Bernard Kevin Cocks, William John Ellis, and Everett Michael Fitzpatrick.

I thank Peter Heeney of the Royal Australian Regiment Association for his continued hard work in organising the annual memorial ceremony. I also thank Mrs Joanna Elfving-Hwang, associate professor and director of the Korea Research and Engagement Centre at Curtin University, who provided a keynote address on the enduring relationship between Australia and South Korea. The commemoration also marked the one-year anniversary of the official opening of the Korean War Memorial in Kings Park. The memorial is a fitting tribute to the service and sacrifice of our Korean veterans and the state government is proud to have contributed to its construction. I would like to take this opportunity to thank the Perth Korean War Memorial Committee for its diligent hard work in establishing the memorial. It is evident that the memorial has provided surviving veterans, and the families of those who have passed, with an appropriate place to reflect. I understand that the accompanying sound shell amphitheatre is currently under construction and will also be of great benefit to the community.

The efforts of our veteran community in Western Australia will ensure that the Korean War is no longer the forgotten war. The service and sacrifice of our brave veterans is reflected in the deep connection and respect held between our two nations.

Lest we forget.

STUDENT ASSISTANCE PAYMENT

Statement by Minister for Education

DR A.D. BUTI (Armadale — Minister for Education) [1.15 pm]: I am pleased to inform the house of the success of the Cook Labor government's WA student assistance payment. It is now complete, with payments being finalised in recent days. More than $75 million of important cost-of-living support was distributed to help 392 078 students and their families meet school costs. Approximately 80 per cent of eligible school students and their families claimed the payments, providing parents and carers with a $250 payment for each secondary school student and $150 for each student attending kindergarten or primary school.

The payments helped families pay for essential items such as school uniforms, new backpacks, calculators, sport or music equipment and even school lunches. It is open to students attending public, Catholic and Independent schools, as well as those registered in home education, because no Western Australian school student should be left behind in their education. The final statistics show that the payment was a welcome measure to help ease cost-of-living pressures on Western Australian families. I want to thank all the school staff and local members who have supported families to access this government support. The promotion of the payment in local communities demonstrates their support for their communities.

To improve public awareness of the payment, information was translated into more than 15 languages, targeting Aboriginal communities, and comprehensive support was provided to people who needed help to submit their claims. The suburbs with the highest uptake for claimed funds were Baldivis, Canning Vale and Ellenbrook in the metropolitan area, with Australind, Broome and South Hedland among the top 20 in the regions.

Since the closure of the claims period, the state government has also announced further targeted cost-of-living assistance with a significant increase to the secondary assistance scheme's clothing allowance. This additional cost-of-living measure will provide an extra $185 for eligible secondary school students from low-income families, and will bring the total support available through the secondary assistance scheme to $535 a year in both 2024 and 2025.

A total of $500 000 has also been provided to WA-based charity Give Write to support its work distributing new and recycled stationery to schoolchildren in need right across the state, and we have significantly increased the support available through the government's successful KidSport program, with up to $500 in vouchers now available to help eligible families cover the cost of children's sport in 2025. More than 71 per cent of all claims were lodged safely and efficiently through the ServiceWA app, with user feedback on the app being overwhelmingly positive. The remainder were accessed through web and paper forms.

With the completion of the student assistance payment program, I now table relevant data on the program. We are very proud to have delivered this opportunity to Western Australian families with school-age children to help with their ongoing school costs. It is fantastic to see such an outstanding response to the program.

[See papers 2998 and 2999.]

SERPENTINE DAM RECREATIONAL AREA

Statement by Minister for Water

MS S.F. McGURK (Fremantle — Minister for Water) [1.18 pm]: Just after Parliament rose for the winter recess, I joined the member for Darling Range, Hugh Jones, to officially open the newly upgraded recreation area at Serpentine Dam. Completed by Water Corporation, the heart of the $2.5 million upgrades is the nature-themed playground, which draws inspiration from the surrounding area with existing plants, trees and rocks incorporated into the design. The upgrades also include improved accessible facilities, with new picnic tables and additional parking.

On the morning of the official opening, more than 70 staff from Water Corporation planted over 2 000 native plants to mark the finish of the project and to ensure that the area will grow even more popular into the future. Recreation facilities like picnic tables, barbecue areas, walk trails and lookouts are available at 12 Water Corporation dams across Western Australia, including nine in the Darling Range. With July to November being the perfect time to go wildflower spotting, I encourage people to visit Serpentine Dam and enjoy the new facilities. I also take this opportunity to acknowledge the owners of popular local cafe, Bistro by the Dam, Linda and Kylie, for their patience throughout the works. You could say, it is a "dam" good playground!

ROBERT VOJAKOVIC, AM, JP — TRIBUTE

Statement by Minister for Industrial Relations

MS S.F. McGURK (Fremantle — Minister for Industrial Relations) [1.20 pm]: I rise to acknowledge and express my deepest condolences on the recent passing of Robert Vojakovic, AM, JP, who dedicated his life to helping victims of asbestos-related diseases. In 1961, Robert worked at the CSR blue asbestos mine at Wittenoom and became aware of the experiences of former asbestos miners and other asbestos disease victims. In the early 1980s, he founded the Asbestos Diseases Society of Australia, and he had held the position of president since the society's incorporation. Through Robert's leadership, the society provided essential services and support to victims of asbestos diseases and their families throughout Australia, including counselling, medical and legal assistance, community awareness and economic assistance for socially disadvantaged sufferers of asbestos diseases.

I would like to read a testimony posted by the society on 16 July. It states —

> All those who found themselves in Robert's office were treated like a long-lost friend sharing glasses of Croatian brandy or strong coffee while he listened to their stories and offered support and a chance to fight back against the companies that shattered their lives. You can't talk about Robert without mentioning Rose Marie or his children Melita and Simone who were by his side growing up throughout the 50 years of his dedicated service to others.
>
> Workers, their families and West Australians have lost a great champion … Working with some caring and sympathetic politicians, lawyers and the might of the Union Movement supporting his legal vision of equity and justice for workers, Robert was able to even the playing field for workers facing powerful employers putting profit before safety.

It is clear from these words, and from his ongoing service, that the assistance Robert provided to those suffering from asbestos exposure is deserving of deep acknowledgement and recognition. I am confident that his efforts and

fierce advocacy will be long remembered. We are truly indebted to Robert and his family for his tireless work on asbestos-related diseases and the lifetime he spent supporting workers. My deepest condolences go to his wife, Rose Marie, his children and his many, many friends.

Vale, Robert Vojakovic, AM, JP.

HOUSING — NORTH-WEST ABORIGINAL HOUSING FUND

Statement by Minister for Housing

MR J.N. CAREY (Perth — Minister for Housing) [1.22 pm]: I rise to inform the house that we have announced a $15.9 million grant program that will deliver new, refurbished or spot-purchased homes through the state government's north-west Aboriginal housing fund.

This new grant program will boost housing options for Aboriginal employees working in Aboriginal community–controlled organisations in the Kimberley and Pilbara regions. This will support eligible ACCOs to apply for funding to deliver accommodation assistance and career development opportunities for their workforce. The program aims to support and further enhance the valuable work led by ACCOs across the state's north west by providing secure and stable housing for employees and their families. The grants will allow ACCOs to continue their great work in the state's north west, providing secure and stable housing for their employees and supporting their longer term career development and financial wellbeing.

The grants demonstrate the power of collaboration between our government, private industry and the not-for-profit sector in delivering innovative solutions to address housing challenges in our state's north west. This is in addition to our record $3.2 billion investment in housing and homelessness since the 2021–22 state budget and our commitment to deliver 5 000 additional social homes.

I would particularly like to thank our local members Divina D'Anna, member for Kimberley, and Kevin Michel, member for Pilbara, for their advocacy around this issue. A home provides stability, safety and connection to community and is at the core of improving a person's overall wellbeing. We are committed to delivering quality housing for Indigenous employees and their families.

ROYAL COMMISSION INTO VIOLENCE, ABUSE, NEGLECT AND EXPLOITATION OF PEOPLE WITH DISABILITY — GOVERNMENT RESPONSE

Statement by Minister for Disability Services

MR D.T. PUNCH (Bunbury — Minister for Disability Services) [1.24 pm]: I rise to table *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Response by the government of Western Australia*.

Established in 2019, the Disability Royal Commission ran for four and a half years and heard from almost 10 000 Australians who shared their stories of lived experience in public hearings, submissions or private sessions. It identified instances of discrimination, exclusion and structural barriers to accessing supports and services, providing an insight into the challenges experienced by many people with disability in Australia. I am deeply appreciative of everyone who contributed and showed courage to share their stories and of the commissioners for their effort and dedication to bring us the findings of the Disability Royal Commission.

The final report includes 222 recommendations for change, which will result in improved legal protections, safer services and greater accessibility and inclusion to create more empowering environments for people with disability across WA. Of the 132 recommendations applicable to WA, the WA government has accepted, accepted in part or accepted in principle 100 recommendations. The remaining 32 recommendations are being considered further. This includes consideration of responses by the Australian government and ongoing inquiries.

The Disability Royal Commission emphasises the importance of including the voices of people with disability to ensure a rights-based and person-centred approach to disability reform. We are committed to the implementation of these recommendations and being informed by the views of people with disability, their families and carers, all levels of government, the disability services sector and the broader community to deliver better outcomes for people with disability in WA.

This work will be progressed in line with the objectives of *A Western Australia for everyone: State disability strategy 2020–2030* to build a Western Australia for everyone, where people with disability and those who share their lives are engaged and feel empowered to live as they choose in a community where everyone belongs. Implementation will require a whole-of-government approach and coordination in line with the national disability reform agenda, including alignment with the recommendations from the review of the National Disability Insurance Scheme.

I look forward to working with the disability community and state government agencies, as well as the commonwealth and other states and territories, to implement these significant reforms and create meaningful and long-lasting change for our future generations.

[See paper 3000.]

PERTH MINT — REFORM

Statement by Minister for Mines and Petroleum

MR D.R. MICHAEL (Balcatta — Minister for Mines and Petroleum) [1.27 pm]: I rise to highlight an important decision the Cook government has made in relation to the future of the Gold Corporation and the Perth Mint.

The Gold Corporation has supported the Western Australian gold industry for 125 years and is the largest fully integrated provider of refining, manufacturing, investor and storage services of precious metals in Australia, employing around 700 Western Australians. Changes proposed by the Cook government will see the Gold Corporation, the company that oversees the Perth Mint, brought into line with legislation governing other government trading enterprises.

The application of the Government Trading Enterprises Act will standardise governance arrangements, including board, accountability and financial provisions. It will mean approval is required from its minister and the Treasurer to undertake significant transactions, form new subsidiaries and dispose of significant assets. These legislative changes will have the effect of limiting the nature and extent of business activities the Gold Corporation can undertake without government approval, thereby providing greater oversight.

Further, the Cook government will retain the Perth Mint in public hands, bringing to a conclusion the independent options analysis commissioned by the state government in April 2023. The government remains committed to continued ownership of the Perth Mint, while also strengthening its governance and oversight.

Opening its doors in East Perth on 20 June 1899, the Perth Mint is recognised as Australia's oldest working mint. It plays a crucial role in the state's world-leading gold sector and is an important asset for our community, as well as our gold industry.

The changes I have outlined build on the significant work underway at the Gold Corporation to consolidate its core business and strengthen its compliance with the laws and regulations that govern its operations. The Cook government continues to support the Gold Corporation as it works cooperatively with the Australian Transaction Reports and Analysis Centre as it seeks to address historical noncompliance issues with its systems and processes. The Gold Corporation is on track to deliver its $34 million anti–money laundering remediation program by April 2025. Work has begun on the legislation required to bring these changes to fruition, and I look forward to bringing the bill to Parliament.

PLACE INNOVATION AWARDS

Statement by Minister for Local Government

MS H.M. BEAZLEY (Victoria Park — Minister for Local Government) [1.30 pm]: I am pleased to announce that the Minister for Local Government's Place Innovation Awards are back for 2024 and nominations are now open. Launched last year, the awards recognise innovative approaches to place making by local governments in three categories: metropolitan and Peel; regional; and outstanding achievement, which is selected from all nominations. Place making helps build community connections by bringing together planners, community members, architects, local governments, businesses and other groups to work collaboratively to activate local spaces.

The awards are administered by Town Team Movement, with support from the Department of Local Government, Sport and Cultural Industries, and are designed to recognise and promote innovative place-related projects, policies and activities. Awards will be given to a local government that provides an innovative approach to a place-based opportunity or challenge, demonstrates significant improvements to standard practices, or shows a high level of collaboration with external stakeholders or across different areas within local government. Winners will be awarded at the Western Australian Local Government Association's Local Government Convention in October.

Last year, from 31 nominations, the inaugural winners were the City of Kwinana for a community-led series of place-making initiatives at a neighbourhood centre, the City of Mandurah with a game-changing level of transparency in infrastructure policy, and the Shire of Pingelly for transforming an underutilised public space into a vibrant hive of activity and social connection. It would be great to increase the number of nominations received in the second year of the awards, and I encourage our local governments to nominate and shine a light on the many wonderful and unique place-making projects—large and small—that are making a difference to local communities across our state. Nominations can be made through the Town Team Movement website or by visiting the DLGSC website.

These awards complement the free online place-making training for local government staff and elected members, supported by DLGSC and delivered by Town Team Movement. There has been a great take-up of this training, with 533 people from 97 local governments participating in 2023–24. The training delivery has been extended for a further year and will see the addition of four in-person place-making training sessions focusing on executive and management level staff. I encourage local governments to take advantage of the free place-making training on offer. More information can be found on the Town Team website or the DLGSC website.

Members know how important place-based approaches are, and our local governments are at the forefront of innovative responses to local opportunities and challenges.

HEALTH — GOVERNMENT PERFORMANCE

Removal of Order — Statement by Acting Speaker

THE ACTING SPEAKER (Mr P. Lilburne) [1.32 pm]: I inform members that the private members' business order of the day that appeared on the last notice paper as "WA Health System" has not been debated for more than 12 calendar months and has been removed from the notice paper.

FAMILY VIOLENCE LEGISLATION REFORM BILL 2024

Second Reading

Resumed from 19 June.

MS L. METTAM (Vasse — Leader of the Liberal Party) [1.33 pm]: I rise to speak on the Family Violence Legislation Reform Bill 2024. I am not the lead speaker; the Leader of the Opposition is the lead speaker. I rise to make a contribution in support of this piece of legislation that has been brought before the house and as the alliance's shadow spokesperson on the prevention of family and domestic. I rise as the Leader of the Liberal Party to contribute to and provide our support for this reform bill.

It should be of no surprise that, like most legislative priorities of the Cook Labor government, this bill to mandate the use of GPS to track violent offenders in our state has been a long time coming. The WA Liberal Party has openly supported the use of GPS tracking devices and I understand that our colleagues in the Nationals WA have supported this as well. Last September, the Liberal Party made a commitment of $100 million to double the number of GPS tracking devices, as well as the commitment to mandate the use of them to track serious offenders, notably those who breach a violence restraining order. We are heartened that the government decided to support this policy and announce a similar policy one month later. This legislation was presented to deal with some of the most violent and unremorseful individuals in our community. This will be a powerful tool to help police combat repeat family and domestic violence offenders. The government has stated that those who offend against their partners and families deserve severe penalties, and we certainly support that. In fact, I do not think anyone—perhaps offenders excluded—would disagree.

Although we support this legislation, it is unclear why it has taken so long for it to be introduced to address the record rate of family and domestic violence that is currently plaguing our state. This debate should have taken place months ago. Although the approach to addressing coercive control, which was highlighted last year, is in the legislation, it will not see it dealt with as a criminal offence. As such, we are unlikely to see coercive control criminalised in this term of government. It is unacceptable that the government claims it is addressing family and domestic violence in a timely manner when this simply highlights how yet again this government has dropped the ball on a very serious issue in our community. Coercive control changes are a necessary measure, and this is supported by domestic violence prevention advocates. This legislation should not simply kick the can further down the road.

Here in WA, over 60 per cent of assaults are family and domestic violence related. In 2017, there were around 19 000 family assaults in WA. Seven years later, that figure has reached over 31 500, which is an almost 60 per cent increase. Similarly, in the last year there have been 4 000 more breaches of family violence restraining orders compared with when this government came to office in 2017. This is simply unacceptable. Given the reality of those numbers, it is saddening with legislation as important as this that this government has taken so long to act on this issue. From the government's announcement to address GPS tracking to the legislation being before us, it has taken over nine months, while other legislation announced more recently has already passed through this place.

Under this minister's watch, WA leads every other state in the nation for the number of women killed in domestic violence incidents. In WA, a violence restraining order is breached nearly every half an hour. Under the Cook Labor government, WA is the most dangerous state in the country to be a woman. Knowing the trial for these bracelets concluded more than a year before the announcement, it is staggering that it took questions from the opposition to uncover the outcomes of the trial and to spur the government into action. At the time, the Minister for Prevention of Family and Domestic Violence could not even answer a question on this trial either.

In the nine months from the announcement to the legislation, our state has seen 24 462 incidents of family assault. In that same period, there were also 8 888 breaches of family violence restraining orders, and we have not even talked about the number of lives that have been lost since then.

This includes the lives of Alice McShera, Jennifer Petelczyc, Gretl Petelczyc, an unnamed 26-year-old woman in Kununurra, Evette Verney, Erica Hay, Joan Drane and likely many more, with several alleged and convicted offenders simply described as being "known" to victims Tara Morrison, Julianne Egan, Mauwa Kizenga, an unnamed 42-year-old woman in Ascot and a 34-year-old woman in Cable Beach. I highlight that this is just since the government's announcement last year about GPS tracking. We may never know whether or in what circumstances some of these deaths could have been prevented, but we should be very aware that every single one is a reminder of why time matters and why time is of the essence in implementing policy on family and domestic violence.

Although these GPS tracking bracelets and updates to definitions in the legislation are necessary, GPS tracking also requires resourcing to monitor offenders. The Western Australia Police Force needs time to service the data that is provided.

With crime rates rising year on year under the Cook Labor government, drug use growing, police recruiting shortfalls and reports of increased knife crime, WA is now known as the violent crime capital of Australia. We must all wonder how WA Police can feel supported to tackle such issues when these issues are always at the bottom of this government's agenda. We are seeing the need to better resource and support our WA police. We have a shortage of police officers and many more are walking out the door despite this government promising it would increase police officers by 950 by June this year. Of great concern is that police, and also family and domestic violence prevention advocates, have noted the need for further resourcing, training, support and monitoring, and a need for more GPS tracking devices to meet the expanded definitions. We must ensure that perpetrators feel the weight of these changes and that WA police have the resources to implement them.

WA police officers do a remarkable job and they are remarkable people. We know that they are doing everything they can to keep our community safe, but they are consistently being let down by a government that does not back them. The Minister for Police needs to get these values in order and support a system to function properly around this vital legislation. This government says that it wants to see fewer family and domestic violence incidents, yet it knew that crime, especially violent crime related to family-related incidents, had been going up for years. I have pointed to those statistics about Western Australia before. If there is "no acceptable level of family and domestic violence", as this government claims, it is surprising that these steps were not taken seven years ago.

Policy in a space that is as important as this, and that quite literally means life or death for many, should not be reactionary. Western Australia should not have to reach such a crisis point. We therefore seek assurances that there are plans to expand this program further in order to meet the level of violence occurring in WA at the moment. We also seek assurances that there will be better resources for WA police to support this legislation. This legislation will impact a lot of people in WA, especially many who may not feel a lot of hope at the moment. We must make sure these changes reflect the weight and importance of deterring family and domestic violence both now and into the future, and that every effort is made to keep women, families and individuals across this state safe, and that perpetrators are effectively held to account.

MR R.S. LOVE (Moore — Leader of the Opposition) [1.44 pm]: I rise as lead speaker for the opposition on the Family Violence Legislation Reform Bill 2024, as the member for Vasse said. The opposition will support this bill. Since the Labor government took office in 2017, we have seen a dramatic increase in violent crime, particularly in the space of family and domestic violence. Despite announcements, pronouncements and so-called funding allocations, that continues to be the case. Western Australia Police Force data shows that family and domestic violence offences have increased 41 per cent from the five-year average. The statistics show that Western Australia is one of the worst states in our nation for the scourge of domestic violence. This week, which is Homelessness Week, Western Australia has the highest rate of women who have experienced domestic violence approaching homelessness services. As the CEO of one of the local domestic violence support services said, the demand in her shelter is the highest that she has ever seen in all her decades working in the sector. We have something of a crisis in which victims who have had the courage to escape violence, to keep themselves safe, then face homelessness. It is an appalling choice that they have to make, especially if there are children involved. It is a situation that may leave women and children very vulnerable and left to fend for themselves on the street or potentially to go back to the home where they face dangerous, if not fatal, situations.

Tragedies unfold daily across our state, and that is a shame for a state that is the richest in the nation. The mineral wealth of this state enables governments to make investments and interventions that should, on the face of it, make change. However, what we see is a catastrophic failure by this government to meaningfully address the situation. There have been a number of crisis talks, roundtables, papers, reviews, action plans and lots of promises and lots of allocations—too many things have happened to list here. However, the media and the community see the deplorable situation continuing to unfold and we continue to see this scourge infecting our communities.

Western Australian Labor promised legislative responses to family and domestic violence if it won office. That was nearly eight years ago. We know that some action was taken. There have been two Ministers for Prevention of Family and Domestic Violence and three pieces of related legislation have been brought forward, but we continue to see increases in the level of family and domestic violence in our community. In 2015–16, the federal coalition government announced a budget allocation in its midyear review to provide funding for states and territories to trial the use of GPS trackers for perpetrators of family and domestic violence. It was the coalition government in the period just before Labor took office that made the funding available for such a trial to take place. This government undertook a two-year pilot trial of GPS monitoring, commencing in August 2020 and concluding in August 2022. The government then took 15 months to table the final evaluation of the trial. A year after the trial had finished, the Minister for Prevention of Family and Domestic Violence was apparently unable to answer the simplest questions regarding the trial. She was seemingly unaware of the trial or not across the brief, and instead chose to refer the question to the Attorney General, despite her predecessor, the inaugural Minister for Prevention of Family and

Domestic Violence, having launched the trial. The long-awaited trial report was tabled not by the Attorney General but by the Leader of the House on the last sitting day of Parliament in 2023, which allowed zero opportunity for any questions to be raised on the floor around that trial until the following calendar year.

Western Australia Police Force figures show that in the month of the commencement of the trial, August 2020, there were 628 breaches of family violence restraining orders and in the 12 months from August 2020 there were 8 327 breaches of family violence restraining orders in Western Australia. *Enhancing family safety: Evaluation of the two-year family and domestic violence GPS tracking trial* noted —

> The original trial cohort was defined quite narrowly as offenders who breach a Family Violence Restraining Order with a further act of family violence and only 19 offenders met this description during the trial.

If these thousands of other breaches each month are breaches of a technical matter, how are they being addressed or managed? There are many thousands of breaches of these orders. How will they otherwise be captured under this bill? The evaluation report notes the low cohort numbers and states —

> To increase the reliability of the evaluation findings, the statistical analysis was not limited to the 19 individuals that met the original trial description but instead focused on all Court orders with a GPS tracking condition underway during the trial period and where the offence was family and domestic violence related. The size of the analysis cohort was still only quite small, with 28 distinct offenders included.

The trial report found that there was no trigger for the consideration of GPS tracking for family and domestic violence offenders or offenders generally. Even though the legislative amendments that enabled the trial also enabled the use of electronic monitoring for any offender on a custodial suspended imprisonment order or an intensive supervision order, there was no legal or procedural trigger in place that would cause it to be considered.

That tells us that despite the legislative changes the government brought in to enable the trial, it was alarmingly not communicated to or received where it was intended. This might point us in some direction to understanding the failure of the government to impact the disastrous level of family and domestic violence offending in Western Australia. Accordingly, and in the absence of a dedicated screening process, a bespoke screening process was established by the police for the trial. However, by the time the trial ended in August 2022, police funding for the pilot had also ended.

I think the main reason for the bill before us is to provide a clear signal to the justice system that the community now wants repeat and high-risk family and domestic violence offenders to be mandatorily electronically monitored except in exceptional circumstances, which are yet to be defined. Is it an exceptional circumstance when the partner and/or victim reject a mandatory monitoring device for an offender? That is an important question, as it appears that this reason contributed to the lack of numbers in the trial cohort that I just spoke about. Of those identified by police for inclusion in the trial, 40 per cent were not suitable because they were sentenced to jail, another third received lesser penalties and, in some instances, victims did not want GPS monitoring imposed.

It is important to know what the limits are of these exceptional circumstances. They should be clearly understood to ensure that victims are protected and are not coerced into presenting an argument against GPS monitoring. Although the judiciary may be well versed in interpreting exceptional circumstances, I would like to hear the Attorney General's intentions as we go through the consideration in detail process, which we will no doubt have on this piece of legislation. He will be offered an opportunity to expand on those circumstances.

The results of the trial also noted that GPS tracking reduced physical violence while the offender was being monitored, but does not appear to have reduced other non-physical types of family and domestic violence, highlighting the need to provide offenders with access to evidence-based cognitive behaviour programs that not only address their family and domestic violence issues, but also any underlying or contributing substance abuse issues. I hope the government will be able to make use of this bill to ensure that other non-physical types of family and domestic violence are indeed captured and offenders are not able to continue to abuse victims in other ways because they are free from detention.

More resourcing will be needed to increase the availability of rehabilitation programs in the community. We are already aware of this Labor government's deficiency in this area, and we know that especially in regional areas these programs are often as good as non-existent. The matter was highly publicised last year when it was revealed that convicted domestic violence offenders were finishing their parole periods without having had mandated domestic violence counselling due to the waiting lists in the system for the provision of that counselling. That shortage has led to not having the behaviour of those offenders addressed.

We were also made aware of deficiencies of information sharing with the Prisoners Review Board of Western Australia in the wake of a young mother, Georgia Lyall, allegedly being killed at the hands of her estranged partner who had been released on bail five years into a seven-year sentence. Subsequent to the review of the decision, it was found that pertinent details of prior offending were not presented to the board to assist in its decision-making. The Attorney General wrote to the Premier and Minister for Corrective Services in November last year regarding this review and the outcomes sought in response—outcomes that required additional resourcing. Will the

Attorney General update the Parliament on the progression of his recommendations to the government? He can do that in his reply to the second reading debate or whenever he wishes to. I know he is listening and taking notes as I go through this speech, and I expect that when we resume this debate after the matter of public interest, he will be well versed in all these matters.

The implementation of the trial planning was also hampered by a lack of consideration given to resourcing for victim-focused services, which in turn led to delays in the development of formal training guidelines and procedure manuals specific to the trial. Further, the family and domestic violence victim–related procedures needed to be developed without precedent and essentially as they were learned. This led to inconsistencies in the type and level of information provided to the broader cohort of family and domestic violence victims during that two-year trial. Reading that report, we see that a number of issues were identified throughout that trial as needing improvement going forward, and I hope that lessons are learnt. Given the experience of planning that went wrong, a lack of consideration, or both, in future the Departments of Corrective Services and Justice should take great care that they heed the advice of the report.

The report also went on to say that if the use of GPS tracking in a family and domestic violence context is to be expanded in Western Australia, it is important that further consideration be given to the need for an appropriately resourced and trained trauma-informed victim assessment and support function. This function will need to be backed by clear and consistent guidelines and procedures, and these should be well documented among all the key stakeholders. In addition to all those learnings that became quite apparent during the trial, it was found that the three-week wait for the required pre-sentencing reports deterred justices from considering GPS tracking.

