



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE COUNCIL

Thursday, 13 June 2024

Legislative Council

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THE PRESIDENT (Hon Alanna Clohesy) took the chair at 10.00 am, read prayers and acknowledged country.

VISITORS — PUBLIC SECTOR GRADUATES

Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [10.01 am]: Good morning, members, and good morning to the public sector graduates who are in the public gallery this morning. Welcome to the Legislative Council.

SOUTH COAST MARINE PARK

Petition

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [10.02 am]: I present an e-petition containing 1 674 signatures, couched in the following terms —

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled. We the undersigned ...

request that the current planning process for the establishment of the South Coast Marine Park (SCMP) be halted and that a Parliamentary Inquiry be undertaken to investigate: 1. whether the planning process for the SCMP has been undertaken in accordance with all statutory processes and procedures; 2. the extent to which the planning process has been influenced by environmental lobby groups including, but not limited to, the PEW charitable trust; 3. whether sufficient scientific research has been undertaken to: a) justify the establishment of the SCMP in the form currently being pursued b) inform the development of management plans for the proposed SCMP, inclusive of the establishment of sanctuary zones of the scale and locations currently being proposed; 4. whether sufficient research has been undertaken on the social and economic impact of the SCMP on relevant south coast communities.

And your petitioners as in duty bound, will ever pray.

[See paper 3231.]

Petition

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [10.03 am]: I present a paper petition containing 4 186 signatures, couched in identical terms.

[The text of the petition was as follows.]

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled. We the undersigned request that the current planning process for the establishment of the South Coast Marine Park (SCMP) be halted and that a parliamentary inquiry be undertaken to investigate:

1. Whether the planning process for the SCMP has been undertaken in accordance with all statutory processes and procedures;
2. The extent to which the planning process has been influenced by environmental lobby groups including, but not limited to, the Pew Charitable Trust;
3. Whether sufficient scientific research has been undertaken to:
 1. Justify the establishment of the SCMP in the form currently being pursued;
 2. Inform the development of management plans for the proposed SCMP, inclusive of the establishment of sanctuary zones of the scale and locations currently being proposed;
4. Whether sufficient research has been undertaken on the social and economic impact of the SCMP on relevant south coast communities.

And your petitioners as in duty bound, will ever pray.

[See paper 3232.]

PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

MISUSE OF DRUGS AMENDMENT (LAWFUL PERSONAL USE OF CANNABIS) BILL 2024*Second Reading*

Resumed from 21 March.

HON SUE ELLERY (South Metropolitan — Leader of the House) [10.04 am]: I rise as the lead speaker on behalf of the government to respond to the Misuse of Drugs Amendment (Lawful Personal Use of Cannabis) Bill 2024. We certainly acknowledge that the mover of the bill, who represents the Legalise Cannabis WA Party, was elected to this Parliament with a specific policy agenda and to move a specific amendment. The government has recognised and facilitated that to the extent that we have been able to, most obviously through our support for the member's Select Committee into Cannabis and Hemp, but we do not support the decriminalisation of cannabis for personal use. As some members might recall, we have had several debates and parliamentary questions on the legalisation of cannabis in fact since 2017. We have consistently said that the government has made no change to its position on cannabis laws.

We remain committed to ensuring that there is access to medicinal cannabis for people with medical needs. That includes enabling general practitioners to prescribe medicinal cannabis to patients, and, following one of the recommendations made by the select committee, the Department of Health is establishing a medicinal cannabis and safe driving working group. That group will bring together members with experience in clinical medicine, road traffic legislation and other relevant fields to consider the issue of medicinal cannabis and driving.

Overseas, examples of decriminalisation have had mixed experiences. Although it has been seen as a success in places like Portugal, in other places, like Oregon in the United States, it has been seen as a failure. The Australian Capital Territory government introduced laws to decriminalise drugs for personal use last year, and there has been a diverse range of opinions about that decision.

Members, although I again acknowledge that Hon Dr Brian Walker is bringing to the house legislation that is directly linked to the reason for his party's success, the government cannot support it.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [10.06 am]: I was not intending to speak on the Misuse of Drugs Amendment (Lawful Personal Use of Cannabis) Bill 2024, but I think we are probably going to bring this debate to a conclusion, so I will make a few comments. My views on this issue and those of the Liberal Party and the alliance are well known. We do not support this bill. All members have to do is go back to my inaugural speech to see where I stand personally on this. I have had considerable experience in drug education over multiple decades. That goes way back to when I was first a chalkie and I was put on the national school drug education committee. We produced a report on drug education across the nation to have some sort of uniform approach towards drug education. The Western Australian education system is very proactive and very effective in this space from both sides of the chamber. I acknowledge Hon Dr Brian Walker's passion on this issue, and his—dare I say—view that cannabis is the panacea for all ills in society.

Hon Dr Brian Walker: Not at all!

Hon PETER COLLIER: But personally, I do not see it that way. I remain convinced—I do not care how we put it—that cannabis is an entrance drug. Kids and juveniles regardless of their age start somewhere—more often than not, with cannabis.

I will go back and talk briefly about a couple of personal anecdotes on this situation. As I have said on numerous occasions, back when I was a teenager, cannabis was a hanging offence and smoking was socially acceptable. Now, it appears almost the other way in a lot of areas, in that smoking is a hanging offence—you had to see it to understand where it was coming from!—and cannabis is increasingly becoming socially acceptable. That is because it is seen as being not just, as I say, a gateway or an entrance drug, but everyone does it, so it is okay, but that does not mean it is okay. It simply does not mean that it is okay, in my view. If as a society we get to the point at which we say it is okay and it does not really matter, we may as well lock up on the way out. That is how we feel. I do not feel like a philistine or a dinosaur because I have those views. I think it is a responsible position to have. It is pointless. For decades and generations, if a person engaged in cannabis use, it literally was a hanging offence. A person was ostracised so much both socially and legally. We have moved on from that endeavour, but to actually accept it in law to me is unacceptable.

I have told this story before about a young man whom I taught at Scotch College, so I apologise to those who have heard it. This story highlights how bad it was back then, but, at the same time, it was very important that we drew a line in the sand with cannabis use. I am not going to name him, but he was from a very comfortable background and had an extremely, dare I say it, supportive family. In addition to my academic and tennis responsibilities at Scotch, I was a house head, which is a pastoral role. After a house meeting one day, one of the year 8s came into my office and told me that someone had left their wallet in the house room. I took the wallet and opened it to see who it belonged to and there was a little stash of cannabis in the wallet. I just put it on the desk. Let us call the boy "Jake". About five minutes later, Jake knocked on the door and rushed in. He was evidently unnerved and said, "Sir, apparently you've got my wallet." I said, "Yes, I have it, Jake. Here it is, mate." I gave him the wallet and as

he started to walk out, I could see the blood ooze from his face. He had just about got out the door and I said, “Jake, if it happens again, mate, you and I won’t be the only ones who know about this.” “Thanks, sir”, and he took off. If I had handled it differently and taken Jake to the headmaster, he would have automatically been suspended and ostracised and have that cloud over this head. He was in year 12, I might add, so that would have put a definite stain on that young man’s reputation within that community and beyond. Two years later, I was living in a place in Subiaco and had some friends over. We ordered pizza for dinner from Chelsea Pizza—great pizzas. About half an hour later, there was a knock at the door. I opened up the door and there was Jake. He was delivering pizzas. I do not know whether he still does that—probably not; this was almost 20 years ago, so he would be a middle-aged man now. He used to do—what do you call it?—god; I have a mental blank. He was a great swimmer and he used to do surf lifesaving. That is it. Anyway, I opened up the door and said “Jake!”, and he said, “Hi, sir.” I told him he did not have to call me “sir” anymore and that he could call me Peter, to which he replied, “Yes, sir.” I asked him how the surf lifesaving was going, and he was still doing it at that stage. He was also doing engineering at the University of Western Australia. I said, “Good on you, mate. Well done.” He turned around and started to walk off, but then he stopped, turned around and said, “Thanks, sir.” He and I knew what that message was all about. That is not a vanity exercise. He and I knew that had I handled that incident differently, his life would have changed. If that is used as example A, the community has moved on from that, but, fortunately, we are not at the point at which cannabis use is legalised. I hope we never get to that point, with all due respect.

I understand the passion of Hon Dr Brian Walker. I understand all the points that he makes, but I am with the Leader of the House on this one. There are mixed results with regard to this issue. It is very easy to be selective and pick out one particular area, but there are mixed results internationally. I am very accustomed to this issue. At that stage of my life, I was also on the state school drug education committee before it morphed in with driver education et cetera. I was on two committees at a state and a national level before I got into Parliament. We did an enormous amount of work to try to develop an education system and process in terms of whether we would take the abstinence approach or the harm-minimisation approach and how we educated children about the fact that illicit drug use ultimately had the potential to have a significantly negative impact on their life. If we, as a community, can curb every avenue into that high-order illicit drug use, we should do it. We are duty bound to educate our children to ensure that they understand that high-level illicit drug use always ends in tears. There is a massive methamphetamine problem now within our community. All those users started somewhere. They did not go straight from nought to meth, I promise you; they just did not. That has been shown in multiple research papers on drug use. If anyone thinks that someone goes out to a party and then all of a sudden starts to take heroin, cocaine or meth, they are naive in the extreme. It does not work that way. All the facts need to be on the table before we blindly go in and say, yep, because it is working here, it is doing this or it has these medical benefits et cetera, we should carte blanche legalise it. That is the wrong way to go.

The opposition understands that society has moved on, but we are not at that point, and I hope we never get to that point, at which we say that because everyone is doing it, we may as well legalise it; we will take the easy option and just legalise it. No, do not do that. When you go weak at the knees, you may as well give up. Do not do it. It is the same with everything in society. As soon as you start to make allowances or take the easy way out, just give up. By all means, present arguments for the medicinal use or otherwise of cannabis, but to take a carte blanche approach to its use and legalise it will have significant negative ramifications. For that reason, the opposition will not be supporting the Misuse of Drugs Amendment (Lawful Personal Use of Cannabis) Bill.

HON DR BRIAN WALKER (East Metropolitan) [10.17 am] — in reply: Thank you, President, and I also thank the Leader of the House for working with us on getting the Misuse of Drugs Amendment (Lawful Personal Use of Cannabis) Bill 2024 at least read to this point. I also thank the government for what it has done. The Select Committee into Cannabis and Hemp certainly was a very important starting point. I regret, however, that the medical cannabis THC working group has still not been formed 10 months after an agreement was made to do that, which means that the urgency is not there. I ask that the government please put a little more effort into making this happen because we need the facts. As the honourable Leader of the Opposition said, there is a need for actual evidence of what is going on. Doing things in the dark without the science to back it up is really not a clever idea. We need to know what is going on.

I take issue, however, with what my colleague Hon Peter Collier said. I have to state quite clearly that if I believed what he believes, I would agree with him entirely. Why do I not believe what he believes? It is because I have seen the facts. He made a number of assertions, and from what he has observed, I can understand where he is coming from. He first of all stated that cannabis is a gateway drug. That is a very common misperception. I understand where the member is coming from, but the repeated international research shows very clearly that cannabis is not a gateway drug. By making it illegal, people have to access it illegally and then come into contact with criminals who want to sell other drugs. That can absolutely be the case. If it is not illegal, that is not the case and people will not be associating with criminals. The real gateway to further drug use is, in fact, alcohol. That is a proven fact. Alcohol is something that is freely available. If we go even further, the real gateway into all drug misuse is actually trauma, something I see on a regular basis in my clinic. I counsel here to revise that opinion because it is plainly not attested to by the facts.

I am also pleased to recognise that it has been noted that cannabis is becoming socially acceptable—it is about time, too. I will put the point across. I speak here as a doctor and as the Leader of the Legalise Cannabis WA Party. Members can expect me to be biased on one side because of my political affiliation; on the other hand, there has to be some degree of acceptance of my ability to see things from an experienced medical practitioner's view. Yes, we have medical experience of using cannabis for a wide variety of things. I will point out an interjection I made earlier on; I am not saying that cannabis is a universal panacea. In fact, I specifically mention this when talking to patients; it is not a panacea. It is, however, a very good drug for managing the endocannabinoid system, which is devoted to homeostasis in the body.

What we are looking at here is actually the result of decades of propaganda. If a lie is told often enough, we begin to believe it. This is something that we need to stand up against because we need to stand for truth and science. I very much value the input of people with different points of view because then we can discuss what the facts are, not the prejudices or the biases that manipulate people's thoughts into a particular course of action.

For example, it was said here that the use of cannabis by students can lead to severe problems with their mental functioning. I absolutely agree with that. If we are going to treat cannabis as an illicit substance, then we can say "Use of the illicit substance resulted in this". However, what is the result when a legal substance such as alcohol destroys someone's ability to function, especially when it is given to young people with growing brains? What happens to their ability to function in and outside of school? "It is exactly the same as cannabis". No, it is not; it is much worse. The use of any substance is going to be deleterious to the individual's health, wellbeing and future prospects. I agree with that entirely. That, friends, is the reason why we must regulate cannabis as a legally provided opportunity, much like alcohol. This is where the Legalise Cannabis Party stands; we need to treat cannabis just the same as alcohol. In fact, I suggest that we ought to have more restrictions on alcohol because of the damage it is causing throughout our society and that cannabis does not.

Alcohol given to growing brains in Indigenous communities is one reason why we have such problems in remote and rural regions. Parents who drink alcohol during pregnancy are causing a surge of what I call "patients" into Banksia Hill Detention Centre. We had terrible trouble managing the social complications due to alcohol. Why have we made cannabis illegal? If possible, what if it was regulated such that under-18s had no access to it, much like we do with alcohol? I ask members to consider for a moment what would happen in Northbridge. How would policing change? How would business change? Would people be able to access Northbridge after midnight for a pleasant night out with friends without the fear of being king hit by someone who has taken alcohol on board? Has that ever happened when someone has been high on cannabis?

I have to make a statement here. I thoroughly disapprove of using anything to get high. It is just not a good idea. We need to have our brains and wits about us. We need to use what we have available properly. It is much like what members have probably noticed when I am in the dining room. I enjoy a glass of gin and tonic; I do not drink the whole bottle. I did once: never again. It could have killed me. Had I taken a whole load of cannabis—which I have never ever used, by the way—it would not have nearly killed me. It cannot. There is a marked difference between what we tolerate socially and call legal and what we tolerate socially but call illegal. That is plainly wrong.

I much appreciate that minds are at least now open to considering this possibility. We need to follow science and facts. We do not need to follow propaganda, innuendo and pseudo-facts. Let us take the example of why we call cannabis illegal and dangerous. For example, why do we call it a narcotic? Let us bear in mind that, internationally, there are laws that say that cannabis is a narcotic. As I have repeatedly said before, that is a pharmacological lie. It has been propagated by politicians and lawyers who want to make this impossible to achieve. Why? Well, the original reason for cannabis being made so unpopular in the United States was because they wanted to prevent women from associating with negroes who might then appreciate jazz and smoke cannabis.

The speech by Henry Anslinger in 1930-something is an example of a racist xenophobic rant that would have brought joy to the face of any Ku Klux Klan member. Anyone who now continues on the path of supporting the illegality of the substance of cannabis is actually supporting a racist xenophobic point of view that has no place in civilised society at all. It did not have a place then, and especially does not now.

The Federal Bureau of Investigation then wanted to say "Right! Let's find a way of oppressing cannabis." Alcohol had been legalised again, so all the alcohol runners were out of a job, but the FBI agents chasing the alcohol runners were also out of a job. How did they find a job for 7 000 FBI agents? By pivoting to cannabis. That way, they could continue to oppress the Hispanics and negroes in the southern states of America with impunity. That racist mentality exists today. Are we aware that the illegality approach to cannabis was a justification used by Nixon to oppress the students who opposed the Vietnam War, a war that was illegally created? Thousands of young people on all sides died. Economies were destroyed. They blamed the ones asking for peace and freedom in the world and called them cannabis-smoking hippies. They used the use of cannabis as an epithet to attack those people; "They are not like you. They're drug users. Therefore, you can discount what they are saying about the war, which we are going to win because we are on the side of right, of capitalism, and communism is bad." This is what we tolerate now in our society.

It is entirely inappropriate, intolerable and also undemocratic. We need to follow the science. Besides, as I have discovered, the science has shown how wonderful this preparation actually is. Again, I will say for the purposes of all in society that abusing cannabis is not acceptable. It is not a sensible thing to do. It does do damage if it is abused. Giving high dose tetrahydrocannabinol to young growing brains is a good way to ruin them. We do not want that. We want to regulate the use of a healthy healing herb that can be abused such that it can be enjoyed socially in a much safer way than alcohol currently is. Because of our fear of cannabis, we have restrictions on growing industrial hemp, and I would like them to be removed. That would then open up a multibillion-dollar industry to the world, and, I am very biased here, to Western Australia in particular. We are able to now transform our microclimate and society in ways that will only benefit the people of our state in any number of ways. Why do not we do that? It is because we are frightened of cannabis, specifically THC. I have to ask: how many people died of THC use in Australia last year? The answer, of course, is none. In the last 20 years? None. I have mentioned this umpteen times; we do not have deaths due to THC. Of course, if someone wants to abuse cannabis and then take other drugs—because if someone is using illicit drugs, they are exposed to other drugs as well—like alcohol and methamphetamine, bad things happen. They would happen anyhow if someone was taking alcohol and methamphetamine together. We cannot ask those who have passed away on our roads, but how can someone possibly manage to drive a car safely if they are using something as nasty as these drugs? We do not want people to do that.

We need to be very careful about what we are saying, scientifically speaking. I was really interested to hear it described as a literal hanging offence. Maybe it is in Singapore, but it is certainly not here.

Hon Peter Collier: It was in the 60s, mate.

Hon Dr BRIAN WALKER: I do not think many people were hanged for cannabis in Australia, but the member can correct me if I am wrong. If we are allowing this to be an illicit substance, criminals will become involved. Making something illegal is a great way to increase criminals' business. The criminals are using the multimillion-dollar business that we are saying no to. What are they doing with that multimillion-dollar business, apart from getting guns for themselves and controlling rural communities? They are making methamphetamines and negatively transforming our rural communities, which are suffering from abuse mostly of methamphetamines because it is available and can be made very cheaply. Giving power to criminals is not a good way to control a community. It is not a good societal choice. We should have learnt by now that what we have done so far has caused a problem. The bill that we have put forward would be a way to regulate cannabis and give some certainty and security to our state. I desperately wish that members would listen to the facts.

I very much appreciate what the Leader of the House said about Oregon and the negative effects that have been experienced there, and also what the Leader of the Opposition, Hon Peter Collier, said about the variable results that are coming in. If we are talking about variable results, let me talk about antidepressants. As a doctor, I am going to segue into the variable results from antidepressants—selective serotonin reuptake inhibitors. If anyone has taken those substances, they will know that they are not a universal panacea at all. They might help reduce depression, but they also cause a variety of side effects, including, by the way, death. Anger is another side effect, which probably explains why 50 per cent, so I am told, of mass murderers in the United States seemed to have SSRIs in their system. These drugs might predispose people to anger. I have prescribed kilos of SSRIs. There are adverse effects. What happens when drugs are put on the market? One drug is created and 10 research studies are done on it. What happens is that three studies will show that the drug has a benefit, three will show that it has no benefit and four will be kind of in between. Can members guess which of those 10 studies will be published by the drug company? Of course, members have got it; it will be the three that show a benefit. When we think that we are taking a medication that has been scientifically proven, that is actually only half the story.

Let us look at what is going on with cannabis. What are we looking at? I was speaking with an eminent colleague of mine, a professor, who has prescribed a lot of cannabis and done studies on it. I asked him about the research that is coming out of the US and he said that it was an absolute dog's dinner. Given the approach to cannabis there and the freedom that researchers have, we might say that it is good on the one hand, but on the other hand they are producing very sloppy research. We need to look very carefully at what is going on there. That is again why I say that we must look at the research and assess it properly and with an open mind. I will admit to the research studies from the US that are showing negative results, but when we look at what is actually going on, we see a lot of areas of concern. We need to do more valid scientific research. Do members know what? I think Australia is the best place to do that. There have been instances when scientists have done the wrong thing, but, in general, I am relatively certain that research that is done in Australia is valid. Even then, we will get different results because we know that observer bias influences the outcome of research. We have to be careful with this. I can absolutely state that of the almost 4 000 patients to whom I have prescribed cannabis, I can count on the fingers of one hand the number who have had adverse effects. Were they major adverse effects? No. I have had one case of psychosis, but that was someone who was predisposed to that in the first place.

The bill will of course be voted down, but what I am asking for is that members look at this issue with open eyes, a clear mind and a recognition that our conditioning has led us to think in a certain way that does not reflect reality.

I ask members of this house to take that into their thinking. This bill will not pass, but I am very hopeful that, in the near future, saner minds will look at this again. The benefits to our community outweigh the relative risks of allowing cannabis to become legal. It would result in a reduction in drunkenness, violence in the streets and domestic violence and an increase in our gross domestic product, because we would be able to use the full plant to its benefit. As I have said many times before, we could get a \$23 million yield from a hectare of industrial hemp on an average acreage in Western Australia if the full plant was used. Why would we not want to make use of that? I thank the house for listening to me, not just today but also over the last three years, and I hope for the next five years, when members will hear me call again and again for them to have an open mind, take a scientific approach and look at the truth of the issue. With those few words, I thank the house.

Question put and negatived.

Bill defeated.

MISUSE OF DRUGS AMENDMENT BILL 2021

Second Reading

Resumed from 9 November 2023.

HON SUE ELLERY (South Metropolitan — Leader of the House) [10.36 am]: I rise as the lead speaker to indicate that the government cannot support this bill. The drug trafficker declaration provisions in the Misuse of Drugs Act 1981 came into effect in December 1990. Section 32A is the main component and provides that when persons are convicted of relevant serious drug offences or drug offences in which the quantum of the drug or the plant is not less than the amount outlined in schedules VII and VIII, the prosecutor can make an application for a drug trafficker declaration. Once that application is made, the court is legally bound to make the declaration; there is no discretion available to the court. Once a declaration is made, various provisions under the Criminal Property Confiscation Act 2000 and the former Crimes (Confiscation of Profits) Act 1988 are enlivened, which can result in the freezing or confiscation of assets. Section 32A has remained largely unchanged since enactment. Schedule VII has been updated over time to include various synthetic cannabinoids and steroids. Schedule XIII was updated in April 2011 to reduce the number of cannabis plants from 250 to 20. The reason for that change was to address the cultivation of cannabis plants by hydroponic means, which results in a significantly higher yield than from cannabis plants grown by normal methods of cultivation.

There are two key reasons that the government cannot support this amendment bill. Firstly, we do not support any amendments that will put the community at greater risk. The bill would result in the law becoming weaker, lead to a potential increase in the use of illicit drugs and cause more harm to individuals if penalties were reduced. Our government has delivered amendments to the Misuse of Drug Act that make it harder for drug trafficking to occur in our state by introducing the border search areas. Secondly, any changes to the drug trafficker declaration provisions of the Misuse of Drugs Act 1981 should not be considered in isolation from any changes that may be contemplated to the Criminal Property Confiscation Act 2000. The member referred in his support of this bill to the Martin review. As the Attorney General has indicated in response to questions in this house, the Martin review made more than 60 recommendations canvassing both legislative and administrative matters, with the primary recommendation being that the government give consideration to repealing and replacing the act in its entirety. Noting that the criminal property confiscation scheme is complex, any reform, should it be pursued, would be a large body of work. We cannot support an amendment bill that simply cherry-picks one recommendation of the Martin review in isolation of due consideration to the review in its entirety. For those reasons, the government will not support the bill.

HON DR BRIAN WALKER (East Metropolitan) [10.40 am] — in reply: Thank you, President; you will be getting used to my voice and are probably mindlessly bored. This will be a very short reply. I again thank the government for its views; I understand where it is coming from. It must be stated that this amendment bill has been brought to the house because it is five years since that review was conducted. Part 8.4 of the *Review of the Criminal Property Confiscation Act 2000 (WA)* by Hon Wayne Martin states —

The most significant issue in my review of the Act, and the submissions I have received, is whether the court should have a general, or more narrow, discretion to direct that all or some part of property not be confiscated on the grounds that the confiscation is contrary to the public interest or the interests of justice.

I have had multiple communications from lawyers and, indeed, judges who are basically asking for the freedom to do what needs to be done. The impact of this law is that the judge, who will listen to both lawyers' sides, needs to be able to make a judgement as to what is actually going on; whereas the prosecution side is basically saying that they will go for the maximum penalty—it can be worked down, of course—and see where it goes. In this case, the judge has no discretion. Anytime a judge is refused the ability to make their own opinion about something, we have the risk that there will be a manifest injustice and, indeed, this is exactly what we have seen. We are not at all suggesting that the law will become weaker; in fact, the law could become stronger. We are simply asking that the qualified people—the lawyers and judges—be allowed to be lawyers and judges. This is a manifest injustice. The review was from 2019. We have asked on a number of occasions why no progress has been made. As the

Leader of the House pointed out, it is a very big and complex act. I wonder why a start has not even been made on it. The information I have is that not even a start has been made. Five years on, we see manifest injustice throughout the legal system and people confronted by this legislation are suffering—improperly and unjustly suffering. The system is now created such that there is no redress, no recourse and no ability to receive manifest justice, however that justice may fall out. This is all we are asking for.

If the whole complex legislation needs to be rewritten, we will accept that. Let us think of the Monty Python film that references that last little after dinner mint. Would that little after dinner mint really cause this law to burst? Would allowing the judge to make their own opinion bring this law to an explosion? Would it really? Of course it would not. I can see why the government would want to make things proper, much like the firearms legislation coming through this place—we are going to do the whole thing in one go. I can see where the government is coming from. However, if we find that one part of an existing law is manifestly unjust, it is wise to fix it now, as we have seen in multiple changes to the Misuse of Drugs Act over the course of the past three years of Parliament. That has happened already. This is not an exception; it is just not part of the changes the government supports. Two or three amendments to the Misuse of Drugs Act have gone through the house already in this term of Parliament, but this one has not. The argument that we cannot do this because we need to fix the whole act in one go does not hold water, but I can see where the government is coming from.

I ask members in this second reading debate to allow justice to be applied by those who are permitted to dispense justice. It should not be decided in advance that when a matter is taken to court a judge will have no choice because the prosecutor has decided what they want. The judge has no say. This is manifestly unjust. I ask that all sides consider this seriously because it is not just a matter of one part of the law; it is a matter of applying justice to the people, serving the people. This is why we are here. At the moment we have a manifest injustice, and I cannot stand here and leave that unaddressed. I ask for members' indulgence and that they understand where this is coming from. It is not about supporting cannabis at all; it is about supporting justice. With those words, I thank members and take my seat.

Question put and negatived.

Bill defeated.

CRIMINAL CONFISCATIONS — MORATORIUM

Motion

HON DR BRIAN WALKER (East Metropolitan) [10.46 am] — without notice: I move —

That this house calls upon the Cook Labor government to impose a moratorium on criminal confiscations under the provisions of the Criminal Property Confiscation Act 2000 until such time as the findings of the 2019 Martin report have been addressed.

A lot of what I intend to say has already been said; in fact, it has been supported by the government already. We all agree that the 2019 Martin report *Review of the Criminal Property Confiscation Act 2000 (WA)* must be addressed. If members listen to my words and find nothing objectionable in the fact that we want justice in our system, it would be difficult to object to the concept that if an act is currently in force and, as a result of enforcing that act a manifest injustice has been caused, it makes sense that we should pose a moratorium on that part of legislation to allow for justice to take place. I do not believe that is an object of contention. Surely, we all support the concept that the legal system exists to ensure that justice is seen to be done and that justice be applied equally to all. When we discover laws that clearly do not meet that high standard, we are obliged as a Parliament to remove that law or amend or rewrite it. That is one of our essential functions. As I said earlier, an eminent legal mind has given the very strong opinion that the Criminal Property Confiscation Act must be changed. I will quote the Martin report again for the benefit of *Hansard* —

The most significant issue in my review of the Act, and the submissions I have received, is whether the court should have a general, or more narrow, discretion to direct that all or some part of property not be confiscated on the grounds that the confiscation is contrary to the public interest or the interests of justice.

That is a very serious statement. He is saying that the law as it currently stands is against the interests of society and against the interests of justice. I would like very much to hear someone stand and give an adequate explanation of why Hon Wayne Martin is wrong. He is one of the most eminent legal minds of our time. How can we say, “You’re wrong, mate. You’ve got it wrong. Despite all the information that has come to the committee, all the examinations that have been done and this being the conclusion, we don’t believe you. You’re wrong.” Unless someone equally legally eminent is prepared to do that, it is difficult to argue against the motion.

The motion has been worded not to criticise the government—not at all. The point of view that I have always stated is that those who are working in this establishment have high standards, are of high moral standing and are doing their best to serve the people of the state, and I will always maintain that. I will not tolerate the idea of shouting across the chamber and saying, “You’re wrong. You’re bad. You’re doing horrible things.” That does not serve the public interest. What I am calling for is a moratorium on criminal confiscations under these particular provisions.

I am not even asking for the law to be changed. Let us just halt this particular part of the legislation and say to the judges that we will not enable this part of the act to continue to operate. It might be said that we cannot do that, to which I point out that a section in the Public Health Act allows a police officer to strip people naked and forcibly administer an injection, or whatever, against the person's will at the command of the Commissioner of Police. That is very tough stuff, is it not?

If the Commissioner of Police identifies a person and says that something needs to be done to them, the police can stop that person. If they do not agree to it, the police can strip the person naked and forcibly inject them, hopefully by a doctor or someone who is medically trained. That can be done against the person's will. Members might say that was because of the pandemic and that we must make sure that people are safe. Okay. I have done that to mentally ill patients who have been stopped and undressed under the care of the police. The police are the only people who are allowed to do that, by the way. I am not allowed to use force on anyone, but a police officer can. I have injected a patient with an antipsychotic to calm them down from their rampage because they wanted to kill their partner or destroy an emergency department in their psychotic state. That is a very sensible law, but I need to fill in forms to allow that. They are schedule 1 and 2 forms that allow the police to do that. There are very strict controls. When that person is transferred to a psychiatrist, the psychiatrist must again examine what went on and be certain that Dr Walker behaved in the right way. Was it an appropriate action? Should the person remain as an involuntary patient until the psychosis has been treated or should that decision be reversed?

Specifically in regard to the pandemic, I questioned whether a person could be forcibly stopped, stripped and injected with an anti-COVID-19 vaccine. That provision was brought in by a Liberal government. I was told by my Liberal colleagues that they were never going to enforce that provision when it was brought in. If it was never intended to be enforced, why was it put on the statute book? There is now permission to do that. A police officer can be directed to do that under certain conditions right now because it is on the statute book. It can happen legally at any time. Why is it on the statute book? I referred to a theoretical case and was told that it would never happen because it is improper, but it is on the statute book.

A patient of mine a while back was sexually abused as a child and has post-traumatic stress disorder. She was quite distraught. I have mentioned this before. Her father was growing cannabis in the backyard because it was an effective treatment for her PTSD. It allowed her to exist without wanting to kill herself. The police discovered the cannabis and they were both arrested. Bear in mind that she was arrested for using the cannabis her father grew in the backyard and had given her. She was put in the back of a police car alone and taken to the police station where she, as someone who was sexually abused as a child, was strip searched. I challenge any member to tell me that that will help her PTSD in any way, shape or form. Had harm been caused? It absolutely had. Is that person still suffering trauma as a result of that event? Yes, she is. How do I know? I know because I am her doctor. Was it illegal? No, it was very much legal. We have permitted that. Her trauma has been exacerbated because of us.

We may not have passed that law, but we are in a position of power to change that, yet we have not. It is said that the assault you walk past is the assault you tolerate. Therefore, the offence you walk past and say nothing about is the offence you tolerate. The abuse that we have created and walked past is also the abuse that we have tolerated. I ask members whether they really want to be that kind of person.

The motion I have put forward is basically this: let us stop causing injustice and stop permitting injustice. Let us put in place a moratorium such that justice can be seen to be done and that appropriate action can be taken to amend the laws that are causing the injustice. It is simple, and I anticipate that we would agree with the principle of not causing harm, would we not?

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [10.56 am]: I rise on behalf of the government to respond to the member's motion, which is the third limb of his non-government business today. I preface my response by saying that I will be brief, and there are some short reasons for that. The member's motion calls for a very specific thing, which is a moratorium on criminal confiscations under the Criminal Property Confiscation Act. The member conditioned that with "until such time as the findings of the 2019 Martin report have been addressed". I suspect that rather than the findings of the Review of the *Criminal Property Confiscation Act 2000 (WA)*, the member meant the recommendations of the Martin report, because the report does not make any specific findings as such; it made almost 60 recommendations. A number of those recommendations relate to administrative matters that do not relate to legislative changes and a number pertain to bodies such as the Director of Public Prosecutions, which makes decisions independently from government. There is a fundamental impracticality about what the member is suggesting, which is for the government to direct the independent DPP to not enforce the law. We do not have that power. That would be impermissible and a breach of the independent decision-making powers of the DPP, which exist for a number of very important reasons.

The other perhaps more weighty reason on a practical level is that whilst the motion is undoubtedly well intentioned, it is somewhat naive in what it is asking for. If it were given effect, it would provide open slather for the criminals who are the subject of this legislation to essentially benefit from their ill-gotten gains because the fundamental role of the Criminal Property Confiscation Act is to prevent those who are engaged in criminal enterprise from profiting from those enterprises. That is the fundamental objective of the act. Obviously, the Martin review

identified a number of areas of reform and possible unintended consequences and unfairness, but the fundamental role of that legislative scheme is to deny those who engage in criminal enterprise from benefitting by profiting from the fruits of that enterprise. I do not think any responsible government could institute a moratorium that would allow criminals to enjoy the fruits of their ill-gotten gains. On that basis, we cannot support the member's motion.

Motion lapsed, pursuant to standing orders.

SHIRE OF SERPENTINE JARRAHDAL CAT LOCAL LAW 2023 — DISALLOWANCE

Discharge of Order

Hon Lorna Harper reported that the concerns of the Joint Standing Committee on Delegated Legislation had been satisfied, and on her motion without notice it was resolved —

That order of the day 1, Shire of Serpentine Jarrahdale Cat Local Law — Disallowance, be discharged from the notice paper.

ESTIMATES OF REVENUE AND EXPENDITURE

Consideration of Tabled Papers

Resumed from 12 June on the following motion moved by Hon Stephen Dawson (Minister for Emergency Services) —

That pursuant to standing order 69(1), the Legislative Council take note of tabled papers 3131A–E (2024–25 budget papers) laid upon the table of the house on Thursday, 9 May 2024.

HON DONNA FARAGHER (East Metropolitan) [11.00 am]: I rise this morning to take note of the 2024–25 budget papers. I reflect that a number of my colleagues on this side of the house have been somewhat nostalgic about the number of budget reply speeches they have made. For my part, this will effectively be the last budget reply speech I give in this place. Whilst I certainly do not align myself with a particular comment made by my good friend Hon Peter Collier—that he and I are, I think, a couple of washed up old ministers!—I do align myself to a number of his perspectives on this house and the changes he has witnessed, particularly in recent years. I also certainly align myself with his comment that—I think this was his exact phrase—the Legislative Council is not the ditto house for the Legislative Assembly. We have different roles and different responsibilities.

The Legislative Council can be an annoyance for Legislative Assembly ministers, in particular, who simply want to get their legislation through this place. I know what Legislative Assembly ministers are like; we had them as well. They all want to get their bills through and they all think that their bills are the most important. The job of Leader of the House is, to be frank, a very difficult one, whether the Leader of the House is a member of the Liberal Party or the Labor Party, but I will say, in a general sense, that when we are given the opportunity to make use of our committee system, funnily enough it actually results in better laws for our community. As this is probably one of the last opportunities I will have to make some general comments on our committee system, I want to spend a moment doing so.

Over nearly 20 years I have had the privilege of being either a member or chair of both the Standing Committee on Uniform Legislation and Statutes Review and the Standing Committee on Legislation. I am not saying that every bill needs to be referred to a committee; governments of all persuasions have, at times, argued that bills should not be referred, and certainly many do not need a referral, but the fact that only one bill has been referred to the Standing Committee on Legislation during this term of government is quite frankly unbelievable. Let us not think that there was any rhyme or reason for that particular bill being referred. The government clearly got to the point where it felt it needed to refer a fairly innocuous bill to the committee—it did not matter which bill—so that it could not be accused of not utilising that committee during this term.

As it turns out, it was lucky that the government referred that bill because it contained an appropriation clause, so the committee had to recommend the bill be withdrawn and reintroduced in the other place. I watched the committee chair, Hon Dr Sally Talbot, as she delivered the tabling statement to inform the government of its blunder, and I do not know how she kept a straight face. I saw the expression on face of the Leader of the House, and she was not impressed! But the fact is, the committee was doing its job, much like the Standing Committee on Uniform Legislation and Statutes Review, which I chair.

I appreciate that members on both sides of the house probably think that that committee is a fairly dry committee, and it does have set terms of reference, but it has a purpose. Inevitably, when bills are referred to that committee, improvements are made. I can point to many bills that have passed through this place that have been made all the better for that committee's scrutiny. Recommendations have been made to amend legislation, and while there may sometimes be a bit of a tweak made to them, more often than not they have been agreed to by the government, and that is a good thing. There have also been recommendations to which the Parliamentary Counsel's Office has sought to insert a clause or two in order to deal with certain matters, such as the legislation disallowance mechanism that has been included in a number of bills during this term. The committee also seeks to ensure that appropriate parliamentary mechanisms are put in place through our standing orders to deal with these.

To be frank, if such bills had not been referred to that committee, I do not think those amendments would have been incorporated into either the legislation that the committee was looking at, or legislation that came before the house at a later date. Did the world come to an end because 16 bills during this term of government had to be referred to the Standing Committee on Uniform Legislation and Statutes Review for scrutiny? No, it did not, and we actually have better legislation for it, and better frameworks in place for future legislation.

The same can be said for any bill that is referred to the Standing Committee on Legislation. As I said, I have sat on the Standing Committee on Legislation, on and off, for nearly 20 years. I have worked with other members, some of whom are still in this place and others who have left. We have sometimes gone through very contentious legislation, and sometimes those bills are opposed by the opposition of the day, sometimes they are not, but do members know what? Because such legislation is taken out of this house, members have the opportunity to look at legislation in a bipartisan manner, and a range of recommendations will be made that are actually bipartisan in nature. That inevitably leads to improvements in legislation.

I have always kept this, because it is actually really good: a comment made by Hon Sue Ellery on 3 June 2021. She stated —

I think what this house does, and how this house creates better legislation, is done in one of two ways, or sometimes in both—a bill is referred to a committee, where expert advice is sought, submissions are called for and stakeholders are invited to express a point of view, and/or in the clause-by-clause examination, including extensive examination across the breadth of a bill, in the Committee of the Whole stage ...

I could not agree more with the Leader of the House. But the simple fact is that this house has not been afforded the opportunity, with the exception of one bill, to allow that legislation committee to actually do its job and to do it in a very good way, and I just say that legislation is all the poorer for it.

I move on to other matters. Of course, this government would have us believe that it has absolutely everything under control. There is nothing to see here; everything is going swimmingly. But—newsflash—it is not. Despite the government's continued rhetoric about how good it is and its continued obsession with the former Barnett government, there are some very clear facts and truths that this government needs to reconcile with. Let us look at the level of crime and violence in both metropolitan and regional WA. Let us look at the number of police officers who are leaving in their droves. Let us look at the housing crisis that is impacting so many people across this state. Let us look at the challenges in our health system. Just yesterday, there was an article in the newspaper about a patient who had been left in a corridor, just like he had been in 2021. The minister has responded to the claims that have been put and blamed the weather and a whole range of other things, but the simple fact is that there are too many people waiting far too long in our hospitals. It has not happened to me personally, but in the last couple of years, I have spent quite a bit of time in hospitals, and I have had family members in very similar situations to what I read in the paper yesterday. It is incredibly hard to see someone who is in a distressed state just waiting for what feels like an endless period. I just say: so much for having everything under control, because the government does not have everything under control.

Of course, it will not surprise anyone in this house that I intend to raise a few matters about child development services in this state. At the outset, I say that I am going to spend a little time reflecting on two reports of the Select Committee into Child Development Services. I do so for a couple of reasons. First, I am conscious that we are getting towards the end of this parliamentary term and the likelihood of us being able to effectively debate those committee reports is fairly limited, if not nil. Also, I do not intend to allow this government to rewrite history on this important issue.

I am actually going to start on a positive. I am very pleased that this budget has finally seen some significant new funding put in place for child development services in this state. I stated my happiness at the time when the minister made the announcement ahead of the release of the budget, curiously a week before the final report of the select committee was made, but nonetheless, I was very happy with it. I stated that to the media at the time, I have stated it in a whole range of areas, and I do so again today. But I say that this funding is actually an example of how hard it has been for this government to finally listen and finally act on an issue that should have been considered a lot earlier than this. This government will chalk this budget announcement up as one of its wins. It will be in its name, and that is fair enough. It is in its budget; I accept that. But—please—be under no illusion. This announcement is a win for not the government, but actually the thousands of families, health professionals, school leaders and many others in the community who have campaigned long and hard for this government to actually do something. Do members know what? I am going to say it is a bit of a win for the opposition as well, because, let us be honest, I know that I have driven this government crazy with the number of questions I have asked in this place. To be frank, ministers have told me that. One of my Labor colleagues said, "Donna, you're nothing but consistent with questions in this house", and I take that as a badge of honour. But let us not forget how dire it has had to get for action to finally be taken by this government in this critical child health area.

Right now, in metropolitan Perth, the median wait time to see a paediatrician for primary school-aged children is 21.3 months, and we all know it is a lot longer than that. I have seen letters sent from CDS to parents that actually

say it is over two years. If we talk to any parent who is waiting to receive that call to say that they have an appointment, they will tell us that it is well over two years. In the case of speech pathology, for example, the current median wait time is 11.1 months. Occupational therapy wait times are around the same. Last year, when I asked questions about clinical psychology, the answer was that wait times were around 17 months. This is just for primary school-aged children. In metropolitan Perth, we have nearly 10 000 children on the waitlist to see a paediatrician, and, of those, over 8 000 are of primary school age. We have over 4 200 children who are waiting to see a speech pathologist. Members, this represents children in just metro Perth alone, let alone all the children who are waiting in rural and remote parts of this state. Their wait times are equally horrendous in a number of areas. We also know that, for a very long time, there has been limited service provision for children aged seven years and older. This is what the select committee had to say —

Due to service capacity constraints, and the importance placed on providing interventions in the early years of life, CAHS-CDS prioritises its allied health services for children who are aged under seven years. This often leaves CAHS-CDS paediatricians to manage older children with little or no allied health practitioner support. CAHS-CDS acknowledged that this is a gap in its service provision:

Then there is a direct quote from WA Health —

As a consequence of the overall demand for services and prioritising CDS allied health resources to focus on early childhood allied health intervention, CDS capacity to provide allied health services for children older than 7 years and young people is limited. This client cohort generally receives allied health assessment and recommendations for how to best manage their difficulties within their everyday life, including their educational setting. Where any additional (minimal) CDS intervention is provided, it continues to be directed by goals collaboratively determined with the young person and/or family and focused on building understanding of the difficulties experienced, on strategies that can assist, and on how to advocate for support needs.

That means that service provision is limited. In the case of a child who needs speech pathology support, that support is not one on one. Yes—it can be helpful in terms of providing advice and support to families on how they might be able to manage those difficulties, but let us not be under any illusion. This is not Johnny sitting on one side and the speech pathologist sitting on the other and them both working on sounds together. That is really important. That is how children can actually work through these challenges. That is not what they are getting here.

Again, this is not a reflection on the hardworking staff who are working across the system. I am actually one of their biggest advocates, but they need help, and they have needed help for a very long time, and that has been repeatedly ignored until now.