Debate interrupted, pursuant to standing orders.

[Continued on page 3412.]

MEMBER FOR ROCKINGHAM — DAUGHTER
MEMBER FOR RIVERTON — GRANDDAUGHTER

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [1.59 pm]: Just ahead of question time, I have a couple of announcements. Firstly, on behalf of the house, I congratulate the member for Rockingham and her husband, Jake, on the birth of Bowie Rose. I also congratulate the member for Riverton on the birth of his granddaughter, Rani. Congratulations to Dhee and her husband, as well.

QUESTIONS WITHOUT NOTICE

GOLD CORPORATION — LEGISLATION

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

I refer to today's announcement that legislation will soon be introduced to bring Gold Corporation in line with other government trading entities.

(1) Is this an admission by this government that the activities of Gold Corporation require further oversight in light of compliance issues plaguing the organisation, the sale of gold to notorious bikies and the investigation by Australia's financial crime agency, AUSTRAC?

(2) Will Western Australian taxpayers continue to guarantee the activities of the Perth Mint?

(3) Why did the government fail to include Gold Corp in the Government Trading Enterprises Act when it was originally passed?

Mr R.H. COOK replied:

(1)–(3) I thank the member for the question and welcome everyone back to Parliament. It is great to see that the member for Mount Lawley has grown a bit of facial hair. Strangely enough, Madam Speaker, my suit has shrunk! I appreciate the question from the member. It is a very important one, because we know that Gold Corp plays an important role in our industry and, indeed, our economy. As the member would be aware, and as he alluded to, in November 2023, the Perth Mint voluntarily entered into an enforceable undertaking with the Australian Transaction Reports and Analysis Centre, or AUSTRAC. AUSTRAC identified the enforceable undertaking as the most appropriate regulatory response after an independent external audit identified some compliance issues within the Perth Mint. No fine was imposed by AUSTRAC; no negative findings were made. Under the enforceable undertaking, the Perth Mint will complete an anti–money laundering remediation program by April 2025. The implementation of the AML remediation program is subject to assessment and reporting by an independent external auditor and oversight by AUSTRAC. The Perth Mint's AML remediation program remains on track and on budget, and this government has invested $34 million in the AML remediation program to make sure that the people of Western Australia can have confidence in the work that Gold Corp does.

I was not one of the key ministers at the time that the decision was made and a lot of this stuff was going on around Gold Corp, but I do recall at the time being approached by a number of members of the gold

mining industry who said that they wanted Gold Corp to continue in the refining work that it is doing, and the appropriate underpinning of its commerciality, which has played a really important role in the sustainability of our gold mining industry.

As the member would be aware, we have been through a range of opportunities to look at how we can best integrate Gold Corp into our GTE framework and, as the member noted, the Minister for Mines and Petroleum made a brief ministerial statement on this point earlier today to clarify those issues and offer people insights into the way forward.

GOLD CORPORATION — LEGISLATION

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

I have a supplementary question. I bring the Premier back to the first question. Can the Premier give an assurance that Western Australian taxpayers will not continue to be on the hook for any governance or commercial failing by Perth Mint or Gold Corp?

Mr R.H. COOK replied:

What I can do is confirm that under the changes that we are making, the Perth Mint will be brought into line with legislation governing other government trading enterprises. That act will standardise the governance arrangements including the board, accountability and financial provisions. It will mean that approval will be required from the minister and the Treasurer to undertake significant transactions, form new subsidiaries and dispose of significant assets. This is the appropriate way to manage these issues. The Gold Corporation plays an important part in our gold mining ecosystem and, because of that, many mining companies have come to the government, both formally and informally, with the view that we should maintain Gold Corp in government hands. In doing so, we have to make sure that it is captured under our gold-standard government trading enterprise legislative framework to make sure that we can continue to be confident in the work that Gold Corp does.

KNIFE CRIME — STOP-AND-SEARCH LAWS

456. MR S.J. PRICE to the Premier:

I refer to the Cook Labor government's commitment to cracking down on violent crime.

(1) Can the Premier update the house on the progress of the proposed new laws addressing knife crime?

(2) Can the Premier outline to the house how the proposed laws will help Western Australians feel safer in public?

Mr R.H. COOK replied:

(1)–(2) Can I take the opportunity, with Madam Speaker's indulgence, to acknowledge the Olympic athletes competing in Paris at the moment, in particular the West Aussies who are doing us proud. We sit fourth on the gold medal tally, which I think is something, as a nation, we should be very proud of. I acknowledge the more than 70 West Aussies who are competing in the Olympics and Paralympics. Whatever the outcome, they are doing us proud, and we are greatly enjoying their endeavours.

Among the things we cherish most in Western Australia is the fact that we live in a safe and peaceful community. For the most part, we enjoy a social harmony that is experienced in few other places on earth. This is an incredible place to live and we want to make sure that it stays that way. When instances of weaponised violence occur, they are met with overwhelming shock and condemnation. I think we were all particularly shocked by the knife crime that occurred in Willetton a few short months ago. As a government, it is our job to ensure that women, kids and families can go anywhere and feel safe from harm. However, as we have seen right across the world, there is an increasingly complex social matrix, and the job of maintaining security grows more complex with it. This is underscored by Australia's national intelligence experts, who lifted the nation's terror threat rating just yesterday. Last week, the world witnessed a horrific attack on innocent children at a Taylor Swift–themed dance class in the United Kingdom, and the disruption and anger that occurred as a result of that crime. It was a tragic reminder that knife crime causes heartbreak in communities across the world. Of course, none of us will forget the images from Bondi and how distressing they were.

Western Australia, too, is impacted by this escalation of knife crime. Today we introduced new laws to crack down on knives and concealed blades. Under the government's tough new laws, police will be able to use walk-through and handheld metal detectors or wands to scan for hidden weapons anytime, anywhere. These new police powers will be backed by tough new penalties targeting those who illegally possess knives or sell them to minors. To be clear, these laws will not target tradies with a Leatherman or a chef heading to work with their tools of trade; this is a commonsense law. These new laws will enable police to use metal detectors to carry out non-invasive scans of people they suspect may be armed. These scans will be allowed in only what are known as knife-scanning areas. These include all existing protected entertainment precincts. That, for members' information, is Northbridge, Perth, Mandurah, Scarborough,

Hillarys and Joondalup. In addition, senior officers will have the power to declare temporary knife-scanning areas in any public place, from shopping centres to public transport points, or even sports and community events. These laws are designed to protect Western Australians.

This crackdown will target people who do the wrong thing—that is, those who think they are above the law and have the right to carry a concealed weapon in our community. That is not okay, and we will stamp it out. I think all Western Australians would agree that a weapon in the wrong hands at the wrong time is a recipe for disaster, and that combined with a heightened alert around violent extremism from individual or lone wolf actors means that now is the time for this law. Ultimately, our aim is to preserve the fantastic life we have here in Western Australia, to ensure that people feel safe wherever they go and to prevent thugs from carrying out violent attacks before they get a chance to do so.

Madam Speaker, I will always do what is right for Western Australia, and Western Australians expect a place that will be kept safe. We will do everything we can to make sure that we make it that way.

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION (WA) — CONDUCT

457. Ms L. METTAM to the Premier:

I refer to the ongoing allegations of corruption, criminal infiltration and misconduct within the CFMEU that have prompted decisive action from state governments across Australia. Despite documented evidence and reports of intimidation, coercion and the employment of individuals with known criminal backgrounds, can the Premier explain why his government continues to maintain that such issues are not present within the Western Australian branch of the CFMEU?

Mr R.H. COOK replied:

I thank the member for the question. I fully support and endorse the actions of the federal government in dealing with the recent revelations. I think the scenarios and the conduct exhibited by officials of this union on the east coast appalled everyone. They would absolutely appal anyone. They disgusted us. Prominent builders and, indeed, the Master Builders Association have gone on the record to say that the WA CFMEU is different and that the Western Australian industry is different. We back those calls and agree with those observations.

Although I have seen no clear evidence of the type of east coast conduct here in WA, I am concerned that a current CFMEU official who is facing serious charges related to a violent home invasion has a right to enter WA worksites. The allegations he is facing are being tested in court, and we fully respect that process under our legal system. However, I am aware that the Fair Work Ombudsman has commenced a process to suspend that individual's right of entry, and I fully support that action. It is the umpire and we abide by its rules and the way that it oversights these laws.

It has come to the government's attention that there is a potential discrepancy, or inconsistency, between the commonwealth's and WA's industrial relations laws that would not allow for a similar process to happen under our state IR system. When I came back from leave the week before last, I said that we will change that to create a fit-and-proper-person test for any union official seeking a right of entry permit under the state industrial relations system. We will continue to make sure that we monitor the actions of and refer any allegations of misconduct from any union official to the appropriate authorities. That is what we are doing.

I note that the Fair Work Commission put out a statement last week saying that it will seek to place into administration all branches of the CFMEU in Australia except the branches in the ACT and Western Australia. It said that the case has not yet been made for the same level of misconduct. As I have said on numerous occasions over the last couple of weeks, I fully respect the role of the Fair Work Commission and fully endorse its actions. If it sees fit to place the Western Australian branch into administration, or if the federal government moves in that direction, we will support that. If anyone sees or is in possession of information on any misconduct, they should do what my government does in all circumstances and refer it to the appropriate authorities, whether it is the Industrial Relations Commission or the police. That is what you do, Madam Speaker. That is what every member of the community should do.

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION (WA) — CONDUCT

458. Ms L. METTAM to the Premier:

I have a supplementary question. How can the Premier justify his government's refusal to acknowledge and address these very serious issues surrounding intimidation within the CFMEU given its notorious track record in WA?

Mr R.H. COOK replied:

As I said, if any member of the community has accusations that can be substantiated with evidence, they should be referred to the authorities; that is the appropriate action. It is telling that the Fair Work Commission has identified—singled out—the Western Australian branch of the CFMEU as not requiring action at this particular point in time.

As the Master Builders Association said, members of the CFMEU in Western Australia are not boy scouts! They work in the industry with robust personalities on both sides of the table—it has always been thus—but we expect everyone to play by the rules. If anyone is not playing by the rules, they should be referred to the appropriate authorities.

METRONET — PROJECTS

459. Mr M.J. FOLKARD to the Minister for Transport:

I refer to the Cook Labor government's investment to strengthen and expand the Western Australian public transport system.

(1) Can the minister outline to the house how Metronet projects, including the Yanchep rail extension and the Morley–Ellenbrook line, are transforming our communities?

(2) Can the minister advise the house whether she is aware of any other public transport policies for people living in densely populated areas?

Ms R. SAFFIOTI replied:

(1)–(2) I thank the member for the question. It has been a big month for Metronet during the winter parliamentary recess. We have seen the community excited by the progress of key projects throughout the suburbs. The only people who are not excited are members of the opposition—the Nationals WA and the Liberal Party—who do not like delivering world-class transport to the suburbs. They hate it! They get upset! Every time we deliver a project, I see them on TV getting more and more upset about the delivery of our projects. They are using advertisements to criticise Metronet. Let us go through the progress of those projects. I will update the house on community perceptions. The Yanchep rail line extension, members for Butler, Burns Beach and Wanneroo, is 14.5 kilometres long and includes three new train stations. We are already seeing a huge take-up of that rail line. More than 10 000 people came to the opening. People came up to me and said that they had been waiting for this project since the time of the former Liberal–National government. Of course, the previous government never thought it should have built a rail line to Yanchep in the next 20 years. If it were up to members opposite, it would have been post-2050 before there was a rail line to Yanchep. I was surprised when I was watching TV and I saw the Leader of the Liberal Party say, "This project's a couple of years late." This is a Liberal Party that did not believe a rail line should be there until after 2050.

On the Ellenbrook rail line, we saw works finish at the new Ballajura train station. Again, the Leader of the Liberal Party, who has more front than Myer's, stood there and said, "The Ellenbrook rail line is a couple of years behind what they said." This is a Liberal Party that broke its promise year in, year out. I love it when the Leader of the Liberal Party is on TV talking about Metronet because the whole public is thinking, "What did you do?" That is what they are thinking; people in the north east corridor think, "What did you do? You broke your promise year in, year out." I love it! I love it when the Liberal Party spends money on Metronet advertisements, and I love it when the Leader of the Liberal Party is on TV talking about it because it reminds people that the former Liberal–National government broke its promise time and again. Do members remember Frank Alban's 2008 flyer that stated that the Liberal Party would deliver a rail line to Ellenbrook? The opening of the Ellenbrook rail line will occur by the end of this year. I cannot wait to see the Leader of the Liberal Party on TV criticising it because, again, it will remind people that the Liberal Party was never going to deliver it.

Member for Darling Range, the Liberals did not think that the people of Byford needed a rail line until post-2050. That was their plan. Member for Southern River, they did not think they needed a Canning Vale connection until post-2050. They never planned to do it. If we look at what is happening in the suburbs, we see that the Yanchep rail line is finishing and the Ellenbrook rail line is in its last stages. We also have the signing of high-capacity signalling, which, as members from all the southern and northern suburbs will know, means more trains per hour, allowing more people to catch public transport. I know the Liberal Party does not support it and, as I said, I love it because people come up to me and say, "I saw that Leader of the Liberal Party on TV criticising Metronet. They could not deliver anything!" That is what they say to me when I go to open these stations.

Of course, there is also the Greens. The Greens believe that the Ballajura train station supports urban sprawl. I do not know where the Greens have been living, but their idea is that Ballajura, which I think has existed for over 30 years, does not deserve a train station, that the people of Morley do not deserve a train station and that the people of Ellenbrook do not deserve a train station. The suburbs are there. They do not believe those suburbs exist, because they never travel to see the outer suburbs, or the fact that we need to support public transport not just in the inner city, but also across the suburbs.

Of course, the affordability means more people are catching public transport. People can go from Mandurah to Yanchep and vice versa for less than $5 on a SmartRider. Can members name one other place in Australia where people can do that? That is affordability. As I said, I love it when the Liberal Party criticises the Morley–Ellenbrook rail line because everyone is sitting there thinking, "Hang on, they didn't deliver it. They broke their promise." I cannot wait to open the Morley–Ellenbrook line and to see them again on TV! Hopefully they pay for some more advertising to remind people that the Liberal Party broke its promise to the people of Morley, Noranda, Bayswater, Ballajura and Ellenbrook.

NICHELIVING

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

I refer to the Building Services Board's decision not to renew the registration of Projex Management and Construction Pty Ltd, trading as Nicheliving. Noting that the Building Commissioner received more than 70 complaints against Nicheliving, dating back as far as January 2022, why has it taken the Premier's government so long to take any action against this builder and why was it taken only as part of a routine registration renewal application?

Mr R.H. COOK replied:

We did so for a very important reason; that is, the deregistration of a company as a builder is a very serious step to take. It is taking away the licence for someone to continue running their business. Obviously, that is a decision that is taken very carefully, with consideration of the full scope of the law, to ensure it is done in a manner that is not challengeable. I note, Madam Speaker, that Nicheliving has indicated that it will appeal that decision and will also appeal to the State Administrative Tribunal. My government will be opposing both those aspects. We understand that the deregistration of any building company is a very serious step and it is one that we must move through very carefully to make sure we adhere to procedure, including processes of natural justice. We understand that we are undertaking a very important decision. We oppose the appeal of this decision to the SAT because there are about 130 customers who need their homes built.

Mr R.S. Love: It is 230.

Mr R.H. COOK: It is 130 homes. We believe it is very important that those people get satisfaction as a matter of urgency. The way that will occur is that they will be able to be assisted by QBE, the home indemnity insurance broker, to make sure they can secure a new builder who can complete their homes. I am very proud that as the Minister for Commerce, I doubled the payouts that are available under home indemnity insurance to ensure that people who are in this very situation receive justice.

Going to the heart of the point that the member is making, that this process took some time to unfold—that is true. It is true because the legislation under which this decision was made and enforced is very complex and, by the very nature of it, has to be carefully managed. We now have a decision to deregister Nicheliving and we now have a very clear avenue that will assist in getting those homes built for those customers.

NICHELIVING

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

I have a supplementary question. The decision to not renew the building licence was part of a routine examination. Can the Premier point to any action that his government has taken to proactively bring this situation to resolution over the years that it has been brought to its attention?

Mr R.H. COOK replied:

It was not brought to our attention. This is work that Building and Energy does to make sure that all builders—not just this one—conduct themselves in a manner consistent with the standards of this industry. However, the act does not allow us to play that out in public. These are actions that, by their very nature, must take place in a discreet way to make sure that full procedural fairness is provided to all parties. That is why the process has been gone through in this manner.

Obviously, the review of the company's building registration may have provided an opportunity to actually put this decision in place, but I can assure the Leader of the Opposition and all members of the public that a lot of work has gone into this process to make sure that all parties receive procedural fairness and, most importantly, to make sure that we help those people get into their homes sooner.

NURSE-TO-PATIENT RATIOS

462. Mr H.T. JONES to the Minister for Health:

I refer to the Cook Labor government's commitment to building a stronger healthcare system.

(1) Can the minister update the house on the phased implementation of nurse-to-patient ratios in WA hospitals, including at Perth Children's Hospital?

(2) Can the minister advise the house how this government continues to support our frontline healthcare workers?

Ms A. SANDERSON replied:

(1)–(2) I thank the member for Darling Range for the question. We know that it is only the WA Labor government that supports the healthcare workforce in Western Australia. Since coming to government in 2017, we have increased our nursing FTE by 4 400, increased our medical FTE by 1 600 and increased our allied health staff by about 1 600. That is an overall increase in the healthcare workforce of 30 per cent.

In fact, the Labor government continues to deliver meaningful reforms. It was a former Labor health minister, Bob Kucera, who introduced the current workload management framework that nurses operate

under—that is, nursing hours per patient day. That is the framework that nurses currently work under. The Australian Nursing Federation had campaigned for 20 years for nurse-to-patient ratios, and it is this government that is delivering nurse-to-patient ratios. It is also this government that has delivered permanency for WA doctors. Following a recent Australian Medical Association agreement, doctors will not just have contracts rolled over and renewed; they now have permanency, which means that they can get mortgages, finance and loans, and can live their lives with more security and certainty.

I am very proud to be part of a government that is delivering nurse-to-patient ratios. This is a historic workload reform for our nursing staff and it will deliver for our nurses. As I said, the ANF had campaigned on this for 20 years. The first site to roll out nurse-to-patient ratios was the Perth Children's Hospital emergency department. That commenced in June and July last year and it has been an outstanding success. The reason it has been such an incredible success is that it was developed with nursing staff on the ground, implemented with staff, and implemented with the leadership of the ANF. It has been an outstanding success.

That is part of our planned progressive rollout of this new workforce model across the entire WA health system. We have worked closely with the ANF on the ratios task force, which was established as a result of its recent enterprise bargaining agreement with representatives from the ANF. We will be rolling out nurse-to-patient ratios across all metropolitan sites, starting with the North Metropolitan Health Service in all general medical and general surgical wards. The ratios applicable in these wards will be one to four during the day and one to seven at night. The ratios will be applied across wards, which will give nurses the flexibility to provide more support to patients where required.

In terms of our junior doctor workforce, this government has been listening. The life of a junior doctor can be challenging. I encourage anyone who has not seen it to watch *Junior Doctors Down Under* on SBS, which started last week. It is fantastic and shows not only our amazing health system at work, but also the importance of the junior doctor workforce. They really are the machine of our hospitals. They keep every episode of care moving and we cannot run our hospitals without them. Being a junior doctor can often be characterised by incredibly long hours in difficult circumstances, but we are working closely with the Australian Medical Association to change that. Hospitals are now providing workforce initiatives such as a junior medical officer manifesto and the doctor support unit for the South Metropolitan Health Service at Fiona Stanley Hospital, which I launched a few weeks ago. Earlier this year, the East Metropolitan Health Service launched the east experience strategy to support and understand our junior doctor workforce. We know that we need to continue to make improvements. Of course, we are not only bringing Peel Health Campus back into public hands, but also providing that workforce with secure employment and an uplift of entitlements, including the recognition of prior service. Many of the staff have been with Peel Health Campus for 20 years. It is only a Labor government that provides secure, good jobs in the Western Australian health system and supports ratios in our health system. We are yet to hear the Liberal and Nationals WA position on whether they will continue the rollout of ratios in the health system or cancel them, because they have not once reiterated their support for that.

BUILDING AND CONSTRUCTION INDUSTRY — BEST PRACTICE INDUSTRY CONDITIONS POLICY

463. Ms L. METTAM to the Premier:

I refer to the Premier's commitment to introducing a best practice industry conditions policy—BPIC—and reports that it has driven up building costs by 30 per cent in Queensland.

(1) Why is the government pursuing a policy that will increase construction costs while decreasing productivity, further exacerbating the issues affecting our construction sector?

(2) Why are WA contractors being forced, through government policy, to have a unionised workforce?

Mr R.H. COOK replied:

(1)–(2) I remember watching, when in opposition, those opposite stewarding the construction of Perth Children's Hospital. Apart from the fact that it was like watching a train wreck in slow motion, I remember the significant unrest and concern in the community at that time as a result of subcontractors not being paid invoices on time by primary contractors. We saw the extraordinary stress related to that. If I remember correctly, I think there was even one subcontractor who sadly took their life because of the financial pressures and burdens they were put under. That is the sort of building industry that we inherited from those opposite. We saw subcontractors' employees abused for their work, day in and day out, and subcontractors bullied by larger contractors. There was untold unrest right across the construction sector.

Maybe I am a bit old-fashioned, but I just think that someone who does a fair day's work should get a fair day's pay. I do not want to see someone who has done everything they can to build up their small business in the construction industry and employs even just a handful of people as part of their endeavour and enterprise driven to ruin or bankruptcy simply because of standover tactics or the withholding of contractual moneys by a major contractor. That was the scenario we saw writ large under the previous government. We want to see a fair go in all our workplaces. We want subcontractors' invoices paid in a timely fashion,

we want employees to be treated with respect and receive decent wages and conditions for their work and, most of all, we want people to be able to go home at the end of the day to see their loved ones, free of injury or death. The construction industry is a complex place. The conviction of our government is to provide a sense of fair go and fair play. It is our fundamental belief that by having respect in the workplace, we can make Western Australia a better place in which to live, work and do business.

BUILDING AND CONSTRUCTION INDUSTRY — BEST PRACTICE INDUSTRY CONDITIONS POLICY

464. Ms L. METTAM to the Premier:

I have a supplementary question. How is it appropriate or fair that the government supports a bikie-backed CFMEU, receiving a 25 per cent pay rise on WA government projects, when it has given nurses a comparatively paltry nine per cent?

Mr R.H. COOK replied:

I am not sure what that has to do with the initial question, but I will endeavour to answer it. If the member opposite has any evidence of misconduct, unlawful behaviour or behaviour contrary to the laws of the land in relation to a union activity, she should come forward with those accusations and deliver them to the appropriate authorities.

HOUSING AND HOMELESSNESS — INITIATIVES

465. Mrs R.M.J. CLARKE to the Minister for Housing:

I refer to the Cook Labor government's significant investment to tackle homelessness and support Western Australians into secure housing.

(1) Can the minister outline to the house how the government's record investment is delivering additional social housing across the state?

(2) Can the minister advise the house how other targeted measures are being delivered to help those experiencing homelessness?

Mr J.N. CAREY replied:

(1)–(2) I thank the member for her question and her commitment. The member and I have been to community housing projects that are being delivered as the direct result of our investment in not-for-profit providers. As I have said before in this house, we are deeply cognisant of the housing and rental market. We are not alone; every state is facing the same critical challenges. Western Australia has had significant population growth. With our very strong economy, people are leaving New South Wales and Victoria and calling Western Australia and Queensland home. I want to assure all Western Australians that the state government takes this challenge very seriously and is doing everything it can because, ultimately, the answer is simply to boost housing supply. That is a big task because of a number of factors at play, including the COVID pandemic. Speak to any builder, and they will tell you that the legacy from the COVID pandemic is still playing a critical part, whether it is cost escalations, like a 30 to 40 per cent increase to build a single home, or skilled labour shortages. These impact our housing supply.

I am deeply proud that, as a government, we are delivering in the tightest construction market known to our state's history and that since our record investment of $3.2 billion in social housing and homelessness, we have delivered more than 2 300 social homes, with another 1 000 under contract or construction. In fact, our last financial year saw one of the largest deliveries of social homes in almost a decade. This shows that all the reforms that we are introducing, whether it is modular, prefabricated, or small homes, converting excess stock or working with community housing providers, are having a lasting effect.

This week is Homelessness Week. I have been meeting with homelessness organisations, and today I was at the former Murray Street Lodge, Wandjoo Bidi, which is run by Vinnies. It was a hotel that we purchased and converted into homelessness accommodation.

I am advised that it is an outstanding success. In fact, a number of those residents have now moved across from supported accommodation into permanent housing. Of course, that is the ultimate goal. We should always have aspirational targets, whether it is to end rough sleeping or get more people into housing. We understand the issues are complex. We understand that people's life circumstances change, but, as a government, we are doing everything we can to provide housing for the most vulnerable.

We had a July winter break. It was a time to re-energise, including for me. I note that despite the Leader of the Liberal Party saying that housing is a critical priority, the Liberals do not have one housing policy. Despite that, they do not have one planning policy. I think this is important.

Several members interjected.

The SPEAKER: Order, please!

Mr J.N. CAREY: It is always interesting when I raise this, because the Leader of the Liberal Party gets very agitated.

Several members interjected.

Mr J.N. CAREY: Do members know what? It is like a fish. I am not a recreational fisher, but I see someone who takes the bait. Every time, the Leader of the Liberal Party interjects and asks why. It is true. Worse still, we know that in planning, this is what the Liberals do. Now we are seeing a trick. They go to nimby groups and say, "We're going to change the planning rules and make it harder to do housing." They go to development groups and say, "No, we support cutting red tape." The thing about the Leader of the Liberal Party and the now shadow spokesperson for housing and planning is that to different audiences, they say different things. This is the problem with members of the Liberal Party. They do not know where they stand on housing or planning because they do not understand it; they do not get it. They have not done the work to do any basic policies. It is now August and this political party that argues that housing is one of the critical issues that this state must face has no policies. Instead, we on this side have a vast number of reforms to streamline and cut and to drive housing supply in Western Australia.

FAMILY AND DOMESTIC VIOLENCE — CRISIS ACCOMMODATION

466. Mr P.J. RUNDLE to the Premier:

I refer to data used by the ABC that notes that Western Australia has the highest rate of women who have experienced family and domestic violence approaching homelessness services. I also note data from Shelter WA that notes that 42 per cent of all people seeking housing assistance cite family and domestic violence as their primary reason. It being Homelessness Week, after seven years in government and billions of dollars in surpluses, why has the Premier failed to prioritise housing for families and individuals experiencing family and domestic violence?

Mr R.H. COOK replied:

I thank the member for the question. We regard homelessness and housing as one of our key priority areas, which is the reason that members have just heard the Minister for Housing talk about all the great initiatives that have gone on in our housing portfolio to continue to drive the availability of housing stock in both our buyer and rental markets. In fact, in the last budget alone, we allocated $92.2 million in new funding for homelessness initiatives—$92.2 million. As the Minister for Housing has just observed, we have done a range of things, including the wholesale purchase of hotels to provide crisis housing for people who are suffering from homelessness. In more general terms, we have spent $3.2 billion on housing and homelessness measures since 2021–22. On the subject of the 2024–25 budget, of course, the member may recall some of our housing sector stakeholders regarding it as the budget that they had been waiting decades for. There was a significant injection of funds into housing services. As part of that package, we announced $4 million for more crisis and transition beds, including expanding two existing rapid rehousing initiatives and establishing a safe house in Leonora.

We spent $17.3 million for wraparound supports, recovery services and key system reforms. We spent $25.6 million to expand family and domestic violence response teams to seven days a week, $7 million to include adult community corrections officers in the teams, $1.6 million for an essential information point to support information sharing and $6.2 million for workforce development initiatives. All this includes our new one-stop FDV hub in Perth for people who are in danger of becoming homeless and $3.1 million to boost family and domestic violence counselling. I think it is fair to say that I do not think that this state has seen a Minister for Housing like the one we have at the moment when it comes to this particular part of the housing journey, which is those people who are tipping into homelessness. Homelessness impacts on the minister's electorate specifically, but it is also something he feels passionately about.

Of course, we have been busy doing other things as well, and that is of course opposing a key Liberal Party candidate's efforts as the Lord Mayor of Perth to close a women's homelessness service in East Perth. I wish we did not have to spend our energy fighting those members opposite to keep these facilities open. When the member for Roe is thinking about homelessness and homelessness services, he should look to his right. The biggest enemy of homelessness services is the Liberal Party. It closed that service down. It opposed the relocation of that service. The Liberal Party has done everything it can to oppose homelessness services in East Perth and North Perth, so that is to whom the member should be asking his questions.

FAMILY AND DOMESTIC VIOLENCE — CRISIS ACCOMMODATION

467. Mr P.J. RUNDLE to the Premier:

I have a supplementary question. Does the Premier admit that there are thousands of people, particularly women, trapped in dangerous living situations or made homeless because they feel they have no safe alternative?

Mr R.H. COOK replied:

I think I have just provided in extensive detail the level of our investments that have gone into supporting women suffering homelessness and particular people who are suffering from family and domestic violence issues in their lives and are therefore suffering homelessness. It is the Liberals' candidate for Churchlands who is the biggest enemy of homelessness services, particularly for women, in this state. It is the pretender leader of the Liberal Party who has caused the most damage to homelessness services and the reputation of homelessness services in this state. The member for Roe should not come into this place asking us questions on this. He should go to his coalition partners and ask them why they shut down a women's homelessness shelter—the specific service that he is now

critiquing us on. Why did his coalition partner seek to shut it down? That is the question he should be asking. He should certainly be asking whether he wants to be in bed with the Liberal Party. Lord knows, and we know, that the member for Churchlands is shamelessly doing everything he can to undermine the member for Vasse as the Leader of the Liberal Party.

Several members interjected.

Mr R.H. COOK: Sorry, I mean the Liberals' candidate for Churchlands, but I know that the member for Churchlands is doing her best as well! The Liberal candidate for Churchlands is doing everything he can to undermine the member for Vasse, and we are yet to see that play out. Lord, let us just hope that that does not come to pass because goodness knows what will happen to women's homelessness services if that is actually the reality.

PLAN FOR OUR PARKS

468. Ms D.G. D'ANNA to the Minister for Environment:

I refer to the Cook Labor government's Plan for Our Parks initiative, which will add five million hectares of land and sea to WA's conservation estate.

(1) Can the minister update the house on the delivery of this initiative?

(2) Can the minister advise the house how this program is delivering benefits for both the environment and regional and remote communities across WA?

Mr R.R. WHITBY replied:

(1)–(2) I thank the member for Kimberley for her great advocacy, because she knows the value of not just protecting the environment, but also providing support and inspiration to remote communities and the economic consequences and other positive things that flow from that. I thank her for her question. In her electorate, we have secured an additional 871 000 hectares of land and sea across the Kimberley alone. I thank her for her efforts in helping us get there.

Last week was a busy week with the final stage of the creation of a suite of new national parks along the Fitzroy River. Back in 2017, this incoming Labor government committed to protect this beautiful part of the world. That commitment is now set in stone—done, delivered. It has happened. It is a reflection of this government's shared journey with traditional owners to protect an area of immense cultural and environmental significance. The Fitzroy is the world's most pristine free-flowing river system. As the member for Kimberley knows, it supports an amazing array of wildlife, including the critically endangered freshwater sawfish, which is found nowhere else on the planet. A sawfish in a river in Western Australia is found nowhere else! It is endangered. This is critical to helping support that endangered species. The member for Kimberley knows about the environmental value of this area. She knows about not only the heritage and cultural significance to traditional owners, but also the fact that all Western Australians value this very unique and special place.

Going to the member's question—she asked how we are going—I am pleased to advise that as of today, more than four million hectares of conservation estate has been created under the Cook Labor government's Plan for Our Parks. We are at four million, folks! Five million is the target. We will get there this year. We have hit four million, which is a big milestone. This government is doing a lot of good things. This will be one of the big legacies we gift and bestow to the future of all Western Australians; from now in perpetuity this land and sea will be in the conservation estate and will be protected for all time. It is a critical issue to deliver. It reflects a creation of 17 new and expanded national marine parks. I was up in the Gascoyne, also last week, where we have secured 1.5 million hectares of new parks, including Mt Augustus in an area 816 000 hectares, four times the size of the Australian Capital Territory.

Mr P.J. Rundle: What about Marmion Marine Park?

Mr R.R. WHITBY: I am happy to get to that, member for Roe.

Mr P.J. Rundle interjected.

The SPEAKER: Order, please!

Mr R.R. WHITBY: Speaker, you might have to indulge me for more time here, because I am happy to go through that, and happy to explain the member's reprehensible behaviour.

Mt Augustus is a rock that is one and a half times the size of Uluru. Would you believe it? That is amazing. These are special places that need special protection. It is not just about the environment; it is also about jobs and economic growth. We have created 250 jobs under the Aboriginal ranger program. I was up in Burringurrah, which is a remote Aboriginal community in the Gascoyne with a beautiful little school. It is well maintained. We were celebrating the creation of Mt Augustus National Park. All the schoolkids were there. We were signing our certificates and one of them came up to me. I think he was in high school, maybe 14 or 15 years old. He tapped me on the shoulder and asked, "When I grow up, can I be an Aboriginal ranger?" Aboriginal rangers walk 10-feet tall in

these communities. They are about protecting community and country. It is an amazing and very special role that is inspiring to those communities and kids who want to work and put that uniform on and be part of protecting the environment and country that they hold close to their heart. It also provides economic advantages and opportunities for Aboriginal entrepreneurship and tourism. We talk a lot about tourism and opening up our national parks to opportunities for tourism as well.

This a good story, members. It is one that we can celebrate. We will get to five million hectares this year. It is evidence that our Plan for Our Parks initiative is a milestone. It is a huge legacy for Western Australia. It is good for the environment, it is good for jobs and it is good for regional and remote communities.

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION (WA) — CONDUCT

The SPEAKER: I call the Leader of the Liberal Party with the last question.

469. Ms L. METTAM to the Premier:

I refer to comments by Hon Matthew Swinbourn in the other place in which he stated that the fact that some members of unions might also be members of outlaw motorcycle gangs is not a revelation. If members of the Labor Party openly admit that organised crime exists within the CFMEU, why does it continue to accept its donations and protect the union?

Mr R.H. COOK replied:

The quote the member for Vasse used did not support the argument she then proposed. I assume the member is referring somewhat obliquely to her media comments, which said that somehow there is a loophole in our bikie laws that allows for bikie activity inside unions. Of course, that is a nonsense. If a union official wants to talk to another union official about union business, of course that is fine. If a bikie wants to talk to another bikie about bikie business, that is not okay! The law is pretty straightforward. There is no reason why one union official cannot talk to another union official about union matters. That is what we expect.

If the member has any evidence that a member of any organisation in any employment context is undertaking illegal bikie-related activity, she should come forward with it. That is the important message today. I saw some of that behaviour on the east coast. It appalled me. It disgusted me. The standover tactics that were demonstrated, particularly by the individual involved in the Indigenous company, were appalling, but we need to allow the facts to lie where they do. That is to say that if the member is aware of illegal behaviour, she should come forward with that and refer it to the authorities, as we do in any circumstance of a similar kind.

The member alludes to the issue of donations to the political party and whether that is appropriate in this case. I have a view, and I am sure the Minister for Health is of that view as well, that accepting donations from big tobacco is not okay. Is the member going to pay that back? I also have a view that the activities of someone like Clive Palmer are absolutely appalling and reprehensible, yet he is a big donor to the Liberal Party. Is it going to pay that money back? All of a sudden the noise in the chamber has wound down to nought because the member knows that the Liberal Party has a lot to answer for in terms of its behaviour in relation to Clive Palmer. I want the Liberal Party to come forward with any allegations it has and give those allegations to the appropriate authorities.

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION (WA) — CONDUCT

470. Ms L. METTAM to the Premier:

I have a supplementary question. Will the Premier offer an ironclad guarantee that there are no organised crime links to the money bankrolling his campaign?

Several members interjected.

The SPEAKER: Order, please!

Mr R.H. COOK replied:

Madam Speaker, sometimes the supplementary questions are incomprehensible. What I can guarantee is that our accountability laws around political donations to political parties will shine a light on any political party's source of donations. I make this observation: there was one political party that opposed those laws—that one over there! The Liberal Party opposed accountability for political donations. The question must be asked: what amongst its political donors is it trying to hide?

The SPEAKER: That concludes question time.

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION (WA) — CULTURE

Matter of Public Interest

THE SPEAKER (**Mrs M.H. Roberts**) informed the Assembly that she was in receipt within the prescribed time of a letter from the Leader of the Liberal Party seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

MS L. METTAM (Vasse — Leader of the Liberal Party) [3.00 pm]: I move —

> That this house condemns the Premier for continuing to put his head in the sand regarding CFMEU corruption, criminal links and cultural issues, as evidenced by the fines, intimidation claims and worksite breaches by the CFMEU and its staff.

Before I go into the issues that have been raised more recently, I think it is worth giving some history on this issue. I rose to speak on this matter because it is very serious, and it is fair to say that the issues raised over the last few weeks have undermined the integrity of the Labor Party right across the country and here in Western Australia. Pervasive and deeply concerning misconduct —

Several members interjected.

Point of Order

Mr R.S. LOVE: I have a point of order.

The DEPUTY SPEAKER: Hang on; members, if you could please just keep the chatter down. There is a loud rumbling going on and it is difficult to hear the Leader of the Liberal Party. If you want to have a conversation, there is plenty of room outside.

Debate Resumed

Ms L. METTAM: There has been deeply troubling conduct within the CFMEU. We are also hearing about the implications on taxpayers and productivity. The very serious issue is in relation to the criminal links. This union, a union that was once touted as a pillar of strength for workers' rights, has now become synonymous with corruption, criminal infiltration and unethical behaviour. We have also seen this union effectively utilising major projects in the east as ATMs. We have asked questions here about the same issue.

Recent allegations against high-ranking CFMEU officials paints a disturbing picture of an organisation that is more focused on self-interest and illegal gain than its claim of protecting the workers whom it is meant to represent. From bribery and coercion, fraudulent invoicing and corrupt dealings with major superannuation funds, it is quite clear that the actions of the CFMEU have betrayed the trust of its members and the public. The WA Labor government has not only turned a blind eye to these very real concerns that have been raised at a national level, but also has plans in place to make this union in Western Australia more powerful.

The impact of misconduct extends far beyond the union itself. It undermines public trust and impacts productivity and the integrity of the construction industry. We are seeing it undermine hardworking men and women who rely on honest representation. It is worth looking back at the history here; we saw the CFMEU effectively rise from what was called the Builders Labourers Federation, which was permanently deregistered in 1986 after the royal commission found it to be corrupt. It is still in its DNA. The CFMEU came from the Builders Labourers Federation, and during the 1990s we saw the CFMEU quickly become a very militant union. The findings of the Cole royal commission highlighted widespread coercion, intimidation and unlawful industrial action in the CFMEU. Several high-profile legal cases have also shaped the union's history. The WA CFMEU official Bradley Upton was fined for incidents in 2012 and 2015 involving racially tainted abusive language and the prevention of workers from entering the Perth Children's Hospital building site, which the Premier referred to today. Despite these serious infractions, Upton not only has remained part of the WA CFMEU, which is affiliated with WA Labor, but has since been promoted through its ranks.

The 2014 Royal Commission into Trade Union Governance and Corruption also made findings of blackmail, coercion and illegal strike actions. More recently, the Australian Building and Construction Commission imposed multiple fines on the CFMEU, and a number of matters involving the Victorian and New South Wales branches have been brought to the surface at a national level, with reports of bribery, ghosting on government projects in Victoria and firms being paid kickbacks to gain CFMEU support and placement on union-favoured construction sites. It is claimed that in one case union officials leveraged their connections to influence which subcontractors were awarded work on significant projects, with the $500 million Langston development in Epping, New South Wales, coming under scrutiny.

Investigations have revealed that criminal figures and outlaw motorcycle clubs have infiltrated these unions. Such revelations have demanded a robust response at a national level and, in other states, at a state level. Victoria, Queensland, South Australia and Tasmania have taken action in response to issues that have come to the fore. I have talked about some of the history here. What have we seen in Western Australia? In WA, the CFMEU's pervasive criminal activities have somehow been ignored. Despite rampant corruption and misconduct infiltrating every other state —

The DEPUTY SPEAKER: Members, please keep it down. It is getting hard to hear the member on her feet.

Ms L. METTAM: Despite the issues that have come to the fore in every other state, with responses from every other state, this government has looked the other way. This government has argued that somehow this criminal activity stops at the border when we know that there has been a history in the past and some very concerning reports

made public over the last couple of weeks about individuals involved in the WA branch of the CFMEU. The notion that criminality somehow stops at our border is not only naive, but dangerously misleading. It is a convenient narrative from those who have received power as a result of this union, a union that is affiliated with the WA Labor Party. The government's inaction emboldens those who seek to exploit and undermine the construction industry, and they have been supported by this government through its policy relating to best practice industry conditions and the unlawful legislation that came through this house. It is inexcusable that our Premier has not taken similar steps to assure the public of Western Australia that there are no issues here and that the funds this government is receiving as part of its future election campaign are not attached to dirty money.

Criminal activities associated with the CFMEU are not isolated incidents confined to other states. The WA branch has a dodgy track record. From fraudulent invoicing and coercion to the employment of individuals with known criminal backgrounds, the evidence of misconduct is clear and compelling. It is simply not good enough for the Premier to say that it is acceptable to maintain the current status and not look further into this matter. The Premier's response that the opposition should bring forth additional evidence falls well short of the transparency and accountability this government promised when it came into power. We know that this Premier is compromised. We have seen other state leaders distance themselves from this union. It is disappointing that our state leaders continue to stand by this union and refuse to distance themselves or take any decisive action to address these serious issues. The Premier's stubborn refusal to acknowledge not only the historical corruption, but also some very serious reports in recent times about this union raises a real concern about this government's seriousness in upholding the law. Four weeks ago, I called on the Premier to refuse all future donations from this union. I also sought a guarantee from the Premier that the union had no links with organised crime and that it be disaffiliated from the WA Labor Party. I would have thought they were pretty simple requests. To date, there has been a pretty lacklustre response. Quite clearly, this government believes that it is above accountability when it comes to these very serious issues.

The government's decision to prioritise the interests of this militant union over the welfare of workers and ordinary Western Australians is an abject failure of leadership. It compromises the construction industry and leaves workers feeling very vulnerable.

As I have stated before, the CFMEU has a long history of illegal conduct. It continues to wield undue influence over state projects, from Metronet to road and health infrastructure projects, and it is obviously buoyed by the government's response and protection. We have seen full-page advertisements in newspapers and heard ads on the radio as well, and no doubt we will see a continuation of the promotion of the CFMEU here in Western Australia. It is buoyed by the protection of this government; it not only is protecting the union, but also has introduced legislation in support of its activities.

The abolition of the Australian Building and Construction Commission by the Albanese government in 2022 marked the beginning of a new era for industrial unrest here in WA and nationally. What we saw and heard on the ground is that that decision basically unleashed this government's unwavering support for this union. The Cook government's best practice industry conditions policy is another example of a policy that will further empower this union beyond the bounds of the Fair Work Act. It will allow the union to treat major projects as an ATM and hold our state to ransom. BPIC is touted as best practice, but we would argue, and many in the construction industry have argued, that it is best practice for the CFMEU only. The policy grants designated onsite unions authority that far exceeds the terms of the Fair Work Act.

The CFMEU stands to gain immensely from the full rollout of best practice industry conditions, with the ability to enforce mandatory pay and conditions on infrastructure projects without even meeting the genuine agreement test for major project agreements as laid down by the federal Minister for Employment and Workplace Relations. However, the Civil Contractors Federation WA has certainly sounded the alarm on these issues and raised a number of concerns. It pointed to the implications of this policy and what has been seen in other states. We understand that the policy was referenced by what was introduced in Queensland. According to Andy Graham of the Civil Contractors Federation WA, in the three years since its introduction, Queensland BPIC has increased that state's construction costs by 20 to 30 per cent. The Real Estate Institute of Queensland described BPIC as the elephant in the room of Queensland's response to its housing shortage. These union-driven pay demands on major projects drive up housing costs, but people are too afraid to speak out. This is a very genuine concern across the sector. These increases in wages of 55 per cent are well above the award agreement, which is an insult.

Ms C.M. Rowe: Now we get to the crux of it. You hate workers, don't you? You hate ordinary workers getting a fair deal. You can't help yourself.

The DEPUTY SPEAKER: Member for Belmont!

Ms L. METTAM: It is an insult to nurses who fought so hard for a nine per cent increase and are still some of the lowest paid in the country. It is still an extraordinary defence here, given that our teachers and nurses are fighting, during a cost-of-living crisis under this government, for fairer wages. It is an insult to hear such an interjection about Queensland's 55 per cent increase above the award, on a policy that the member's government is introducing here. We have already witnessed the consequences on the Tonkin Highway extension project. The pilot BPIC policy

under the Cook government's directive has forced contractors to grant their employees—a majority of whom are CFMEU members—a staggering 25 per cent pay rise. The cost overruns and delays are not confined to just the Tonkin Highway project.

Ms R. Saffioti: You don't even know. The project isn't underway yet.

Ms L. METTAM: The Metronet Armadale upgrade as well —

Ms R. Saffioti: You are so stupid.

Ms L. METTAM: — which is still a year from completion, has seen a budget blowout.

Several members interjected.

The DEPUTY SPEAKER: Members!

Withdrawal of Remark

Mr R.S. LOVE: The interjection from the Treasurer, I believe, was unparliamentary, and I ask that she withdraw it.

The DEPUTY SPEAKER: Yes. Please withdraw, Treasurer, now that it has been brought to my attention.

Ms R. SAFFIOTI: I withdraw.

Debate Resumed

Ms L. METTAM: The Metronet Armadale line upgrade is still a year from completion. A budget blowout from $797 million to $1.33 billion is a direct result of the BPIC model. Effectively, a CFMEU-pattern employment agreement is being mandated for the project.

Several members interjected.

The DEPUTY SPEAKER: Members!

Ms L. METTAM: The implications are clear.

Several members interjected.

The DEPUTY SPEAKER: Members! Member for Belmont!

Point of Order

Mr P.J. RUNDLE: I have a point of order. I refer to the interjections. Thanks, Deputy Speaker.

The DEPUTY SPEAKER: Members of the government, you will get the opportunity to respond once the opposition has finished.

Debate Resumed

Ms L. METTAM: There are some very real concerns about what the full implementation of such a policy would mean on Western Australian worksites with the obligation of a no-ticket, no-start approach, which we are already seeing on construction sites in our city. A toxic culture must not be allowed to infiltrate this sector of the construction industry as well. Companies and employees should have the choice whether to join the union. The broader impact of BPIC is evident in other states where it has been rolled out. I pointed to the quotes from Andy Graham and some of the very real concerns that have been raised at a local level.

One must question the government's motivation because there have been daily media reports on the CFMEU's criminal links and extortion on building sites, about which the Premier and Deputy Premier have remained staunchly ignorant. The national executive of the Australian Labor Party, the Australian Council of Trade Unions and other state premiers have distanced themselves from this union, but that has not happened in WA because it is the largest donor to the Labor Party so far this year. The Premier's reluctance to take a zero-tolerance approach and to somehow laugh off the nature and characteristics of members of this union illustrates that there is one set of rules and standards for one cohort and a very different set for another. The Premier illustrates, or at least speaks about, a zero-tolerance approach to bullying and inappropriate behaviour in the health sector, which is entirely appropriate, and he has introduced laws to protect workers in the retail sector, but he sort of laughs off reports of coercive control and intimidation and very real concerns raised in the media about this union and its potential impact on worksites in Western Australia. That contradiction is not lost on the people of Western Australia.

The WA Labor government also introduced and passed the Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill. The purported aim of this law was to disrupt the activities of bikies and crime gangs, limiting their membership and protecting Western Australians from their unlawful activities. On the surface, the legislation's intentions were certainly noble, especially given the alarming rates of violent crime in this state, which have surged by 22 per cent according to the most recent crime statistics. However, the government included a critical but not unsurprising exemption in the legislation to allow bikies and gangs to consort with unions and conduct union business. I again refer to Hon Matthew Swinbourn's comments in the other place from 2021 —

> The fact that some members of unions might also be members of outlaw motorcycle gangs is not a revelation.

The exemption essentially threw open the doors of our unions to criminal elements, enabling them to operate with impunity, and that is exactly what it has done. Individuals like Nathan "Fish" Fisher, with a conviction for armed robbery, and Edmond "Monty" Margjini, who is awaiting trial for a violent home invasion, are employed as CFMEU organisers. Fisher is barred from commonwealth sites while Margjini is on the verge of losing his access as well. However, both frequent state government sites. The WA Liberals staunchly opposed this exemption when the bill was introduced and argued that it would only embolden bikies and gangs within unions and on union sites. Unfortunately, our warnings went unheeded.

The Premier owes the people of Western Australia a promise that he has not been bankrolled by dirty money and that hard-earned taxpayers' dollars are not being funnelled into organised crime. It is a pretty simple request. Whether Western Australians receive this assurance will depend on whether the Premier values his debt of transparency to the people more than he values the debt he owes to the CFMEU. The Liberal Party would also like to see this government rule out the best practice industry conditions policy going further given the very real concerns we have about the environment it has created in Queensland and other states, how it has empowered the CFMEU and the ultimate cost to taxpayers.

I will leave my comments there. I understand that the Leader of the Opposition will also make a contribution.

MR R.S. LOVE (Moore — Leader of the Opposition) [3.24 pm]: I would like to make a brief contribution to the excellent motion that has been brought to the house by the member for Vasse, the Leader of the Liberal Party, and, in doing so, I compliment her for bringing this matter to the attention of the Western Australian public and the work she has been doing to try to ensure that the Western Australian Labor Party does not become ensnared in any corrupt or improper practices that might be happening within the union movement that bankrolls the party. Indeed, as we seen from the recently published list of political donations, the CFMEU is a very large backer of the Labor Party. One would say that that makes it very hard for the Labor Party to say that it is not in any way compromised when discussing these types of activities.

The member for Vasse has put it —

> That this house condemns the Premier for continuing to put his head in the sand regarding CFMEU corruption, criminal links and cultural issues, as evidenced by the fines, intimidation claims and worksite breaches by the CFMEU and its staff.

We know that nationally, the CFMEU has been questioned about the appropriateness of its conduct. The newly appointed federal Minister for Employment and Workplace Relations, Senator Murray Watt—he is not someone I would normally agree with on many issues—has not ruled out intervening to ensure that other states are included in the net of investigations into the activities of the CFMEU nationally, especially in some of those eastern states. In response to the issues that have been raised, the Premier has publicly stated that he will seek to introduce a fit and proper person test before Parliament and try to get it through in the nine remaining sitting weeks available to us. I would personally be very keen to see this legislation. In consideration of this, in the ABC reports I have been looking at, the Premier said —

> "While I have seen no clear evidence of the east coast conduct here in WA, I am concerned that a current CFMEU official who is facing serious criminal charges related to a violent home invasion has a right to enter WA worksites …

In question time, the Premier also referenced that situation. My concern is that if the culture within this organisation is such that it would even consider that it is appropriate that a person facing those charges could carry out official business on behalf of the union and enter work sites, surely that says something about the management of that union. That says that there is a problem, and it needs to be addressed. The Premier is exhibiting concern about that circumstance and thinks that it warrants the introduction of a legal remedy through the Parliament, which is a pretty serious step, but he is not prepared to have a thorough look at the conduct of the current management of the CFMEU. We heard from the member for Vasse about the unsavoury comments made by some officials of that union, including Mr Upton, who has a long history of very aggressive behaviour. I cannot read out the stuff that he said about the Gorgon project, but it was offensive to say the least, and not, I would have thought, the conduct of someone we would expect to see in charge of a union in Western Australia. Certainly, he does not hold out as a beacon of good conduct. I note that after the disclosure regime came into place in Western Australia, the CFMEU put $25 000 into Labor Party coffers. As reported in this ABC article, when asked about that, the Premier said that he —

> … can't control what has gone in the past". "I can only control what happens in the future …

Will the Premier now give an undertaking that his party will not accept any further donations from the CFMEU, given the current circumstances? Will he undertake to return the $25 000, should it be shown that the CFMEU in Western Australia is, in fact, similarly caught up in some of the concerns that have been discussed in the national sphere? I think it is important for the people of Western Australia to know that.

The member for Vasse spoke about the situation in which we have seen unions have influence in government contracts. She mentioned the Tonkin Highway project. The precursor to all that was that back in October 2023,

out of the blue, traffic management contracts that were being administered by Main Roads Western Australia came under a regime that exhibited a similar type of best practice model for that industry. We are talking here about projects for which there were already great delays and huge project cost overruns. Why, then, would Main Roads seek to have significant cost increases? This is from Main Roads' own publication. It mentions that the CFMEU was one of the bodies that was part of this agreement. Costs have significantly increased on projects that were already blowing out by billions of dollars. Last year, there was $2 billion in project blowouts by this state government alone, yet under the guise of improving worker conditions, it is seeking to advantage union mandates within those contracts. Essentially, it is saying to workers that they must go through the union—this is on Main Roads' own website. Information is to be provided to unions about workers on those sites who are not union members. All of that is very sinister and worrying.

MR R.H. COOK (Kwinana — Premier) [3.32 pm]: I thank the member for the motion because it is an opportunity for us to speak on a very important topic. Of course, it goes without saying that we will not be supporting the motion, and we will explain very clearly why. I want to put on the record loud and clear that I fully endorse the actions of the federal government in dealing with the recent revelations about the conduct of CFMEU branches on the east coast. Some of the media reports that were presented provided, in great detail, the stark reality of some of the horrible bullying and intimidatory tactics of union officials on the east coast. I think we were all taken aback by the brazenness of it and the intent of violence that was embedded in those actions. It was not surprising that we saw my colleagues—Premiers in other states—take the decisive action that they did. It was not surprising to see the actions taken by the Fair Work Commission and the federal government to place those branches of the CFMEU into administration. I would like to thank the Leader of the Opposition for his wholesome endorsement of Minister Murray Watt! I agree with the Leader of the Opposition that Minister Watt is doing an outstanding job. I find myself in full-throated support of the Leader of the Opposition on that particular matter!