Let us be clear: it should not have taken a petition signed by nearly 4 000 people within three weeks supporting my call for a parliamentary inquiry for this government to listen. It should not have taken what feels like hundreds of questions from me in this house for this government to take action. It certainly should not have required a parliamentary inquiry to tell the government what it already knew—that the system has been underfunded. I have heard the minister on numerous occasions, both inside this Parliament and outside, make statements around child development services. One that particularly stood out to me was made on 19 March this year. In a debate in the other place about the Child Development Service and services for children generally, the minister said in reference to CDS, “The opposition’s claim that it is under-resourced is just not true.” Well perhaps the inconvenient truth for the minister is in fact that it was true, and this was not just coming from me. I appreciate that the minister does not necessarily want to listen to me, but we now have a select committee report that says so. This is the statement from the Select Committee into Child Development Services’ interim report —

Despite the greater demand (there has been a 52% increase in referrals to CAHS-CDS since 2013–14), and increasing median waiting times ... CAHS-CDS and WACHS-CDS submitted that they have not received a commensurate increase in their funding. Neither of them have been able to obtain a substantial funding uplift since 2010, when a \$49.7 million increase in funds was provided. The Committee received further evidence from both CDS providers confirming this ...

A bit later in the report, this committee stated its view. This is a bipartisan committee, and let us remember that I am actually in the minority on this committee. This is not a minority view. It states —

... In the Committee’s opinion, without additional funding, reductions in unacceptable waiting times and an expansion of CDS provision are unlikely. As stated in paragraph 4.36, both CAHS-CDS and WACHS-CDS submitted that they have not had a significant increase in funding since 2010, despite substantial increases in demand for their services. Further evidence received by the Committee from both CDS providers confirmed this.

... CAHS-CDS is totally block funded by the State Government. In considering previous funding amounts, the Committee observed that CAHS-CDS received a substantial increase in funding in the 2010–11 State Budget. These additional funds were allocated over a four-year period and

represented a 7.7% increase in 2011–12, 23.8% in 2012–13, and 8.1% in 2013–14. There was also an 8.0% increase in 2014–15. By contrast, in 2020–21, 2021–22, and 2022–23, the increases were only 2.5%, 4.4% and 2.3%, respectively. In 2023–24, the increase is estimated to be only 0.8%.

... The latest funding figures are not commensurate with the fact that the number of referrals to CAHS–CDS has increased by 10.6% between 2020–21 ... and 2022–23 ... and that most median waiting times are increasing. In the Committee’s view, —

Again, this is not the minority view —

it is clear that the level of financial investment in CAHS–CDS has not been commensurate with the demand for its services.

The committee makes a further comment about WA Country Health Service’s child development services and states —

... the Committee observed that WACHS–CDS received a substantial increase in funding in the 2010–11 State Budget, allocated over a four-year period.

It outlines those figures and then makes the same comment stating —

... given that the median waiting times for most of WACHS–CDS’s services are increasing ... the Committee is of the view that the level of financial investment in WACHS–CDS has not been commensurate with the demand for its services.

The government was caught out by not only me—I have been rabbiting on about this for a very long time in this house—but also the committee. The truth, Minister for Health, is that the opposition’s position on this issue was absolutely correct, notwithstanding what was said in the other place. For far too long, this government has under-resourced this service knowing full well that demand was increasing. I accept that demand has increased for a range of reasons, but the fact is that the minister has known that demand has been increasing and she has continued to under-resource this service. The figures do not lie. The committee does not lie. Let us put it in very simple terms. There has been, until now, no significant funding increase to this service since the Barnett government increased funding in 2010 by nearly \$50 million over four years. Until now, there has been no significant funding increase from this government, despite the repeated requests of its own departments for funding. I am not talking about “Let’s rejig the Department of Health’s current funding to try to find something for this service”, but new funding. The minister has repeatedly said for some time, and the previous minister did as well, that CDS is a priority. The minister might like to rewrite history, but for as long as I am here I am not going to allow that.

The committee confirmed what I found through questions in this house and through the budget estimates process. The fact is that repeated requests for funding were made and ignored. The committee states in its report —

... CAHS–CDS informed the Committee that it had on three occasions applied unsuccessfully for funding increases in 2021–22 and 2022–23. When a significant funding increase was not approved in 2021–22, CAHS internally reallocated \$2.5 million of its approved budget to CAHS–CDS to increase some full time equivalent ... positions across its CDS disciplines, including the doubling of the number of paediatric positions available.

... With respect to the unsuccessful applications for additional funding in 2022–23, WA Health referenced the:

- 2022–23 midyear review (released in December 2022) — the aim of this funding submission was to increase the workforce associated with CAHS–CDS’s longest waiting times, paediatrician and ASD assessment services.

These are the children who have been waiting for assistance for the longest possible time. It continues —

- 2023–24 State Budget ... this funding submission addressed all of CAHS–CDS’s needs ‘going forward’, including reducing waiting times for all disciplines.

While these requests were being ignored, as I said demand was increasing exponentially. Those funding requests were ignored by both the former Minister for Health, the now Premier of this state, Roger Cook, and the current minister. I am going to give credit to the current minister now because she finally got some funding for this critical service. I am very pleased about that. I will commend the minister for finally getting it through the Expenditure Review Committee or whatever process this government has, but let us not be too cute about it. The government had to be pushed into a corner and be faced with no other option than to act. This funding does not absolve the government from doing more. I and many others have consistently said that this government needs to think outside the box when it comes to supporting children and their families in this state. I get either the “talk to the hand” response or radio silence. I hear members on the other side say, “The opposition doesn’t have any ideas. Tell us what your ideas are.” I have given them ideas. They are not only my ideas; they are views and perspectives that are supported by many people. The ideas include allied health services being provided in our schools and the need for more child and parent centres. The community services sector wants the government to provide more centres. People want greater access to KindiLink programs and they want our child health nurses to be valued for the critical role that they play in early childhood. Those are only a few; however, they continue to be ignored.

The government has the committee's final report. It is a good report. Yes, there are 10 minority recommendations from me—they are really good, too—but there are more than 50 recommendations that are supported by the members, Hon Dr Sally Talbot and Hon Samantha Rowe and me. There are over 50! I cannot speak for the two members of the committee. They are both in the house, but I think that they would agree with me that the compilation report that was tabled by Hon Dr Sally Talbot earlier this year provides a strong foundation for improvements to the service delivery of child development services in this state, both now and in the future.

The report also provides a strong foundation for future policy in this critical area. I think members would agree with me, because I think that over a very long committee process, the fact that we have over 50 recommendations and findings that have been agreed to by all of us demonstrates that collectively we see that this issue is really important and that there is a way forward to deal with it. I accept that some of the recommendations, while well known to the government, are long term and are not only the responsibility of the state. The issue of workforce is an example. I absolutely accept that and, to use some language that has been put in the committee report, that to maximise the efficiency and continued availability of a future workforce, the state cannot do that alone. It involves universities, the commonwealth, health training providers and medical colleges. We need greater collaboration and a better framework to see not only an increase in the number of university places for allied health, nursing and medical courses, but an increase in the number of training placements for both university students and graduates. It has to work together. It is not an issue for the state to resolve; it involves all people working and being dedicated and committed to working through this issue.

The committee spent a lot of time going through that as well as other issues, and I hope that these reports are taken seriously and acted upon. We have obviously had a good outcome already with the first report and the funding announced. As I say, that is not all. I am not going to be in this place post-May 2025. My ability to advocate in this house on behalf of children and child development services and a whole range of other things will be gone. My very strong hope is that this report does not get put on the shelf and forgotten now that the funding has been announced in this budget. As I say, some good has already come with the budget announcement, but there is definitely scope to do more. My greatest fear is that in 10 years' time, when I am long gone and maybe a few others in this house are gone as well, the vicious cycle of children waiting for support will come back again. I have always said that it is not funding alone that will fix this problem. We can increase funding and the waitlists will go down, but over time they will go back up again if we do not look at other things. There is a need for continued reform and a need for continued action, and this report does not deserve to be ignored.

I note that the government's response to the committee report is due by 18 June. I have heard good things said already by the Minister for Education on a few matters. He and I are aligned on a number of issues, I think, particularly around allied health services in schools; however, we will wait to see.

I turn to some other areas and I take the opportunity to raise concerns about the Empowering Communities program provided through the Department of Communities and the handling of service agreements for a number of family and community centres. Some members will recall that a few weeks ago I made a member's statement about this issue and I asked a number of questions in the house during question time. I remind the house that the Empowering Communities program provides funding support to neighbourhood centres, family centres and community centres. They are dotted across our electorates. Generally, the centres work on a very small budget, but they provide a range of services, often depending on the needs of the individual communities that they fall within. I have mentioned the East Metro Region in this place. We have a number of centres, including the Roleystone Neighbourhood Family Centre, the Woodlupine Family Centre in Forrestfield, Brockman Community House in Beechboro and Sudbury Community House in Mirrabooka. Meerilinga has a number of centres in Ballajura, Beechboro and High Wycombe. They also have a few outside the East Metro electorate. Is it not nice that we can still refer to the East Metro electorate? We will not be able to do that come May next year—kind of unfortunate, I would suggest, but that is a debate for another day.

The reason I raise this to the house's attention again is because I understand that new service agreements between the centres and the Department of Communities have still not been signed. The current service agreements expire on 30 June. We are well into June and the centres do not have a signed service agreement. Equally problematic—these were the comments I made in my member's statement—there are some centres that are being offered only a one-year extension as opposed to a five-year service agreement. I hear on the grapevine, because people talk, that the government is desperately trying to resolve this problem. I hope it does. The minister is making all the right noises. The fact is that this is a problem of its own making. I remind the house of the questions that have been put. There are nine centres that are specifically impacted by the decision of the one-year versus five-year contract situation. I have asked the minister a number of questions in and around this issue. When I asked why those centres were only being given a 12-month extension as opposed to a five-year extension, like other centres within the Empowering Communities program, I was given this information —

The Department of Communities advises that all community centres that were offered a 12-month extension transitioned into the Empowering Communities program on 1 July 2022. Consideration for further extensions is subject to the requirements that the community centres continue to meet the Empowering Communities program outcomes.

If members were to take that answer on face value, funding is entirely dependent on centres continuing to meet the program outcomes. I know that it does not relate to that at all. What the centres are being told confirms that. It is not only me being told; I know that Labor members are being told the same thing. It does not relate to that. The simple fact is that those centres—the same centres that received funding in an election agreement to help them transition into the Empowering Communities program—did that back in 2022.

As I said in my member's statement, if those centres have successfully transitioned, they should be reviewed in the same light as the other centres that are already part of the program. Take Meerilinga Children and Family Centres. I have mentioned it as a case example, and I am going to do so again today. It has six centres. Four have only been given a one-year extension and two have been given a five-year extension, yet all six operate under the same deliverables of the empowered communities program and are all managed by the same manager. Why is it that only two out of the six centres got a five-year extension and the others did not? I think that is a pretty fair question. The reality is that despite the minister seeking to skate around the question by giving me those sorts of answers, it is abundantly clear that the government has taken its eye off the ball on this matter. It is clear to me and everybody else that the government provided funding through the election commitment to support those centres. That is good but it did not actually put any additional funds in to continue the funding like the others. That is what it did; it forgot! Someone took their eye off the ball, and this is the result.

As I have said, I know the department is working through this issue and the minister is making all the right noises. I actually appreciate that the minister came into this matter late. She was not part of the original process and the election announcement. I get that. But I have said that this is an example of when a department, like the Department of Communities, gets too big. When a department has varying responsibilities, things can get missed. One might say that when things are like this and are a small part of a much larger department, they get missed. That is exactly what happened here, no ifs or buts. Everyone knows it. Members on the other side know it; local members know it. I urge the government to actually resolve this.

While I am on this topic, I also want to say that there is not only an issue with the sustainable funding for these centres. I want to make a general point. I am not saying that this is just the case for this government. It would have happened under our government, but I think that as a general rule, we need to get a lot better at this. There should not be circumstances in which departments have not signed off on service agreements at this late stage. As I said, in this case, we expect that the service agreements will be signed by 30 June. Centres actually need to plan and budget and they have staff who are justifiably seeking some employment security. Not being given the level of surety when it comes to agreements in a timely manner is problematic. It certainly needs to happen before the deadline of 30 June. But that is not what is happening here and that is not acceptable.

It is not just neighbourhood centres, others receive similar treatment. Take funding provided by the Department of Communities to financial counselling services. I feel that I am having a bit of a crack at the Department of Communities here. On 28 May, I asked a number of questions to the Minister for Agriculture and Food representing the Minister for Community Services about the service providers that are currently funded by the Department of Communities to provide financial counselling services across WA that have service agreements due to cease on 30 June 2024. I asked a number of questions, particularly around whether new service agreements for the 2024–25 financial year had been signed and what the funding amount was, and, if they had not been signed, when the new agreements would be finalised.

At the time, I was advised that they had not been signed, and that service agreement extensions—similar wording to the neighbourhood centres—were “expected to be finalised prior to 30 June 2024”. I understand that, thankfully, contracts have now been signed for those services. There is a broader issue about the funding for financial services. I do not have time in this contribution to speak at great length on that, but I will use it again to illustrate the point that the finalisation of funding extensions should not be at the last minute. As I said, I have had a bit of a go at the Department of Communities about this. It is not an issue for the contract managers. I appreciate that it is difficult for them. They are trying to work through it as well. Someone is not giving the correct information in a timely manner to allow these things to be signed. There are other examples. The Mental Health Commission is another.

I have been around this place for a while. I find it amusing—I have asked questions of various ministers about funding extensions that had not been made and when the decisions would be made. Funnily enough, on occasion, when I have submitted the question in the morning, by 11 o'clock, organisations then get a phone call saying “Good news! Your funding's been granted!” Call me cynical, but it is kind of concerning that it takes follow-up questions in this house for the minister to then be able to get up at 4.30 pm to say “Oh yes, funding has been confirmed” when, in fact, earlier that day it was not.

I will say to the government that I did not come down in the last shower, and nor did the organisations that are having to deal with these issues. The government needs to get better on this and at providing some certainty to organisations. Not all organisations will be funded forever. I am not saying they necessarily should be. There are various reasons why funding might end for certain organisations. But equally, for those organisations that will not be funded, they also need to plan and budget. Some timely advice would be appreciated.

Finally, in the time I have available, I want to raise one issue that concerns my electorate: the former Swan District Hospital site. On numerous occasions, I have stated in this house that I have a certain connection to this hospital. One might argue that it was an early qualification to being a member for the East Metropolitan Region. Like Hon Matthew Swinbourn, I was born there. For many years, that hospital provided significant healthcare services to people in the Swan and surrounding regions. However, it was clear that a new more contemporary hospital was needed. In 2015, the hospital closed with the opening of the new Midland Health Campus.

Before I say anything more about the Swan District Hospital site, I want to mention the wonderful care and support that the Midland hospital gave to both of my parents for different reasons last year, particularly to my dad. Given I have the opportunity in this house, I want to thank the hospital staff, particularly the nursing and medical staff, and those staff who provided pastoral care to our family during what was and continues to be a very difficult and painful time. I just want to say thanks for the support that they obviously gave to my parents, but also to us as a family as well.

I will come back to the Swan District Hospital. After its closure, work commenced under our government on an expression of interest process to identify interested parties to acquire the estate. Work was also being done on the rezoning of the land and the like. In 2019, I was informed that an application had been made to the City of Swan to rezone the site from public purpose hospital to special use, residential R60, private clubs and institutions and public open space. Then, in November 2020, I was informed in response to a question in this house as follows —

The former Swan District Hospital site has been committed to the Noongar Boodja Trust as part of the Noongar land estate under the south west native title settlement, on the basis that it seeks to deliver an aged-care outcome on a portion of the site. This does not impact on the application previously lodged with the City of Swan.

Since then, not much has happened. In answer to a question that I asked in this place just last month, I was informed —

The Department of Planning, Lands and Heritage is responsible for management of the site, which has been offered for inclusion in the Noongar land estate as part of commitments under the south west native title settlement ...

My reason for raising this matter today does not relate to who will ultimately take ownership of the site. That matter is seemingly being worked through, albeit at a fairly slow pace. That is not my reason for raising this matter today. My reason is that the site is in a complete state of disrepair. When pressed about security arrangements for the site, I was provided with this response in the house on 15 May —

The Department of Planning, Lands and Heritage has constant onsite security at the former Swan District Hospital and, where needed, the services of the Western Australia Police Force are utilised. The department also conducts vegetation clearing and fence repairs as required.

The department was asked about this matter by the *Sunday Times* in an article titled “Nearly a decade after it closed, why have taxpayers been ... slugged \$2m for a deserted hospital”. A direct quote from a department spokesperson was —

“Since the Swan District Hospital was closed in 2015, approximately \$2 million has been allocated to maintain the 92,534sqm site, with services including a security presence, installing and maintaining fencing, managing vegetation and monitoring risks and hazards related to unauthorised access,” ...

When I asked the minister a further question on this matter, his representative in this house provided the following answer —

Measures undertaken include having an onsite security presence as well as installing and maintaining fencing and managing vegetation.

I also asked the minister for details about the company contracted to provide security, the length of the contract and total cost. The answer was —

The Department of Planning, Lands and Heritage has engaged EON Protection Pty Ltd for the period 1 January 2024 to 18 January 2025 at a cost of \$682 124.01.

With all due respect to the government, that security company has a really big challenge. This is a significantly large site with very old buildings that are severely damaged. What can a couple of security guards really do? I have no beef with the security company, but what can those guards do? Has the minister visited the site? Has his department visited the site? If they had, they would know that there is a significant safety issue at this site. Members of the community continue to ask me what is going on. There are broken windows, holes in the roof, extensive vandalism and graffiti. That is just outside. I obviously have not gone inside. For that, people just need to look on YouTube, because people go in there and film it. We can look at the Channel Nine report from last year about people going into the morgue. I mean, it is unbelievable. The government needs to do something with this site.

I have asked the government whether it intends to demolish any of the buildings given their dilapidated state and the answer was no. I cannot imagine anyone wanting to take ownership of this site and have responsibility for

dealing with the buildings that are there. There may well be some historical interest in a couple of the buildings and I think that needs to be carefully considered and worked through when the time comes. I encourage the department to reach out to the Midland and Districts Historical Society, led by Matthew Pavlinovich. I have had involvement with that society over a number of years and it has been involved in a number of really positive projects and initiatives in and around Midland. The department should know that group because it has a presence at the old Midland Workshops. They would be good people for the department to talk to. Despite the fact that there may well be some historical elements that should be maintained, that is not the case for all of the buildings or all of the site. I appreciate that many people have a special connection to the old hospital. Many happy moments were spent at that hospital when babies were born. There has been a lot of sadness as well for a whole range of other reasons. The very last time someone may have seen a loved one was at that hospital, for example. Given that the site has been left in such disrepair, I say that something needs to be done. The *Sunday Times* article to which I have referred states —

Media reports in 2020 revealed the State had placed a cost of \$2 million to demolish and clean up the site, which was identified as contaminated.

I put to the house that given the extensive vandalism throughout the site, might it not have been prudent to use some of the \$2 million that has been used on security to actually clean up and demolish the very buildings that are so heavily vandalised and beyond repair that security guards are now having to look after them? The government has spent \$2 million.

Hon Stephen Dawson: Are you shouting at me now?

Hon DONNA FARAGHER: I am not shouting at the minister. I would never shout at the minister. He is my favourite minister; he knows that.

My point is that the government has spent \$2 million on security, yet we have dilapidated buildings that are a safety hazard. Just spending more and more on security without actually looking at the problem—the buildings and the safety hazards they present—is beyond me. As I have said, while the government maintains ownership of the site, it maintains responsibility for the site. I urge the government to deal with it.

In concluding my remarks, I recall that you, Acting President (Hon Steve Martin), said yesterday that you always enjoy making a contribution to the budget in-reply debate and that you certainly look forward to your next contribution in a new government next year. Of course, I will be here for only a couple of months after the next election, so I have chosen to raise a few issues today. I will continue to raise those issues until May 2025, but I appreciate that some of them are longstanding and will continue to require follow-up. I have chosen to raise just a couple of issues that I hope will continue to be taken up by members in this house, whether they are members who are present today or new members who will come in next year. I particularly refer to issues in and around children and young people. I specifically referenced child development services today because that obviously has been a strong interest of mine for a very long time and has taken up much of my time and effort certainly in the last few years, but there are many other issues. I will continue to be an advocate for children outside this place. I know that there are members in both houses and on both sides who advocate for children. We need to ensure that members continue to proactively advocate for children in this house.

Debate adjourned, on motion by **Hon Peter Foster**.

FIREARMS BILL 2024

Committee

Resumed from 12 June. The Deputy Chair of Committees (Hon Sandra Carr) in the chair; Hon Stephen Dawson (Minister for Emergency Services) in charge of the bill.

Clause 1: Short title —

Progress was reported after the clause had been partly considered.

Hon NICK GOIRAN: I will take up where we left off yesterday. A number of themes were pursued under the consideration of clause 1. We appreciate the latitude the minister and the Presiding Officers have applied to how we have handled clause 1, which is always an expansive debate, but it needs to be more so in this context, when we are dealing with a gigantic bill that has 17 parts and more than 400 clauses. We are operating under some duress with the time remaining to consider this bill. The last thing we want is for important areas not to be touched on when we get to the later stages of the bill because time runs out. I fear that is a likely outcome at this point, noting that only six and a half hours are left for consideration of this bill. One of the important areas we spent a little time on is medical checks. Is there a clause in the bill that the minister considers a better place for continuing questioning about medical checks?

Hon STEPHEN DAWSON: Hon Nick Goiran asked me some questions yesterday and I undertook to get him some answers. The answers have been worked on overnight and I am waiting for someone to print further information for me. There will probably be an opportunity for me to give that to the honourable member during the debate on clause 1, but if he has more in-depth questions, clause 148 is probably the appropriate place to ask them.