I am appalled by the criminal activity that was detailed in those reports. Obviously, the questions that immediately get asked are: How widespread is this? What is the nature of this violence? Is it part of the building industry in Western Australia? Earlier in this debate, it was made very clear that the Master Builders Association and other people in a position to know, such as prominent builders, have said that that is not the culture in the building industry in Western Australia. That is not the way that the CFMEU conducts itself here. That is not the relationship that the building industry enjoys with its workers in Western Australia. The member for Vasse said that I had not distanced myself from the CFMEU, but neither has the Master Builders Association. In fact, the MBA has endorsed it, albeit in qualified tones, as the debate has gone on. It remains of the view that in Western Australia we do not see a replication of the cultures and practices that are seen on the east coast. We should be very pleased and relieved that that is the case.

The Fair Work Ombudsman, the Fair Work Commission and the federal government have also drawn that conclusion in relation to the potential suspension of the WA branch of the CFMEU. In fact, they have gone to the point of saying that they are not, at this point, applying to put the WA branch of the CFMEU into administration because they do not have the evidence to justify that course of action. If they do see that evidence and take that step, we will fully endorse it and will take decisive action, as we did when I first came back from leave, two short weeks ago. But at this point in time, the fact of the matter is that we have not seen here the sort of behaviour that has been demonstrated on the east coast.

What was the decisive action we took? Immediately after my return from leave over the winter break, I moved to make sure that my government would be committed to bringing to this place, as soon as possible, laws that will replicate the capability of the industrial umpire to refuse someone right of entry or to take their right of entry from them if they are not considered to be a fit and proper person. As I said in question time, those laws exist in the federal industrial relations system, under which at least 95 per cent of work is undertaken, but that cannot take place under the industrial relations laws of Western Australia. We will seek to do that, and that is the sort of decisive action that one would expect a government to take on these sorts of matters.

We will make sure that there are robust laws, and we will refer whatever actions are necessary to the regulatory authorities in the event that we are presented with accusations. We are presented with accusations or allegations from time to time; we treat them all the same, and we act on them immediately. Obviously, the building industry is no stranger to that. We will do everything we can to ensure that construction industry workplaces remain free of the activities we have seen on the east coast.

As I said, we will support any action that the Fair Work Commission deems appropriate for addressing any issues of misconduct that come to light. We support the Fair Work Commission and the federal government when it comes to protecting the integrity of the union movement and maintaining zero tolerance for any criminal behaviour. The unions have an important role to play; they are, in large part, the guardians of workplace safety, and they ensure that employees have the support they need to call out dangerous workplace practices to avoid workplace accidents, injuries and, tragically—as we have seen all too often—deaths. The unions have an important role to play in that. As I have already observed, the building industry has some very robust personalities on both the employer and employee sides. We understand that that robustness of characters is part of the nature of the industry, but we still want it to be fair and safe. We understand that unions play an integral role as far as that is concerned.

The member for Vasse made much of the best practice industry conditions program, as it exists in Queensland and other places. That is not the nature of the industry in Western Australia. We continue to work with both the union movement and with the construction industry to make sure that we have a fair workplace and that we can continue to make our construction sites safe and efficient. That work will continue. With the significant work that has been undertaken to date, that is obviously a very large body of work. For the member for Vasse to reference the best practice industry conditions policy in Queensland and somehow conflate that with cost escalations associated with Metronet projects is, quite frankly, intellectually dishonest. The two are in no way related and it is disingenuous to make that connection. The BPIC program does not exist in Western Australia. It certainly does not exist in the form that it does in Queensland. Let us be honest in this debate and make sure that we at least allow the facts to be presented as part of this debate.

The member for Vasse said that I have my head in the sand. I think we have demonstrated through our actions that the situation is precisely the opposite. We have already made significant decisions to act decisively on this matter and we will take any further action based upon substantiated allegations that come to hand. I want to momentarily go to the issue that the Leader of the Opposition raised about donations from organisations like the CFMEU. It is interesting that the only reason that the donations from the CFMEU are part of the public discourse is the accountability laws that we brought in for party donation disclosures. The member for Vasse invented this apocryphal theory that I am not committed to accountability, yet it was the member for Vasse's party that opposed the political donation laws. It is this side of Parliament that is committed to accountability. I accept that accountability is sometimes uncomfortable, but it is an important part of making sure that the people of Western Australia can have confidence in our political donation system, and here we are seeing it working. I accept the interjections of the member for Cannington and commend him for his role when he was the Minister for Electoral Affairs and the important contribution that he made to ensure these laws were put in place.

We will continue to make sure that we monitor any misconduct in our construction industry and hold anyone to account to the standards that we all expect. We will make sure that our workplaces continue to be fair and safe. We will also make sure that we will do anything that is appropriate when accusations come forward about any union in any industry and the way that it conducts itself. We have been completely accountable on this and we have taken decisive action. We hold very grave concerns for the activities that have been reported on in the east coast. We will not hesitate to act if any allegations come to light and are substantiated that suggest the same level of misconduct is taking place in Western Australia. We will continue to support the Fair Work Commission on these matters, and we will fully support the Fair Work Commission or the federal government if they take action on this matter as far as the WA branch of the CFMEU is concerned. We will make sure that we continue to insist that the very best practices occur in Western Australia to ensure that our building industry continues to be safe, efficient and continues to grow and provides great jobs for the people of Western Australia.

MS S.F. McGURK (Fremantle — Minister for Industrial Relations) [3.44 pm]: I am very pleased to contribute to this debate because I think it is important that the record is very clear on exactly what is happening with organised labour in our state. It is also important to be clear on the protections for ordinary workers, and the regulatory system that sits around the rights, pay, conditions, and health and safety standards for ordinary workers in our state, including for those in the construction industry. I want to start with one point. I have been championing this point a bit to make it clear to members of the opposition—who all have their heads in their phones at the moment, so I am not sure how much they are listening now or ever listen to contributions to debates from this side—that there was a question on industrial relations to the government during question time in this place today. It has been 772 days, over two years, since the opposition decided to ask a question in this place about industrial relations. I think that shows that, one, it knows nothing about industrial relations and has absolutely no interest in it in this state until someone else does some work or something else goes on—namely, perhaps, it is written about in the daily press, which piques their interest and they scramble and think, "We had better get on board with this and start to do some investigation." Two, it shows from the opposition's point of view that it has no expertise or knowledge in this area.

Mr P.J. Rundle interjected.

Ms S.F. McGURK: If I were the member for Roe, I would be quiet and listen because the question that he decided to put to us in question time was an embarrassment, quite frankly, that highlighted the opposition's woeful record on women and safety in this state. But I digress.

It has been over two years since the opposition has bothered to ask a question on industrial relations in this place. As I said, that shows that it has no interest, no expertise and no knowledge on that subject. Let us be clear: I want to back up what the Premier said; that is, if there are any allegations, information or substance to concerns about illegal activity or indeed organised illegal activity within our trade union movement, including the CFMEU, this government absolutely wants to hear about it. As the Minister for Industrial Relations, I am committed to acting on any of those allegations.

Most members in this place would probably be aware that the vast majority of the industrial relations system in private enterprise is regulated under federal legislation, the Fair Work Act, because it is covered by the corporations powers under the Constitution. Public sector workers and unincorporated small businesses are covered by state

legislation, the Industrial Relations Act 1979. Notwithstanding that, as Minister for Industrial Relations, I have an interest in trade unions, pay and conditions, and health and safety, and I want to know about substantiated allegations of criminal activity or activities of organised crimes within trade union organisations or, in fact, any other employment-related activity, and I am prepared to act if I hear of that. So far, I have not heard of that in WA. In fact, the same goes for the federal government and the Fair Work Commission when they decided to put other state branches of the CFMEU into administration. We heard that only the Western Australian and Australian Capital Territory branches of the CFMEU will not be put under administration. The Fair Work Commission made the following statement in its press release on 2 August —

> The proposed scheme of administration covers the Divisional Executive and offices in the Victoria-Tasmania, New South Wales, Queensland Northern Territory, and South Australian Divisional Branches. The remaining Divisional Branches in Western Australia and the Australian Capital Territory would continue to function as usual but could be brought under the scheme at a later date on application to the Court.

If there is information there, the Fair Work Commission is saying that it wants to hear about it. The state government is saying that it wants to hear about it, but so far we have had no substantiated allegations.

People have talked a little bit about the Master Builders Association and its initial comments that it thought that there was a different culture in Western Australia from what seemed, and has since been substantiated, to be the case in other states, including New South Wales and Victoria in particular. I note the report in *The Australian Financial Review* of 17 July in which the journalist, Tom Rabe, says —

> Mr Pollock said the construction industry in WA was not currently plagued with the same issues as Victoria and NSW.
>
> "The industrial relations environment or landscape here is much more respectful, in my experience, certainly than the East Coast. It is certainly different here," he said.

That is a quote in *The Australian Financial Review* from Matthew Pollock from the Master Builders Association.

Of course, since then, the MBA has changed its tune a little bit and said that members of the MBA have come forward anonymously with concerns about conduct at workplaces. It is difficult to respond to anonymous, unsubstantiated claims of activity at workplaces. We cannot jump at shadows. We cannot respond to that if we do not have any details, so we need details of any of that activity. Similarly, if the Leader of the Liberal Party has information, come forward with it. If she has detailed information about criminal activity at workplaces by the CFMEU or any other union, give us those details. So far, she has not done that. She has simply relied on what is happening in other jurisdictions, which is not good. It is absolutely abhorrent to the basic principles of union activity. I used to be the head of UnionsWA. Members will be aware of many of the principles of the labour movement, including organised activity, solidarity and maintaining good pay and good and safe conditions for workers. Corruption or organised crime within the union movement absolutely needs to be called out and stamped out.

In this case, I can only agree with Ben Harvey's column in *The Sunday Times* of 28 July in which he refers to the Master Builders Association starting to temper its claims about and support of the Western Australian branch of the CFMEU. Ben Harvey quotes the MBA in his column in *The Sunday Times* and says —

> "Several allegations have been reported in the West Australian media that paint a different picture," the MBA said on Friday.
>
> "MBAWA has also received reports from its members, under the cover of anonymity, of coercive behaviour, aggressive targeting of subcontractors who are not covered by union EBAs, deliberate obstruction and illegal trespassing on sites by CFMEU delegates."
>
> This is the equivalent of jumping into a pub fight only after seeing which side was winning.

Ben Harvey goes on to say —

> There's no doubt that the past week has heaped pressure on the State and Federal governments to do something about the WA branch of the CFMEU.
>
> But there is no contemporaneous, on-the-record evidence (yet) that we are at the point where the local construction union should be taken over by external administrators.
>
> Believe me, I have been looking for the proof.
>
> The MBA and its members need to come up with some credible evidence that CFMEU boss Mick Buchan and his gang are doing something illegal.
>
> If they can't then they should stop saying that unions can't be trusted.

I could not agree more. Really, member, you need to put up or shut up! It is not fair to union members who pay their dues. The rules that apply to the way that unions conduct their activities are highly regulated under federal and state legislation, so union members should have confidence in the way that their unions conduct their business. There is a Fair Work Ombudsman role within the fair work jurisdiction, which operates under the Fair Work Act.

The person holding that Ombudsman's position is Anna Booth. That Ombudsman, who is conducting inquiries into the permits under some state officials at the CFMEU, is available to take up concerns by employers, other workers or union members who have concerns about the way the union is conducting its activities. There are current opportunities for people to take their complaints forward. It is not as if people do not have the opportunity to take those complaints forward, and so to say that people should be tainted because an organisation in another state conducted an activity is simply unfair and not right by anyone's reckoning.

The final point I want to make is about the announcement in the last couple of weeks by the Premier that this government will insert into the state industrial relations legislation a fit and proper person test for a right of entry permit. We have not had that in the past as it had not been raised before. The previous government was in power for eight and a half years, and it did not implement a fit and proper person test. In fact, it was under a Labor government—with Julia Gillard as Prime Minister or perhaps she was the industrial relations minister at the time—that the fit and proper person test was inserted into the Fair Work Act. We will insert exactly the same criteria into the state legislation to make sure that people who are exercising a right of entry into state-regulated workplaces—that is, state government workplaces or small businesses—have undertaken that same test.

Essentially, it has been over two years since the member has asked an industrial relations question. I say to not just the member for Vasse but also all the members of the opposition that perhaps they better pay attention to what is happening for workers out there in Western Australia. This government cares about the workers, their pay and conditions and health and safety, and the organisations that represent them.

MS R. SAFFIOTI (West Swan — Treasurer) [3.56 pm]: I think the Minister for Housing said in Parliament today that the Liberal Party and the Nationals WA will say and do anything on any given day. It is the chameleon approach to politics. I want to refer to a couple of points on the CFMEU. Both the Liberal Party and the National Party have come in quoting the CFMEU in this place, saying that we need to audit contracting because of the sham contracts that are out there. The Leader of the National Party came in and asked about the Stephenson Avenue project and some issues about asbestos. He quoted the CFMEU and asked whether I supported the CFMEU's comments about contracting. The Leader of the Liberal Party came in and referred to the CFMEU's claims about sham contracting and said that we immediately needed to audit all the contracts to make sure contractors were getting paid the right amount. There are other instances such as when the member for Roe came in and quoted CFMEU statistics, trying to criticise our projects. Members opposite cannot have it both ways. They cannot come in here quoting the CFMEU one day, and the next day say that it is a completely discredited organisation. Members opposite have been quoting and using the CFMEU's comments in this place. That is my first point.

My second point is about traffic managers. We discovered that some traffic controllers being used through labour hire were not getting a fair pay. Giving the lowliest paid workers on our construction sites a pay increase is a good thing. It means they get job certainty and fairer wages, which means they are working on our projects—and some of the projects expose them to a lot of oncoming traffic and other dangers—with a wage increase. That is something that we stand by. If members opposite want to go and tell those traffic controllers that they do not support the wage increase, it is up to them to do so.

My third point is that members opposite do not understand which projects have best practice industry conditions and which do not. They basically stood up and said that the contract for the Tonkin Highway extension has blown out because of those conditions. That contract has not even been let yet. Members opposite stood up and talked about a contract that is underway, but it has not even been let yet.

I will say a couple of things about the companies and the industry association. We support the companies that are delivering our projects. I have stood by them day in, day out. The opposition criticises those companies. I remember when BMD caused some traffic issues with the laying of asphalt on the Kwinana Freeway. The Leader of the Liberal Party said that BMD should be stripped of that contract because it did not manage a traffic issue. We have supported those contractors all the time. We very much know that they are working hard to deliver our projects. We also know that we need to make sure that subcontractors get paid a fair amount and that we are getting line of sight. What is wrong with supporting subcontractors and small businesses in this state? The opposition is saying that we should not be able to guarantee that a subcontractor gets a fair wage. We believe that we should have a line of sight. When we price these projects, we are pricing an hourly rate that should flow down to individual workers. That is how we price those projects. What is the problem with ensuring that individual workers are getting paid a fair wage?

Once again, members opposite have just put their finger out in the morning to see which way the wind is blowing and have come in here and run a matter of public interest on it. They have provided no new information and no evidence. If members are going to bring an MPI, they need new information. Quoting *The West Australian* for the whole half hour is not new information. As I said, we stand by the companies that are delivering our projects. The Liberal Party and Nationals WA have been criticising those companies, calling people sham contractors. They come in here and criticise the projects that we are delivering. We want to make sure that we have the right balance in the workplace. As I said, the opposition comes in here on one day and quotes the union and then the next day it says that everything the union says is invalid.

Division

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

Ayes (4)

Ms M. Beard	Mr R.S. Love	Ms L. Mettam	Mr P.J. Rundle *(Teller)*

Noes (44)

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

Pairs

Ms M.J. Davies	Mr M. Hughes
Dr D.J. Honey	Ms A.E. Kent

Question thus negatived.

EDUCATION AND HEALTH STANDING COMMITTEE

Sixth Report — A different kind of brilliance: Report of the inquiry into support for autistic children and young people in schools — Government Response — Statement by Deputy Speaker

THE DEPUTY SPEAKER (Mr S.J. Price) [4.07 pm]: I have a Speaker's statement about non-compliance with the direction to respond to committee recommendations.

Members are advised that in relation to the recommendations contained in the Education and Health Standing Committee's sixth report, *A different kind of brilliance: Report of the inquiry into support for autistic children and young people in schools*, which was tabled on 21 March 2024, no response has been received from the government by the required time.

FAMILY VIOLENCE LEGISLATION REFORM BILL 2024

Second Reading

Resumed from an earlier stage of the sitting.

MR R.S. LOVE (Moore — Leader of the Opposition) [4.07 pm]: Prior to question time, I was making a contribution on this important piece of legislation, the Family Violence Legislation Reform Bill 2024. I have a few more remarks to make and then I will conclude. I understand there are a number of members on the other side who wish to make a contribution to this discussion.

I will pick up from where I left off and restate the last paragraph. I referred to the trial of GPS monitoring devices that occurred a couple years ago and the three-week wait for pre-sentencing reports. It became apparent that if the justice considered that GPS tracking provided a deterrent, then GPS tracking should be considered.

Moving on from that, this bill does not require a pre-sentencing report to consider electronic monitoring. However, as pre-sentencing reports are nonetheless utilised, it seems that the timeframe of the reports is an irritation to the courts and perhaps even to the people involved on either side of the discussion. The Attorney General promised to provide more resourcing to improve the efficiency of the process, as recommended by the authors of the trial report.

As was exposed during that GPS trial and has been recommended by the Western Australian Office of Crime Statistics and Research, more resourcing to support GPS monitoring is required if the function is to be utilised effectively. Despite the low number of trial participants and concern that the quality of the trial results may be compromised, one consistent result across all levels is a requirement for increased funding and resourcing of departments and services to make the whole system work effectively.

Of the 10 recommendations, three specifically refer to the requirement of additional resourcing considerations, yet during the briefing for the opposition we heard that resourcing was not a consideration at the time of drafting this bill. How does the government intend to ensure that these new laws will be implemented reliably and efficiently as intended and that the presumed increase of electronic monitoring will not negatively impact on current response times and the general effectiveness of electronic monitoring in Western Australia?

We have witnessed the failure of the Minister for Police to fulfil his promise to provide additional police officers. In fact, he has failed to stem the haemorrhaging of experienced officers from the force. The WA Police Union has consistently raised the conditions under which it operates as being unsustainable. How can the police minister ensure that the changes made by the Attorney General will be best operationalised and utilised? The government cannot keep asking for more from the same pool of resources without making some investments and ensuring that it has increased staff and support.

As we have said, the opposition supports the bill, but we would like to see more of an understanding and commitment around what will be required to ensure that it is implemented effectively and actually works. We have discussed other matters, such as the changes around coercive control. I think the language around coercive control in the definition of "family violence" in the Restraining Orders Act will be tidied up by this bill; the Attorney General may be able to correct me on that. The government indicated this bill will deliver the first tranche of legislative changes related to coercive control and further tranches will be brought in before the next election. This is it. Perhaps the Attorney General can explain it. We will certainly go through in the consideration in detail process how that will play out.

Last year, Labor promised to explore a national domestic violence register in the wake of the death of a Perth barrister. Is my understanding clear, Attorney General, that this bill will allow for the sharing of family and domestic violence offence information nationwide to enable the tracking of offenders? If there will not be a disclosure scheme, why not? If there will be a disclosure scheme, will it operate only statewide or also in the federal sphere?

Again, the opposition supports the bill, but concerns have been consistently raised about its impact on remote offenders and Indigenous offenders, who, unfortunately, disproportionately represent family and domestic violence offenders in the statistics. How does the Attorney General expect to implement these reforms on regional people who may reside in small towns or remote communities that have limited communications and resources around enforcement matters? How does he see that rolling out? Will the ability to ensure that devices are sufficiently engaged within the system lead to harsher regimes in some cases for people who live outside of an area with effective telecommunications et cetera? Also, will remoteness be regarded as an exceptional circumstance when there is not an order due to exceptional circumstances? We will go through some of those exceptional circumstances as well. An unintended consequence might be that we may see some inadvertent failures in the system or some reluctance to implement the system, which could lead to greater incarceration rates for regional and remote people, many of whom may be Aboriginal. Again, what resources will be made available to ensure that sufficient care is taken in individual assessments and that appropriate associated community support functions, rehabilitation, cognitive behavioural therapy et cetera will be made available as part of the response to ensure that we break the cycle of family and domestic violence across the state?

The government has been in power for nearly eight years—nine weeks shy of eight years in the parliamentary calendar. The government promised to try GPS monitoring, and it has, and it promised to legislate, which it is doing. We would like to know some more about the intention of how that will be implemented. I understand that the funding to implement these measures has yet to be provided in any budget, so can we get an understanding from the Attorney, as the representative of the government here, just what the intention may be?

Mr J.R. Quigley interjected.

Mr R.S. LOVE: Yes, the Attorney General—no other minister is here, so it is down to the Attorney General to indicate just how that funding system may change.

Again, we support the bill, but the people of the state deserve better than just the bare legislation without an exclamation about how it will roll out across the whole state. This is a big and very diverse state with a very diverse population, and people face many different circumstances depending on where and how remote they are, what their backgrounds are and a whole range of other matters. We are navigating complex issues. This legislation is one tool being brought forward, but how does it fit into the further development of a regime that will see an end to the steep and ever-increasing levels of family and domestic violence in our state?

MS M.J. HAMMAT (Mirrabooka — Parliamentary Secretary) [4.17 pm]: I also rise to make a contribution to the Family Violence Legislation Reform Bill 2024 before the house today that the Attorney General introduced as part of a suite of reforms and initiatives implemented by this government since it was first elected in 2017 to address family and domestic violence.

I want to make a few brief comments about this bill and to talk more broadly about the work that this government has been doing, because it has been substantial, and that work continues, as evidenced by the fact that this bill is before the house today. As other speakers before me have highlighted, this bill deals with the introduction of electronic monitoring to ensure that people accused or convicted of family and domestic violence offences are tracked. It will be used as a way to minimise their risk of reoffending. This will address repeat and high-risk family and domestic violence offenders, ensuring that they are tracked, including as part of bail, sentence, parole or post-sentence supervision arrangements. The laws will compel courts and the Prisoners Review Board to impose electronic monitoring on repeat or high-risk family and domestic violence offenders or perpetrators who are on bail or otherwise supervised in the community.

The bill will also amend the Restraining Orders Act to deal with references to the pattern nature of coercive control and the fact that there is often an accumulative effect of those coercive control behaviours. Taking those into account might be one way of demonstrating that there is a pattern of family violence. It will ensure that a restraining order can be obtained and is warranted for acts that might not seem significant individually but as a pattern of behaviour demonstrate that there is a coercive, controlling nature to a relationship.

As I said in my opening comments, this is part of a large suite of issues in the area of family and domestic violence that this government has been addressing since being elected in 2017. It is really important to note that our enthusiasm for making sure that we address family and domestic violence has not waned over time. When we were elected in 2017, we were the first government to appoint a Minister for Prevention of Family and Domestic Violence. I think that really underscores our government's commitment to making sure that we address this issue and think about ways that we can put an end to it. I will talk more about that in my contribution today.

We are continuing to invest significant amounts of money in the prevention of family and domestic violence. In the most recent state budget, $96.4 million was invested to prioritise the safety of victim–survivors, so we are investing significant funds into this important policy area. Just in this term of government, since 2021–22, we have invested a significant amount—$422 million—in a wide range of programs designed to address family and domestic violence. It is not just about the funds, although they are significant; the Attorney General has also brought a number of bills to this place that provide a legislative framework to ensure that we do all we can to not only support victim–survivors, but also hold perpetrators to account. If I had more time, there might be an opportunity to go into this in more detail, but I want to talk in fairly broad terms about some of the things we are doing.

As I said, this budget underlines a number of those really important supports. I remind members that just in this budget, there is $53.8 million to expand the operations of family and domestic violence response teams to seven days a week, to continue the operations of the coordinated response services that work in partnership with police and child protection officers, and to roll out 17 additional community corrections officers.

There is also $14.2 million for a new family and domestic violence one-stop hub—the Ruah Centre for Women and Children, which we talked a bit about in question time—in the Perth metropolitan area. That project very clearly underscores the difference between the commitment of the Labor Party and the opposition to address family and domestic violence, as there is $14.2 million in the budget for that service, which the Liberal candidate for Churchlands would close down. There is $6.2 million to establish a dedicated organisation to support and develop family and domestic violence–informed workforces; $4 million to expand rapid rehousing programs and deliver emergency accommodation in Leonora and the goldfields; a $4.5 million funding uplift for the men's behaviour change program, Breathing Space, in Maylands and Calista; $3.2 million for the Department of Justice to provide victim representation and support at Prisoners Review Board meetings; $3.1 million to boost capacity for existing family and domestic violence community-based counselling and advocacy services; $1.9 million to establish a lived experience advisory group to inform policy and service design; $1.6 million to commence work on a central information point to inform family and domestic violence risk assessment; $490 000 for a two-year pilot for community-based short stay interventions for mothers and babies who are at risk or are victim–survivors of family and domestic violence; and $398 000 for the Department of Justice to undertake consultation on a new family and domestic violence disclosure scheme for victim–survivors. That is the list of things that we are getting on and doing in just in one budget. We have made a significant investment.

As part of my contribution, I spent a bit of time on the question of what we saw in this space when the Liberals and Nationals were last in government. At that time, I worked in an area in which, on occasion, I had the opportunity to try to engage that government on what it could do to improve support and assistance in the area of family and domestic violence. I have to tell members, it was pretty much crickets. There was no interest in engaging or even having meetings to talk about it. Members will be pleased that I found one press release on that from the Barnett government era.

Mr S.A. Millman interjected.

Ms M.J. HAMMAT: I have to confess, member, it was not an exhaustive search, but there was scant evidence.

On 9 December 2016, a press release titled *Men STAND UP against domestic violence* stated —

> … 20 prominent men from the Western Australian arts, sport, music, business, media and culinary sectors have taken part in a photographic project to raise awareness about and to end violence against women.

Compare that response from the Liberal–National government with this government's significant and ongoing track record in prosecuting ways to bring an end to family and domestic violence across a range of different areas. The clear focus of this government is that we need to do three things in particular. Firstly, we will hold perpetrators to account. As I said, the Attorney General has done a lot of work to ensure that the legislative framework supports this work. It has not stopped at that. There is also the Breathing Space program that addresses men's behaviour and the recent firearms reforms to ensure that we take account of FDV. We are looking at ways to hold perpetrators to account and address men's behaviour in perpetrating violence against women.

Secondly, we have designed a range of programs to support victim–survivors, some of which are covered in the funding that I just talked about. It gives people a sense of the wide range of things that we do to support victim–survivors. This government has been prepared to innovate and try new things to see a change in this really important area. I think we are all very proud of the work done with the wraparound one-stop hubs that, again, were introduced by this government. In my electorate of Mirrabooka, the Naala Djookan Healing Centre does incredibly important work in the community. We have rolled these hubs out to Kalgoorlie, Armadale and Broome, and extended the funding for the hubs in Mirrabooka and Kalgoorlie to ensure that they can continue to operate. That incredible work makes it easier for people to seek assistance if they are experiencing family and domestic violence, or maybe they are just concerned that what they are experiencing is not right, or they are not happy, or there is some other problem. It is an easily accessible service hub that provides a range of services and supports. We know that it takes a range of responses across a wide number of policy areas to be able to address family and domestic violence well. These services have been an incredible success story and demonstrate our commitment to try to do things differently to bring an end to family and domestic violence.