Hon NICK GOIRAN: Hopefully we will deal with clause 148 when we get to part 4 of the bill. I asked yesterday whether the Minister for Police or the Commissioner of Police would give consideration to police officers being subjected to a regular regime that might be consistent with the regime of a medical check every five years that other Western Australians must subject themselves to if they want to possess or own a firearm. Was there an opportunity overnight for consideration of that point?

Hon STEPHEN DAWSON: Yes, there was. I have personally spoken with the Minister for Police about the issue the member raised. The minister is confident that existing checks are in place. The WA Police Force undertakes various health assessments throughout the course of recruits becoming police officers and during their service, including response to critical incidents. In addition to the comprehensive assessments, both physical and psychological, required to become a recruit in the academy, WA police are subject to assessments, including pre-deployment assessments to various units in the agency, to identify any factors that could predispose them to develop serious psychological distress or exacerbate existing distress as a result of being deployed in certain roles, including remote locations and crash investigations.

Additionally, wellbeing reviews are undertaken to provide a general wellness check for individuals and to identify any vulnerabilities that may indicate a need for potential intervention through a variety of means, including counselling and psychoeducation. The wellbeing reviews are aimed to also gauge and assess the working environment and provide feedback to workplaces that foster supportive working environments. Further, police officers can undertake fitness for duty assessments if either they or their supervisor have concerns or a reasonable basis for believing that the officer may be unable to safely and effectively perform his or her duties. These assessments are typically precipitated by an incident or behaviour that raises concern about an officer or repeated behaviours that have not resolved through past interventions. Assessments are conducted by health practitioners in various specialist fields, providing recommendations on the person's suitability to continue policing duties and whether any restrictions, including restricting access to firearms, are required. This is one aspect of the various supervisory and managerial oversights that police officers, unlike members of the general community, may be subject to in order to ensure their wellbeing and ongoing suitability to continue their duties.

Hon NICK GOIRAN: I take it from that that a police officer in possession of a firearm could go for a period of more than five years without a health check.

Hon STEPHEN DAWSON: Technically, an officer could go for more than that time without having a mental health check or a health check; however, most officers move after four years. As I have just outlined to the member, they would be subject to a check when they move to either the regions or, indeed, a division such as crash investigation.

Hon NICK GOIRAN: As I understand it, a police officer in the regions can stay for a maximum period of only four years.

Hon Stephen Dawson: There are various tenures in various locations.

Hon NICK GOIRAN: Are the various tenures in various locations all fewer than five years?

Hon Stephen Dawson: In the main, yes. Special dispensation can be given by the commissioner.

Hon NICK GOIRAN: As a general rule, the vast majority of police officers in the regions will be there for fewer than five years, after which they will move to another location and would then be subject to some kind of medical check. Does that regime apply in the metropolitan area?

Hon STEPHEN DAWSON: Let me clear this up because that is not what I said but the honourable member's misunderstanding of what I said. It is not in every case that a person moving from one division to another gets a health check. It is when an officer may well move to an area such as crash investigation, child sexual abuse, the forensic division, the homicide squad, major crash investigation, coronial investigation, the tactical response group, COVID areas or multifunction police facilities. In those cases, it is likely that they would have a mental health check.

Hon NICK GOIRAN: The minister is saying that it will be a minority of instances. Therefore, will the majority of police in Western Australia not be subject to a mental health check every five years?

Hon STEPHEN DAWSON: I cannot say that with any confidence because people can move around. They do not have to stay in the job for four years. They could move after one or two years, depending on the vacancies, so we cannot say that with any confidence. The member made the point yesterday and today that he believes police officers should have to get a mental health check every five years, as per the licensees who will have to get one under this bill. I have spoken to the minister and the minister is confident that that is not needed because of the checks that are in place. I am happy to have some toing and froing, but I have raised that particular question with the minister and he is confident that the checks we have in place are appropriate for our serving police officers.

Hon MARTIN ALDRIDGE: I understand that that might be the minister's view, but I draw his attention to the view of the State Coroner in her findings that were delivered on 28 May 2024—quite recently—in the inquiry into the death of First Class Constable Cameron Fyfe. The coroner found that it was a death by suicide of a serving police officer by his service firearm. The circumstances were that the officer was permitted to secure the firearm at his primary residence, which ultimately resulted in First Class Constable Fyfe's death. I draw the minister's

attention to the coroner's findings at paragraphs 173 and 174. The coroner said that she was considering potentially adverse comments in relation to the Western Australia Police Force in respect of the inquiry into First Class Constable Fyfe's death and gave the agency the opportunity to respond under the requirements for procedural fairness. Paragraph 173 states —

The Western Australia Police Force's response focused on the following aspects:

- a) They acknowledge a breach of the policy FR-01.02.6 in that Cameron's gun storage cabinet was not physically inspected, and the approval to store his police issued firearm at his home was given verbally rather than in writing;
- b) They submit that the photographic evidence showed that the gun cabinet was properly installed; and

This is the relevant part —

- c) They submit that the Officer in Charge makes a point of working with his officers to get to know them, which assists him to identify health or welfare related concerns, and further submit that the Officer in Charge had just begun to get to know Cameron when he tragically took his life.

They were the submissions of the Western Australia Police Force in response to the potential adverse findings of the coroner. At paragraph 174, the coroner said —

It is on this final point that there is room for improvement on the part of the Western Australia Police Force. Getting to know an officer, in the expectation or hope that it will elicit information as to their health or welfare related concerns does not sufficiently mitigate the risk. It is a sound process and should continue, within the context of a supervisor's positive working relationship with their team, and peer support. However, an officer in charge is not a clinician, they may miss cues, and the more junior officer may be reluctant to disclose, to their supervisor, information that might give rise to a health or welfare concern. They may actively seek to conceal it, which appears to have been Cameron's approach.

I heard the Commissioner of Police on ABC radio yesterday morning addressing questions from Nadia Mitsopoulos about the coroner's finding. The commissioner acknowledged there was more to be done, so I am very surprised to hear the minister representing the Minister for Police today say that he spoke to the Minister for Police and that the Minister for Police is happy with the approach that has been taken, because clearly that is a different view from the coroner and it is clearly a different view according to the comments of the Commissioner of Police yesterday morning that there is more to be done.

The other case I raised during the second reading debate yesterday was a very recent and relevant case in New South Wales when a serving police officer allegedly used their service firearm to murder two other men in what appears to be an act of family violence. I do not think a response has been given so far in this debate about those risks either. I heard the exchange between Hon Nick Goiran and the minister. I think we are continuing down the path of establishing a double standard. General firearm licence holders in Western Australia will be subject to a mandatory five-year point in time physical and mental health assessment. In reality, we have police officers who are exempt under the Firearms Act now and will be in the future because they will have no such requirement placed on them. I agree that they work in very high-risk environments and play a really important role in public and community safety. I want to understand and be satisfied why this double standard should be allowed to proceed. Why is it good enough for a farmer who is a firearm owner and not for a police officer who is a firearm possessor or potential user? I have no confidence in the response that has been given so far, which is that a police officer may be screened as part of the pre-employment process or if they move into a high-risk area of work for the WA police, which they may never do in their career, or a circumstance might arise resulting in a direction or an order for a mental health assessment. That certainly was not the case in the tragedy of First Class Constable Fyfe. Police may go throughout their entire career without any such health assessment. That could well and truly span into the decades.

Hon Stephen Dawson: They would not go throughout their entire career because they would have had one on the way in, at the very least.

Hon MARTIN ALDRIDGE: Yes, I acknowledged that. Apart from pre-employment check, unless they move to what is deemed to be a high-risk work environment within WA police, particularly in the specialised areas that the minister detailed, they could spend their entire career in general community policing or traffic policing. Therefore, unless something came to the attention of a senior officer and a direction was given, they would not be subjected to a health assessment.

I think the minister should reflect on the views that the coroner delivered on 28 May 2024. I implore members to consider the coroner's findings because they are compelling. She delivered findings that are very difficult to read and digest. That is the gravity of some of the circumstances that need to be considered in the context of this bill. I am not satisfied with the government's response that the Minister for Police is somehow satisfied that there is nothing more to be done in this space. I would like to know whether or not the Minister for Police is aware of the coroner's findings that were delivered on 28 May and how he concludes that the coroner's findings and the commissioner's view as of yesterday morning run contrary to his satisfaction.

Hon STEPHEN DAWSON: The honourable member will not be satisfied, so I do not propose to spend the day or the next six hours trying to satisfy him. I will say again that I have spoken to the Minister for Police, and the Minister for Police is confident that what we have in place at the moment and the work that is being done by the commissioner is appropriate.

If the member delves further into the coroner's findings, he will see that it talks about health checks and mental health checks for the traffic motorcycle group. The coroner has not suggested or recommended what the member or his colleague is suggesting in terms of providing checks more broadly. I am also advised that a significant investment has been made by the agency into chaplaincy and support services. Those services are offered to all officers at all times and are fully confidential. They range from normal chaplaincy services to counselling, psychological support and psychoeducation. That is what currently exists. As I said, the government does not see the need to make an amendment to do what Hon Nick Goiran has suggested.

Hon PETER COLLIER: I will just comment on the issue that has been raised by Hon Martin Aldridge and offer support for it. This is something that I have been dealing with in this portfolio for the last three years, and I take the minister's point about chaplains et cetera. Let us make one thing clear: I think there are seven or eight chaplains, but there are no permanent chaplains in the regions; they are visiting chaplains. There are no psychiatrists within the Western Australia Police Force. It is all outsourced. In 2019, 777 police officers accessed mental health support services; just over two years later, 3 600 police officers accessed mental health support services. That number continues to accelerate. In my budget reply speech last week I referred to the haunting issues facing one particular officer, who quite frankly feels that he is not being supported within WAPOL. He has actually just left the force, after constantly seeking but not receiving adequate support. He is not a "Nigel no-friends"; he is a living, breathing manifestation of the complex nature of our society and the challenges that serving police officers have to deal with on a day-to-day basis. That young man is the perfect example of exactly what Hon Martin Aldridge was talking about, and exactly what the coroner has stated. That report is gripping.

I take the minister's point, and this is just a comment; I think he has given his response. Personally, I think one area of deficiency exists within WAPOL, and that is comprehensive, forensic mental health support for officers. As I said, the most fundamental flaw with the chaplaincy program is the fact that there are no permanent chaplains in the regions at all—none. They are all visiting chaplains. That is where a lot of police officers are struggling. After asking multiple questions about psychologists, I received, once again, a flippant response from the Minister for Police that "unlike under the Barnett government, they are all full-time". Well, they are not. That came through in further answers I got, but regardless, I do not want to go into one-upmanship. All I am saying is that the single most significant issue in WAPOL I hear about from the multiple police officers who come to see me, both serving and former, is the lack of support from a mental health perspective.

Hon STEPHEN DAWSON: I know that was a comment, and I thank the honourable member for making that comment. I make the point that I actually see increasing numbers of police officers seeking mental health services as a really positive thing. For far too long in society there was a stigma associated with seeking support, seeking help and seeking advice. That has been an issue particularly with blokes, and I say that as a former Minister for Mental Health. I see it as positive that the number of people seeking help has risen substantially; finally, police officers in particular—but blokes more broadly—are talking to professionals, whether they are counsellors or psychologists. That is a positive thing that I think we should all applaud. It also shows that people are reaching out for services, and that services are available.

With regard to the regions, as Minister for Emergency Services I know that from time to time, particularly in the regions, we share chaplaincy resources, so it is often the case that we will rely on a chaplaincy service provided by a pastor or priest or other such person in a regional town; government agencies do that. Again, I take the member's comments; his comments are now on the record. Certainly, First Class Constable Cameron Fyfe's death is a tragedy; the death of any police officer or public sector worker that is related to their job is a tragedy, and when we lose them it is a terrible shame. However, I have made the points I have made.

Hon PETER COLLIER: I was not going to respond, but I do need to respond to that. I take on board everything the minister said, and I am also delighted —

Hon Stephen Dawson: Sorry, I wasn't saying that you had said a certain thing.

Hon PETER COLLIER: No, that is fine. I am delighted that officers feel empowered enough to seek support—that is so important—but I can promise the minister that there are many officers who are not receiving the support they would like. I take on board the minister's point about chaplaincy, but my point remains: there are no full-time chaplains in regional Western Australia, unless this chamber has been misled on multiple occasions. There are none; they are visiting chaplains. There is not one psychiatrist employed by WAPOL. It is all outsourced.

As the minister knows, I have tried endlessly in this chamber to get support for the organisation Soldiers and Sirens, but the state government will not support it. It is made up of former first responders, including police officers et cetera, who assist serving police officers with their anguish. With regard to psychologists, again, there are minimal numbers. A former police officer sat here in tears while I did my budget reply speech. It was that young man

who I talked about in this chamber. After that speech, I received no less than six responses from serving, not former, police officers. This is not the gospel according to Pete; these are facts. The entire theme of the WA Police Union's conference last year was mental health support. Again, all I am saying is that the points raised by Hon Martin Aldridge are valid, so I ask the government to please not take its eye off the ball on this issue, or it will lose more officers. The minister should not forget that more than 1 000 officers have resigned from WAPOL over the last two years. The Minister for Police has asserted that they have all gone to better opportunities, but I am afraid he is mistaken. A lot of them are disillusioned because they feel they are not being supported.

Hon NEIL THOMSON: Just a couple of things. There has been quite a lot of discussion from my colleagues—I have been doing my best to intently follow them, either remotely or in the chamber—about serving police officers. I understand that there will be an amendment, but I want to see whether I can get a read of any internal police procedures that might be changed in situations in which an officer has access to firearms in the line of duty while they are going through an acrimonious separation from a partner. I would like to know whether there has been any response to that from the police. I say that simply because I have experience in a previous voluntary role, some time ago. In one case a woman spoke to me who felt threatened by the fact that a police officer had access to a firearm. That was some time ago, and there probably have been procedural changes, but I would like to get a bit of a read on whether the police, through the commissioner, might be looking at restricting serving officers' access to firearms in situations in which they might be going through some sort of acrimonious separation.

Hon STEPHEN DAWSON: All I can say is that the Commissioner of Police, I am told, has said that the changes to these laws will impact how police might deal with these types of matters currently.

Hon Neil Thomson: Is that internally?

Hon STEPHEN DAWSON: Yes, internally. If a partner of a police officer reports an allegation of domestic violence, it is likely to be investigated by the agency. I guess the difference is that if an allegation is made against a firearms licence holder, action will be taken straightaway, but if it is made against a police officer, an investigation will take place before a decision is made by the commissioner or the commissioner's delegate to remove a gun. The commissioner has certainly made the point that the passage of this legislation will lead to some internal changes.

Hon NEIL THOMSON: I look forward to seeing those changes and I hope that that will provide some ability for partners to report this issue. I guess the challenge is that some of these things fly below the radar, unfortunately. That is the sad reality when there is a reasonable fear of domestic or family violence, as opposed to someone taking the next step of going through to the courts to seek a restraining order of some sort. Given the nature of the changes that are likely to pass through this chamber early next week, I would have thought further consideration might have been given to the themes we have discussed today, such as more support for serving police officers and also a further restriction on the access to firearms when there might be an additional risk. I will leave that point there.

I seek the minister's clarification on something that was said earlier this week to make sure that the wrong information is not going into the public domain. It relates to a concern about dingoes, which I have mentioned. When I spoke about those dingo attacks and concerns about wild dogs, the minister said on 11 June —

In extraordinary emergencies, a defence would be available to somebody who might need to shoot a wild animal if they are under attack. Dingoes, for example, are a protected species ...

I, along with other members in this chamber, looked that up and according to the Department of Primary Industries and Regional Development, dingoes are a registered declared pest. I assume from that that a person cannot shoot dingoes in a national park, but in a general sense, under the Biosecurity and Agriculture Management Act, they are regarded as a pest. That may need some clarification. Anyone who is at risk of being attacked by a dingo should not have to refrain from defending themselves. Although dingoes are a declared pest, they probably should be shot if they are causing problems particularly for stock or humans. I put that to the minister so that he can seek further advice and clarify the record going forward.

Hon STEPHEN DAWSON: My recollection is that we were talking about the conservation estate at the time of the debate. A person cannot shoot a dingo in a national park because particular protections are in place. Obviously, it is different for dingoes on unallocated crown land; however, the same extraordinary emergency defence would apply.

Hon NEIL THOMSON: It is probably worthwhile seeking clarification from the minister's advisers, but I will leave it up to the minister to decide whether it is necessary. People read these things and get certain impressions. When I asked the question about the conservation estate, unallocated crown land and other land tenures, there was a little bit of confusion, but we have been through that at length. As I said earlier, there are some flaws in the bill that relate to the management of that issue. The minister might avail himself of *Hansard* for that day to clarify the matter or get one of his staff to look at it because it needs clarification so that people who read *Hansard* know that they are protected. The management of dingoes on the conservation estate is more about whether a person can shoot on the conservation state; that is probably more the point. I think the law states that dingoes are a declared pest across Western Australia. The minister probably has his staff looking at that now, but I just put that to him so that we do not leave people with any misapprehensions about the status of those animals.

Hon STEPHEN DAWSON: I can confirm that they were declared a pest in 2022, but my previous comment remains. Although they are deemed to be a pest on unallocated crown land, that is not the case for the conservation estate.

Hon NICK GOIRAN: Deputy chair, earlier a compelling speech was given by Hon Martin Aldridge who quoted from a decision made by the State Coroner. Under standing order 59(2), I ask that the member table that coroner's decision for the benefit of all members and for the record, given its compelling nature.

The DEPUTY CHAIR (Hon Sandra Carr): Honourable member, was it Hon Martin Aldridge who referred to the quote in his question to the minister?

Hon NICK GOIRAN: Yes.

Hon STEPHEN DAWSON: Could I just make a further point of order? I am not being pedantic, although perhaps I am. I think that the member has missed his opportunity to use standing order 59(2) that says that at the conclusion of a member's remark, another member can ask for it to be tabled. I think that the member falls foul of the standing order. However, there is nothing to stop the member from asking the honourable member to table that document without using that standing order.

Hon NICK GOIRAN: Further to this point, because I want to clarify this for the future as well, there was not an opportunity for me to seek the call because although I had been waiting to get the call, other members had sought the call. The standing order ought to be interpreted in such a fashion that the member's speech has concluded, and because the word "immediately" is not, as I understand it, in the standing order, it is in order that the member now table the document.

Hon STEPHEN DAWSON: I still have a different opinion. I am happy for the deputy chair to take this away and provide a ruling at some other stage. She may want to rule on it now, but it is appropriate for us to get a proper interpretation of this. I have no issue with the honourable member asking Hon Martin Aldridge, who previously spoke, to table the document. I do not like the idea of us interpreting standing orders on the run. The standing order could be read either way, but let us see. I will just make it clear again that I have no issue with the honourable member tabling what he read out.

The DEPUTY CHAIR: Hon Martin Aldridge, would you like to table that document?

Hon MARTIN ALDRIDGE: I have no objection to tabling the document if that is what the deputy chair requires, or I can seek leave to table the document. I will be directed by the deputy chair.

The DEPUTY CHAIR: Would you like to seek leave to table the document?

Hon MARTIN ALDRIDGE: I seek leave to table the findings of the State Coroner in decision [2024] WACOR 24 of 28 May.

[Leave granted. See paper [3233](#).]

Hon NICK GOIRAN: I thank the honourable member for not only reading passages from that important coronial decision, but also making it publicly available for all Western Australians. I agree entirely with the honourable member that this is very concerning. It seems to demonstrate once again that when this bill is passed there will be a double standard. I mentioned yesterday that whatever a person may think about the efficacy of the government's policy decision that every Western Australian will be subject to five-yearly medical tests if they want to own a firearm, whether they think that is a good policy decision or not, and whether they think it will lead to any public safety outcomes, they need to consider whether it will potentially have some efficacy at only one instance in time every five years. Parking to one side whether members think that is a good policy or not, as a matter of law, it ought to apply to every Western Australian. Further on in this bill, under clause 17, there is the opportunity for the government to carve out exemptions for certain Western Australians, and police officers are front and centre as one of those persons in Western Australia who could be carved out from those arrangements. Nothing that the minister has said yesterday or today gives me confidence that the structure and the hierarchy that will be relied upon will somehow provide an extra level of protection.

Yesterday, I asked the minister for information about incidences or the prevalence of police officers unlawfully using a firearm but he did not have it immediately available. Has anything happened overnight so that the minister can provide any information about that?

Hon STEPHEN DAWSON: I took that the honourable member asked yesterday about the last 12 months. My advice is that no serving Western Australian police officer took their own life by firearm in the last 12 months. The tragedy that Hon Martin Aldridge referred to was from 2021, albeit the coroner reported very recently.

Hon NICK GOIRAN: I thank the minister for clarifying that. I had been told and understood that it was a female police officer in Albany who sometime in the last 12 months had taken her life with the use of a firearm. That is what I have been told. Is that correct?

Hon Stephen Dawson: I understand an officer in Albany may well have taken their own life, but it was not with a firearm.

Hon NICK GOIRAN: Right. That is an important distinction.

Has a police officer's unlawful use of a firearm, as distinct from taking their own life, occurred at all in the last 12 months?

Hon STEPHEN DAWSON: I do not have that information available. Obviously, we will not finish this debate before lunch so let me take it as a question on notice and I will see whether I can provide an answer to the honourable member. I am not confident as to whether I can or not, but let me see what I can find out.

Hon NICK GOIRAN: I know there is a desire to progress this legislation, noting that we have less than six hours left to debate the bill and we have to get through more than 400 clauses. I take it that the minister would not have a problem with me continuing that line of inquiry at clause 17, which is the exemptions clause. When we get to the exemptions, within the scope of clause 17, will the minister be happy to take questions about the type of exemptions that will apply to police officers and others?

Hon STEPHEN DAWSON: I am generally happy to take a question when people deem it is most appropriate to ask it and it would be fine to take one there. Given the chamber has made a decision on the urgency of this bill, I am very happy to give a certain amount of latitude to people asking questions. There were some really in-depth questions yesterday that I thought really do warrant debate at a particular clause, but I am certainly happy to have a debate at clause 17, as the honourable member suggested. Hopefully by then I will have an answer of sorts, whether it is yea or nay, to give the honourable member.