The government has increased funding to refuges. I mention the funding going into rebuilding the Stirling Women's Refuge, again in my community. One of the first things we did on winning government in 2017 was to introduce family and domestic violence leave and make that available for public sector workers. Again, it is a very simple policy response that allows people to make adjustments. We changed tenancy laws. We worked with the RSPCA to ensure support for people with their pets, which was identified as one of the things that would sometimes discourage people from making a change. We are ensuring that pets are looked after as part of this. We took into account the training of frontline responders—most recently those in St John Ambulance Western Australia—to make sure that they understand the context in which they operate. This government has done a wide range of things across a wide range of areas designed to support victim–survivors, to ensure that they can get the support that they need.

Thirdly, we have been raising community awareness about family and domestic violence. There are not many people now in Western Australia who do not understand that every year we hold the 16 Days in WA event. People wear orange, hold events, raise awareness and bring attention to this issue. One of the things that allowed family and domestic violence to exist for such a long time was that it was considered to be a domestic or private matter that was not talked about or acknowledged. These kinds of community awareness programs are incredibly important to bring attention to the issue.

We have done things like the respectful relationships teaching support programs in schools to make sure that consent education is now included in our school curriculums. The minister established a taskforce to bring together a strong advisory group of government agencies, peak community groups and people with experience in this policy area to make sure that the policy responses we are developing to the issues will meet the need.

As I mentioned at the outset, we appointed the first Minister for Prevention of Family and Domestic Violence and now, in Hon Sabine Winton, we have our second minister. Both have done incredibly good work in this space.

Opposition members talk about the increased number of reports. I think it is really important to note that as part of raising awareness about the issue people are now much more likely to report it, and that is not a bad thing. We want people to seek help. That is why we have put in place services and the wraparound hubs and we continue to ensure that first responders are trained in what the issues are. We want people to seek help. If as part of doing that they report the matter to police, that is not a bad thing. I do not think one can sustain the argument that family and domestic violence in our community has substantially increased all of a sudden. We know it has been going on for hundreds of years, but it has been private and hidden away and a domestic matter. People have not talked about it and the reality is that that is part of the reason why we have not been able to bring it to an end. The government has been clear about the fact that we need to do that. We need to bring about community awareness. We need to encourage people to report and to seek assistance so that they can make a change, and that is what we are doing.

I have already spoken longer than the Whip probably wanted me to, so I will bring my contribution to an end by saying that this is a really important bill. It is another piece of ongoing work during the life of this government that is about making a difference to people who are experiencing family and domestic violence. It is about raising community awareness, making sure we are holding perpetrators to account, supporting victim–survivors and working with people in the community who best understand this issue. We have been doing all of that and it stands in stark contrast to the lack of action that we saw when the Liberals and Nationals were last in government—one press release and a photo of 20 men. If there are more examples, I welcome opposition members telling me about them, but I am yet to see any. The former Liberal–National government did nothing and the opposition has no policies to put to the community to say what it would do differently.

With that, I bring my contribution to an end. I think we have a really proud record in this area. I commend the work that the minister and the Attorney General are doing, and I commend the work that the first Minister for Prevention of Family and Domestic Violence did as well. I am really proud to be part of a government that takes this issue seriously and continues to do the hard work to make a change. I have no doubt that the things we are putting in place now will be a part of building a different future for the many people who are impacted by family and domestic violence in our community.

DR K. STRATTON (Nedlands) [4.32 pm]: I too rise to support the Family Violence Legislation Reform Bill 2024. My colleague the member for Mirrabooka gave a comprehensive overview of the really proactive and sophisticated work that the Labor government has done around addressing family and domestic violence, recognising of course that it is, in itself, a complex and wicked problem that requires multiple responses. I have been in community services for over 25 years. Domestic violence is one of the most insidious social issues that our community faces. I too am really proud to be part of a government that has led the way in responding to this very difficult and harmful issue.

In my contribution, I want to focus on the issue of coercive control. I am aware that this bill will deliver an early legislative component in the first tranche of reforms to address coercive control as part of a phased approach. The definition of "family violence" in the Restraining Orders Act will be amended to better recognise the patterned nature of coercive control. I appreciate that ongoing work is being done with service providers, people with lived experience and stakeholders to create that definition so that it is meaningful. It goes alongside some other systemic reforms, as well as education and training initiatives and that ongoing work around definitions.

I want to cover the experience of coercive control and what kinds of behaviours and patterns of behaviour it entails because it emphasises why—albeit that this is the first move, if you like—it is really important work. It recognises that domestic violence is complex and therefore our responses need to be as well.

One thing that is really clear is that, like all domestic violence, coercive control is about exerting power and control over the survivor. Coercive control is particularly about depriving people of their independence, isolating them, creating fear and impacting their sense of safety, independence and self-esteem. People who experience coercive control can end up feeling trapped, powerless and alone. It has a serious impact on the day-to-day life and wellbeing of survivors, and it also impacts their other roles, including their participation in the workforce and their parenting. Coercive control can be harder to recognise because the tactics are often more subtle, and they can escalate slowly. It is not usually one incident; it is ongoing, and it is repeated. As acknowledged in the reforms, it emerges as a pattern of ongoing behaviours.

Survivors and service providers have long recognised that coercive control is a form of abuse—a form of family and domestic violence—and it is really important to address all experiences of family and domestic violence. Coercive control is certainly not a lesser form of abuse. The New South Wales Domestic Violence Death Review Team found that 97 per cent of intimate partner homicides committed between 2000 and 2018 were preceded by coercive control and in 27 per cent of those homicides, there was no known history of physical violence. We know that coercive control can ultimately become fatal.

Controlling behaviours can be physical and non-physical, but they are not an accident; they are deliberate. They can seem minor in isolation or as a one-off, but when they are repeated and continuous, they can cause really serious harm to people's mental and physical health. Coercive control can include isolation from family and friends and controlling what a person eats and wears and the kinds of activities they participate in and who they are allowed to see and spend time with, which, of course, prevents the survivor from accessing support. It also includes gaslighting; monitoring behaviour online or in person—of course, we have seen an increase in the use and abuse of technology in monitoring, tracking and following people; and controlling the finances and the capacity of someone to participate in the workforce and earn and spend money. Controlling behaviours also include threats and intimidation; threats to disclose information about a person publicly, information that is designed to embarrass and contravene somebody's privacy and confidentiality; humiliation, degradation and repeated putdowns; and making the person fearful or scared of not complying.

I want to give a couple of examples that demonstrate the complexity of coercive control and why the ongoing work and consultation with stakeholders and people with lived experience is so important in making sure that we continue to get this right. A couple of the examples I will use are from my time at King Edward Memorial Hospital for Women. I have previously outlined that, sadly, pregnancy is often a time when domestic violence can start because there is a loss of control and somebody else in the relationship. A common thing that we would see, particularly in the adolescent antenatal clinic, was men who would decline to have their name recorded on the birth certificate. As we heard when debating other legislation that is now proceeding, things like birth certificates are very important to a person's identity. The intention of not having their name on the birth certificate was that, at that time, it meant they could not be pursued for child support. That one action will continue to have an impact on the mother and the child for the duration of that child's life. I knew of women who had no access to bank accounts, despite their own salary being paid into them. They had no independent access to funds. There was a very common practice of migrant women from non-English speaking backgrounds being handed a Centrelink form and being told to sign it because it would help them stay in the country. In actual fact, they were committing fraud. Their partner was essentially facilitating them to commit fraud, against their knowledge. There can also be the siphoning and measuring of fuel. The same amount of fuel had to be in the car at the end of the day as at the beginning of the day. People go to a lot of trouble to control. That is what I mean; it is not an accidental behaviour. It is very planned, deliberate behaviour that is meant to isolate.

Often, again at King Edward Memorial Hospital for Women, we would see there was no privacy in medical appointments. They would insist on being there for not only intimate examinations, but also routine examinations.

There would often be pressure for no pain relief to be used during childbirth because of his desire for a drug-free birth. I worked with one woman who would get random text messages throughout the day telling her where she was. It was letting her know that he knew where she was and who she was with. It would come at random times, so it was unpredictable for her as well. He also had cameras set up in the house, which is not an uncommon practice.

During COVID we saw the emergence of another form of coercive control around the denial of vaccines and then deliberately exposing people to COVID. At particular times, that included contravening the COVID rules. A colleague of mine who has been involved in family and domestic violence research for over 30 years said that deliberate exposure to COVID was something that really emerged in the research during that time.

We have heard about the other important aspects of this reform bill and they are, quite rightly, getting a lot of the attention, but I wanted to highlight that this ongoing work we are doing on coercive control is really important. It has a really significant impact on women. I would also like to thank the Attorney General for his really significant work in this space, being able to lead some of these really complex reforms with courage and understanding of the complexity. I acknowledge, too, of course the work of the Minister for Prevention of Family and Domestic Violence. I note that we were the first government to have a dedicated portfolio in this place. I thank them both for their leadership and I commend the bill to the house.

MS S.E. WINTON (Wanneroo — Minister for Prevention of Family and Domestic Violence) [4.43 pm]: I want to make a short contribution to this very important Family Violence Legislation Reform Bill 2024, which shows our ongoing commitment to the prevention of family and domestic violence. In particular, this bill will send a loud and clear message that violence against women will not be tolerated by this government, as it is not tolerated by our community. As the Minister for Prevention of Family and Domestic Violence, I want to acknowledge the devastating impact that violence has on families, children, individual women and, of course, communities. I also want to acknowledge how amazed I am, on a daily basis, when I meet with those people, by their strength and resilience despite the trauma and long-lasting impact of their experiences. It is often the case that those survivors have the biggest impact on reform. I look forward to my ongoing work with them.

The Family Violence Legislation Reform Bill 2024 represents a significant further step towards demonstrating the government's enduring commitment to protecting victims of family and domestic violence. As the members for Mirrabooka and Nedlands said, our interest in this area is not new; it is long-lasting and has been a consistent, total commitment since we came to government in 2017. Of course, we are committed to continuing to do more to support women and children who have experienced, or are at risk of experiencing, family and domestic violence. Importantly, this bill will hold to account for their actions perpetrators who use violence.

Members have also outlined the fact that the government's commitment to this issue is reflected in our investment over our period in government. In last year's budget alone, some $96.4 million was allocated to important work on the prevention of family and domestic violence. That came on top of our record $422 million in spending since 2021–22, including the $72 million we announced during the 16 Days of Activism against Gender-Based Violence campaign last year. The taskforce has already been mentioned. We are absolutely committed to system reform, which has been informed by the taskforce. It is critically important work that we will continue to do—importantly, across government. It is not just the Minister for Prevention of Family and Domestic Violence and the Attorney General; it is also the Minister for Police and the Minister for Health. It is an entire whole-of-government commitment to preventing family and domestic violence. Work on that system reform plan is being undertaken now by an implementation group, which is making sure that the commitments we made to the sector and to victim–survivors will be delivered.

There are four key planks to the system reform plan, which I have mentioned before. I will quickly remind the house about them. They are information sharing, risk management, risk assessment, and, finally, workforce development. The system reform plan is set to transform the way we design and deliver services for those who need them. As I said before, it is a partnership approach across government, the community sector and Aboriginal community–controlled organisations that will make sure we have best practice around victim–survivor safety and their recovery and, of course, more effective ways of managing the risks posed by perpetrators of violence.

The member for Nedlands touched briefly on coercive control, and I want to expand on that a little because it is a critically important element for which measures will be introduced for the very first time. I want to take a few moments on that because I do not think the opposition quite understands the complex and nuanced nature of coercive control. I will repeat some remarks I have made previously and build on some remarks made by the member for Nedlands.

This bill will, for the first time, expand the definition of family and domestic violence to take into account and acknowledge coercive control as a pattern behaviour. That is a really important first step. I remind the house that this bill is an important first step that came out of the 2023 report *Legislative responses to coercive control in Western Australia*. As we know, it is one of the most insidious forms of family and domestic violence; it is controlling and it is hard to define—even for experts, let alone the people who experience it. We have committed to a phased approach to criminalising coercive control. Importantly, that is backed up by the Commissioner for Victims of Crime and our key stakeholders. They are backing us all the way in our approach to dealing with coercive control.

Some of the work that needs to occur before we can have a standalone criminalised offence includes changing the definitions, which this bill will do; improving the application of breach processes for family violence restraining orders to better recognise patterns of behaviour; developing tools so that victim–survivors can actually gather and document the evidence; and, importantly, providing specific training on coercive control to related workforces, including the police and judiciary. It also requires improved information sharing and risk assessment tools and, importantly, community education programs to increase the awareness and understanding of coercive control.

As the member for Nedlands said, it is really difficult to identify coercive control or even acknowledge that it is happening, even when it is happening in one's own family. I want to spend a couple of moments to share an example. Some members may have watched the *Australian Story* episode with Anna Coutts-Trotter and her mum, Tanya Plibersek, which aired in April this year. It was a really enlightening account of the insidious nature of coercive control and why it is so difficult and why we need to have this phased approach to it. I want to quote from Anna's interview when she said —

> I felt loved, I felt as though he cared about me," she says. She spent most of her time with him, so much so that Plibersek urged her not to forget her friends.
>
> The control crept in. "I had to be constantly available to him," Anna says. He could track her on her mobile. "It became normal for me that I needed to ask him for permission to do things … the way that I dressed, the way I behaved and acted in public." She lost weight to please him.

When a concerned teacher who noticed Anna was becoming more withdrawn in class asked Anna what was going on, she shrugged and dismissed it as "boy problems", but it was not just boy problems and the behaviour escalated.

Recently, I had a virtual meeting with Anna to hear her story and also talk about the important work she is doing in New South Wales with other victim–survivors as part of the Survivor Hub. What really struck me and what I want to emphasise, building on the member for Nedlands' contribution, is that it is one thing for an expert to understand it, but when we look at Anna's background, we can see that she spent her entire life going to women's rallies, her father was head of the Department of Communities and Justice, and her mother was well known as an advocate for women's rights, yet the effects and impacts of coercive control were not understood or appreciated in that family. When the opposition flippantly says that it will criminalise coercive control, the opposition really does not understand it and is not listening to the experts and the advice about how we can go about successfully criminalising coercive control. That is why it is critical to have community awareness, community education and workforce development. We are making key investments in this budget and through the announcements made during the 16 Days in WA initiative. We are investing in the key work that has to happen to ensure that we have a successful road towards criminalising coercive control.

I mentioned workforce development. That is a critical part of it as well because it is one thing for families and loved ones to understand what is going on in a relationship, but we also need a workforce that believes it, understands it and is willing to act on it. We have allocated over $2 million for more first responder training to recognise and respond to family and domestic violence, including coercive control. Of course, that is in direct response to one of the recommendations in the report by the Commissioner for Victims of Crime. In June, two consultants were appointed to design and scope this important training work. One of the consultants is Kylie Kerin, who is a lawyer with extensive experience working in the area of family violence, and the other is Tjallara Consulting, headed by Professor Vickie Hovane, who has been appointed to lead a complementary piece to ensure that the training is culturally secure and culturally responsive to the family and domestic violence experienced by Aboriginal people. We are expecting that consultancy work to be completed by the end of the year.

Of course, we are particularly focused on training paramedics because very often they are the first professionals who make contact in family and domestic violence situations. That training has been occurring and I have had the opportunity to meet with first responders who have had that training. This is critically important work. St John WA says that it receives up to about 6 000 calls annually from patients whose injuries are suspected to be related to family and domestic violence. The first cohort have received their training, and this will be expanded over time to include volunteers and be part of a continuing education program with St John WA so that, in the end, 5 000 team members within that organisation will have received the training.

I said one of the key planks of the system reform plan is around workforce. A particular part of that is establishing a workforce entity so that we are focused on workforce development. We have invested $6.2 million to get on and do that important work to make sure that we have an entity that not only trains its workforce but also supports and trains other workforces to identify family and domestic violence within their own sectors.

Although victim–survivors are always our priority, perpetrators need to be held accountable for their actions. This bill does that, but, importantly, it is not the only element in terms of holding perpetrators to account. We have made significant investments over our time in government in perpetrator programs to ensure that we support men who want to change their ways. In terms of holding perpetrators to account, other members have acknowledged the Attorney General in this place and his significant legislative reform agenda that has seen a number of reforms that make sure that we protect and keep the community safe.

I need to remind the house of the delivery of some of our commitments around intimate images, or the so-called "revenge porn" laws; standalone offences for non-fatal strangulation; automatic recognition of family violence restraining orders in other states; the creation of serial family violence offenders; FDV reforms to our tenancy laws, among other things, that are making it easier for tenants to stay safe in their homes; and gun law reforms, which I will come back to at the end. Strong legislative reforms that hold perpetrators to account and keep victim–survivors safe is critical, but we are also committed to continuing to invest in perpetrator programs to ensure that perpetrators have the opportunities to change their behaviours. In that regard, we fund a variety of voluntary perpetrator programs, including the residential Breathing Space, which is located in Maylands, Calista and Port Hedland. Breathing Space was the very first program of its type in the Southern Hemisphere for changing perpetrator behaviours. It has been a great privilege to sit down with men who are accessing that residential program and to see the impact programs like that have.

We have three new behaviour change programs that are being established in regional WA in Bunbury, Albany and Northam. We have a statewide safe at home perpetrator response, a men's domestic violence helpline for men who are concerned about their behaviour or who are victims, and $3 million over three years from the commonwealth to fund new innovative perpetrator programs under the national partnership agreement. We are also trialling men's workers in FDV response teams in Northam, Bunbury, Joondalup, Fremantle and Midland to work with perpetrators. The government is providing a holistic response to the wicked problem of family and domestic violence in our community, whether it is legislation like this that holds perpetrators to account or our record investment in supporting victim–survivors through a range of services or investing in important measures to prevent the violence before it even starts. It is a very clear and stark contrast to the position held by the opposition. Its interest in the prevention of family and domestic violence can pretty much be scaled to when a crisis or tragedy occurs. That is when there is a spike in interest from the opposition, whereas we on this side have had a consistent and committed approach to the prevention of family and domestic violence for the entirety of our term in government.

I want to highlight the stark contrast between our cohesive approach and that of the opposition. There are no policies or positions on anything, including the prevention of family and domestic violence. I want to highlight a couple of examples in particular. This morning, the Leader of the Opposition used the word "alliance".

[Member's time extended.]

Ms S.E. WINTON: It seems to suggest that somehow there is a coming together or some sort of alliance on policy and positions to be taken to the election. I want to highlight a couple of bits that are inconsistent, particularly supporting victim–survivors and having a true commitment to the prevention of family and domestic violence. Of course, one is the position on gun laws. When the gun laws were introduced in this place, the Leader of the Liberal Party jumped up and down and clearly felt insulted when we suggested that she was not supporting them. Yes, she may have individually ended up voting for them, but we know that, at the same time in the upper house, Hon Nick Goiran was spruiking a petition to roll back the gun laws. That was within the Liberal Party. Then, of course, its alliance partner, the Nationals WA—presumably, as an alliance, they would sit around the same table in cabinet—opposed the gun laws that will make it safer for women and children in this state. The Leader of the Opposition is on record as saying that if he gets into government, he will repeal those laws. I am not sure how that will work around the cabinet table. It has been my great privilege to have been in the cabinet room for about 18 months, and I know that what works in cabinet is when people are collegial and back each other in, are consistent and sing from the same hymn page. On the prevention of family and domestic violence, that is exactly what we have done as a government, whether it is through the Attorney General introducing important reforms like this, the Minister for Police introducing gun laws to make our community safer or other ministers around the table supporting, through their agencies, the important work that we are doing to prevent family and domestic violence. Of course, it was rather ironic that today, on the first day back after the winter recess, the Leader of the Opposition thought he was smart in asking a question during Homelessness Week to highlight the plight of women fleeing family and domestic violence. In the end, he kicked an own goal as his alliance partner, the Lord Mayor, as the candidate for Churchlands, who has aspirations to sit around the cabinet table, is on the record as having closed a homeless shelter, which has resulted in vulnerable women living on the streets of Perth having nowhere to go for a number of months. It is quite baffling, really.

I want to finish by commending the Attorney General for not only introducing this bill, but also his significant work over eight years on, and having as his priority, keeping our community safer. I know he has a particular passion to protect women and children in our state. Not only do members on this side have a cohesive, whole-of-government approach, but also our policies and decision-making are backed by experts and key stakeholders. We are walking alongside those with lived experience, because, shortly, we will have a lived-experience entity that will further help strengthen the work that we are doing.

With that, I conclude my remarks and commend the bill to the house.

MR J.R. QUIGLEY (Butler — Attorney General) [5.04 pm] — in reply: I will comment on a few of the members' speeches this afternoon that particularly deserve comment or contempt! The first speaker this afternoon was the Leader of the Opposition, the member for Vasse.

Mr R.S. Love: No, the Leader of the Liberal Party.

Mr J.R. QUIGLEY: Thank you for that correction, Leader of the Opposition. He makes a good point because I was about to say that she is not the shadow minister; she is the champion of fakery and fake news in this house. It seems to be a strategy adopted by some conservative politicians—to just keep on repeating fake news. We have seen it in America, and obviously the virus has come to Vasse and caught hold of the member down there. She cannot open her mouth without spewing fake news. Her speech really was like a resignation speech of the Leader of the Liberal Party. Any member of the Liberal Party listening to that speech would have to say, "We are done with this. This is going nowhere."

I will go to the first part of the member for Vasse's speech. She said that the Liberal Party would support the legislation, but the legislative priorities of the government have been a long time coming. What a totally fake allegation. Let us go back to what happened. In seven and a half years of government, the Liberal government did not introduce GPS tracking. It was blind to technology and ignorant. As soon as I became the Attorney General, I inquired as to what we could do with GPS tracking. With the then Minister for Corrective Services, Hon Fran Logan, I attended the department to see what it had, and some GPS tracking was available. It was scantily used, but we said that we had to wind this up and get it happening, so we introduced legislation to provide for GPS tracking. It was not this legislation, however. The amendments in this legislation will provide for the mandatory affixation of a GPS bracelet.

Let us look at how fake the member for Vasse really is. She said that GPS tracking has been a long time coming. However, we commissioned an inquiry by the Commissioner for Victims of Crime and the Western Australian Office of Crime Statistics and Research on the proposition that there be mandatory orders for the affixation of GPS bracelets, and an inquiry was undertaken. The Leader of the Opposition correctly pointed out that it involved a relatively small cohort because only a small cohort of people fitted the criteria. Nonetheless, the inquiry went on for over 12 months and the report was prepared and given to me. Straight after I received the report—from memory, it was on 26 or 28 October last year; it was one of those dates—I announced that the government would introduce legislation to achieve the effect of what is in the bill today. In fact, on 2 or 3 November—within a week—I tabled the report. The report was received at the end of October and tabled at the beginning of November, and eight months later we are debating this bill. In the intervening time we had a month and a half off for the Christmas break and a month and a half off for the winter recess, which was 12 weeks, or three months. This is express delivery of a recommendation. I can tell members that when I came to office, a stack of reports were gathering dust and had not been touched by the Liberal Party in years. I have implemented some of those recommendations. We are doing another one next week for the Evidence Act. The Liberal Party did not even lift a finger or raise a breath to implement any recommendations of those reports, and here we are giving full effect to a report within eight months of it being delivered to government, with a bill on the table before Parliament and the member for Vasse falsely and fakely accusing the government of taking a long time in doing it. What a load of nonsense. Then she said that the Liberal Party promised $100 million for GPS tracking. I asked when and she said last September. When the Liberal Party had power and had the strings of the Treasury purse, it had not one dollar for GPS tracking. But when the Leader of the Liberal Party thinks this might become an issue, because she knows that we are doing the report and she knows that I will not let dust gather under my feet and will bring in a bill, she says that a Liberal government would spend $100 million. On what, madam? Exactly on what? The devices are leased. We have enough in the drawer at the moment and will lease more as we go. What would a Liberal government spend $100 million on? This is an absolutely vacuous airhead speaking. The member for Vasse said —

> Although we support this legislation, it is unclear why it has taken so long for it to be introduced …

I wonder how one can be so vacuous and empty headed and get elected to this place and be the Leader of the Liberal Party. I suppose there are only two to choose from, so it has to be someone. What an empty headed competition. If other candidates of the Liberal Party—I cannot imagine it will be Churchlands—are out there hoping to come into this place on 8 March next year, they will all be candidates for the Leader of the Liberal Party, because this one will be gone after this vacuous performance. She went on to say —

> … we are unlikely to see coercive control criminalised in this term of government. It is unacceptable …

She has the report. She knows that the report prepared by the Commissioner for Victims of Crime, who spoke to all the victims and is not connected with the Labor Party, recommended to the government that we do not immediately go to criminalise coercive control until there is a more mature understanding of it by the judiciary, the police, the profession and the victims themselves. We have heard the member for Wanneroo describe how a family dedicated to fighting against domestic violence did not realise their own daughter was the victim of coercive control. There has to be an educative process. The vacuous leader of the Liberal Party is saying: "I don't care about victims; I care about headlines. I don't care that the victims want a pause. I don't care about the victims' welfare. I don't care about the victims' families' welfare. I want to be the Liberal Party leader who demands this coercive control legislation happens now!" What a little tantrum.

The Leader of the Liberal Party said, "Oh, there's been a rise in domestic violence reports since the Labor government came to power." Of course there has been! It is because we have changed the police operational procedures. Prior to Labor coming to power, many police in this state would attend a domestic violence incident and just try to calm

it down and settle the waters in the house. There would not be a report of the attendance; a file would not be generated; an incident report number would not be assigned. They would go there as moderators to calm people in the house down, like they did time and time again when Jody Gore called for assistance. I think they attended 11 times upon Jody to calm down the situation and then turn their back and walk away, until she struck back and stabbed her attacker, who died. Eleven times there could have been an intervention to save Jody, but that was not the way it operated under the previous government. Under this government, the government and the police treat it very seriously and when there is an allegation of domestic violence, the police will attend and an official file will be created so of course the number of reports is higher. It is not swept under the carpet any longer.

Then there is the conservative scare tactic, and that is, "Let's frighten them and say we are the worst in the country; we are the worst in the world!" This is Donald Trump–esque, is it not? He looks at a city and says, "This city is going to hell! Crime is out of control! It's going to hell and I'm the only cure!" That is what she says when, in fact, the domestic homicide figures have steadily fallen since we came to government, with the exception of one year. That was the Osmington killings, when a grandfather took out his whole family—his wife, his daughter and his grandchildren, five or six of them—which bucked the numbers up. Who could have ever predicted that a grandfather living with his wife would murder her, his adult daughter and all his grandchildren? There is no protective action we could have taken. If we take out that one horrible incident and look at the homicides in domestic violence, what do we see? There has been a steady decrease since Labor came to office—a steady decrease. In 2018–19, there were 17. That is way too many. That is horrendous, but there were 17. The next year there were 15; the next year, nine; and the next year, nine. Then we had the bump because of Osmington. Compare that with what went before us. In 2012, there were 20. In 2014, there were 15 of them. In 2015, there were 16. In 2016, there were 22. The numbers were out of control. Our efforts have suppressed it; we have not wiped it out. We have brought the numbers down while the population has been surging and fuelled on methamphetamine.

Is crime rising year on year? No, it is not. We all know that. No, it is not. That is what Mr Trump says over in the United States, "Crime is out of control! Vote for me!"

Mr R.S. Love: He did survive an assassination attempt, so perhaps he has some justification in front of him.

Mr J.R. QUIGLEY: What—for saying that crime is out of control? The numbers are less now than they were during his presidency! The numbers are less now in Western Australia than they were during the term of the last government! You cannot look at one incident and say, "Crime's out of control"; you have to look at the statistics. We have been pushing those statistics down through all the measures we have taken. The member for Vasse said that more devices are needed to meet the expansion, and that what the government is doing is not good enough. The report predicts that an additional 500 people will be wearing bracelets in this community because they will fall within category A, B or C of the legislation. That is 500 people! These devices are not purchased. No wonder the last government made such a mess of the finances. Members opposite want to put $100 million aside for 500 GPSs that could be leased for, I think, 20 bucks a day. They want to put $100 million here, which is enough to build the best primary school in Western Australia in East Perth and put the best high school next door. For $100 million—they are nuts!

She said that the police minister failed to resource the police. I have just travelled the Kimbereley for nearly a week, and they have special flying squad teams up there. The place is well policed; there is no doubt about that. I spoke to the shire president of Broome. The place is well policed. I spoke to the police in Kununurra, and there are a lot of police up in the Kimberley now. The member for Vasse talked about there being a failure of resources!

She went on to say that there are no acceptable levels of family and domestic violence and that "it is surprising these steps were not taken seven years ago". We have taken heaps of huge revolutionary steps in the domestic violence space with declarations of persistent family violence and new offences for the partial occlusion of airways. We have covered many offences and done so much, yet she states that we have waited seven years. This is because she sits there and does not listen; it goes in this earhole and out the other earhole and she does not engage the organ in the middle!

She went on to say that the policy of life and death should not be reactionary. Der! That is why we are bringing in this legislation. We are not waiting for a death to happen. We are getting in there and saying that there are certain classes of offenders who when admitted to bail must wear these devices so that we can put a protective boundary around the victim's house, workplace or other areas she frequents, and an alarm will go off if the offender breaches the conditions.

This was one of those nasty little speeches in its tone. It was hopeless in its facts, heavy on fake news, and, sadly, what she said was nonsense. I think any other members of the Liberal Party or candidates out there who might be listening this afternoon know that when they make their first Liberal Party move, they will be able to knock her off just like that! Any candidates out there doorknocking are all prospective leaders. When people are asked what they hope to be, they can say, "I am not hoping; I am likely to be the Liberal Party leader on 9 March!"

I will now move on to the Leader of the Opposition, whom I always think is more thoughtful. I can see why we have a Leader of the Opposition from his party; it is because the other one is a mess. But I take issue that the opposition

once again said that there are dramatic issues with crime and that it is out of control. That is just standard garble for oppositions. The opposition leader said that WA has the highest rate of women needing assistance. There were no figures supplied. It is just a good thing to say; it might get covered. The best part of that for the Labor Party is that no-one reports the opposition, because it is all nonsense.

[Quorum formed.]

Mr J.R. QUIGLEY: As I was saying, the opposition is hopeless.

The Leader of the Opposition addressed the number of family violence restraining orders issued in Western Australia and said that 19 offenders met this description. I think there might be more when we take into account the high-risk offender declarations, because they will all have to wear the bracelets. The Prisoners Review Board will have to order that they be worn by parolees with a current FVRO who come out. I think the numbers are higher, but I do not take issue with the Leader of the Opposition on that.

The Leader of the Opposition asked me to explain the exceptional circumstances, and I know he will interrogate me further during consideration in detail. A person will not get one of these bracelets if they can show exceptional circumstances. The Leader of the Opposition gave an example of one of those exceptional circumstances—that is, someone lives in a remote area where GPS does not work. It works in funny places. I had the opportunity of visiting a remote community called Mulan, which is 43 kilometres from Balgo. The reception was good, but when I went to Broome, I had one little button on my phone. This will have to be looked at district by district.

Mr R.S. Love: Blame the local member who is obviously not advocating on behalf of the local community.

Mr J.R. QUIGLEY: The member took me there. It was a very good trip. They are lovely people out there at Mulan and there is very good mobile coverage. It will depend on geographic location. I agree that is one of the issues. There might be other circumstances, such as if a person were admitted to a hospital and needed to have a monitor fitted—I do not know. But there is a good deal of jurisprudence around the term "exceptional circumstances" because it is used in other legislation. Someone who is charged with murder will not be granted bail unless they can demonstrate an exceptional circumstance. What constitutes an exceptional circumstance should not be prescribed by this Parliament because we cannot imagine every circumstance in the world. If we had to list them, who knows how long the schedule would be? We trust the judiciary. They know the intent of the law, they know the letter of the law, and they are well versed in deciding when something constitutes an exceptional circumstance.

I note that there was some mention of the Noormets case, which was a shocking case of domestic violence by a parolee. But had this legislation been in place, it is doubtful whether it would have made any difference in that case. Noormets had been convicted of trespass some time earlier, but he was not charged for a domestic violence offence per se. He was charged with criminal damage, trespass and breach of a police order. Those are not offences that would attract a mandatory family violence restraining order or, indeed, a bracelet. When he came before the Prisoners Review Board, there was nothing to indicate that there had been previous violence. I have said this in a previous answer to the chamber. Whether the Prisoners Review Board was properly informed is not the issue here today; it did not have that information before it at the time. Noormets was not released subject to a VRO. For someone to be given a mandatory order, they would have to be released subject to a VRO, and then the board would have to order that they have a bracelet put on their ankle. I am not being as critical of the Leader of the Opposition, but the Leader of the Liberal Party's contribution was almost disgraceful.

I briefly turn to the member for Mirrabooka, and I thank her for her contribution. She went through how much we have put in the budget. There is $53.8 million to expand the FDV response teams and $14.2 million for a one-stop hub in the Perth metropolitan area. We talk about wraparound services; there is no better wraparound service than a one-stop hub, where all the services for a victim are in one place. There is $6.2 million for a dedicated entity to inform workforces and $3.2 million for the Department of Justice for Prisoners Review Board victim support. The list goes on. I thank the member for Mirrabooka for her very erudite contribution and for reminding me—I was here at the time and my memory had lapsed—that back in 2016, the then government's only contribution in the domestic violence space was to have 20 blokes sign a pledge saying, "We've all got to change." There was no legislation. There was no money being pumped into the budget. There was no heightening awareness of the problem with the community. It is no wonder that the number of deaths was up to twice as many a year as the number of deaths under the Labor government.

That is a fact. That is in the figures I read out. Over the years, there have been 22 deaths under a Liberal government and nine under Labor. I am ashamed that there were nine. It is tragic that there were nine deaths. I and others recognise that collectively in this chamber, indeed in this Parliament, we cannot eradicate domestic violence. We can do our bit and lead the community. We can give the community the legislation and the judiciary the tools to do that and to punish offenders, but there also has to be societal change led by people in the community. There are some terrific people in that space, who are being helped and supported by the member for Wanneroo, the Minister for Prevention of Family and Domestic Violence. She asked a very good question: what did the Liberal government do? No-one could answer it. The member for Nedlands also made a very helpful contribution, especially in the area of coercive control—as did the minister herself. Have we ever had a minister pushing back against family and

domestic violence like Minister Winton? Never in the 24 years that I have been in this Parliament have we had such a well-informed, intelligent and committed minister as Hon Sabine Winton. I am humbled and proud to have served at a cabinet table with her. With that, I shall conclude my second reading reply.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

Consideration in Detail

Clause 1: Short title —

Mr R.S. LOVE: As we have heard, the Family Violence Legislation Reform Bill 2024 amends many different pieces of legislation. Is this the final piece of legislation that the Attorney General intends to bring to the house on the reforms he is seeking to undertake on family and domestic violence?

Mr J.R. QUIGLEY: Yes, because I am on my last lap and turning the corner, running for home. I do not think that I will be able to fit in any more, but I know that the government is looking at coercive control. As I said, that will be a little while down the track. This will not be the final bill in this space, but it may be the final bill in this space during this term of government, bearing in mind the other legislation I have to bring on. I have the Criminal Code Amendment (Prohibition on Display of Nazi Symbols or Gesture) Bill. The Leader of the Opposition asked about legislation "in this space". The Evidence Act has great slabs of provisions in this space. For example, we are looking at allowing the vision from body-worn cameras to go in as evidence-in-chief and the codification of impermissible questioning and the harassing of witnesses, which is very important in this space because victims go to court and they feel retraumatised. We have to stop that as well.

Mr R.S. LOVE: The Attorney General mentioned coercive control measures. There are some changes to definitions and aspects of this legislation that deal with coercive control. Why did the government decide it was unnecessary to go through all of the matter of coercive control with this piece of legislation when it had the opportunity?

Mr J.R. QUIGLEY: We are coming to that. We will reform the Restraining Orders Act to give cognisance to coercive control as an identifiable head of conduct that would justify the issuing of a family violence restraining order. For the reasons I have already explained, we are not proceeding to attempt to put it in the Criminal Code just yet. We anticipate that applicants will rely on coercive control under the Restraining Orders Act. Magistrates and judges will all be asking, "Is that coercive control or not?" The judiciary, police and victims will develop an understanding of it, and it is the government's intention that it will then legislate.

Clause put and passed.

Clauses 2 and 3 put and passed.

Clause 4: Section 3 amended —

The ACTING SPEAKER (Mrs L.A. Munday): Can the Attorney General talk about clause 4?

Mr J.R. Quigley: I thought we'd moved on. I was not asked to. I can talk about anything!

The ACTING SPEAKER: I thought we were postponing clause 4.

Mr J.R. Quigley: No. Was it clause 9 that the Leader of the Opposition wanted to go to?

Mr R.S. LOVE: Given the circumstances, I feel that perhaps we could get an explanation of the import of clause 4 because that is where we have landed.

The ACTING SPEAKER: The clerks queried whether clause 4 was something you wanted to look at, Attorney General.

Mr R.S. LOVE: Let us hear about clause 4. Could the Attorney General explain the importance of clause 4?

Mr J.R. QUIGLEY: It is pretty self-explanatory. I have a little essay here on clause 4.

Mr R.S. Love: Let's hear it. We want to know what clause 4 is all about.

Mr J.R. QUIGLEY: It is —

Ms L. Mettam: Do it without your notes.

Mr J.R. QUIGLEY: Sorry?

Ms L. Mettam: I thought it was easy; do it without your notes.

Mr J.R. QUIGLEY: You operate without notes all the time, madam, and that is why you made all those stupid statements during your contribution to the second reading debate.

The ACTING SPEAKER: Excuse me, Attorney General!

Mr J.R. QUIGLEY: We are including a definition of "electronic monitoring condition". We are putting it in there and defining when it is a serious offence. I move that clause 4 be accepted.

Ms L. METTAM: It is our understanding that this was included just today.

The ACTING SPEAKER: No.

Ms L. METTAM: What was the clarification that was required around clause 4? There was some confusion.

Mr R.S. Love: There was a question as to whether clause 4 was to be postponed. I do not know.

The ACTING SPEAKER: No. It was my error.

Mr R.S. Love: Really?

The ACTING SPEAKER: Do you have a further question on clause 4?

Mr R.S. LOVE: Does the Acting Speaker really want that on the record?

I am interested in clause 4 because it goes to the heart of what we are doing here. Can the Attorney General explain why the government is seeking to delete the definition of "family violence offence" in section 3(1) of the Bail Act 1982?

Mr J.R. QUIGLEY: We are deleting the definition of "family violence offence" in section 3 because it will be replaced by new terms and corresponding definitions in the specific sections of the Bail Act where the new terms will be used. Those new terms will be "family violence offence (category A)" and "family violence offence (category B)". Does that satisfy the member for Vasse?

Ms L. Mettam: No.

Mr J.R. QUIGLEY: The member cannot understand that. We are using new terms, madam. I move that clause 4 stand as printed.

Ms L. METTAM: For the record, can the Attorney General provide clarification of family violence offence categories A and B?

Mr J.R. QUIGLEY: I am trying to find my second reading speech. I told the member for Vasse what they were but, as I said, she might not have paid attention, so I will read from my second reading speech again. It states —

> Cohort A is those persons who are subject to a family violence restraining order and who are subsequently accused or convicted of a family violence offence, category A, committed against a person protected by the family violence restraining order.

Does the member understand what I said about category A?

Ms L. Mettam: Yes.

Mr J.R. QUIGLEY: I will move on to category B. The second reading speech states —

> Cohort B is those persons who are subject to a serial family violence offender declaration and are subsequently accused or convicted of a family violence offence, category B.

Does the member understand that?

Ms L. Mettam: Are you mansplaining to me?

Mr J.R. QUIGLEY: Sorry?

Ms L. Mettam: Are you mansplaining to me?

Mr J.R. QUIGLEY: No. I am reading from the second reading speech and asking whether the member understands it.

Ms L. Mettam: Why did you have to read it?

Mr J.R. QUIGLEY: Because these are the categories you asked about.

The ACTING SPEAKER: Attorney, if you can come through the chair, it might be easier.

Mr J.R. QUIGLEY: Sure.

The ACTING SPEAKER: Thank you.

Mr J.R. QUIGLEY: I have given an explanation of category B. I do not know whether the chamber understands the explanation.

The ACTING SPEAKER: Thank you, Attorney General.

Mr J.R. QUIGLEY: We will then go on to cohort C. Cohort C, as previously explained to the member, are those persons who are released from prison under an early release order—specifically, a parole order, a re-entry release order or a post-sentence supervision order for a family violence offence, category A, and who are bound by a family violence restraining order; or a family violence offence, category B, and subject to a serial family violence offender declaration.

Ms L. METTAM: I have a further question. I thank the Attorney General for repeating those definitions. He said that this section applies only to the family violence offence orders A and B. Can he explain, for the record, why C is not included?

Mr J.R. QUIGLEY: The Bail Act applies only to cohorts A and B. As the member knows, category C is to do with the Prisoners Review Board. I just told her that.

Clause put and passed.

Clauses 5 to 8 put and passed.

Clause 9: Section 13 replaced —

Mr R.S. LOVE: Clause 9 deletes section 13 and inserts "Jurisdiction to grant bail and exercise of jurisdiction". Proposed subsection (2) reads —

> A home detention condition must not be imposed as a condition of bail except by a judicial officer under Schedule 1 Part D clause 3.

Proposed subsection (3) reads —

> An electronic monitoring condition must not be imposed as a condition of bail except by a judicial officer under Schedule 1 Part E clause 1.

Would it not always be the case that it had to be imposed by a judicial officer? Is that relevant only in this particular matter or for all these conditions? After that, I will ask the Attorney General to individually explain the import of proposed subsections (2) and (3).

Mr J.R. QUIGLEY: When a person is arrested, there is provision in the Bail Act for a police officer to grant bail. As the High Court has recently observed in those cases involving the release of immigration detainees, home detention is akin to a punishment and cannot be imposed other than by a judicial officer. To say that someone is not allowed to leave their home is a form of detention and only a judicial officer may impose that.

Ms L. METTAM: Can the Attorney General give some examples of when home detention might be used?

Mr J.R. QUIGLEY: It is used regularly as an alternative to remanding a person in custody, which is why it is regarded as akin to a punishment and can be imposed only by a judicial officer.

Ms L. METTAM: Does the Attorney General have any examples? Is he able to clarify that? That was not really an answer.

Mr J.R. QUIGLEY: The example is that sometimes the court will say that detaining a person in their home under home detention is preferable to holding them in Hakea Prison. That is the example.

Ms L. METTAM: That is not an example. The Attorney General is just further explaining what he has already stated. Can the Attorney General provide an example of when home detention might be used as this form of punishment?

Mr J.R. QUIGLEY: I do not care to hypothesise.

Ms L. METTAM: It is not hypothecation. Can the Attorney General give some form of example of when it may have been used in the past, if he has any idea?

Mr J.R. QUIGLEY: When an accused person is before the court and there is some concern as to his continuing movements in the community, but he does not present a present danger, the court has the option, if it chooses, of imposing home detention.

Ms L. METTAM: Will that be in cases in which the individual does not have a record of violence? Is that an example?

Mr J.R. QUIGLEY: There are so many variables. I said that I am not going to hypothesise at this ministerial table. It could be a first offender who has never had a previous conviction, but the nature of the offence that he has committed is such that the court does not want him out on the streets, but it is perhaps not necessary for him to go to jail, so he gets home detention. That is all I am going to answer on that.

Ms L. METTAM: Will it involve situations in which someone is deemed not to be a threat to an individual person? Can the Attorney General at least provide that clarification? I note that when I asked the question about whether a person had offences relating to violence, the advisers nodded, so perhaps it was an example the Attorney General is unable to provide.

The ACTING SPEAKER (Mrs L.A. Munday): Attorney General, do you want to answer? The question is that clause 9 stand as printed.

Ms L. METTAM: Just in relation to electronic monitoring conditions —

Mr J.R. Quigley: We've moved past that. The Acting Speaker put the question and I said yes.

Ms L. METTAM: We did not all say yes.

The ACTING SPEAKER: Attorney General, the whole chamber has to agree to clause 9.

Ms L. METTAM: In relation to the other part of clause 9, proposed section 13(3) states —

> An electronic monitoring condition must not be imposed as a condition of bail except by a judicial officer under Schedule 1 Part E clause 1.

Is the Attorney General able to provide any examples in relation to that?

Mr J.R. QUIGLEY: Yes, certainly. If someone is arrested and taken into custody, the police bail officer at the Perth watch house cannot mandate the affixation of a device. They will have to be held in custody overnight and put before the magistrate in the morning, because only a magistrate will be able to do that.

Ms L. METTAM: Again, I was not seeking further explanation, just an example. Is this a situation in which an individual is not deemed to be a direct threat or there is no history of violence? I am just seeking an example of a situation in which this particular provision would apply.

Mr J.R. QUIGLEY: Member, this is consideration in detail. I know the judiciary reads this, and I am not going to give prescriptive examples by way of hypothesis. In relation to clause 9, I will go through this again. There will be three cohorts of people who will be subject to consideration for mandatory affixation. The first will be those persons who are subject to a family violence restraining order and who are subsequently accused or convicted of a family violence offence, category A, committed against a person protected by the family violence restraining order. Cohort B is those persons who are subject to a serial family violence offender declaration and are subsequently accused or convicted of a family violence offence; that is category B. When the officers arrest the accused, they will know from the screen whether the person has already been convicted of a family violence offence under category B. When categories A or B are presented and detained in the watch house, the police officer—the sergeant in charge—will know that he cannot fix bail because categories A and B will have to have bracelets affixed as part of the bail condition. We then go to proposed section 13(3), which says —

> An electronic monitoring condition must not be imposed as a condition of bail except by a judicial officer …

The sergeant will say, "I've got to hold you till tomorrow morning, sunshine, because you fit in the category that requires the mandatory fixation of a bracelet, and I do not have the power to do that."

Clause put and passed.

Clauses 10 and 11 put and passed.

Clause 12: Section 24B inserted —

Mr R.S. LOVE: Proposed section 24B(1) says —

> A judicial officer who is called upon to consider a case for bail and who is required to impose an electronic monitoring condition as a condition on a grant of bail may request that a community corrections officer make a list of those conditions in rules made under section 50U …

Can the Attorney General clarify why that says "may request" and why is that list not automatically compiled? Why do the words "may request" appear?

Mr J.R. QUIGLEY: Ordinarily, in respect of a home detention condition under a grant of bail, or orders imposed at sentencing, which includes electronic monitoring, a report would be prepared by a community corrections officer. Here, because the imposition of an electronic monitoring condition is mandatory, the report by a community corrections officer would not always be necessary in respect of the affixation of the bracelet because that is a mandatory condition. But if there was to be a condition of home detention as well, perhaps a report would be required so that the corrections officer could give a report to the court on the suitability of the area of detention.

Mr R.S. LOVE: I have a second part to my question on this. If we read on, it states at proposed section 24B(1) —

> … may request that a community corrections officer make a list of those conditions in rules made under section 50U —

We will get to proposed section 50U at clause 22. Can the Attorney General explain the operation between proposed section 24B(1) and proposed section 50U to give me an understanding of what it means by a list of those conditions in rules made under proposed section 50U? As I understand it, those rules are general and are not specific to the application itself. Can the Attorney General explain how proposed subsection 24B(1) will operate?

Mr J.R. QUIGLEY: Notwithstanding proposed section 24B(1), which allows a judicial officer who is required to consider bail for a person who must be subjected to an electronic monitoring requirement the option to request the list of conditions in rules made under proposed section 50U that may be applied to the accused by the CEO whilst the accused is subject to the electronic monitoring conditions provides under proposed section 24B(2) that

if such a list is requested, a community corrections officer must prepare a list as soon as practicable and provide copies to the judicial officer and the accused's solicitor. Proposed section 24B(2) provides a mandatory requirement that those corrections officers supply a report as soon as is practicable after being requested to do so by the court.

Mr R.S. LOVE: Proposed section 24B(2) states —

> … a community corrections officer must, as soon as is practicable —
>
> (a) make a list and give the list to the judicial officer; and
>
> (b) give a copy of the list to the accused or the accused's solicitor or counsel.

Does that list then go to the Western Australia Police Force? Who is responsible for ensuring that the conditions under these rules are understood by those people who will be enforcing the legislation?

Mr J.R. QUIGLEY: The list goes back to the court. We will not keep it secret from the accused. They can have a look, too. It is only a matter of natural justice that the accused gets to see the list.

Mr R.S. LOVE: I am trying to understand whether that is then made available to authorities or persons who are needing to enforce the legislation. What is the process? It goes to the court. Is that then communicated to, for instance, the police or, in this case, corrections? What is the process?

Mr J.R. QUIGLEY: Once reports go to the court, the court ensures the parties at the bar table—I have appeared at the bar table for over a quarter of a century—are familiar with the contents of the report because the court will be asking for submissions on it. Do I impose those lists or do I not impose those lists? Many accused—too many—are self-represented. This legislation provides a statutory requirement that the report goes to them. It could be in Kununurra or Fitzroy Crossing. The report comes in, and there is a statutory requirement that the accused, normally a he, but he or she, who may speak English as a second language or may not be represented, will receive a copy of the proposed list of conditions to which they are about to be subjected.

Clause put and passed.

Clause 13 put and passed.

Clause 14: Section 27A amended —

Ms L. METTAM: Can the Attorney General clarify whether this is just a drafting clarification? What is the purpose of this clause?

Mr J.R. QUIGLEY: This clause will amend section 27A to insert a new requirement upon a judicial officer who grants bail subject to an electronic monitoring condition to provide a copy of the bail record form and the bail undertaking to the CEO of corrections so that corrections knows exactly the terms upon which the court has granted bail—specifically, the list that we have spoken of that we will discuss in consideration of clause 22, which contains proposed section 50U of the legislation. It will go to corrections. That is so that the CEO can ensure that the electronic monitoring condition can be properly administered and managed by community corrections officers in the Department of Justice. It is no good releasing him to bail on conditions if no community corrections officers are available because it is in a remote area or such things.

This clause also seeks to change the word "shall" to "must", which reflects the current drafting conventions. It is still imperative that it is required, so whether it is "must" or "shall", it is still a mandatory requirement. It is to make sure that the CEO of corrections is cognisant of all the matters in the proposed section 50U list.

Ms L. METTAM: I seek further clarification. Is it standard practice for the CEO of corrections to be updated about the terms of bail in this way?

Mr J.R. QUIGLEY: It is not only usual, but also imperative. How can corrections officers monitor the person if they do not know what they are monitoring them against?

Ms L. METTAM: To clarify the amendment, the wording is currently "shall" and it will be changed to "must". Was it imperative before?

Mr J.R. QUIGLEY: Yes, but there are drafting styles and they try to get it consistent across the statute book. They have drafting instructions. When it is required, the word is changed over time from "shall", because people argue shall he or shan't he—I am not talking about a sea shanty; I am talking about a requirement or not—to "must", which is more direct than "shall". It is a style more than a legal difference.

Clause put and passed.

Clauses 15 and 16 put and passed.

Clause 17: Section 46 amended —

Mr R.S. LOVE: Clause 17 will amend section 46 of the act. In that section, the offender is referred to only in terms of the male sex. I wonder why the opportunity was not taken to de-gender, if you like, that particular reference.

Section 46(1)(a) states —

> the accused —
>
> (i) is not likely to comply with the requirements of his bail undertaking mentioned in section 28(2)(a) or (b); or
>
> (ii) is, or has been, in breach of any condition of his bail undertaking mentioned in section 28(2)(c) …

Unless I am mistaken, it seems that it applies only to people identifying as men in that circumstance. Could the Attorney General explain why that has not been changed or, if I am mistaken, please set me straight?

Mr J.R. QUIGLEY: There is so much to do in writing legislation like this. It is not an oversight. The Interpretation Act covers it anyway. In the Interpretation Act, "he" includes "she". It has not been changed to "person" or "accused", but it is in the Interpretation Act that the pronoun "he" encompasses "she".

Mr R.S. LOVE: It is certainly the case that I do not doubt that the Attorney General is correct in what he says, but I am wondering whether this is just an oversight or whether it was a deliberate retention of that. Seeing as we are addressing this clause, it seems odd that this issue has not been addressed as a matter of routine and that gendered language is removed.

Mr J.R. QUIGLEY: I cannot take it any further, member. My office instructs the Parliamentary Counsel as to what we want. We want an act that states when a person commits a family violence offence whilst they are under an order, it is mandatory that they get a bracelet. Those are the sorts of instructions we give. I do not go down and say, "Change 'he' to 'person'," and all that. That is left to Parliamentary Counsel. The Parliamentary Counsel has not changed it, and it is of no consequence at the end of the day. Sometimes towards the end of the year we have these omnibus bills that sweep through the legislation and change little things like that.

Clause put and passed.

Clause 18: Section 50A replaced —

Ms L. METTAM: Does this clause just relocate section 50A or does this clause represent more than that?

Mr J.R. QUIGLEY: The current section 50A of the Bail Act sets out the power of the CEO of corrections. This provision will be relocated into proposed section 66H, which will be inserted by clause 26 if we just read a little bit further forward in the bill. Proposed section 50A, which will be inserted by this clause, will replace the current provision with a new clause that clarifies that the application of part VIA in relation to home detention conditions, including electronic monitoring, as part of that condition imposed under the schedule 1, part D clause only. Proposed section 50A(b) will provide that this part will not apply to an electronic monitoring condition imposed under schedule 1, part E, clause 1.

Clause put and passed.

Clauses 19 and 20 put and passed.

Clause 21: Section 50M inserted —

Mr R.S. LOVE: Most of these clauses are fairly self-explanatory. Proposed section 50M, "Failure to comply with direction", states —

> (3) A prosecution for an offence against subsection (1) or (2) may be brought at any time.

Would that be any time during the period when the order was in place and may have not been acted on or could it be at a later date when someone says, "Billy just tied something to the dog's tail and left the house on numerous occasions, but now the order is no longer in place, so it doesn't matter." Can the Attorney General tell me the import of this clause?

Mr J.R. QUIGLEY: "At any time" means the expiration of the order will not extinguish an offence that has happened at a previous time. Having committed the offence, a person will be liable to prosecution. They cannot hide until the order expires and therefore escape punishment or sanction for having breached that order. We have to be very strict about compliance with these orders. There are victims out there who have to be protected. It does not matter whether the order has expired. If a person has broken the law during the occurrence of the order, they will be prosecuted and they will regret it.

Mr R.S. LOVE: Does any statute give a sunset provision to prosecutions under this clause, such as a statute of limitations?

Mr J.R. QUIGLEY: This clause specifically overrides the 12-month limitation period for the commencement of prosecutions in the Criminal Procedure Act.

Ms L. METTAM: The penalty in this clause is imprisonment for three years and a fine of $36 000. Can the Attorney General explain how those quanta were derived?