Hon NICK GOIRAN: In light of that commitment, I will perhaps restrict my further questioning to two short questions. Can the minister identify when he would ideally like to see further questions taken on the issue of collectors? The minister will be aware that there is continuing concern about how this will be managed. Yesterday I read in for the record an email from Peter Collins, the president of the WA Arms and Armour Society. People continue to be concerned about this issue. There was a suggestion that some consultation has occurred. Fresh information provided to me quibbles with whether there has been consultation and engagement. I ask the minister to indicate the clause he would like to take further questions on this issue.

Hon STEPHEN DAWSON: Clause 63 onwards. I think clauses 63 to 66 relate to collectors, so that is the appropriate place to ask questions around that.

Hon NICK GOIRAN: Clauses 63 to 66 are under part 2, so we can deal with that issue then. My final question is about the Law Reform Commission of Western Australia's 143 recommendations. Has a piece of work been done by the Western Australia Police Force or by government to reconcile those 143 recommendations, and which ones will be implemented by the bill and which ones have been rejected? I know that the minister, in his representative capacity, has said that there are certain instances on which the Law Reform Commission's recommendations have been exceeded. Has a piece of work been done, maybe in a format that could be tabled, that essentially demonstrates what the government has said? The government has said that it is implementing the majority of the recommendations by the Law Reform Commission. Has a piece of work been done to reconcile that and is it in a format that can be tabled?

Hon STEPHEN DAWSON: A piece of work has been done in relation to Law Reform Commission compliance, but it is not very helpful, honourable member. I will take away that question and see what I can provide to the honourable member after lunch. I say it is not very helpful because the numbers I have and the notes attached to the document are not very easy to understand. Let me see, I will ask the question during the break and come back to the honourable member after lunch.

Hon NICK GOIRAN: That is fine. From my perspective, if the minister, as the minister representing the government at this time, does not have full confidence that the document, if tabled, would be readily understandable, there would be no point in tabling it. I have received a lot of correspondence from constituents who definitely have a grievance and quibble with the government's idea that it is implementing a great number of the Law Reform Commission's recommendations. I would like to be able to send those constituents exactly what the government's position is. If the government is saying, "There are 143 recommendations and here are 120 out of the 143 that we are implementing and this is the way that we are doing that", it should be in a fashion that is digestible for the ordinary voter in Western Australia. If that is not currently available but it can be made available at a later stage, I think, assuming that the document is accurate, it is probably going to take a lot of heat out of an element of the debate in Western Australia, because there are people who are very, very exasperated and frustrated, as the minister would be aware. I would rather that that exasperation and frustration and the points of difference be contained to discussing the critical issues, not whether the government is implementing the Law Reform Commission's recommendations. It should not be difficult to satisfy the minds of fair and reasonable Western Australians. I thank the minister for saying further consideration will be given to that over the luncheon interval in about 10 minutes.

I have a final question on clause 1 on medical checks. Yesterday, I asked what would happen in the event that somebody failed one of those tests. We had a bit of discussion around the use of the language about the failure of the test. Ultimately, it is not being able to satisfy the fit and proper person test. There was a discussion, I think, by my colleague Hon Steve Martin about whether the person who was rejected, failed or was not be able to meet that

test would be able to get the information from their medical practitioner. The minister indicated that he would expect that would be the case, as I would as well. If a person is not successful in getting signed off by their medical practitioner, will there be any prohibition in them going to another general practitioner and will there be any limit? Could the person fail the test—again, I use the language loosely and the minister understands what I am saying here—let us say, 12 times, but on the thirteenth occasion finally get a GP who says, “Yes, I’ll sign off on that; I’m quite happy for you to possess a firearm”? Is there anything in the legislation that would prevent that?

Hon STEPHEN DAWSON: There is nothing to prevent that. However, during the assessment phase, the person who has been deemed not to meet the fit and proper test may engage with police and given what that person said, the police might send them to a specialist as opposed to a GP. During that phase, there is the potential that a second doctor may well be seen, but somebody who is seeking to get their licence could not doctor shop. They could not say, “I’ve gone to one doctor and he said no; I’ll go to another” and they go to 12 doctors to get their fit and proper test ticked off. There would be a process. After the doctor has advised police that that person does not meet the test, there would be a process and an opportunity for someone to engage with police and an opportunity for police to say that they should talk to a specialist or see somebody else. I will leave that for a second.

Regarding the Law Reform Commission of Western Australia compliance stuff, there were 143 recommendations in the Law Reform Commission report. The information I have at this stage, which is not helpful and probably asks more questions than it answers for the honourable member, talks about there being 453 total applicable clauses to its recommendation and sub-recommendations. Of it, 223 of those are a yes, 33 are partial and another 137 will be dealt with in the regulations. There are 60 that are a no. I also have a note that says that it does not include clauses of the LRC that refer to the operational application of the firearms legislation. Further, I have some other amendments on the supplementary notice paper that I will move that may well deal with some of the Law Reform Commission recommendations, too. That is why I said it is not clear to me. I do not think it answers what the member wants. For that reason, I am not handing over that document. I handed over that page, but as I have indicated, I am happy to see what I can get to the member after lunch. At the very least, I have put that on the record.

Hon NICK GOIRAN: What people are wanting, and what I assume has been done at some point in time, is a reconciliation next to each recommendation. I will open up the Law Reform Commission report now and randomly select one. There are 143 recommendations. I opened it up and my finger landed on recommendation 46, which states —

In addition to the matters in current section 19A(6), the *Firearms Act 1973* (WA) should provide that whenever a person pays an infringement in respect of failure to renew, that will not negatively impact on the fit and proper test and cannot be a reason for the revocation of a licence or refusal to grant a new licence.

That recommendation is either being implemented in this bill or it is not. If it is, the government should be able to identify which section of its new bill will achieve recommendation 46. That is the type of reconciliation that concerned Western Australians are looking for that will satisfy that what the Minister for Police has said in his boast about implementing the majority of recommendations has actually been done. With that clarification, I indicate I have no further questions on clause 1.

Hon STEPHEN DAWSON: In relation to that particular recommendation, that has been dealt with in the regulations, so we are meeting it. However, I understand what the member is asking for: if there is an analysis of the recommendations. Let me see what is available, aside from what I read out to the member, which I do not think was particularly helpful, and what he is seeking on behalf of his stakeholders.

Hon MARTIN ALDRIDGE: I take up the question that Hon Nick Goiran just asked about the doctor relationship in the health assessments. It may be because I read too much into the tabled briefing note about health assessments, but my understanding from reading this briefing note is that part A, which is effectively the self-assessment questionnaire, is what the firearm licence holder or applicant completes before they see their medical practitioner. What the briefing note then refers to is appendixes B and C, which are strangely not attached to this tabled paper. Appendixes B and C are the medical practitioner’s forms. These will be submitted electronically via the new \$27 million portal, I assume, for linking the application to the licence records.

I have a few questions here. Firstly, are appendixes B and C, the medical practitioner’s assessment, available to the Council, because at the moment we only have appendix A? Listening to the scenario Hon Nick Goiran described in which applicants or licence holders can effectively doctor shop, I assume one of the signals will be in his scenario of 12 GPs submitting a form via the portal that might say, no, no, no, no and then will get a yes. I think the government has been at pains to say that the doctor’s assessment is not a decision. It will form part of the information that the commissioner or his delegate will consider in terms of whether somebody meets the fit and proper requirements. The doctor will not be the decision-maker; the doctor will provide information to inform the decision being made. Has that changed? What circumstances are anticipated?

Hon STEPHEN DAWSON: We have to check during the break whether the system will allow that. A person could absolutely go to 12 doctors. I just have to check whether the system will allow 12 different applications to be lodged through the system, or whether there will be a block after one comes in.

Hon Martin Aldridge: It could be a good tool in terms of identifying doctor shopping.

Hon STEPHEN DAWSON: Absolutely. After the break we will get an answer about that. In relation to appendixes B and C, the member is ahead of me. I have not even got appendix A. I have been told that appendixes B and C are currently being worked on by the health assessment working group. Part A will be the self-assessment, part B is the GP assessment, and then part C is the outcome. Parts B and C, as I said, are still being finalised by the health assessment working group.

Sitting suspended from 12.59 to 2.00 pm

Hon MARTIN ALDRIDGE: Just before we broke for lunch, I was asking questions about the mandatory health assessments with reference to the briefing note that was at least tabled in the other place, and I made a reference to appendixes B and C, which are intended to be submitted electronically by the medical practitioner. We obviously do not have access to appendixes B and C, because I understand that, notwithstanding them being attached to this briefing note, there have been some further developments and there appears to be some reluctance to table appendixes B and C. Could I get some clarity about that?

Listening to the exchange with Hon Steve Martin yesterday evening and Hon Nick Goiran today, we have got to the understanding that the medical practitioner's assessment will be known or can be known to the patient. Hon Nick Goiran certainly pursued the concept of a patient, applicant or existing licence holder being able to seek more than one medical opinion. I am hopeful that, if the government is paying \$27 million for an IT system, it will get whatever it asks for. If the medical practitioner submits their part of the deal electronically, the system will flag if multiple medical assessments occur. I think that it has been made clear that the medical practitioner is not the decision-maker. They will provide advice to the Commissioner of Police or his delegate, and that advice will be part of the information about whether somebody meets the requirement of a fit and proper person to possess a firearms licence. My question at this point is: why were appendixes B and C removed from the document that was tabled and why may appendixes B and C not be available during the consideration and debate of this matter?

Hon STEPHEN DAWSON: I said before lunchtime, and I am happy to say it again, that appendixes B and C have not been drafted yet. Appendix A has been drafted and that was tabled. I have since received a copy of it. The health assessment working group is actually working on appendixes B and C.

[Interruption.]

Hon STEPHEN DAWSON: I might say that again in case the member did not hear me over the noise in the chamber. The health assessment working group is working on appendixes B and C. Although it has been identified that there will be appendixes B and C, I am told that they do not actually exist. I am also told that the appendix A that was tabled today is still a draft.

Also, in relation to an earlier comment or interaction we had, I am told that the new licensing and registration system is being built so that when a person has completed a health assessment and the doctor submits the outcome, no additional assessments can be loaded without manual intervention by the regulator.

Hon MARTIN ALDRIDGE: That will assist Hon Nick Goiran's doctor-shopping scenario, but it probably does not assist a patient who might want a second medical opinion. Does the minister want to address that one?

Hon STEPHEN DAWSON: It will not stop the regulator from making changes at some other stage if the person seeks a second opinion or the police interact with a person and say to get a specialist's view. It would not stop the regulator from making a manual intervention.

Hon MARTIN ALDRIDGE: Obviously, the bill will provide the commissioner with the ability or power to direct the applicant to undergo further medical assessment—even as far as identifying the medical practitioner who will provide that medical assessment—once they receive a medical practitioner's opinion in the form, whatever the form may be. As I understand it, a premise of our health system and of health consumers' rights is their ability to access a second opinion when it comes to health care. However, the system that appears to be being designed will not allow for that to occur. That might just be a comment at this point.

I find the minister's comment that appendixes B and C do not exist and are under development a little hard to reconcile. If we look at the briefing note that was signed by Commissioner Col Blanch on 24 January this year and countersigned by Hon Paul Papalia on 15 February this year, we see that it says on page 3 —

- Medical practitioner reviews applicants *Part A—Self-Assessment Form* (printed copy) then completes *Part B and C—I Medical Practitioner's Form* (please refer to Attachment 1—Appendix B and C) and submits electronically via the portal for linking to the application or licence record.

This suggests to me that appendix B or C or both existed in January this year when Col Blanch, APM, the Commissioner of Police, signed the briefing note.

Hon STEPHEN DAWSON: All I can say is that I have been told again that there was no appendix B or C, so it must be an error in the briefing note that went to the agency. I have been reminded that it is being worked on at the moment by the health assessment working group.

Hon MARTIN ALDRIDGE: That is probably a logical explanation because the recommendations seek the minister's approval for only section A, so there is no reference to approval being sought for sections B and C.

I made some comments about this in my second reading contribution. I thought that the creation of the section A form was rather amateur in nature. It certainly does not look like a modern form that may allow somebody to input data electronically and print it. Its formatting looks fairly rudimentary, and that might be because it is still under development. This is a draft of the form. I raised one issue about the form. It is made clear on the first page of the form that it relates to only the last five years. It says —

This assessment will only take into consideration medical conditions over the last 5 years.

But when we get to the substantive part of the form, part 3, in which the applicant has to answer a series of questions about whether they have had a certain number of conditions, the question is —

Have you ever had or been told by a doctor that you had, any of the following?

I find it a little bit difficult to reconcile the fact that the form clearly states that it relates only to an applicant's previous five years of medical history, but the question people are being asked is "Have they ever?"

Hon STEPHEN DAWSON: As it clearly states, the intention is that the assessment will take into consideration medical conditions over only the past five years, but it asks for a full history. This is still a draft document; I made that point earlier. The honourable member's feedback is now on the record. In terms of how it has been laid out, again, I am told that it is a draft. A digital form will be developed. The advisers with me this afternoon are listening to Hon Martin Aldridge's comments and I am sure they will take them on board where appropriate.

Hon MARTIN ALDRIDGE: The bill refers to a health standard. I assume that standard is under development and we cannot have it; however, I remain in hope that there might be something that could be provided to the Legislative Council. Is the health standard available, even if it is in draft form?

Hon STEPHEN DAWSON: No, I do not have one. It is still being worked on by the health assessment working group. I do not even have a draft. It is anticipated to address the following matters to determine whether a person meets the firearm authority health standards, which are derived from considerations used by Austroads and the National Transport Commission, as well as dangerous goods and licensed medical assessments. It could include temporary conditions, substance misuse and intoxication, chronic illness and conditions, age-related changes, multiple medical conditions and medical and other treatments.

Hon MARTIN ALDRIDGE: Will the health standard be a tool for the medical practitioner? Will the section A form or the self-assessment questionnaire be the standard against which the medical practitioner assesses the information available to him or her; or is it also a tool for the commissioner and/or his delegate in forming a view?

Hon STEPHEN DAWSON: No, it will be for the medical practitioner and it will be provided along with guidance notes on the standard. The commissioner will get only the "A" or "NA", if I can be blunt about it. This is purely for the medical practitioner.

Hon MARTIN ALDRIDGE: It will be a binary decision that the commissioner gets. It will be that the applicant's request is either supported or not supported by the advice. Supporting information might be provided, but will the medical practitioner effectively be asked to answer yes or no to whether a person is a fit and proper person to hold a firearms licence?

Hon STEPHEN DAWSON: I have now been advised that the commissioner will get a "yes", "no" or "yes with conditions".

Hon MARTIN ALDRIDGE: Hon Steve Martin raised in his second reading contribution the example of having his heavy vehicle licence medical. He made out that the medical practitioner's assessment was not known to him. Similarly, my elderly grandmother recently had her health assessment for her driver's licence and she is not sure whether she passed. That information is sent confidentially to, I assume, the Department of Transport, and in due course she will find out whether she continues to be a motor vehicle licence holder in Western Australia. From the information provided by the minister today, we are not following that same approach. Applicants will go to their preferred medical practitioner, seeking his or her assessment against the health standard. Will that information be known to the applicant, the patient, and will no confidentiality or restriction be applied to prevent that information being known to the patient?

Hon STEPHEN DAWSON: I am told that no prohibition is put on disclosing that information to the applicant from the practitioner.

Hon Dr BRIAN WALKER: I received reassuring information from the minister last time I asked questions about the medical examination. I got the impression that it was very much along the lines of a medical examination for driving. We could take into account also the different recommendations for a driving medical for a truck driver. It is clear to me that it is possible that someone may come to me asking for a medical—whether for truck driving, a regular driver's licence or even a firearms licence—with whom I am not familiar because there may be things

they wish to hide and I will not be able to access those. I could then complete the form without any knowledge of their history, relying purely on what the patient has told me. Does the minister not think that would be open to some degree of abuse and would there not be some risk to the public as a result of that?

Hon STEPHEN DAWSON: They are hypothetical questions and as a minister representing, I cannot hypothesise. That is all I can say.

Hon Dr BRIAN WALKER: Yes, that is quite correct; it is difficult to say. I was also disturbed to hear comments in the press by the Premier—a man I greatly respect—suggesting that doctors ought to have informed police before discharging from hospital a man who went on to do horrible things in the community. That caused me a great deal of concern because it would imply that there is an obligation in the near future on doctors to inform police about negative events, without them actually having any concrete evidence for that possibility. Is that something we could expect in the future?

Hon STEPHEN DAWSON: The bill before us contains no mandatory reporting requirements.

Hon Dr BRIAN WALKER: We asked also about things that would require someone to be declared unfit and not a right and proper person to have a licence for firearms based on a medical examination. We do not really have an idea of what specific exclusions there will be. For example, will there be any exclusion on being a fit and proper person to own a firearm if a person had a missing limb? Would any other conditions automatically exclude someone from having a firearm?

Hon STEPHEN DAWSON: No.

Hon Dr BRIAN WALKER: The minister will sense my medical intent here. Often, even with input from experts, there are areas in which we might not hit the right mark. For example, if I had a patient with diabetes who was reasonably well controlled with a combination of oral medication and perhaps insulin or something like that, they would be regularly stabilised, but it is possible that there could be a hypoglycaemic episode and that they may lose consciousness while in possession of a firearm, therefore presenting a risk to people in their immediate vicinity. Would the presence of diabetes be considered a negative to the potential for owning a firearm?

Hon STEPHEN DAWSON: It is up to the medical practitioner to ascertain whether the medical condition is well managed. It would be within the honourable member's right as a practitioner—I would hate to put words in his mouth, so I will not—if he were the person to form an opinion whether he thought it was an impediment to them being declared a fit and proper person to hold a licence, to say no. He would use the database to advise police of that. I am sure the person he deemed not to be fit and proper would seek to engage with police on the information the practitioner gave and seek a second opinion.

Hon Dr BRIAN WALKER: That is all very reassuring, of course. There is an area about which I am quite concerned; that is, the implication by the Premier that doctors should inform police if there is a concern about someone's safety to have a firearm. I would think that is a right and proper concern.

Let me digress a little bit. When I am teaching medical students and young doctors, we are dealing with complex cases in general practice and it is absolutely not uncommon for a patient to tell complete untruths to the doctor. I get young doctors coming in to me and asking, "How do you examine a patient?" In general practice we need to use our diagnostic skills by using our eyes, ears and tongue in much the same way as a surgeon would use a scalpel. We need very good communication skills. I am always telling my young doctors: "You need to believe 100 per cent of what the patient tells you, but at the same time believe nothing that a patient tells you." Doctors have to ask supplementary questions and have a very open mind. Bearing that in mind, if I have a patient come to me with a minor thing, say a sore throat, I might say, "Get out of my waiting room, you are wasting my time, take some Panadol and do a mouth gargle." That is a perfectly reasonable thing to do with a sore throat. But the question really is: "Why are you here?" Then I could ask questions to elicit what the patient's purpose is. Is it because they had a good friend who died of leukemia and his leukemia started with a sore throat? Could it be that they need to present for a \$1 billion business in Singapore tomorrow and need a good voice to do that? Or could it be that they are wasting my time and want some time off work? This is what is called the hidden agenda, and a very important part of general practice medicine is identifying the hidden agenda, because in failing to do that, the doctor fails to identify what really needs to be treated.

With that background for members' information, if the doctor is then dealing with mental health issues, they very often need to judge how a patient is behaving—not by what the patient says but on how they say it, what words they are using and what their body language is like. It is about how well the doctor reads that body and the unspoken language. If we were to then take someone who is, shall we say, a psychopath—people think a psychopath is a nasty axe-murderer killing people—psychopathy is actually defined by the failure to exhibit any emotion. They are unable to empathise with other people's emotions. They are very able to mimic empathy and find a way to seem friendly. We have very often seen these reports describing criminals who have done nasty things, and how they were thought to be just the loveliest people in the world. It is only when a doctor begins to dig a bit deeper that they think, "There is something going on here." If we are then able to ascertain that someone has a psychopathic tendency, the question then is: would they be fit and proper to hold a firearms licence? It is a question I am unable to answer

because it may well be that at some time in the future they may take an unreasonable view of someone and use a firearm to end that person's life, and kill themselves as well. It is a very possible outcome. The question would be: how I am then to proceed?

However, another question needs to be asked. If the person knows that the doctor is asking questions that may elicit the hidden agenda, revealing things they do not want revealed, how likely is it that that patient—knowing that the firearms application will be reported to the police—will not tell the truth at all? The patient will do their best to hide things to make sure that we do not uncover the hidden agenda. If that is the case, are we then not able to say that the provisions in this aspect of medical examination is a good way of preventing people from giving the truth to their doctors? I know it is a hypothetical question and I am not sure anyone can answer that, but it is a fear that I have. How would the minister respond to that?

Hon STEPHEN DAWSON: As a doctor, I am sure people lie to the honourable member on a daily basis—“Did you do certain things? Did you not?” Certainly, as a doctor already, he may well have had to ascertain when somebody could have a driver's licence—it might be that a senior citizen has been sent to him for his professional opinion—or perhaps a dangerous goods licence or indeed a pilot's licence. People in the member's profession would be some of the most adept at ascertaining whether they think someone has health conditions and whether they are a fit and proper person to hold a licence from a doctor's perspective. I am not a trained doctor, but I imagine most people would possibly suggest that if somebody had psychopathic tendencies, they may not be the most appropriate people to have a gun licence. I think a common person on the street might suggest that the doctor deem that that person may not be fit and proper. The doctor does a best endeavours assessment, provides that information to police, and if the person who has been deemed not to be fit and proper has an issue, they can engage with police. It is then open to police to send them to a specialist or somebody else to ascertain whether the person is fit and proper. The member's profession currently does this under other acts, and we are asking him to do it under this act as well.

Hon Dr BRIAN WALKER: The thought that goes through my mind when listening to the minister's answers—which are all very correct and explanatory—is that we are possibly laying in store for ourselves the overwhelming of the medical system because many open questions could be there. Let us assume that a firearms licence has been given to someone who later then uses it to do something nasty. Would the onus then be on the doctor to explain why they failed to identify that—much as we are seeing now in critical incidents happening at Joondalup Health Campus? The doctor could have a very good explanation, but their reputation is ruined because they failed to identify something that was potentially identifiable. The default is then going to be the American default, when the patient is passed on to the experts for everything, so the expert can take the blame. If that is the case,—looking at mental health issues, for example—if one-fifth of the population, or 39 to 49 per cent of young people, have anxiety disorders, are we putting them at risk by giving them access to firearms to hurt themselves or others? Would they then be referred on to a psychiatrist for that? If that is the case, with 90 000 potential firearms licence applicants, how will we manage that in the existing system?

Hon STEPHEN DAWSON: I remind the honourable member that it would not be the doctor's decision to give a firearms licence to somebody. It is the Commissioner of Police's decision. A doctor can only provide their professional opinion, after assessing the person, as to whether they think they are a fit or proper person to hold a firearm. The decision rests with the commissioner. A doctor is part of the decision-making process, and there are protections in the bill for doctors.

Hon Dr BRIAN WALKER: There is a little bit of reluctance for me to stand and ask this question because it might be seen as irritating. The final decision is that of the commissioner, but it also says that the medical opinion is one part of it. The commissioner will have to form an opinion without the benefit of his own medical experience, which would then lay the commissioner open to having failed to adequately make the correct assessment or a paper exercise. The doctor says, “Yes, off it goes and I will take the blame if things happen” or indeed the commissioner says, “I am unable to do that because a doctor told me, I believe the doctor, therefore we can blame the doctor”. Although there may be some protections in the law as it was created, I wonder whether we are creating a rod to beat our own backs with.

Hon STEPHEN DAWSON: We are setting up a new scheme as a result of some firearms tragedies that have taken place over a number of years. As I indicated, the decision would not be that of the medical practitioner. It would be the commissioner's decision and it is appealable to the State Administrative Tribunal. We are putting safeguards in place to allow for somebody who has an issue with the commissioner's decision to appeal to an independent third party.

Hon Dr BRIAN WALKER: I have one follow-up question about the appeal to the State Administrative Tribunal. I asked the other day whether we have any idea of the costs of an application to SAT. Has any answer been found?

Hon STEPHEN DAWSON: I am told it depends on the action or activity. No, I do not have an amount, at this stage, to give the member.

Hon NICK GOIRAN: Is there any update on the matters taken essentially on notice prior to the lunch interval?

Hon STEPHEN DAWSON: I am not sure whether this is against my better judgement; nonetheless, I have a document that I can provide to the member. It is dated March 2024, so it does not take into consideration the implications of any of the amendments I have placed on the supplementary notice paper.

Hon Nick Goiran: Is this the Law Reform Commission reconciliation?

Hon STEPHEN DAWSON: This relates the Law Reform Commission's recommendations. It has a recommendation number and, I guess, sub-parts of that. It has yes, no, partial yes or whether, in fact, the issue is dealt with in regulations or not applicable. I will provide that. My hope is that not every one of those will be gone into in great detail as we progress!

Hon Nick Goiran: It's hard for me to say without having looked at the document.

Hon STEPHEN DAWSON: I know. That is why I asked whether I am providing it against my better judgement and creating a rod for my own back. However, I gave an undertaking before lunch to see whether the document existed. It does, so I table it for the benefit of the house.

[See paper [3234](#).]

Hon LOUISE KINGSTON: I have a couple of questions on the health assessments. As Hon Martin Aldridge alluded to, it is a fairly basic document. I have a lot of experience with health assessments for speedway, which are much more comprehensive. How was the basis of that document formed? Which existing health assessments were used? How many changes is it likely to see before it gets to the portal?

Hon STEPHEN DAWSON: I am not sure whether the honourable member was here—she may have been away from the chamber on urgent parliamentary business—but earlier I disclosed that it is anticipated for the health assessment form to address matters to determine whether a person meets the firearm authority health standards that derive from considerations used by Austroads and the National Transport Commission, as well as dangerous goods licence medical assessments. It would look at things like temporary conditions, substance misuse and intoxication, chronic illness and conditions, age-related changes, multiple medical conditions and medications, and other treatments. I will also make the point that the document that Hon Martin Aldridge referred to earlier—attachment A, as it is known—is appendix A, the WA firearms licence health assessment document. That is a draft document at the moment. The health assessment working group is working on that and also attachments B and C. Attachment B relates to a form for the doctor to complete and attachment C is the outcome decision. All are still being worked on, and all by the health assessment working group, but it is only A that was provided to the minister at any stage, as a draft; the other two have not been provided as yet.

Hon LOUISE KINGSTON: I have one last question with regard to the timing of having to get those health assessments. They will do the self-assessment and upload it on the portal. I think Hon Dr Brian Walker alluded to the stress on the medical profession. What length of time will there be between uploading the applicant's section and the medical professional's section? How will that be managed and followed up on? I am a bit concerned that in some of our regional areas, it could take a considerable amount of time, based on how long it takes us to get a health assessment for speedway. It could take a considerable length of time between the applicant uploading their section and then seeing the health practitioner.

Hon STEPHEN DAWSON: I am told that from the time a person is asked to get an assessment, there will be a 90-day period for an outcome to be reached.

Hon LOUISE KINGSTON: What forms of exemption will be given if they cannot get an appointment within 90 days? My assessment is that that could be very problematic in some remote and regional areas.

Hon STEPHEN DAWSON: If someone is serious about getting a licence or renewing a licence, 90 days is a long period of time. It does not have to be a face-to-face session with the doctor; it can be a telehealth session. I am from Port Hedland and I have used telehealth there from time to time; people in the regions do. They do not have to be in the room with the doctor. I think most people would say that 90 days—a quarter of a year—is adequate time within which to get one of these done.

Clause put and passed.

Clause 2: Commencement —

Hon NICK GOIRAN: I take the opportunity at clause 2 to ask a question about the commencement provision; that will not surprise the minister, given that we touched on this during clause 1. Although the document that was just tabled under clause 1—the reconciliation of the Law Reform Commission recommendations—helpfully sets out the 143 recommendations and, if you like, sub-recommendations, and also sets out whether, in the opinion of the government, the recommendations have been included, it is not apparent that the document sets out the provisions in the bill before us that will implement those recommendations. I randomly selected one earlier; the minister helpfully, in response by way of interjection, indicated that that was an example of something that would be done by way of regulations. That type of analysis is, indeed, helpful. I indicate that although this is a step forward, it is incomplete in the sense that if we were looking for a document that adequately demonstrated to the public what

the Minister for Police has said—that this bill will implement the majority of the recommendations and is, in fact, exceeding the recommendations in some places—we could not simply rely on this document. I make that comment in passing before I move on to my question about the commencement provision. If such a document exists, it would be tremendous if it could be tabled at a later stage. If I were the Minister for Police and I received a document that simply said, “Yes, we’ve included this recommendation in the bill”, the question I would ask is: where has that been done? It is one thing for the document to say yes; it is another thing for that to actually occur. I might add that that could simply be an issue of human error, because, as Hon Martin Aldridge pointed out in his earlier contribution, human error can sometimes even lead to errors in second reading speeches, which can then lead to having to table an amended second reading speech in the Parliament. I make that comment in the hope that, at a later stage, a comprehensive reconciliation document will be tabled. I will conclude my comment with the point that, to the best of my recollection of one of the earlier Teams briefings on this bill, I mentioned that this would be the kind of thing that would be expected. It will not be a huge surprise to anyone in government that a reconciliation of this sort would be expected.

I turn to the commencement clause before us. Part 1 of this gigantic bill of 17 parts is going to commence instantly on the day the legislation receives royal assent. I know, from the comments made by the Premier and the Minister for Police, that we can be in no doubt whatsoever that the police minister will be sprinting at top pace to Government House to make sure that this bill receives royal assent at the earliest possible opportunity. The expectation, from what he has told everybody, is that he will be sprinting down St Georges Terrace to make that happen. The day after assent, part 16 will come into effect. Part 17 will come into effect on a date when certain sections of the Criminal Law (Mental Impairment) Act 2023 come into effect, at least with regard to part 17, division 3, subdivision 11. The rest of the bill, which is by far the majority of it and at least 14 parts of this gigantic 17-part bill, will commence on a day fixed by proclamation. Does the government have a date in mind?

Hon STEPHEN DAWSON: Honourable member, I do not have a date. I think it is probably more related to the debate we had yesterday. I think that the member is correct in terms of the minister sprinting. The minister has made it clear to the agency how important this issue and this bill is to not only him, but also the government and for Western Australia. The intention is to get this passed as quickly as possible.

Hon NICK GOIRAN: The government has no date in mind. All we know is that apparently the minister is going to sprint down St Georges Terrace. That is the only thing we know.

Hon Stephen Dawson: Say it again, sorry.

Hon NICK GOIRAN: My point is that the minister has indicated that there is no date. The government does not have a date as to when this bill will come into effect.

Hon Stephen Dawson: By way of interjection, it will come into effect as soon as possible, noting what we said yesterday in terms of the regulations.

Hon NICK GOIRAN: As soon as possible might not be in 2024.

Hon Stephen Dawson: Well —

Hon NICK GOIRAN: Is the minister ruling out that this bill will commence in 2025? Is the minister saying that this top-pace sprinting by the minister and his direction to the agency that this needs to happen as soon as possible will ensure that this happens in 2024?

Hon STEPHEN DAWSON: I am not in a position to say when it might come into operation, but having spoken to the minister, I know he is very keen to get this done as soon as possible. I imagine that, from time to time, agencies like to take their time and work to a timeline, but this will be done as soon as possible.

Hon NICK GOIRAN: I have no confidence whatsoever when we get this level of assurance from the government. Pinned onto my suit jacket is a ribbon to recognise World Elder Abuse Awareness Day. Let us not forget that this is the government that said it was going to expedite that law in 2017, and here we are in 2024 and it is nowhere to be seen. When we hear this government say that it is going to do something as soon as possible, what confidence can we have? Do members know what I hear when somebody says that they are going to do something as soon as possible? I hear that it will happen but not as fast as when somebody expedites something. If the minister said to me today, apart from agreeing with me that the police minister might sprint down St Georges Terrace just to get the bill assented to, that the government’s intention is to expedite this bill and bring it into operation, that would tell me that for the Cook Labor government it means a period of up to seven years. If he used the word “expedite” that is what that would tell me, but the minister representing the Minister for Police has not even used that word. He said “as soon as possible”, which is not as fast as something being expedited. That seems to me that it could take more than seven years—surely not! After all the bravado by the Premier and the Minister for Police, we cannot possibly be waiting seven years for this gigantic bill to come into effect. I accept that there is a lot of work to be done, but when Minister Dawson, as the representative minister, says that he expects, because he has been told, that this will happen as soon as possible, I take it that it will happen sometime within the next seven years—surely not; but we cannot be given a date.

I accept that there is nothing that any of the lawmakers in this chamber can do at this time other than to put maximum pressure on the government to fulfil its commitment. The government can be sure that the opposition will be doing that, particularly given all the vilifying remarks made by the Premier and the police minister towards the honourable members of this chamber. I made this point yesterday that something very significant has changed over the last fortnight. When we were sitting only a fortnight ago, it was definitely the understanding of the opposition, because we had been told by the government, that it would like this bill to be passed in August. If we put to one side whether we think this is a good bill or a bad bill or that there could be improvements, the point about August was that it would at least give Parliament and the government an opportunity to get this right, but something has changed over the last fortnight, and now the government has said that it wants this to happen immediately. In fact, it wants this bill to be passed in less than five hours.

Hon Stephen Dawson: The chamber has supported that decision.

Hon NICK GOIRAN: Because, minister, the Leader of the House declared it as urgent.

Hon Stephen Dawson: This chamber wants this bill done in five hours, absolutely.

Hon NICK GOIRAN: With all due respect, minister, the only thing that triggered this is when the Leader of the House stood up and declared this bill urgent. The moment that happened, the shot clock kicked in. If the honourable leader did not do that then, there was no opportunity to do that. The government has obviously decided that this bill is urgent, but it cannot tell us whether it will even commence in 2024. The government has declared this bill urgent—“No, we can’t possibly wait for the winter recess. We don’t have time to get all the detail right. We don’t have time to get the information to the lawmakers in the Legislative Council. We need this passed urgently. We need it passed by Tuesday, 18 June.” If that is what the government is saying, surely it must have a deadline or a date that it is working towards in order for this bill to commence. Will it happen before Christmas? The minister cannot tell us that. It is extraordinary that the police minister can sprint into the view of television cameras and media packs with respect to this legislation on multiple occasions—he can do that very quickly—but he cannot give the minister an instruction as to how to answer a question on when this bill will commence. That is beyond the minister —

Hon Stephen Dawson: I have answered the question. You don’t like the answer.

Hon NICK GOIRAN: The minister said “as soon as possible”.

Hon Stephen Dawson: You don’t like the answer. I said I have answered it.

Hon NICK GOIRAN: I know you have answered it.

Hon Stephen Dawson: So just be careful what you say. I have answered the question. He has told me. I have answered the question.

Hon NICK GOIRAN: He has told the minister as soon as possible —

Hon Stephen Dawson: Absolutely, so I have answered the question.

Hon NICK GOIRAN: — which is not a date.

Hon Stephen Dawson: You might not like the answer.

Hon NICK GOIRAN: I asked for a date.

Hon Stephen Dawson: And I told you the answer.

Hon NICK GOIRAN: But the minister has not given a date.

Hon Stephen Dawson: I told you the answer, honourable member.

Hon NICK GOIRAN: Yes, I know. It is a highly unsatisfactory answer.

The CHAIR: Order, members!

Hon NICK GOIRAN: Chair, it is entirely unsatisfactory for the Cook Labor government to say, by edict, that this is an urgent bill, to tell the people of Western Australia repeatedly at media conferences that is this bill needs to pass and to apparently ask the opposition to not hold it up, but then not provide a date by which this law will come into effect. It cannot provide a date, and having been given the opportunity to rule out that this bill will actually commence next year, it has chosen not to. It is not able to do that. It will happen as soon as possible.

I will finish on this point. This is a government that said it was going to expedite laws in 2017. We are now in 2024 and that has not happened. Seven years ago, it said that it was going to expedite those laws, so we can have no confidence whatsoever in this government when it says it is going to do something as soon as possible. We will not see it happen any time soon. The sadness about that is that it has prevented us, as a chamber, from having the opportunity to get this right. My understanding is that even though some members are opposed to this legislation—this gigantic bill—every member of the chamber agrees that it needs a rewrite. I have not heard a single member indicate that there need to be no changes whatsoever to our firearms laws in Western Australia. I understand everybody is of one mind that there needs to be some rewrite and modernisation of the law. The detail is something

that people can differ on. We will not have the opportunity to get that right because the government has decided, by edict, that this will be declared urgent, and it is in a context in which it cannot provide a date for when it will commence. That is the answer being provided by the government.

Hon STEPHEN DAWSON: The honourable member is entitled to his opinion. I am confident that a majority of the chamber has confidence in the government that this will be done as soon as possible. We are dealing with this bill and dealing with amendments on the supplementary notice paper because of the terrible tragedy in Floreat last week when two people were shot by a licensed gun owner. This is a serious issue in the community. This bill warrants having focus put on it and warrants being dealt with as soon as possible. That is what is happening. The honourable member has made his point on that issue a couple of times now. If that issue is raised again, I dare say the person in the chair may well look at standing order 48, which refers to repetitious debate. The member has made the point a couple of times. He has made it well and it is for him to make; however, as I have said, we will do this as soon as possible. It is not always the case, but standard practice for legislation has been to get the bill passed through Parliament and then deal with regulations. Such is the enormity and, indeed, importance of this legislation that approval has been given for the regulations to start being drafted. The regulations have started being drafted, the guidelines have started to be drafted and the IT has started to be worked on. All that is being worked on at the moment in tandem. The commitment from government is to not only get this through Parliament as quickly as possible, but also get it into operation as quickly as possible, so that Western Australians can benefit from this modernisation of the outdated legislation.

Hon PETER COLLIER: To be honest, I am a little disappointed that we cannot get more clarity. The minister has provided his response, so I do not expect him to respond to that. Regarding the commencement date, given the fact that we are dealing with this bill in the manner in which we are dealing with it now, we might have had more clarity on things such as when the preliminary transitional provisions will come into effect, when the rest of the bill will come into operation and when proclamation will occur. Because of the manner in which this has been dealt with over this last week, I honestly thought the minister might have responses to that. It is important that the minister understands my frustration. The Liberal Party does not oppose this bill. We stood on the opposite side of the chamber with the government on the second reading.

Hon Stephen Dawson: Some of you did.

Hon PETER COLLIER: Yes, but the Liberal Party's position is to not oppose this bill. I want to make that perfectly clear. The Liberal Party stood with the government. I have always tempered my comments to say that we support it but we have some concerns, and the minister is aware of them. I personally have some amendments on the supplementary notice paper based upon comments that I made in my second reading contribution and comments made yesterday about clause 1. Just to make one thing perfectly clear, and I mention this to members again, in the briefing we were told unambiguously that there was no hurry on the part of the government to get this through prior to the winter break and that the minister was cognisant of the fact that it would take a long time due to the mechanics of the Legislative Council whereby budget reply speeches take precedence. As all members know, that seriously reduces time for government business in the 10 days after the budget is handed down. It provided parlous little time. Then it put an estimates week in. I specifically asked for that information and got that guarantee. I know and the minister knows that the government was surprised with that information, based upon a conversation I had with the minister.

Hon Stephen Dawson: Which information was given?

Hon PETER COLLIER: That the bill was not going to get through before the winter break, because we had been provided with that information.

Hon Stephen Dawson: I was surprised that you were told that.

Hon PETER COLLIER: That is what I am saying. That is what the minister said. That was the way it was. We are not being difficult here. All along I have said some pertinent things and I continue to say some pertinent things. Pretty much everyone has to this point. We are not filibustering this thing. It is a massive bill. It is a complete rewrite. Sorry?

Hon Stephen Dawson: I am just scolding the advisers. Just joking!

Hon PETER COLLIER: I will leave that to the minister. Remember that I banned the cane. Good education, minister! Having said that, this is significant. What happened then was, yes, the tragedy in Floreat, but I am at pains to park that, because everyone knows that this bill would not have prevented it. I just wish we would stop talking about that. It would not have prevented that tragedy. To put it in the same sentence is galling. Having said that, all of a sudden over the last week, the government's rhetoric changed to us having to get this bill through, and we are now exploiting that situation for the operations of this house. The Minister for Police and the Premier exploited it day in and day out, over and again: we have to get this bill through, the opposition is holding it up and it is the opposition's fault. It is not our fault. We had been told that we had plenty of time. It is not anything I had said; it is what we have been told. We were then told that it would be operational by September or October. But then, even that changed and the government was saying that if we do not get it through and adhere to this dogma from the government, we are the ones holding it up. That is garbage.

I assumed everything was in place for this legislation to be rolled out immediately. That is not going to happen, because the regulations et cetera have to be completed. I get that; I have been in this place a long time. Then the rhetoric shifted again, because the minister and the Premier suddenly realised that it was probably not politically astute to attach themselves to the tragedy. I am pleased that their rhetoric stopped on that, because that was so bad, but then it started to creep in again. Then we were told that this is an urgent bill. I had, as I always do, a productive discussion with the Leader of the House. I am mindful that that is the government's discretion; it can do that whenever it likes as a result of changes to our standing orders. We reluctantly agreed to that, because we had no option, really. That is why we are in this situation. It is so we can get this through by Tuesday, and that has given the government another 10 weeks to prepare, because it knows that the bill will get through by the close of business on Tuesday. I am not being unreasonable in assuming the government, having gone to all this trouble, cannot tell us a few things about the preliminary transitional provisions or when the rest of the bill will come into operation. I am finding difficulty with that. That is the sort of stuff we assume the government would know at this point.

I want the minister to know that I am disappointed. The Liberal Party and the opposition have been extremely accommodating in the way that we have handled this bill. We are not being unreasonable. I deplore the public political commentary from the minister and the Premier. It has been unnecessary, inflammatory and, quite frankly, not truthful, because, firstly, this bill is not essential to prevent a tragedy such as Floreat. I hate even using those words, but it would not. Secondly, we are not holding this bill up. That is all I will say on clause 2.

Hon NICK GOIRAN: Is there any provision under clause 2 that will allow portions of this bill to commence prior to today?

Hon STEPHEN DAWSON: No.

Hon NICK GOIRAN: I have had complaints from constituents to say that the Western Australia Police Force is already implementing aspects of this law and the bill presently before us. Has WA police, the minister or the government had any complaints along those lines?

Hon STEPHEN DAWSON: There has been debate on this at an earlier stage. I am told that letters have been circulated under section 11(1)(b) of the existing 1973 Firearms Act.

Hon NICK GOIRAN: To be clear, is the government's position that it refutes any suggestion that WA police are implementing a law prior to it being passed?

Hon STEPHEN DAWSON: That is correct. As I said, and have said a couple of times now—this will be the last time—the action that was taken by police was under the existing 1973 legislation.

Clause put and passed.

Clause 3: Act binds Crown —

Hon NICK GOIRAN: Is the purpose of clause 3 to demonstrate that this law will apply to everyone in Western Australia?

Hon STEPHEN DAWSON: That is not what it says. It says that this clause provides the Crown is bound by the bill, but it is not made subject to criminal liability.

Hon NICK GOIRAN: Is that clause necessary to ensure that everybody is bound by the law?

Hon STEPHEN DAWSON: It binds people, but as the member knows and as we have debated previously, there are exemptions in the bill.

Hon NICK GOIRAN: If we look at clause 3 in conjunction with clause 17, will it be possible for clause 17 to be used to make clause 3 redundant?

Hon STEPHEN DAWSON: The exemptions relate to parts 5 and 7, not the entirety of the bill.

Clause put and passed.