Mr J.R. QUIGLEY: Sure. That is a standard maximum penalty in the Magistrates Court for non-indictable offences. When we look at offences such as assaults and things such as this, we find that the maximum penalty will be three

years and $36 000. It is pretty common for the Magistrates Court. Some offences carry a bit more, but I am talking now about fraud offences, when there is the ability for the magistrate to deal with bigger offences of fraud with the consent of the prosecution. But normally when dealing with offences in the Magistrates Court, it is three years or $36 000. It is not unique to this particular offence.

Ms L. METTAM: Is the Attorney General able to indicate how often that maximum penalty is met?

Mr J.R. QUIGLEY: I cannot. There are so many offences that I could not possibly do that.

Ms L. METTAM: Is the Attorney General able to indicate what would meet the threshold for a fine or imprisonment for this particular matter?

Mr J.R. QUIGLEY: Once again, member for Vasse, I will not hypothesise. Obviously, if it is a first offender and the breach of the order is of a lesser nature, it will attract less attention. There are some cases whereby men and protected women breach the order in the most minimal of ways. For example, when someone gets a police order, they are put out of the house, or when coming home they get a police order. They then have their shirt and their shorts and that is it. They might go back to the house on Monday to ask, "Can I have my wallet to get to work?" or something. If they have not threatened the occupant but are just getting something necessary to get to work to get the family's income and there is no other communication, it is a minor breach and it would be regarded so, I think, by the courts. Similarly, a woman could break it in a fairly mild way when phone calls are only to be in respect of access arrangements but the conversation wanders off access arrangements. They could be in a breach or party to a breach. The court has to look at how grave the offence is, the offender's record and whether the person is truly remorseful and has perhaps undertaken some counselling. All of these will weigh into the striking of the sentence. I cannot here today hypothesise by giving examples and saying, "This conduct will result in that sentence", but I can tell the member the sorts of things that the court will turn to when grading an offence before striking the sentence.

Ms L. METTAM: Proposed section 50M(4) states —

> A court that convicts an accused of an offence against subsection (1) or (2) may order that the accused pay a sum towards the costs and expenses of the accused's apprehension following the failure to comply with the direction for which the accused was convicted.

How are those costs determined?

Mr J.R. QUIGLEY: It will be the same as in all matters. The prosecution will make a submission to the court as to what the estimated or known costs are. The defence counsel, or the defendant themselves, may make submissions as to those costs and the person's ability to pay those costs, and an order will be made. Thereafter it is a matter of cost recovery through the Sheriff's Office of Western Australia.

Clause put and passed.

Clause 22: Part 6B inserted —

Mr R.S. LOVE: "Part 6B — Administration of electronic monitoring conditions" is quite a meaty section. It begins with proposed section 50N, "Application of Part", which states —

> This Part applies in relation to an electronic monitoring condition.

If we turn to proposed section 50P, "CEO (corrections) may substitute different place where device is to be installed and apply conditions" on page 12, we see that it states, in part —

> (a) substitute a different place for the place where an approved electronic monitoring device is required by the electronic monitoring condition to be installed;

Is it talking about someone having a wristband? Is it talking about a place being a geographic location or a body part? What is being dealt with in this part of the bill?

Mr J.R. QUIGLEY: It is to say where he must report. It is not to say whether it is going to be fitted around his neck or his ear or his wrist. It is to say that he will have to go to the community corrections office in Derby, wherever it is situated, or if nobody is going to be there that day, the CEO can say, "We require you to go to the Derby Police Station," and they will fit it there. The order will say where they have to report to for the device to be fitted. That is well and good, but when it comes to that time, the CEO might say, "I can't fit it just there". A house could be sold in the meantime or they could be evicted. They might say they have to stay there until the device is fitted. It is provided so that the police and authorities do not have to go back to a judicial officer and set a hearing date to do a little thing like that—to say where they have to go—which would only fill up the list. It is to give them that authority.

Mr R.S. LOVE: If the member for Vasse has any questions, she can feel free to jump up. Proposed section 50Q, "CEO (corrections) may revoke bail", is on page 13. Proposed subsection (2) states —

> Without limiting subsection (1), the power to revoke bail may be exercised if the accused —
>
> (a) is not likely to comply with any requirement of the accused's bail undertaking mentioned in section 28(2)(a) or (b);

We spoke about a matter before in which there may be geographic limitations to the ability to monitor the electronic device. A person may be ordered to live in a nearby community because there is no way to monitor in their home community. In those circumstances, one could imagine that the person will feel a strong desire to not be in a community that is not their own and to move back to their home community. Is there a danger that some people will be likely to offend under this proposed section and will inadvertently, by geography, be unable to have bail under the bill as written?

Mr J.R. QUIGLEY: The member has taken me to proposed section 50Q, which deals with breaches of bail, not the conditions imposed on bail. Though rarely used in my experience in legal practice, there has always been the capacity or authority of someone who goes surety. If someone goes surety for someone, they have to have the power to arrest that person and bring them back before the court; otherwise, the person could abscond. The person providing surety has to be able to stop them absconding. This proposed section provides a similar sort of power. If the CEO sees that the person is not complying with the conditions, they will not take out an application before the court and go to a magistrate for a ruling. The person can be seen drunk at home and they are not meant to be consuming alcohol because they get aggro and assault their wife or someone else. The CEO will have the power to say, "I am revoking bail. Police, you have got to go and take him into custody. Let's sort this out before the magistrate in the morning." Otherwise, people could abscond or offend in any way.

Ms L. METTAM: Further to that, can the Attorney General spell out how the CEO will get to that point? The Attorney General explained that in revoking bail, the CEO makes that determination and direction to police. What happens in the lead-up to that point at which the CEO will revoke bail? I imagine that the alarms will be raised by police, but can the Attorney General provide clarification, in ordinary terms, on how that it will work?

Mr J.R. QUIGLEY: How it is to happen is prescribed in proposed section 50Q(1). It states —

> If an electronic monitoring condition has been imposed as a condition on a grant of bail to an accused the CEO (corrections) may, —

Here are the words —

> in the CEO's absolute discretion … revoke the bail.

It does not say, "If this happens or that happens"; it says it is in his "absolute discretion" to revoke bail. In the exercise of that discretion, the CEO will be reliant upon reports of the supervising community corrections officer. The community corrections officer might say, "I can't handle this bloke. I go around all the time and he's drinking and he won't answer me."

Proposed section 50Q(2) states that bail can be cancelled if the accused is not likely to comply with the requirements or has been, or is likely to be, in breach of any condition. It is about what has happened and it is anticipatory. The corrections officer might think, "This bloke is likely to belt his partner." Why? He thinks that because he can see him screaming, carrying on or making threats. There will be absolute discretion to cancel his bail, take him back before a magistrate and let him explain to a magistrate. We are cracking down on perpetrators of domestic violence.

Ms L. METTAM: The point I was asking about was in relation to the community corrections officer, which is not covered in that proposed section. Will they make a direct report to the CEO of corrections? How will it be raised that bail conditions are not being met?

Mr J.R. QUIGLEY: The community corrections officer can report their concerns to the CEO. In many, many cases, the CEO might delegate his authority to cancel bail to the community corrections officer. That is permitted under the act. Instead of having to look at many reports on a daily basis, the community corrections officer might be empowered, by virtue of delegated authority, to cancel bail and ask the police to arrest the person. That should not be taken lightly because the consequence of that will be a court appearance and the magistrate will want to know why the person he admitted to bail is back before the court. An explanation will have to be given. That is obvious, because the person will say, "I don't want to go into custody, I want to go back out", and the magistrate will ask what has happened. It could be the community corrections officer, pursuant to delegated authority, or, if the person has not been given that authority, maybe because of inexperience or they are new to the job, they can report to the CEO who can do the cancellation himself or herself.

Ms L. METTAM: The Attorney General said that the community corrections officer can revoke bail as well via delegated authority. Is that spelt out in the legislation as well?

Mr J.R. QUIGLEY: We have not got to that proposed section; it is proposed section 50T. Can the member just go down to proposed section 50T? Has she got to 50T now? Can she please have a look at 50T?

Ms L. METTAM: In what circumstances would the CEO delegate authority to the community corrections officer?

Mr J.R. QUIGLEY: The CEO will choose when to exercise his power of delegation. He will not delegate to a trainee or a newbie. Who he delegates his authority to under that proposed section will be at his discretion. But it is all answerable, because when they get before the court, the court will interrogate why the person is back before it. If it is because a delegation was made to the cleaning guy and he cancelled the bail, that is going to be a bit

scandalous before the court. Maybe the cleaning guy could come along and say, "I've got the delegated authority; there is the instrument from the CEO." He might say that he cancelled the bail because the person was drinking. He went around there and he could smell meth—I do not know if one can smell meth—or the glass pipe was on the table, or whatever.

Mr R.S. Love: What would that mean?

Mr J.R. QUIGLEY: A glass pipe means that he is a meth user; that is what I am told. Everyone says that in the movies!

Mr R.S. LOVE: I do not know about that!

While we are talking about these matters, I turn to proposed section 50Q(3), which states —

> Subject to subsection (4), if the CEO … revokes bail the CEO must include a statement of the CEO's reasons for the cancellation in the instrument cancelling the bail.

But then proposed subsection (4) states —

> If the CEO … is of the opinion that it would be in the interest of the accused or any other person, —

I assume that would probably be the person who is being protected —

> or the public, to withhold from the accused any or all of the reasons referred to in subsection (3), the CEO may so withhold the reason or reasons.

Getting to the point the member for Vasse raised around delegations, what is the expectation about how this will actually be conducted?

Mr J.R. Quigley: How this will be —

Mr R.S. LOVE: Well, I would have thought that there is generally a view that someone should know why their bail condition is being cancelled. At the moment, that list can be withheld.

Mr J.R. Quigley: Only in discretion—not always withheld.

Mr R.S. LOVE: Yes. I am trying to get an understanding of what that would entail. Will the field officer make that decision? Is that the expectation? If so, is there any recourse or legal right for the accused to seek some idea of the reason their bail has been revoked?

Mr J.R. QUIGLEY: The reason that provision is in there, if we look at proposed section 50S, the rules of natural justice are excluded.

Mr R.S. Love: Yes, I did see that reading. That is why I am trying to work this out, yes.

Mr J.R. QUIGLEY: There will be circumstances in which the CEO might say, "If I reveal the reason for cancelling the bail, it might further endanger the victim." The CEO might have been told by the corrections officer that the victim, the accused person's wife, has told him, shaking, "He's threatening me every night after you go." On that basis, the CEO cancels the bail because of the ongoing threats of violence, but if he were to release that to the accused person—that his wife has put him in—then she might be exposed to further danger of retribution. We do not want to take one step forward and then three steps backwards and see another injured lady. That is why natural justice is out the window.

Mr R.S. LOVE: "Natural justice out the window"—that is a statement there. What about the situation whereby —

Mr J.R. Quigley: If you ever repeat that, put it in its context of the cancellation of DV bail!

Mr R.S. LOVE: Okay, I will put it in that context.

Mr J.R. Quigley: Thank you, member.

Mr R.S. LOVE: The situation also comes to mind in which a member of the family who is not the accused or the victim or some other member of the public might make an observation that the conditions are not being met, and therefore they would also need to be somewhat protected.

Mr J.R. Quigley: Yes.

Mr R.S. LOVE: But in that case, will a process have to be gone through to verify the validity of the information? I will give the Attorney General an idea of what I mean. For example, if a neighbour rings and says, "I have seen Billy out walking without his tracking device on."

Mr J.R. Quigley: No, the member does not want that one, because that is an offence. As soon as he cuts the device, the alarm will go off. It will be tripped anyway. It is not like drinking in a hotel.

Mr R.S. LOVE: Okay. A member of the public says, "I have seen this person in the front bar of the Royal Hotel," and there they are. It will then protect those people as well, but the accused has no understanding of what the allegation is, even if that might not in itself reveal what or who made it.

Mr J.R. QUIGLEY: I think it is the last one—"or who"—notwithstanding the safeguards in place to mitigate the deprivation of natural justice and procedural fairness, as well as arbitrary decisions or decisions that involve an abuse of power. These include the need for the CEO to provide reasons and make provisions for prompt appearance of the accused before the judicial officer so an application for bail can be considered.

Let us look at that one. The member of the public, Joe, tells the CEO that Billy, the accused, is drinking at the Royal Hotel. The corrections officers can give him the reason: "You were seen drinking at the Royal Hotel." Billy can ask, "Who saw me," and the officer can say, "I'm not telling you." He will then go before the court. An accused might say, "I was not drinking at the Royal Hotel. I've never been in there." It is then open for the prosecution to say, "We have a direct witness. We have a witness statement to that effect and we want the name suppressed for the protection of the witness."

That happens in our court—not regularly, but not on an infrequent basis the court will suppress the name of a witness. It perhaps will not supress all their evidence, but sometimes suppress their address or identifying details when there is a danger. We are here to protect people, not expose people to risk.

Mr R.S. LOVE: I turn to proposed section 50S, "Rules of natural justice excluded" on page 14. Could the Attorney General please explain whether there are other pieces of legislation in which this exclusion of the rules of natural justice occur? Obviously, it has not occurred in this act as yet, but has it occurred in any of these relevant acts before? Could the Attorney General explain whether that is a novel thing; has occurred in other legislation; or is indeed in parts of some of the legislation, but not all, that we are dealing with at the moment?

Mr J.R. QUIGLEY: It is already in the Bail Act. It is notably not a good act to cite, but it is in the Liberal legislation against bikers, the anti-criminal association organisation or stamped-you-out act—that one! The whole hearing as to whether the person is to be a declared person could be heard in private behind the person's back without the person ever knowing or having access to any of the information. The same applies in terrorism acts in which declarations can be made in secret. Section 50H of the existing Bail Act 1982—I think an act of the late Joe Berinson—states that the rules known as the rules of natural justice, including any procedural fairness, do not apply in relation to the doing of any act or omission under this act. It is not novel. We have to balance the person's right to know against the protection of people.

Ms L. METTAM: I refer to proposed section 50R(2), which states —

> However, if the accused is arrested less than 24 hours before the time at which the accused is due to appear in accordance with the accused's bail undertaking, the accused must be held in custody and brought before an appropriate judicial officer at that time.

My question relates to the bail undertaking itself. How often are bail undertakings for an individual? Is it discretionary?

Mr J.R. QUIGLEY: It is very detailed and complex legislation—I will give you that. This is to do with what happens to a body who has breached bail. He will be arrested; we have gone through that. I use the gender "he". The Interpretation Act 1984 includes "she" but in this context it is nearly always a "he". When he breaches the conditions, he will be arrested. Under the Bail Act, any person who is arrested must be taken before a court forthwith for consideration of bail or before the sergeant at the lockup for consideration of bail. This says that if, however, the accused is arrested less than 24 hours before he is next due in court, he should not be brought before the court now on this bail question: "We're going to have him up here within a day. Hold him in custody and bring him up on his next court date." But if the next court date was seven days away, his bail has been cancelled and he has just been arrested, they would have to bring him up.

Ms L. Mettam: The clarification I seek is on the timing. Is it usually about seven days? I know it is very subjective.

Mr J.R. QUIGLEY: That is right. If he is due in court anyway, he does not have to be brought specially to court for bail. If he is arrested on Thursday night and due in court anyway on Friday, he does not have to be taken before the justice on Thursday night. They can wait until Friday morning when his next court appearance was listed.

Ms L. METTAM: I understand that, Attorney General. I was seeking some clarification on what that timeframe may be. It may be difficult to answer, but I want to know how long an individual might be waiting before being presented before the court for a bail undertaking. The Attorney General used the example of seven days. What is the median wait time in WA?

Mr J.R. QUIGLEY: Hours or a day. If a person is locked up at the lockup, they are presented to the magistrate first thing in the morning or, if it is a charge like driving under the influence, they are likely to be put to bail.

Proposed section 50R(1) reads —

> An accused arrested under a warrant … must be taken as soon as is practicable before an appropriate judicial officer.

However, proposed subsection (2) states if they have an appointment to see that judicial officer within 24 hours, they are happy for the accused to go then.

Ms L. METTAM: I want some clarification on what "appropriate" means in the context of proposed subsection (4), which reads —

> The accused must be taken as soon as is practicable before a judicial officer who is empowered to exercise jurisdiction in the court in which the committal order was made, instead of before an appropriate judicial officer.

Mr J.R. QUIGLEY: It is before "an appropriate judicial officer".

Ms L. Mettam: Yes.

Mr J.R. QUIGLEY: A justice of the peace could be regarded as a judicial officer, but we do not allow justices to sit on the bench anymore, following the death of Mr Ward. Does the member remember him being transported from Laverton to Kalgoorlie? He died in a prison van because a justice, who was a pastoralist, sat on the bench. He said, "He's just another drunken Aboriginal. We'll remand him in custody to Kalgoorlie." The poor man died en route. We stopped justices sitting on the bench. It has to be an appropriate judicial officer—that is, a person who is authorised to sit on the bench to hear that particular charge. It might have been the District Court that imposed something, then the appropriate person to deal with it, at the end of the day, would be the District Court. It could be a District Court imposing a violence restraining order to come into effect at the end of a sentence or something like that. We would take him back before the court that imposed it; that would be an appropriate judicial officer. It would not be appropriate to take him before a justice of the peace, because they are not allowed to sit on the bench.

Mr R.S. LOVE: I refer to proposed section 50U, "Rules for this Part", on page 15. I mentioned briefly, when we were dealing with clause 9, I think, that we might talk about the rules. Proposed section 50U(1) reads —

> The CEO (corrections) may, with the approval of the Minister, make rules for the purposes of this Part which may provide for the manner of ensuring that accused persons are complying with electronic monitoring conditions and for conditions to be applied to accused persons granted bail subject to electronic monitoring conditions.

What are we talking about here in the sense of these rules? Are they rules that apply generally or are they rules that would apply to a specific case, individual or offence? Can the Attorney General give me an idea of how these rules were developed and whether they are general or specific in application to certain individuals or circumstances?

Mr J.R. QUIGLEY: These are generic rules that are set out by the chief executive officer. I refer to the serious high-risk category. People are hovering because after this section we are apparently going to adjourn. That is why everyone is hovering. I have just been passed a note, "We will adjourn at a vote after 7.00 pm".

Mr R.S. Love: There you go. That will be about nine o'clock tonight probably, while we get this section through!

Mr J.R. QUIGLEY: We will vote on this section, then pack it in.

Mr R.S. Love: Yes, about 9.00 pm!

Mr J.R. QUIGLEY: Easy up!

Mr R.S. Love: The member for Vasse has a lot to ask.

Ms L. Mettam: Yes, heaps!

Mr J.R. QUIGLEY: The High Risk Serious Offenders Act, for example, has the primary rules that apply to every order of supervision for a serious high-risk offender. They are generic rules; it is about consumption of alcohol. There will be generic rules: they will have to look after the bracelet and keep it charged; they will have to answer the door—whatever. There will be a set of generic rules that will apply to everyone. The court can impose additional conditions that I would not count as "rules" because they will be orders of the court. The court may order that they can phone home to speak to the kids on a Wednesday night, or something like that. There will be a generic set, and additional conditions can be imposed by the court.

Mr R.S. LOVE: This is obviously something that occurs in other areas of the law, talking about this particular matter—is that correct? Does it occur in other areas of the law that a rule is made of this type?

Mr J.R. QUIGLEY: It certainly does in the corrections space. We have to remember that these are rules for the management of the person. The only legislation we could turn to are those acts of Parliament that empower an authority to have control over the movement of the person, like the Prisons Act. Under the existing legislation—the Bail Act 1982—the CEO of corrections may, with the approval of the minister, make rules for the purpose of the part that provides for the matter of ensuring that the accused person is complying with home detention. This is just expanding it out to a bracelet.

Mr R.S. LOVE: There is nothing particularly novel about this matter. Could the Attorney General explain: Will these rules be published anywhere that is accessible to the general public, for instance? Are they matters that, at any point, will be made known to the Parliament?

Mr J.R. QUIGLEY: No, they will not be published to the public at all. The person who is subject to the bracelet will have the rules explained to them and the consequences of breaking them. They are the only ones who need to know—the few hundred who are subject to that. We hope it will be even fewer, but unfortunately the report predicts up to 500.

Ms L. METTAM: I refer to proposed section 50V, "Failure to comply with direction". I understand that that comes under schedule 1, part E, which I do not have handy. Can the Attorney General provide some clarification on what the direction might be, whether the directions are standard and where they will be published?

Mr J.R. QUIGLEY: We have to go backwards in the Family Violence Legislation Reform Bill 2024 to part E. I am turning to page 27 of the bill. Proposed clause 1(4) under part E states —

> For the purpose of the electronic monitoring of an accused, a community corrections officer may do any or all of the following —

It then sets out the directions he or she can give, such as to direct the accused to wear it; to permit the installation of a monitoring device; to charge the electronic device to ensure it is operational; to not enter one or more areas of the state; or to give any other reasonable direction. I cannot forecast what the other reasonable directions are, but the powers are set out under part E.

Clause put and passed.

Debate adjourned, on motion by Mr D.R. Michael.

House adjourned at 7.05 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

TREASURER — CONTACT — HESPERIA

1083. Mr R.S. Love to the Deputy Premier; Treasurer; Minister for Transport; Tourism:

I refer to the West Australian property group 'Hesperia', and I ask:

(a) How many times has the Minister met with a member of this company since her appointment as Minister for Planning in 2017:

  (i) Please provide a breakdown of meetings by each year.; and

(b) How many times has your current Chief of Staff communicated with a member of this company since her appointment as Chief of Staff?

Ms R. Saffioti replied:

(a)–(b) The Minister met with Hesperia five times during her tenure as Minister for Planning.

The Minister and staff have had other incidental or irregular contact with representatives of Hesperia during this period.

FOUR-DAY WORKING WEEK

1084. Mr R.S. Love to the Minister for Industrial Relations:

I refer to the push by the Community and Public Sector Union/Civil Service Association to move to a four-day working week and I ask:

(a) Has the State Government undertaken any modelling on the impact of a four-day working week on the WA public service:

  (i) If yes, when was the modelling undertaken; and

(b) Is a four-day working week something that the State Government is considering for the WA public service?

Ms S.F. McGurk replied:

(a)–(b) No.

TREASURER — PORTFOLIOS — VIDEO EDITING SERVICES

1085. Mr R.S. Love to the Deputy Premier; Treasurer; Minister for Transport; Tourism:

Have any of your departments, agencies, boards, public owned corporations or Ministerial offices (in this term of Parliament) spent money on video editing services:

(a) If so:

  (i) What company has been engaged to undertake the editing;

  (ii) What was the purpose of each engagement of service;

  (iii) What was the production title of each item being edited; and

  (iv) How much money has been spent?

Ms R. Saffioti replied:

(a) This information is not readily available and the collation of such would divert staff away from their normal duties, and is not considered to be a reasonable or appropriate use of government resources.

YOUTH DETENTION — UNIT 18, CASUARINA PRISON — RIOTS

1086. Mr R.S. Love to the Minister for Corrective Services:

I refer to Unit 18 established in Casuarina Prison and the Minister's appointment to the Corrective Service portfolio in June 2023, and I ask:

(a) How many riots have occurred specifically in Unit 18 since the Minister's appointment:

  (i) Please provide the date(s) of the riot(s); and

  (ii) Please provide the individual cost(s) as a result of the riot(s)?

Mr P. Papalia replied:

(a) None.

  (i) N/A

  (ii) N/A

YOUTH DETENTION — ELECTRONIC DEVICES

1087. Mr R.S. Love to the Minister for Police; Corrective Services; Racing and Gaming; Defence Industry; Veterans Issues:

I refer to the electronic devices afforded to the youth offenders in Unit 18, and I ask:

(a) What devices are afforded to youth offenders in Unit 18? (e.g. Nintendo Switch, PlayStation handhelds etc.):

  (i) What was the cost to purchase each individual device;

(b) How many of these devices were accounted for at the start of the financial year – 1 July 2023;

(c) How many devices are currently accounted for to date;

(d) Have any devices been relinquished from the property of the State since the start of the financial year? – 1 July 2023:

  (i) Of these devices that have been relinquished, have any been provided to private citizens:

    (A) If yes, was there any monetary exchange to the State for the device(s)? If not, why not; and

(e) Is the Department aware of any instances where a device has been unaccounted for/lost since the start of the financial year – 1 July 2023:

  (i) If yes, how many and what type of device;

  (ii) If yes, please provide the dates the devices were reported missing/unaccounted for; and

  (iii) If yes, was there any internal investigation into why the devices are unaccounted for/lost? If not, why not?

Mr P. Papalia replied:

The Department of Justice advise:

(a) Nintendo Switch, X Box, MP3, TV (18.5" and 22")

  (i)

Nintendo Switch	$299.10 per item
X Box	$150 per item
MP3	$48 per item
TV 18.5"	$299.10 per item
TV 22"	$306.37 per item

(b) As at 1 July 2023 Unit 18 had approximately the following

Nintendo Switch	15
X Box	Nil (introduced October 2023)
MP3	Nil (introduced May 2024)
TV	15

(c)

Nintendo Switch	2
X Box	1
TV	9

(d) No.

  (i) N/A

    (A) N/A

(e) Yes.

  (i) 1 x Nintendo Switch

  (ii) Reported missing 26 October 2023

  (iii) Yes.

ANIMAL WELFARE — FEDERAL GOVERNMENT POLICY

1088. Mr R.S. Love to the minister representing the Minister for Agriculture and Food:

I refer to the Albanese Labor Government's Renewal of the Australian Animal Welfare Strategy and the commencement of public consultation, and I ask:

(a) Is the WA Government making a submission to this strategy:

  (i) If not, why not; and

  (ii) If yes, will the Minister table the submission?

Mr D.T. Punch replied:

(a) No.

(i) The Department of Primary Industries and Regional Development will engage directly to inform the development of the Australian Animal Welfare Strategy (AAWS) through the intergovernmental Animal Welfare Task Group, and will engage with Western Australian stakeholders as needed to contribute to the AAWS development process.

(ii) Not applicable.

SCHOOLS — CELEBRATIONS — DAMAGE

1089. Mr R.S. Love to the Minister for Education:

I refer to all public secondary schools within the State, and I ask:

(a) How many were damaged as a result of end of year or last year school celebrations by students at the end of 2023:

(i) Please provide a list of the schools damaged, what was damaged at each school, and the cost of the damage at each school?

Dr A.D. Buti replied:

(a) (i) This information is not held centrally by the Department of Education.

PREMIER AND CABINET — COMMUNITY CABINET MEETING — ALBANY

1090. Mr R.S. Love to the Premier:

I refer to the State Government's Community Cabinet held in Albany at the start of this year, and I ask:

(a) What was the total cost of venue hire;

(b) What was the total cost for the food;

(c) What was the total cost for the drink; and

(d) Was any money spent on alcoholic beverages:

(i) If so, please provide the total cost of the alcoholic beverages?

Mr R.H. Cook replied:

(a)–(d) The Cook Labor Government is committed to ensuring that Western Australia communities have the opportunity to participate in discussions on local issues with the Premier and Ministers.

Since coming to government in 2017, the WA Labor Government has held 27 Community Cabinets. Community Cabinets generally take place over two days and include a town hall/community forum and multiple engagements with local business operators, volunteers, sporting clubs, schools and other community organisations.

At the Community Cabinet held in Albany on 4 and 5 February 2024, the total cost of venue hire (including staff) for multiple community events was $1,506.13 and the total cost of catering and beverages was $4,608.95. Limited alcohol was served at the community town hall event, which was attended by approximately 140 members of the Albany community – as well as two staff members from the Leader of the National Party's office and then-National Party MLC Louise Kingston, who were very interested to hear how the Cook Labor Government is delivering for regional Western Australia.

FAMILY AND DOMESTIC VIOLENCE — MEN'S BEHAVIOUR CHANGE

1091. Mr R.S. Love to the Premier:

I refer to the Victorian Government's decision to appoint a Parliamentary Secretary for Men's Behaviour Change, and I ask:

(a) Is this a position that your Government is looking to also pursue?

Mr R.H. Cook replied:

(a) Ensuring men who use violence are held accountable for their behaviours plays an important role in breaking the cycle of abuse.

The Cook Government, led by the Minister for the Prevention of Family and Domestic Violence, will continue to work hard to keep victim–survivors safe. This includes delivering new initiatives, such as men's behaviour change programs, to promote long-term change.

There is never any excuse for violence. I'd encourage the Leader of the Opposition to support the Government's efforts.

MINISTERIAL OFFICES — RECORD KEEPING REQUIREMENTS

1093. Mr R.S. Love to the Premier:

I refer to the communication platforms used by Ministerial Offices, and I ask:

(a) What instant text messaging application is used by Ministerial Offices to communicate; and

(b) How do Ministerial Offices that communicate via instant text messaging applications comply with State Record keeping requirements if messages disappear/expire after a certain period of time?

Mr R.H. Cook replied:

(a)–(b) No standardised messaging application exists. Messages are retained in accordance with the *State Records Act 2000* and Record Keeping Plans.

LOTTERYWEST — BOARD

1095. Mr R.S. Love to the Premier:

I refer to the Lotteries Commission, and I ask:

(a) Are you expecting any changes to the Board:

(i) If yes, who, when and why?

Mr R.H. Cook replied:

(a) Michelle Tremain and June Moorhouse commenced as members of the Lotteries Commission Board of Commissioners (Lotterywest Board) on 1 July 2024.

Any future decisions relating to the Lotterywest Board are matters for Cabinet.

LOTTERYWEST — GRANTS

1096. Mr R.S. Love to the Premier:

I refer to Lotterywest grants, and I ask:

(a) Have any of the Government's election promises been funded by these grants:

(i) If yes, please detail which promises and the amount of money expended; and

(b) Are any of the Government's election promises going to be funded by these grants:

(i) If yes, please detail which promises and the amount of money expended?

Mr R.H. Cook replied:

(a)–(b) Lotterywest grants are awarded on an independent process by the Lotterywest board.

WATER RESOURCE AVAILABILITY — SOUTH WEST REGION

1107. Dr D.J. Honey to the Minister for Water:

I refer the Minister to Question on Notice 622 of 2023, and I ask:

(a) For parts (a) to (e) of that question, can the Minister provide the total and sustainable water yield information for each resource type given in the previous answer to aforementioned question; and

(b) With regard to the volume of licensed water given in the answer to aforementioned question, how much of that licensed water is licensed to the Water Corporation?

Ms S.F. McGurk replied:

(a) Total sustainable yields were provided in Question on Notice 622, expressed as "Sum of allocation limits".

The Department of Water and Environmental Regulation prepares water allocation plans which establish how much water can be sustainably abstracted for consumptive use from a water resource. This is an annual allocation limit.

(b) The tables below provide the volume of water licensed to the Water Corporation for public water supply from the Perth and South West region superficial and deep aquifers (groundwater) and surface water for the three years 2019–20, 2020–21 and 2021–22 respectively, consistent with the answer to Question on Notice 622.

2019–20

Region[i]	**Resource Type**[ii]	**Volume of water licensed to the Water Corporation (GL) @ June 2020**
Perth	Superficial aquifers	42
Perth	Deep aquifers	101

Perth	Surface water	212
South West	Superficial aquifers	1
South West	Deep aquifers	12
South West	Surface water	90

2020–21

Region	**Resource Type**	**Volume of water licensed to the Water Corporation (GL) @ June 2021**
Perth	Superficial aquifers	42
Perth	Deep aquifers	116
Perth	Surface water	212
South West	Superficial aquifers	1
South West	Deep aquifers	12
South West	Surface water	90

2021–22

Region	**Resource Type**	**Volume of water licensed to the Water Corporation (GL) @ June 2022**
Perth	Superficial aquifers	43
Perth	Deep aquifers	115
Perth	Surface water	212
South West	Superficial aquifers	1
South West	Deep aquifers	12
South West	Surface water	90

[i] Perth comprises the following water resource management areas: Canning River, Cockburn, Cockburn/Kwinana Coastal, Dandalup River System, Gnangara, Gwelup, Helena River, Jandakot, Kwinana Peel Coastal, Mirrabooka, Murray, Murray River and Tributaries, Perth, Rockingham, Serpentine, Serpentine River Catchment, South West Coastal (Coastal, Colburra Downs, Falcon, Island Point, Mandurah, Whitehills, Lake Clifton), Stakehill, Swan, Swan Coastal, Swan River and Tributaries, Wanneroo, and Yanchep management areas. South West region comprises the following water resource management areas: Blackwood, Bunbury, Busselton Coast, Busselton–Capel, Capel River, Collie, Donnelly River and Tributaries, Dwellingup, Harvey, Lower Blackwood, Middle Blackwood, Muir–Unicup, Nornalup, Preston Area, Shannon–Gardner, South West Coastal (Myalup, Wellesley, Harvey, Lake Preston, Kemerton), Upper Blackwood, Warren River and Tributaries.

[ii] 'Deep aquifers' includes the following resources: Cattamarra Coal Measures, Leederville, Lesueur Sandstone, Sue Coal Measures Yaragadee, Mullalo, Lower Collie Group, Muja, Stockton. 'Superficial aquifers' includes all Superficial, Surficial and Mirrabooka resources. Fractured Rock and saline resources are excluded.

STATE BUDGET 2024–2025 — INCENTIVE FUNDING

1108. Dr D.J. Honey to the Treasurer:

I refer to a line item in the 2024–25 Budget papers, located in Spending Changes tables, that is listed as "2024–25 Streamlined Budget Process Incentive Funding", an example of which can be found on page 34 for Parliament's appropriation, and I ask:

(a) What precisely is the purpose of this funding;

(b) How is it calculated for individual agencies;

(c) Why does it not appear for all agencies; and

(d) What is the total amount allocated under that line item for all agencies receiving this funding?

Ms R. Saffioti replied:

(a)–(d) I refer the Member to Footnote 1 on page 97 of Budget Paper No. 3.

Individual agency amounts are contained within Chapter 5 of Budget Paper No. 3.

STATE BUDGET 2024–2025 — STAFF

1109. Dr D.J. Honey to the Premier:

Budget records show that the Government Policy Management – Whole-of-Government service is increasing staffing by 53 FTEs, from 139 FTEs in 2022–23 to a budgeted 192 FTEs in 2024–25, and the Digital Economy service is increasing staffing by 46 FTEs, from 86 FTEs to 132 FTEs over the two years, and I ask:

(a) Would the Premier provide a list of all new positions for those two services showing their roles and classification levels, and if not, why not?

Mr R.H. Cook replied:

(a) The Member is comparing 'Actual' FTE stated in the 2022–23 State Budget to 'Budgeted' FTE stated in the 2024–25 State Budget, which is not an equal or accurate comparison.

The change in 'Budgeted' FTE positions from the 2022–23 State Budget to the 2024–25 State Budget for the Department of the Premier and Cabinet's Services 3 and 5 is outlined below:

20 FTE – Office of Digital Government

13 FTE – Intergovernmental Relations

7 FTE – Office of State Security and Emergency Management

4 FTE – Collie Delivery Unit

4 FTE – Cabinet Services

4 FTE – General Counsel

2 FTE – Corporate Overhead[1]

[1] Corporate overhead FTE allocation includes Information Technology, Financial Services, People Services, Organisational Development, People and Payroll Services, Governance and Strategy and the Office of the Director General.

GRIFFIN COAL — FUNDING STREAM

1110. Dr D.J. Honey to the Premier:

Can the Premier detail the purpose of the $1 million funding for Griffin Coal Process Agreement, who was paid the money and what did the government get for that expenditure?

Mr R.H. Cook replied:

Funding has been used to engage KPMG to provide advice on funding matters and mine operations at Griffin Coal to ensure a sound basis for all government disbursements and assure all parties that the mine is running efficiently. This includes written and verbal advice on a range of matters relating to the administration of the Process Agreement.

TREASURY CORPORATION — STAFF

1111. Dr D.J. Honey to the Treasurer:

I refer to Budget information for Treasury Corporation for the 2023–24 and 2024–25 budgets which show staffing levels, FTEs, increasing from 76 actual outcome in 2021–22 to 89 actual outcome in 2022–23, to 94 estimated actual for 2023–24 and 103 FTEs budgeted for 2024–25, and I ask:

(a) Can the Treasurer explain the need for 27 extra FTEs that equates to a 35% staffing increase in terms of a commensurate increase in work loads; and

(b) Are the staffing increases subject to Ministerial approval?

Ms R. Saffioti replied:

(a) A review of the WA Treasury Corporation's Budget papers numbers has identified an inconsistency in the reporting methodology between years.

The actual approved full-time equivalents (FTEs) in 2021/22 was 84, comprising the 76 reported in Budget Paper No. 2 (BP2) and 8 vacant positions at the time.

The approved FTEs in 2024/25 is 98 – not 103 as noted in BP2, which inadvertently reflecting headcount.

The additional 14 budgeted FTEs reflects resourcing for a range of initiatives to support the sustainable finance program; to deliver continuing coordination of Whole of State ESG reporting and increased investor relationship focus; to expand the fee-for-service advisory function; and to support enhanced cyber security activities.

(b) Staffing levels, associated budget impacts and rationale for changes are provided to the Treasurer via the annual Statement of Corporate Intent, Strategic Development Plan and the State Budget process.

STATE AND INDUSTRY DEVELOPMENT, JOBS AND TRADE — WIND TURBINE MANUFACTURING INITIATIVE

1115. Dr D.J. Honey to the Parliamentary Secretary to the Minister Assisting the Minister for State and Industry Development, Jobs and Trade:

I refer to the estimated $8 million expenditure in 2023–24 for the Wind Turbine Manufacturing Initiative, as shown in the budget papers, and I ask:

(a) Would the Minister provide a detailed, itemised list of all expenditure items to show how that money was spent; and

(b) If any money was allocated as grants to non-government entities, will the Minister detail all such grants?

Ms J.L. Hanns replied:

(a)–(b) As announced on 20 June 2024, $8 million has been allocated to establish the industry support collaboration agreement with the industry-led Advanced Manufacturing Growth Centre (AMGC). The agreement is designed to enhance the capacity and capability of local businesses to participate in wind turbine manufacturing and servicing supply chains.

STATE AND INDUSTRY DEVELOPMENT, JOBS AND TRADE — FOUNDERS FACTORY

1116. Dr D.J. Honey to the Parliamentary Secretary to the Minister Assisting the Minister for State and Industry Development, Jobs and Trade:

I refer to the $2.4 million per annum funding for Founders Factory, and I ask:

(a) What is the purpose of the funding and why is it needed for three years;

(b) Why would a venture capital firm need government funding;

(c) Are there Australian venture capital firms that could fulfill the role; and

(d) Will the Minister table relevant documents that explain how this proposal came about, and if not, why not?

Ms J.L. Hanns replied:

(a) The Western Australian Government's investment will support the Founders Factory to provide a world class nature tech and biodiversity accelerator program. The three-year term provides certainty to allow Founders Factory to build a local support team.

(b) The funding covers Founders Factory's costs to run a nature tech accelerator, which operates at the earliest stage of venture creation and provides more direct entrepreneurship support than typically provided by venture capital investors.

(c) Founders Factory has international reach to a unique global testing market and capital network paired with an ability to directly support early stage innovators to create global, scalable ventures.

(d) Founders Factory made a formal proposal to JTSI under confidential conditions. It was assessed, and a recommendation was made.

STRATEGIC INDUSTRIES FUND

1117. Dr D.J. Honey to the Minister for State and Industry Development, Jobs and Trade:

With reference to the $110 million Investment Fund and the $500 million Strategic Industries Fund can the Minister detail what has been spent from these funds thus far and what is the government aiming for with these funds?

Mr R.H. Cook replied:

The Member's reference to a *"$110 million Investment Fund"* is unclear.

The $500 million Strategic Industries Fund (SIF) is intended to fund a range of initiatives to invest in Western Australia's industrial areas to encourage establishment of new and emerging industries to contribute to Western Australia's economic growth and diversification. Establishment of the governance framework for the SIF and planning for allocations is currently underway.

LOCAL CAPABILITY FUND AND INDUSTRY PARTICIPATION STRATEGY

1118. Dr D.J. Honey to the Parliamentary Secretary to the Minister Assisting the Minister for State and Industry Development, Jobs and Trade:

(1) What success has the government had with the Local Capability Fund and the Industry Participation Strategy?

(2) Please provide the details of spending from these programs, showing amounts, recipients and purpose of funding?

Ms J.L. Hanns replied:

(1) Since 2017–18, $21.3 million of grant funding has been awarded under the Local Capability Fund to 517 businesses.

Based on the outcomes reported by grant recipients to date, this investment has resulted in:

1,679 additional staff and 184 apprentices employed; and

$849 million worth of contracts awarded to grant recipients.

This represents a leverage ratio of $40 of contracts won by Western Australian small to medium sized enterprises for every $1 of Local Capability Fund grants awarded.

Since October 2018, $48.7 billion in State agency contracts have been through the Western Australian Industry Participation Strategy with Western Australian content of 88 per cent, which equates to $42.9 billion of that spend being retained in the State.

Consequently, reporting shows support for 85,995 jobs, including 6,657 apprentice and traineeships. The recent independent review of the *Western Australian Jobs Act 2017* and the Western Australian Industry Participation Strategy concluded the operation of this initiative produced significant outcomes in terms of local industry supply.

(2) [See tabled paper no 2995.]

GRIFFIN COAL — FUNDING STREAM

1119. Dr D.J. Honey to the Minister for State and Industry Development, Jobs and Trade:

I refer to the government's announcement of $220 million funding assistance to Griffin Coal, and I ask:

(a) Is the $220 million in addition to the previous $39 million funding support;

(b) Why isn't the full $220 million allocated in the budget;

(c) Did the government verify that Griffin Coal had sought to obtain higher prices from its customers, as would be the usual business practice, before deciding to provide public funds to the company;

(d) Has the government ensured that none of the public funding will be used towards repayment of the parent company's debt, and if not, why not;

(e) Will the Minister provide details as to whom he spoke with about this proposal aside from the company itself;

(f) Did KPMG or any other consultant recommend the government's support;

(g) Will the Minister table, even in redacted form, KPMG's report to government, and if not, why not;

(h) Will the Minister table, even in redacted form, any briefing he received from government agencies on the funding proposal, and if not, why not; and

(i) When was the Minister, before entering Parliament, involved with Griffin Coal and what was the nature of his involvement with the company?

Mr R.H. Cook replied:

(a)–(b) As of 23 July 2024, $103.7 million has been provided to the receivers and managers of Griffin Coal to secure WA's energy security and protect Collie jobs. The State Government will continually assess the funding needed to support Griffin Coal to June 2026.

This funding is held in a Treasury-administered Global Provision and is therefore not reflected in the Department of the Premier and Cabinet's budget. The Department draws down funds from the Global Provision as required.

(c) The receivers and managers have sought higher prices from coal customers.

(d) Payments made under the financial assistance agreements with the receivers and managers of Griffin Coal cannot be used for the purpose of paying secured creditors.

(e)–(f) Advice was provided by a number of government agencies and Ad Astra Corporate Advisory. KPMG was not engaged to provide advice on this matter.

(g)–(h) These details are confidential and commercially sensitive.

(i) I refer the Member to Standing Order 75.

LEGAL AFFAIRS — KINGSFIELD HOLDINGS PROSECUTION — FINES ENFORCEMENT REGISTRY

1120. Dr D.J. Honey to the Attorney General:

I refer to the Health Department prosecution of Kingsfield Holdings in 2015, case number 1551131/2015, which resulted in a $10,000 fine, and I ask:

(a) Could the Minister obtain an explanation as to why this case was registered with the Fines Enforcement Registry on 20th April 2015, being the same day as the case was concluded in the Fremantle Magistrates Court; and

(b) What procedures were in place regarding the registration of fines with the Fines Enforcement Registry around April 2015?

Mr J.R. Quigley replied:

(a) Under Division 2 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994, a* court fine is taken to be registered with the Fines Enforcement Registry (FER) at the time it is imposed.

Case number 1551131/2015 was dealt with in the Magistrates Court of Western Australia, Fremantle on 20 April 2015 and therefore registered electronically with the FER on the same date.

(b) In April 2015, court fines were referred to the FER as per the requirements of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

In April 2015, matters could be registered for "Management" with the FER under the status "Enforce on Request", meaning that enforcement action by the FER was only to commence if the Prosecuting Authority (the Department of Health) make a request for enforcement.

TEACHERS — STATISTICS

1123. Dr D.J. Honey to the Minister for Education; Aboriginal Affairs; Citizenship and Multicultural Interests:

With regard to teachers recruited from other nations, can the Minister provide the following details:

(a) number of primary school teachers by country of origin;

(b) number of high school teachers by country of origin; and

(c) number of VET course teachers by country of origin?

Dr A.D. Buti replied:

(a) As a result of the International Teacher Recruitment campaign, from 30 January 2023 to 10 July 2024:

Country	Primary school teachers
New Zealand	7
Canada	1
Republic of Ireland	1
South Africa	2
United Kingdom	14
Total	25

(b) As a result of the International Teacher Recruitment campaign, from 30 January 2023 to 10 July 2024:

Country	High school teachers
New Zealand	24
Canada	3
Republic of Ireland	7
South Africa	24
United Kingdom	69
Czech Republic	1
Total	128

(c) Nil.

LIVE ENTERTAINMENT INDUSTRY — SUPPORT PROGRAM

1125. Dr D.J. Honey to the Minister for Culture and the Arts:

(1) I refer to the Getting the Show Back on the Road program and ask for details of all grants allocated under the program showing the grant recipient's name, purpose and amount of grant?

(2) Where the grant recipient is a private company, please identify the most senior company officer and any other known grant beneficiaries?

Mr D.A. Templeman replied:

(1)–(2) [See tabled paper no 2996.]

PUBLIC HOUSING — STATISTICS

1128. Dr D.J. Honey to the Minister for Housing:

Could the Minister provide the following information regarding additional public housing for each year from 2017/18 until now:

(a) number and cost of stand alone homes built by suburb and town;

(b) number and cost of established stand alone homes bought by suburb and town;

(c) number and cost of grouped villa or townhouse homes built by suburb and town;

(d) number and cost of established grouped villa or townhouse homes bought by suburb and town;

(e) number and cost of apartments built by the government by location address;

(f) number and cost of established apartments bought by the government by location address; and

(g) number and cost of apartments bought off the plan or during construction by location address?

Mr J.N. Carey replied:

(a)–(g) The Department of Communities do not classify our public housing data in the identifiers requested. Due to a change in reporting systems within Communities, identifiers (bed bath ratio against average cost per region), were not captured in a single source prior to 2021, and would require a manual review of individual files to provide. However, should the Member have a more specific question, I will endeavour to provide a response.

DUST MANAGEMENT — BUYBACK SCHEME — SOUTH HEDLAND

D.J. Honey to the Leader of the House representing the Minister for Ports:

With reference to the housing buy back program in South Hedland, could the Minister provide the following details:

(a) total number of stand alone homes in scope for the buy back, number bought and total cost;

(b) total number of grouped homes in scope for the buy back, number bought and total cost;

(c) total number of apartments in scope for the buy back, number bought and total cost;

(d) For each category, the number of property owners that have sold 2, 3, 4, 5 or more than 5 properties through the buy back; and

(e) are the bought back properties vacant, and if not why not?

Mr D.R. Michael replied:

(a)–(e) There is no buy-back program in place in South Hedland.

WATER SUPPLY — NILGEN

1130. Dr D.J. Honey to the Minister for Water:

I refer to the Nilgen water supply, and I ask:

(a) is the Minister aware that the bore supplying Nilgen ceased operating in February;

(b) has the problem been resolved, and if not why not;

(c) why wasn't the problem fixed with some urgency; and

(d) what has been the cost of carting water to Nilgen?

Ms S.F. McGurk replied:

(a)–(b) Yes.

(c) The bore was temporarily taken offline as a precautionary measure while Water Corporation undertook an assessment of the water quality. The investigation found no impact to water quality and there was no risk to customers and as such the water supply was brought back online.

(d) $150,000.

FEDERAL DISASTER READY FUND — DRONE MONITORING — AT-RISK COASTAL AREAS

1131. Mr R.S. Love to the Minister Assisting the Minister for Transport:

I refer to the drone monitoring of at-risk coastal areas under the Commonwealth government's Disaster Ready Fund, and I ask:

(a) will this program be discontinued;

(b) if so, how will these at-risk coastal areas be monitored; and

(c) will the information, gathered to now, be available for future monitoring and bench marking?

Mr D.R. Michael replied:

(a) The drone monitoring of at-risk coastal areas is a 12-month trial capture program. The supporting partners, including local governments and Aboriginal rangers, will decide whether to continue the program once the project is completed and the results are evaluated.

(b) The Department of Transport will support the project partners by providing guidance on processing data and hosting it online. Applications can be made for funds from the competitive CoastWA Coastal Adaption and Protection grant program.

(c) All data collected during the trial program will be stored and managed by the Department of Transport. It will be made available as "open data" via a web-based portal for future monitoring and benchmarking purposes.

TRANSPORT — DRIVING ACCESS AND EQUITY PROGRAM

1132. Mr R.S. Love to the Minister for Transport:

Will the Minister please provide detail of future funding for the Driving Access and Equity program in the forward estimates and detail of the regions to receive this funding?

Ms R. Saffioti replied:

I refer the Member to page 143 of the 2024–25 Budget Paper No. 3, and table my media statement of 17 May 2024. [See tabled paper no 2997.]

TRANSPORT — INFRINGEMENT MANAGEMENT

1133. Mr R.S. Love to the Minister Assisting the Minister for Transport:

I refer to the Infringement Management Reform program, and I ask:

(a) when will the transfer from WA Police be completed; and

(b) is the project on schedule?

Mr D.R. Michael replied:

(a) Staff from the Police Infringement Management Office were transferred to the Department of Transport on 1 July 2024.

(b) The new infringement processing system is nearing completion and the proclamation of legislation and supporting regulations is imminent.

TRANSPORT — HEAVY VEHICLE DRIVER TRAINING — AUDIT SYSTEM

1135. Mr R.S. Love to the Minister Assisting the Minister for Transport:

(1) Does the Department of Transport have an audit system in place to ensure registered training organisations (RTOs) training truck drivers are up to standard?

(2) Is there an English language test associated with truck driver licences in WA?

Mr D.R. Michael replied:

(1) The Department of Transport (DoT) audits heavy vehicle practical driving assessments conducted by contracted RTO agents. An assessment is able to be observed live or is automatically stored for targeted or general audit activity.

Physical (on-site) and targeted auditing are also undertaken.

DoT has a specific business unit with heavy vehicle subject matter experts who conduct the audits.

(2) All assessments, including theory and practical, must be conducted in English.

TRANSPORT — TAXI USER SUBSIDY SCHEME

1136. Mr R.S. Love to the Minister Assisting the Minister for Transport:

I refer to the Taxi Users' Subsidy Scheme (TUSS) reform program, and I ask:

(a) why has the cost of this reform program blown out by $2 million; and

(b) Is the program on schedule for completion in 2024?

Mr D.R. Michael replied:

(a) The approved business case included a 2.5 per cent per annum escalation, which was consistent with the RBA's long-term inflation target at the time of the business case was submitted. However, the actual rate has been higher, leading to increased costs. DoT adopted a number of new and mandatory technical implementation standards in 2022–23 to increase security and quality assurance following national and international security breaches.

The additional budget includes the estimated additional cost of developing and implementing a smart card interface to provide enhanced protection against the improper use of TUSS participant cards.

(b) The program is on schedule for completion with phased implementation across the State, commencing with a pilot of the new digital scheme at the end of 2024.

MARINAS — VESSEL ACCOMMODATION

1137. Mr R.S. Love to the Minister Assisting the Minister for Transport:

(1) How are lease fees for boat pens determined at the following marinas:

(a) Jurien Bay;

(b) Two Rocks; and

(c) Port Denison?

(2) What are the boat occupancy rates at the following marinas:

(a) Jurien Bay;

(b) Two Rocks; and

(c) Port Denison?

(3) Will the Department of Transport reinstate the Management Advisory Committees to address issues at these marinas, such as the proportion of vacant boat pens?

Mr D.R. Michael replied:

(1) In 2018, the Department of Transport implemented a state-wide vessel accommodation fee structure to transition disparate pen fees to a standard set of statewide fees, to ensure equity for customers across the state including Jurien, Two Rocks and Port Denison.

(2) In 2023–24 the average occupancy rate was:

(a) 51 per cent;

(b) 42 per cent; and

(c) 95 per cent.

(3) DoT works closely with stakeholders and would consider all options to support the sustainable management of these marinas.

TRANSPORT — WYALKATCHEM COMMUNITY RESOURCE CENTRE

1138. Mr R.S. Love to the Minister Assisting the Minister for Transport:

I refer to funding arrangements for Community Resource Centres (CRC) for Department of Transport related processing, specifically the Wyalkatchem CRC, and I ask:

(a) please provide a breakdown of the $8,200 received by that CRC for processing $253,000 worth of transactions in the past financial year;

(b) does the Department have plans to review and increase the funding model for these centres to ensure their sustainability, in line with the WCRC recommendation for a set annual payment of $25,000 or 11% of all financial transactions processed; and

(c) what steps are being taken to address the concerns of CRCs regarding the underfunding, and are there proposals to standardize the funding across all CRCs to reflect the true value of services provided to DoT?

Mr D.R. Michael replied:

(a) Commissions paid to the Department of Transport's (DoT) licensing agents are based on standard rates applied to transactions performed under financial and non-financial transaction categories. They are grouped into subcategories based on the average time taken by an operator to process the transaction within DoT's TRELIS licensing system.

In 2022–23, DoT paid $8,494.14 (excl. GST) in commissions to the Wyalkatchem Community Resource Centre.

The breakdown by transaction group is:

TRANSACTION GROUP	EXAMPLE TRANSACTIONS	NUMBER (2022–23)	COMMISSION
Financial Transactions	Vehicle Licence Renewal, Plate Change, Vehicle Licence Transfer, Driver's Licence Renewal, Plate Remake, Temporary Movement Permit, Vehicle Licence New Registration, Driver's Licence New Application, Driver's Licence Transfer Exemption, Hazard Perception Test and payment	516	$ 6,352.91
Non-Financial Transactions	Non-financial system transactions e.g. various customer record updates	247	$ 1,836.69
Computerised Theory Testing	Conducting Computerised Theory Test	9	$ 259.47
Adjustment	Adjustment payment for February 2023	1	$ 45.07
TOTAL		**772**	**$ 8,494.14**

(b)–(c) The Wyalkatchem CRC agreement was reviewed to standard requirements prior to its re-appointment in March 2023. A further review of the commission payment structure is expected to be completed in the first half of 2025.

RAIL NETWORK — REGIONS

1139. Mr R.S. Love to the Minister for Transport:

I refer to Budget Paper 2, volume 2, page 613 and note that country rail passenger services have not met their KPI for reliability, and I ask:

(a) What is driving the poor performance of these routes (Prospector, Australind & MeredinLink)?

Ms R. Saffioti replied:

(a) The Liberal–National privatisation of the State's freight rail network.