Clause 4: Principles and objects —

Hon STEPHEN DAWSON: There is an amendment standing in my name on the supplementary notice paper. This amendment is to ensure that any decision-making or administration of this bill additional to considerations of public safety also places specific emphasis on preventing access to firearms by any person posing a risk of family violence or intimidation. Though public safety could be interpreted to cover such concepts, in response to the tragic events in Floreat, the government's family and domestic violence policy is to be reflected in this space to prevent access to firearms by those perpetrators of family violence.

I am told that by placing this within the objects of the bill, it will flow to each decision point within the bill, particularly those considerations of a person's fit and proper status by the commissioner or any other court or tribunal. As we will get to in clause 5 debate, it is worth noting that the intent is to define family violence as it is understood under section 5A of the Restraining Orders Act 1997 so that considerations are not solely given to physical violence but

also to coercive control in a family relationship. This makes it abundantly clear that the suspension or cancellation of a firearm authority or the seizing of firearms can be done if it is in aid of preventing access to firearms in a situation involving family violence.

The term “intimidating behaviour” is to then capture when a person is not in a family relationship but demonstrates a history of, or tendency towards, intimidating behaviour towards others. In both circumstances, evidence of such behaviour is likely to be demonstrated through WA Police Force intelligence holdings, such as incident reports or body-worn camera footage. I move —

Page 3, lines 16 and 17 — To delete the lines and insert —

(e) to prevent access to firearms by persons who pose a risk of violence, family violence or intimidating behaviour;

(ea) to prevent access to firearms by persons who pose a risk of misuse of firearms;

Hon NICK GOIRAN: I think the minister gave notice of this amendment on the supplementary notice paper earlier this week. This is what I would describe as an eleventh-hour amendment by the government. The purpose of this amendment is to introduce two further concepts. One is family violence and the other is intimidating behaviour. As the minister kindly already outlined and flagged, there is a further amendment standing in the minister’s name at a later stage at 38/5 that will define the concept of family violence. Why was it deemed necessary to define family violence when there is no definition of violence in the bill?

Hon STEPHEN DAWSON: I am advised that there is an existing understanding in the community about what family violence is, so it is important to —

Hon Nick Goiran: There is or there isn’t?

Hon STEPHEN DAWSON: There is. This amendment came out of a body of work that was undertaken post the tragedy that took place in Floreat. I think both the Premier and the Minister for Police asked WA police if there were further amendments to the bill that were warranted post that tragic incident in Floreat. This is one of those amendments. It was deemed appropriate to place in here and identify that family violence is an issue that warranted inclusion.

Hon NICK GOIRAN: Is family violence a form of violence?

Hon STEPHEN DAWSON: Yes, it can be. To make it clear to people in the community, given the activities that took place, we thought it was important to use the words “family violence” because family violence is a commonly used term with a common understanding by members of the community, and it warranted inclusion in the bill.

Hon NICK GOIRAN: Is it intended that there is going to be any definition of the concept of intimidating behaviour inserted into the bill?

Hon STEPHEN DAWSON: No. I think the common understanding is suitable.

Hon NICK GOIRAN: The minister indicated moments ago that there is already a community understanding of family violence, and yet he flagged an amendment to define family violence. If the decision at a policy level is that we do not need to define concepts that are already understood within the community, whether that be violence, intimidating behaviour or family violence, why do we then define one of the three concepts and not the other two?

Hon STEPHEN DAWSON: The government made a decision to do it this way, honourable member.

Hon PETER COLLIER: Look, I understand the motivations behind this amendment, and the Liberal Party will support it, but can I just get some clarification? As I understand it, anyone with a violence restraining order will automatically have their guns removed from them. Is that correct, to start with?

Hon STEPHEN DAWSON: Yes, they are disqualified.

Hon PETER COLLIER: Anyone with a violence restraining order will automatically have their weapon removed from them. I get that. It is eminently sensible. As said, the rest of the amendment is about preventing people with a VRO having firearms, but a lot of people who are in, dare I say it, unhealthy domestic relationships do not have a VRO. They do not. It does not take a person having a VRO. We see in the latest statistics that family and domestic violence has escalated by over 40 per cent compared with the five-year average; it is an epidemic out there. I am not being difficult here, minister. I am just seeking some clarification on the back of Hon Nick Goiran’s comment about intimidating behaviour. I know the minister cannot answer this, but it is a little subjective with regard to intimidating behaviour. I understand there is no manual. I am not being difficult, but when a couple of young officers out there go to, dare I say it, a domestic situation and no-one has a VRO et cetera, what would assist them in making that determination? Because I have to say we had that very same situation with the incident the minister was referring to, when there was a cry for help from those two women and it was ignored.

Hon STEPHEN DAWSON: Police officers are trained in the line of duty. They go through the Western Australian Police Academy and are trained in a variety of things. As part of that training they would be brought up to speed on what is intimidating behaviour.

In relation to family violence and the legislation, obviously the term “family violence” is identified. Section 5A(2) of the Restraining Orders Act states —

Examples of behaviour that may constitute family violence include (but are not limited to) the following —

- (a) an assault against the family member;
- (b) a sexual assault or other sexually abusive behaviour against the family member;
- (c) stalking or cyber-stalking the family member;
- (d) repeated derogatory remarks against the family member;
- (e) damaging or destroying property of the family member;
- (f) causing death or injury to an animal that is the property of the family member;
- (g) unreasonably denying the family member the financial autonomy that the member would otherwise have had;
- (h) unreasonably withholding financial support needed to meet the reasonable living expenses of the family member, or a child of the member, at a time when the member is entirely or predominantly dependent on the person for financial support;
- (ha) coercing, threatening, or causing physical abuse, emotional or psychological abuse or financial abuse, in connection with demanding or receiving dowry, whether before or after any marriage;
- (i) preventing the family member from making or keeping connections with the member’s family, friends or culture;
- (j) kidnapping, or depriving the liberty of, the family member, or any other person with whom the member has a family relationship;
- (k) distributing an intimate image of the family member without the family member’s consent, or threatening to distribute the image;
- (l) causing any family member who is a child to be exposed to behaviour referred to in this section.

That is the definition of family violence. In terms of intimidating behaviour, officers on a daily basis would have to make a decision on whether they believe somebody is showing intimidating behaviour. Obviously if police make a wrong decision at any time, invariably a senior officer or, indeed, a court can make a decision on whether their view was the correct one or not.

Hon PETER COLLIER: I thank the minister for that information. I appreciate that we live in an imperfect world and no two situations are going to be the same. I honestly get that. I will finish on this. The simple fact of the matter is—I want to make it perfectly clear—that this bill will not solve a lot of these situations. Whether we support this amendment or not, the simple fact remains that we have fewer dedicated officers in the family and domestic violence unit in WAPOL now than we had three years ago. That is a fact. I have asked two questions on that and it has been reinforced. There are now fewer officers on dedicated family and domestic violence through WAPOL than there were three years ago. That is a fact. It is all good and well to have a piece of legislation like this but, as we all know—we have talked about and all agreed to this—family and domestic violence is much bigger than one piece of legislation. I am pleased that we are doing all that we possibly can. Ideally, if this legislation prevents one more act of family and domestic violence or puts one seed of doubt in the mind of a perpetrator of family and domestic violence who is at the point at which he feels so compelled that he has to use a gun, we will have succeeded. I like to think that everyone will agree to this amendment, but as I said, it alone will not solve the problem. Yes, we will support the amendment. But as I said, it will take a lot more.

I will just finish on this. I get the list the minister gave me just then. It is quite comprehensive. But we have got a churn of officers going through WAPOL at the moment and it has a huge task on its hands with the implementation of this piece of legislation. It does not rest with just this legislation. The response I receive when I talk about family and domestic violence—this is not something I have dreamt up in the last month after the tragedy; I have been asking these questions for three years—is that it is not going to rest on just this piece of legislation. It has to be an all of government and all of society resolution, as we know. As far as WAPOL is concerned, I like to think the educative process does not assume that it rests with just the amendments that will be made through this bill.

Hon STEPHEN DAWSON: As the honourable member would know, with whatever piece of legislation, we as a Parliament can have the tightest legislation in the world but people always find ways around it and commit crimes. Thankfully, we have laws with which we can take action against those who break the law. It will take more than a piece of legislation to change how we treat women, because it is women in the main—not being disrespectful to women—who have been the most affected. It is women who have been shot or killed. Obviously, families have been affected. Husband or brothers or sons can also be affected. It is a whole piece of work for society. An education piece needs to be done. A relationship piece needs to be done. We are not saying that this legislation is a silver bullet. There is a great deal of work happening across government. We are certainly committed. We now have a Minister

for Prevention of Family and Domestic Violence and have made significant investments into refuges and all sorts of family and domestic violence services. Even with all those things, we are still seeing tragedy take place in the community. However, having a good piece of legislation is certainly one of the tools in the toolbox that hopefully will mean fewer people are killed as a result of these acts.

Hon Dr BRAD PETTITT: I have a couple of questions on clause 4. For context, I certainly will be supporting this amendment and, more broadly, I was very pleased to see this bill and these amendments come forward. It is my view and the Greens' view that the stronger we make gun legislation in this state, the better. Certainly, in response to the horrific things we have seen lately it is very timely. I am really pleased to see this bill come forward.

I have a couple of questions about clarifying some of the processes around the new amendments that address family and domestic violence. I want to make sure we understand them correctly. If a police order as per the Restraining Orders Act 1997 is made against an individual, they will face mandatory suspension of their firearms licence and confiscation of their firearms. Is that the correct way to understand the amendment?

Hon STEPHEN DAWSON: This is probably not a clause 4 question, but we will help in this process. If an order is made, the licence will be suspended and the firearm will be seized; that will be the course of action.

The CHAIR: Order! Members, we have moved off clause 1. We are now into the clauses. At the moment, we are dealing with an amendment to clause 4.

Hon Dr Brad Pettitt: Sorry, I thought I was dealing with that amendment. That was my understanding from my notes.

The CHAIR: There may be more specific amendments later on that deal directly with restraining order issues. There is less latitude, once we are off clause 1, to deal generally with the bill. We will probably make progress if we confine our questions to the relevant parts of the bill.

Hon Dr BRAD PETTITT: Thank you, chair. I thought I was. I was certainly looking at the supplementary notice paper, clause 4, which will insert the lines —

- (e) to prevent access to firearms by persons who pose a risk of violence, family violence or intimidating behaviour;

I thought it was relevant to that amendment. May I seek guidance because my next question also deals with the Restraining Orders Act? If that comes up later, I am happy to ask it then, but my question is in the context of this amendment.

Hon Stephen Dawson: Why don't you ask the question?

Hon Dr BRAD PETTITT: My question is: What will happen in the interim period when an allegation or report of family violence is made against an individual but prior to any police order being made under the Restraining Orders Act? What will happen in that interim period?

Hon STEPHEN DAWSON: If an allegation is made and the officer forms an opinion, a licence can be suspended. These questions are probably better asked at clauses 198 onwards.

Hon Dr BRAD PETTITT: Thank you very much.

Hon NICK GOIRAN: The minister's amendment adds the two concepts of family violence and intimidating behaviour, with the object and desire that the act will prevent these things from happening. Is the prevention intended to be temporary or permanent? In other words, if a person is deemed to be a risk of family violence or intimidating behaviour, will they be permanently prevented?

Hon STEPHEN DAWSON: It could be both temporary and permanent. It could be both.

Hon NICK GOIRAN: If a person has a restraining order, maybe a family violence restraining order, they have a life span, generally speaking. It has been a while since I have done restraining orders, but I think it is a rare occasion when a court issues a lifetime restraining order although I think it is technically possible to have one. Let us park to one side the lifetime restraining order scenario. It is fair to say that the very significant majority of restraining orders have a life span; they might be for one year, two years or so forth. If someone has a family violence restraining order for one or two years, will that be the period of prevention?

Hon STEPHEN DAWSON: It will be for the life of the order plus five years on top of that.

Hon NICK GOIRAN: In that sense, it will be a temporary prevention. Once the five years expire, what weight if any will be given to the previous restraining order?

Hon STEPHEN DAWSON: I am told that it will become part of the holistic fit and proper person test.

Hon NICK GOIRAN: For the period of the order plus the five years, it will be a mandatory disqualification, but after that time expires, the person will re-enter the arena as a possible person who could be licensed.

Hon STEPHEN DAWSON: That is correct, honourable member.

Amendment (deletion of words) put and passed.

Hon NICK GOIRAN: Here we are looking to insert these new concepts, but we are also separating out a person who poses a risk of misuse of firearms. Who are the persons we are trying to capture who are not captured by the “persons who pose a risk of violence, family violence or intimidating behaviour”?

Hon STEPHEN DAWSON: I am told that it could be those who are misusing the licence according to their authority but are not violent. It could be where they are shooting or what they are shooting at, potentially.

Hon NEIL THOMSON: I want to just clarify “persons who pose a risk of ... family violence”. I want to come back to the issue I raised in clause 1, but it relates to this amendment. Could these persons be serving officers in the Western Australia Police Force?

Hon STEPHEN DAWSON: Yes.

Hon NEIL THOMSON: What would be the process in the case of a serving officer who might pose a risk of family violence? This is not at the point of taking it to a magistrate or anything like that; it is just someone who poses a risk. What process would be used to identify that?

Hon STEPHEN DAWSON: I am not sure that I understand the question; however, if the partner of a serving officer made a complaint about that serving officer, they would be treated as any other member of the public, except that it will be up to the Commissioner of Police to decide whether their licence or access to a gun is removed. There will be nothing to stop their officer in charge, for example, from making a decision immediately to say that they cannot have access to a gun, but it would ordinarily be up to the commissioner to deem the appropriateness or otherwise.

Hon NEIL THOMSON: Have any circumstances already occurred in which officers have had their access to sidearms or firearms withdrawn while serving as a uniformed officer?

Hon STEPHEN DAWSON: Yes; I am told that has happened.

Hon NEIL THOMSON: The minister mentioned the partner having a concern. What would that process look like? How would the partner go about raising a concern?

Hon STEPHEN DAWSON: It would be roughly the same. They could go to their local police station or to another police station. They could access police internal affairs. There will be a variety of ways.

Hon NEIL THOMSON: Are there any procedures for police on how this might occur? The minister talks about the discretion of the commissioner. It seems like an informal process. Is any formality involved for those who worry about their safety but do not want to take it to the Magistrates Court?

Hon STEPHEN DAWSON: Procedures are already in place in relation to something like this. I am told that internal procedures will be updated as a result of the passage of this legislation. In relation to my earlier answer to Hon Neil Thomson about a partner going to a police station, they could also call 000 or Crime Stoppers; both would be options the partner could use to report the behaviour.

Hon NEIL THOMSON: Has any assessment been made by police, given that we are entering this provision in the legislation, on the possible impact this amendment might have on the number of serving officers?

Hon STEPHEN DAWSON: There is not, but as I indicated to the member, action has been taken against serving officers previously. One of my advisers has indicated to me that they were involved in making such a decision previously. All I can say is that once the bill passes, the internal guidelines will be updated and the appropriate action taken by the commissioner.

Hon NICK GOIRAN: The minister indicated to me earlier that a person who is subject to a family violence order would be mandatorily disqualified from holding a firearms licence for the period of the family violence order, plus a period of five years thereafter. Does that disqualification period apply also to a police officer? Insofar as a police officer has had a family violence restraining order against them, are they allowed to carry a firearm presently, and what will be the situation under this bill?

Hon STEPHEN DAWSON: It is not an automatic thing. It could well be that they are precluded from accessing a firearm in that period. If they were a private licence holder outside of their work, obviously they would be captured by the provisions of the bill.

Hon Nick Goiran: They would be disqualified from their private licence for hunting or recreational shooting et cetera?

Hon STEPHEN DAWSON: Yes, for that period, as for anybody else. However, for a serving officer in the course of their duty, it would be open to the commissioner to make a determination on the appropriate period. It may well lead to their dismissal from the agency.

Hon NICK GOIRAN: As the law stands at the moment, prior to the passage of this bill, are they not automatically disqualified; it is a matter for the discretion of the commissioner?

Hon STEPHEN DAWSON: If they have a VRO now and they have a private licence, their firearms are seized.

Hon NICK GOIRAN: That is in respect of their private firearms. What about their police-issued firearms?

Hon STEPHEN DAWSON: The same manner of disciplinary investigation would be taken by the agency, and it would be open to the commissioner or delegate to decide that the officer could not carry a gun.

Hon NICK GOIRAN: Is it normally the case that they are then suspended, if you like, from using that police-issued firearm for that period; or is it equally the situation that on a case-by-case basis, despite that their private firearm has been seized or confiscated, they continue to carry a weapon in the course of their duties?

Hon STEPHEN DAWSON: I am not quite sure. My advisers are of the belief that if an officer has a VRO against them currently, the likelihood—I cannot say with certainty—is that they would not have access to a firearm.

Hon NICK GOIRAN: That is rational and is what one would expect to be the case. I am just testing that again. We do not want to have a double standard. If that is to be the expectation for ordinary Western Australians whom this legislation considers poses a risk for violence, family violence or the misuse of firearms, that applies equally to police officers. If the minister is satisfied by that, and that is the case on the record, that is fine. At clause 4(2)(h) is reference to facilitating a nationally consistent approach to the control of firearms. Is this notion of seeking to prevent a person who is considered a risk for violence, family violence and intimidating behaviour consistent with the national approach?

Hon STEPHEN DAWSON: I am told that it is consistent with the National Firearms Agreement.

Amendment (insertion of words) put and passed.

Hon NICK GOIRAN: Now that clause 4 has been amended pursuant to the government's amendment, I seek to compare and contrast the various objects. We have spent a little time dealing with the government's amendment, which essentially says that one of the outcomes we want to achieve from this legislation is to disqualify certain people from having a firearm. We want to prevent them from having a firearm, on either a temporary or permanent basis because they pose a risk of violence, family violence and misuse of firearms. That is now clear and one can see how the bill will achieve that object. However, I draw the minister's attention to subclause 2(c) —

to minimise the risk of persons becoming victims of crimes that involve the use of firearms;

How will the bill achieve that object?

Hon STEPHEN DAWSON: I am told that it will be through improving the fit and proper checks, by the offences that have been updated, by the enhanced storage requirements under the act and also the reduced limits for firearms.

Hon NICK GOIRAN: Clause 4(2)(g) states —

to reduce the number of firearms unlawfully possessed in the community;

How will the bill achieve that? I can understand that there is the buyback scheme at the moment and there will be a regime with respect to licensing and so forth. I can understand how an object of the legislation is to reduce the number of firearms in the community. The minister has been very clear about that. In fact, we would say that he has grossly exaggerated the situation, but I do not think anyone disputes that an outcome of this whole process will be a reduction of firearms in the community. Any fair-minded observer would accept that, whether they agree or disagree with that outcome. What about the reduction of firearms that are unlawfully possessed? For example, I am thinking of outlaw motorcycle gangs, which continue to be a scourge in the community. We all know—it is plainly the case—that they continue to possess firearms unlawfully. How will this legislation achieve the objective of reducing those numbers?

Hon STEPHEN DAWSON: Again, the enhanced storage requirements under this legislation will hopefully mean that the storage of firearms will be done in a safer way so that fewer storage cabinets will be broken into and therefore there will be fewer unlawfully possessed guns in the community. There are increased deterrents in the bill, which hopefully will lead to fewer unlawfully possessed firearms in the community. Limits on firearms will also hopefully lead to a reduction in the number of firearms unlawfully possessed in the community.

I think I am nearly at the stage of the bill where it all melds into one. I spoke about some thefts in the south west of the state. From memory, I gave the example of the theft of 14 firearms. I cannot say with a great deal of confidence that just because we have a new piece of legislation, people will not try to break into someone's house and steal firearms, but under this legislation they will be stealing 10 firearms as opposed to 14, so even four fewer unlawfully possessed guns on the streets will be of benefit to the community.

Hon NICK GOIRAN: The provision under clause 4(2)(g) is that an object of the legislation is to reduce the number of firearms unlawfully possessed in the community. What the government really means is to reduce the number of firearms thefts. The minister gave the example of enhanced storage requirements. He and the government are saying, "We're beefing up the storage requirements, and because we're beefing up the storage requirements we say that as a consequence of that, there will be less thefts of firearms in the community. Because there are less thefts of firearms in the community, then there will be less that are unlawfully possessed." That seems to be the argument being progressed by the government at this stage. What about the release of map information about the whereabouts of gun owners in Western Australia? Is that something this legislation will look to prohibit?

Hon STEPHEN DAWSON: I stand by my earlier comments about an object of the legislation being the reduction of firearms unlawfully possessed in the community. It is not about fewer firearms having been stolen. I also spoke earlier about the enhanced penalties that hopefully will act as a deterrent to people possessing unlicensed firearms,

or to there being unlawfully possessed firearms in the community. There are powers for police seizure of unlawfully held firearms. With regard to the member's comment, he has made his point. I do not know of anything in the bill before me that refers to the point he just made.

Hon NICK GOIRAN: With regard to the deterrent aspect, is the minister saying that the penalties in the bill for unlawfully possessing a firearm are greater than those under the current law?

Hon STEPHEN DAWSON: Yes; and I am told that that has happened as per the Law Reform Commission's recommendations.

Hon NICK GOIRAN: Is the minister saying that because the penalty will be greater, it is hoped by the government, and an aspiration of the government, that that will act as a deterrent? If a person unlawfully possesses a firearm and reads *Hansard* and says, "Look, the minister representing the Minister for Police has said that this is to be a deterrent", will that person be scared by the greater penalty? Because they fear this greater penalty, they heed the minister's call that it should be a deterrent. What is the mechanism available to them? What recourse do they take at this time? Do they present themselves before the police station to reduce the number of firearms unlawfully possessed in the community?

Hon STEPHEN DAWSON: There is an amnesty at the moment, honourable member, so they could avail themselves of that. I am not being flippant, but to suggest that every criminal or outlaw motorcycle gang member is going to suddenly act next Tuesday on the passage of this legislation is probably a bit too much to hope for.

Hon Nick Goiran: I don't think either of us should hold our breath.

Hon STEPHEN DAWSON: As to whether there might be such people out there—I will not say they are law-abiding, because they are not—who may think, "Okay, there's an amnesty going at the moment; I'll take advantage of that", hopefully that would take some more guns off the street.

Hon NICK GOIRAN: I might take up the issue of the amnesty at a later provision. With regard to the earlier point, the reduction of the number of firearms unlawfully possessed in the community is a point of concern that has been raised with me and, I suspect, a number of other members. When the government decided to release those maps to the media that highlighted where people were living in Western Australia who currently possess firearms lawfully, there was major concern within the community that that has actually elevated the risk of thefts and therefore would seem to go contrary to the objects of the legislation that the government is seeking to do here, which is to reduce the number of firearms unlawfully possessed in the community. Can I get the minister to confirm that his understanding is the same as mine. Is there nothing in the Firearms Bill 2024 that would prevent the government from repeating that exercise—that is, to continue to provide that map information to the media or the general public?

Hon STEPHEN DAWSON: I am advised that that is the case.

Hon LOUISE KINGSTON: I have a question about the beefed-up storage requirements. We may not get to that clause, so I would like to ask it now. What is the main way that people break into houses and steal guns from gun cabinets at the moment?

Hon STEPHEN DAWSON: Sorry, honourable member, we heard different things. Can you ask that question again, please?

Hon LOUISE KINGSTON: I just want to know the mechanism by which those firearms are stolen. What is the main way that they are stolen in most of those break-ins and thefts?

Hon STEPHEN DAWSON: I am told that about a quarter of those are stolen because they are not secured properly, and that about 30 per cent are stolen because the keys for the cabinet have been found, or they jemmy the lock.

Hon LOUISE KINGSTON: How many of them are actually stolen by way of an angle grinder?

Hon STEPHEN DAWSON: I do not have that kind of detail, honourable member. That is the kind of question the member would probably want to ask as part of a parliamentary question and give some notice to the agency to see whether that information is held. I daresay, having answered questions in this place for the last few years, that I am not sure that that would be easily obtainable, but it is the kind of question for which the advisers here do not have that level of detail.

Hon LOUISE KINGSTON: Anecdotally, I know that is a big way that guns are stolen. The minister is talking about beefed-up security. Can the minister tell us how that security will be beefed up, and, for people who use angle grinders, how will the bill ensure that those storage requirements are secure?

Hon STEPHEN DAWSON: Security does not 100 per cent guarantee that things will not be stolen. It is a time delay. It may well be that a firearms owner has an alarm in their house, somebody breaks in and the alarm goes off. The longer it takes somebody to try to break into a cabinet, hopefully, the more time there is for the police to get there to stop them from breaking into it. It is a deterrent. It is a time delay. Is there a silver bullet, to use that term? Probably not. But each extra step makes it harder for someone to break the law. This will hopefully stop certain people doing it.

Hon LOUISE KINGSTON: This is probably a comment more than a question. Penalties are probably where it should lie because this is an act of criminality. I would say the higher those penalties are, the fewer issues there will be.

Clause, as amended, put and passed.

Clause 5: Terms used —

Hon STEPHEN DAWSON: The deputy chair will note there is an amendment to clause 5 that stands in my name.

The DEPUTY CHAIR (Hon Dr Sally Talbot): Are you moving the amendment, minister?

Hon STEPHEN DAWSON: No; Hon Nick Goiran is before me. Therefore, in light of the fact that there are other amendments—I am using my amendments sheet and not my supplementary notice paper—and to ensure the continued progression of this legislation, I might hold on to my amendment for the moment, and I will take my seat.

The DEPUTY CHAIR: I might give the call to somebody else.

Hon Stephen Dawson: That is a wonderful idea.

Hon NICK GOIRAN: I would be delighted to take the call. Line 7 on page 4 deals with the definition of “ammunition”, which includes “any other thing prescribed by the regulations”. What is intended to be prescribed?

Hon STEPHEN DAWSON: I am told, honourable member, that something has not been identified at the moment. The regulations are not powers to add additional items. It is what has been referred to in this place previously as futureproofing. Whatever the member’s view of that is, that is what this refers to.

Hon NICK GOIRAN: Is the definition of “ammunition” in the bill consistent with the definition of “ammunition” that currently exists under the 1973 act?

Hon STEPHEN DAWSON: I am told it is different, but it is largely consistent.

Hon NICK GOIRAN: In the existing law, is there a regulation-making capacity to alter the definition of “ammunition”?

Hon STEPHEN DAWSON: I am told that, yes, there is.

Hon NICK GOIRAN: In the 51 years that that definition has been the case, has anything been added?

Hon STEPHEN DAWSON: Yes, this power has been used. It was used in the case of paintball, but that was to make it not ammunition. Certainly, technology continues to bring enhancements to a range of things, including firearms, so, as I said, this provision is there, as it is in the current act, to enable an element of futureproofing.

Hon NICK GOIRAN: It seems to be the use of a power that might be better used as an example at line 15 on page 4. Later on in this definition of “ammunition”, there is also intended to be a capacity for the government to be able to prescribe, by regulation, something that is not considered to be ammunition. I think that the paintball example just given by the minister is actually a useful one for my later question, which is now no longer necessary. Going back to my original question, has that power been used to add anything to the definition of “ammunition”, which the minister has indicated is substantially the same as what has been the case in the 51-year-old act?

Hon STEPHEN DAWSON: Not that my advisers are aware of, honourable member.

Hon NICK GOIRAN: I would proffer at this time that it seems to indicate that there is absolutely no need for line 7 on page 4 of the bill. If, in 51 years, governments of various persuasions have never felt it necessary to use regulations to prescribe some additional definition of “ammunition”, it becomes somewhat of a farce to suggest that this is for futureproofing. We have 51 years of lived experience in Western Australia that tells us that there is no need for this futureproofing. I might also make the observation to the minister at this time that paragraph (b)(i) of the definition of “ammunition” states —

anything made, modified or intended for use as ammunition for a firearm;

Given the breadth of that definition, which we are told by the minister is substantially the same as what is in the current 51-year-old act, it is very hard to see a case here for Parliament to once again give executive government the capacity to write into law and change the definition of “ammunition”. That comment having been made, I thank the minister for providing an example under the current law in which the government did use the regulation-making power to carve out from the definition to make it explicitly the case that a paintball was not captured as ammunition. Speaking of which, paragraph (c)(ii) of the definition states that ammunition does not include a prescribed paintball pellet. A constituent put to me that it is either unnecessary or incorrect to refer to it as a paintball pellet and it should just be described as a paintball. To clarify this point for the sake of my constituent, is the minister able to confirm that the definition of “paintball pellet” is consistent with that in the existing legislation? Or perhaps more to the point, is it consistent with the existing regulation, which states that it has been carved out?

Hon STEPHEN DAWSON: I am told it is.

Hon LOUISE KINGSTON: I would like to seek leave to move together the amendment at clause 5 to delete line 27 on page 4 and the amendment at clause 8 to delete lines 5 to 16 on page 11 and to insert the firearms categories as listed on the supplementary notice paper.

The DEPUTY CHAIR: Yes, you can indeed move those together.

[Leave granted.]

Hon LOUISE KINGSTON: Members all know about the Firearms Industry Reference Group, which is made up of individuals from a number of different interest groups. It was very concerned that all other Australian firearms legislation lists the categories in the legislation, not the regulations. I am moving these amendments to ensure that people do not unwittingly break the law by not realising what those categories of firearms are. The 2017 National Firearms Agreement also defines each category, and a further intention of these amendments is to bring WA's categorisation into line with that of the NFA. Adopting the NFA's categories in the bill will create consistency between jurisdictions. The NFA, however, does not define category E. Based on previous regulations, this could be defined as paintball and other non-classified firearms and major parts.

The DEPUTY CHAIR (Hon Dr Sally Talbot): While the minister is considering his answer, I make it clear to members that the chamber has given leave for Hon Louise Kingston to consider her two amendments at 5/5 and 8/8 together. The member will still need to move those two amendments the next time I give her the call.

Hon Stephen Dawson: I am happy for the honourable member to move those amendments and then I will respond.

Hon LOUISE KINGSTON: I move —

Page 4, line 27 — To delete the line.

Page 11, lines 5 to 16 — To delete the lines and insert —

- (1) The categories of firearms and the firearms that are in each category are as set out in the Table.

Table

Firearm category	Firearms in category
Category A	<ul style="list-style-type: none"> • air rifles • rimfire rifles (other than self-loading) • shotguns (other than pump action, lever action or self-loading) • rimfire rifle/shotgun combinations
Category B	<ul style="list-style-type: none"> • muzzle-loading firearms (other than pistols) • centre-fire rifles (other than self-loading) • centre-fire rifle/shotgun combinations • lever action shotguns with a magazine capacity of no more than 5 rounds
Category C	<ul style="list-style-type: none"> • self-loading rimfire rifles with a magazine capacity of no more than 10 rounds • pump action shotguns with a magazine capacity of no more than 5 rounds • self-loading shotguns with a magazine capacity of no more than 5 rounds
Category D	<ul style="list-style-type: none"> • self-loading centre-fire rifles • self-loading rimfire rifles with a magazine capacity of more than 10 rounds • self-loading shotguns with a magazine capacity of more than 5 rounds • pump action shotguns with a magazine capacity of more than 5 rounds • lever action shotguns with a magazine capacity of more than 5 rounds
Category E	<ul style="list-style-type: none"> • cannons • line throwers • tranquillisers • paintball guns
Category H	<ul style="list-style-type: none"> • handguns (including air pistols)

- (2) The regulations may prescribe the following —

- (a) firearms that are excluded from a category set out in the Table to subsection (1);
 (b) other categories of firearms and firearms that are in those other categories.

Hon STEPHEN DAWSON: The government will not be supporting these amendments today. As the member has indicated, the amendment at 5/5 relates to the proposed amendment at 8/8 that inserts the firearm types under the categories within the bill. It is not our intent to set out the types of firearms that make up a category into the bill as I am advised that it will limit future flexibility to respond to changes in the national standards within the National Firearms Agreement or changes when new firearm technology emerges and a firearm must change from one category to another. The NFA requires such categories to be legislated for, but it is more suitable for them to be placed within the regulations due to the need to identify the changing nature of these things and address them swiftly.

Under this amendment, should a firearm or type of firearm need to be re-categorised, an amendment to the act would necessarily progress through the parliamentary process. This is counter to the current arrangement by which they are dealt with under the Firearms Regulations 1974, which has not been identified as an issue. It should be noted that any proposed change of category will generally go through the Firearms and Weapons Policy Working Group, which is constituted of other Australian licensing agencies and policymakers and identifies the type of firearm operating similarly to other types of firearms in a particular category. Consequently, changes to current categorisations are being contemplated by the Western Australia Police Force in concert with the Firearms and Weapons Policy Working Group that the category list proposed does not cater for—for example, categorising air rifles with the same functionality as other categories, rather than with category A, or placing shotguns with a button-release operation within a category. Any changes to the categories affecting licence holders are communicated by the Western Australia Police Force as the licensing body.

We will not be supporting the amendment at 8/8 for the same reason.

Hon MARTIN ALDRIDGE: I ask this question to clarify my understanding. Is the way in which we currently categorise firearms from categories A to H done within the Firearms Act or the regulations?

Hon STEPHEN DAWSON: Currently, it is done within the regulations.

Hon NICK GOIRAN: The minister has indicated that the government wants to oppose the amendments moved by Hon Louise Kingston on the basis that, firstly, it prefers the flexibility of the regulations, and, secondly, the categories are currently within the regulations. I want to ascertain what the other states have said. I heard Hon Louise Kingston indicate that the other states have the categories in their acts. Is the minister able to provide any information to the chamber as to the status in the other states? Do they all have them in the acts or does anyone have them in the regulations?

Hon STEPHEN DAWSON: I am told that it is mixed currently. It is predominantly in the regulations, but there is a list somewhere. I have not got it at the moment; we will see whether we can get it. As I pointed out to Hon Martin Aldridge in my response to his question, the existing process is in the regulations and we do not propose to change that.

Hon NICK GOIRAN: This is my final point on this. I can understand the explanation that the minister has provided, including the case that we are essentially maintaining the status quo at the moment and not doing anything differently here. That said, the honourable member's amendment at 8/8 sets out categories A through to H. Although I acknowledge and accept that the minister has said that the government's preference is to maintain the status quo and leave them in the regulations, but if the will of the chamber were to insert them, are those categories and the firearms in the categories presently correct? Are they consistent with the current regulations?

Hon STEPHEN DAWSON: My advisers are checking. My understanding is that there are inconsistencies between what exists in the list included in the honourable member's amendment and what exists in the current regulations.

The DEPUTY CHAIR: Hon Louise Kingston has moved the amendment on the supplementary notice paper at 5/5. The question before the house is that the words to be deleted be deleted.

Amendment put and negatived.

The DEPUTY CHAIR: For those members who are following the debate closely, that means that amendment 8/8 standing in the name of Hon Louise Kingston falls away. We proceed with the question that clause 5 do stand as printed.

Hon Dr BRIAN WALKER: I would like to move en bloc some amendments standing in my name at 25/5, 26/5 and 27/5. These amendments will insert a definition of “dentist”, “medical practitioner” and “nurse practitioner”. By way of explanation, at a later point in this bill, I will seek to move an amendment that contains those three terms, so they will need to be contained in the definitions.

The DEPUTY CHAIR: I am hearing that the member is seeking leave to move those amendments together.

Hon Dr BRIAN WALKER — by leave: I move —

Page 4, after line 30 — To insert —

dentist means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the dental profession whose name is entered on the Dentists Division of the Register of Dental Practitioners kept under that Law;

Page 6, after line 31 — To insert —

medical practitioner means a person who is registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession;

Page 7, after line 2 — To insert —

nurse practitioner means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the nursing profession whose registration under that Law is endorsed as nurse practitioner;

Hon STEPHEN DAWSON: I indicate that the government will not be supporting these amendments. The amendments seek to provide a suite of defences if a person is charged under clause 296 for having immediate possession of or using a firearm while affected by alcohol or drugs, or alcohol and drugs. These defences relate to drugs if the drugs were prescribed or administered to the person by a medical practitioner, nurse practitioner or dentist and the person did not know that the use of the drug would impair their capacity to handle a firearm safely and responsibly. I am told that this defence is already provided for by section 24, “Mistake of fact”, of the Criminal Code, under which a person who does or omits to do an act under an honest and reasonable, but mistaken, belief as to the state of things is not criminally responsible for the act or omission to any greater extent than if they knew the real state of things. I am told that narrowing or providing additional detail to this existing broad defence is unnecessary and, as I indicated, it is not supported.

Hon MARTIN ALDRIDGE: I have a question about the definition of medical practitioner. Hon Dr Brian Walker has moved three amendments. The amendment at 26/5 on the supplementary notice paper defines a medical practitioner as —

... a person who is registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession;

It appears to me that the reason he is doing this is that it is currently not a defined term. In the context of our considerations of health assessments, how will we define a suitably qualified person without a definition in the bill of this kind?

Hon STEPHEN DAWSON: Clause 148(1) states —

health practitioner means a person who is registered under the *Health Practitioner Regulation National Law (Western Australia)* to practise a health profession (other than as a student).

Hon MARTIN ALDRIDGE: That sounds like a broad list of health practitioners. I am only going by recollection, but I think a whole range of people are now regulated. I think people who practise traditional Chinese herbal medicine might even be on the list now. Paramedics and a range of other health practitioners are registered under the Health Practitioner Regulation National Law (Western Australia). I think we are up to about 19 professions, if my memory does not mistake me. How are we limiting this subset to a suitably qualified subset of medical practitioners? Under this definition, could a dentist provide a health assessment for a firearms licence?

Hon STEPHEN DAWSON: I am told that the intention is to make regulations that will indicate which health practitioners can undertake the action. I am told that in certain circumstances we may rely on people such as optometrists to provide evidence about whether somebody is fit and proper. It is not intended to include reiki practitioners or, indeed, herbal medicine therapists, but the intention is that the regulations will lay out exactly which professions will be covered or captured.

Hon MARTIN ALDRIDGE: Can the minister identify the regulation-making power that will give rise to the ability to limit the definition as provided for in clause 148(1)?

Hon STEPHEN DAWSON: It is clause 399.

Hon PETER COLLIER: I am satisfied with the minister’s response, but I have not had an explanation from the mover of the amendment, Hon Dr Brian Walker. Can we get an explanation from Hon Dr Brian Walker about why he feels this amendment is necessary? The minister has given his response and I am quite satisfied with that response, but I would be interested in Hon Dr Brian Walker’s comments.

Hon Dr BRIAN WALKER: What we are looking for here is to be absolutely sure that this bill will cover what needs to be covered—no more and no less. If we are going to be talking about medical approval, including physical and mental approval, we need a definition of a medical practitioner. That could be an ophthalmologist but not an optometrist, of course.

Hon Stephen Dawson: I beg your pardon. I used the wrong terminology. That is what my adviser told me.

Hon Dr BRIAN WALKER: Yes, an ophthalmologist would be the person. Also, if I were doing an assessment of the fitness to possess such a licence, I would ask the opinion of, for example, a surgeon, a psychiatrist or a colleague of mine who is a neurologist. All of these are medically qualified persons, but they are not defined here. I would also like to specifically note that if we are going to go down this pathway, a nurse practitioner might

well be used as part of this program. I think dentists is maybe going over the top. If we are going to describe people who are able to manage their wellness, rather than depend on regulations that have not yet been formulated and do not have supervision within these hallowed walls here, would it not be far better and safer to have that enshrined in law, in the legislation before us, and not in something putative that we hope is coming in the not-too-distant future? That is precisely why. If we are going to have a medical opinion about the fitness to own a firearm, we need to define clearly in the legislation who is a fit and proper person to do that.

There are other examples whereby these people have been defined. Are we going to go down that hole and define bullets or anything like that as prohibited ammunition? It will be describing something that in my view is natural; ammunition is ammunition. Why has “doctor” or “medical practitioner” not been defined? It strikes me as being a glaring error. Although the government may not want to accept the amendment I propose in the future, such a definition certainly belongs at clause 5.

Hon NICK GOIRAN: If there is no further response from the minister at this time, I indicate that, because we are drawing in here, one thing for sure is that we are not getting to clause 148 today. Between now and when we get back, noting that a decent adjournment period is before us, I ask the government to take on notice this issue that Hon Martin Aldridge has taken up, because I am not sure that the government actually has the power to restrict the definition of health practitioner by relying on that general regulation-making power at the end. There is nothing in clause 148 that refers to a health practitioner that is prescribed or a class of health practitioner. It simply says “health practitioner”. For example, on page 75, clause 148(3) states —

The Commissioner may require that a firearm authority health examination be carried out by a health practitioner (or a health practitioner of a kind) chosen by the person or by the Commissioner.

It is not clear to me how a regulation, which is subsidiary legislation, could restrict the commissioner’s express power from Parliament at clause 148(3) that says he can ask for it to be carried out by a health practitioner. This point that I am making is not critical, in respect to how we deal with Hon Dr Brian Walker’s amendment, which I thank him for, because in the absence of it, I am not sure this issue would have been identified, but I ask the government to take that on notice.

Hon STEPHEN DAWSON: I stand by my decision and my earlier comments. I certainly stand by my comment that we do not support the amendments. My advisers tell me that clauses 399(1) and 399(2)(b) are two areas I can point to. However, since the honourable member asked, I propose to proceed today. I will ask for advice and I am happy to come back to that chamber with that advice. If there is a need for me to go back to that clause, I will if we have moved on from it. But the advice that I have received is that I should not support the amendments and I stand by what I said previously.

Hon MARTIN ALDRIDGE: I think there are a couple of debates occurring here; one is anticipating a debate that will probably occur a bit later on when we get to clause 148. I think the link here is whether we should define “medical practitioner”, which is one of three amendments moved en bloc by the honourable member.

I have a correction. I said there were 19 registered health professions in Western Australia, but there are actually 16. They are Aboriginal and Torres Strait Islander health practice, Chinese medicine—I was correct on that one—chiropractic, dental, medical, medical radiation, midwifery, nursing, occupational therapy, optometry, osteopathy, paramedicine, pharmacy, physiotherapy, podiatry and psychology. It is unclear to me why we are casting the net so wide here to potentially include all 16 currently registered health practitioners, including Chinese medicine to name just one, when we could take the approach that Parliament took with the voluntary assisted dying bill. In a similar vein, when a health assessment occurs it was restricted to medical and nurse practitioners. I think that would be a sensible approach to take when we get to clause 148, notwithstanding that a medical practitioner or a nurse practitioner could refer a patient for further assessment and for results perhaps from any of the other health practitioners. Ultimately, these two classes of health practitioner, namely medical practitioners and I think an argument can be made for nurse practitioners are the ones that will ultimately assess a person against the health standard in making a recommendation to the commissioner. I see no argument to expand beyond those two professions.

When we look at clause 399(3)(b), I think the minister should seek the State Solicitor’s advice on the information that he has provided to the chamber, because I cannot see in any way how that could provide for a restriction of the definition found in clause 148.

Amendments put and negatived.

Hon NICK GOIRAN: Deputy chair, I am really seeking a clarification from you, or you might even say a ruling at this point. Noting that Hon Dr Brian Walker’s amendments 26/5 and 27/5 on the supplementary notice paper, which deal with the definition of “medical practitioner” and “nurse practitioner”, have been defeated and that I very much associate myself with the comments made just moments ago by Hon Martin Aldridge, I will take that as clarification that when we get to clause 148 nothing will prevent the minister from inserting those same words as a definition in lieu of health practitioner.

The DEPUTY CHAIR (Hon Dr Sally Talbot): You take that correctly, Hon Nick Goiran.

Hon STEPHEN DAWSON: By way of further comment, whether something would take place at clause 148 or whether the bill would be recommitted to put those definitions at an earlier place, they are the courses of action open to us. As I have indicated, I stand by the comments that I have made, but I will take some advice between now and the next time we sit.

Hon LOUISE KINGSTON — by leave: I move the following amendments on the supplementary notice paper together —

Page 5, after line 18 — To insert —

- (g) an offence under the law of a jurisdiction outside Australia that substantially corresponds to an offence referred to in paragraph (a), (c), (d), (e) or (f);

Page 14, line 6 — To delete —

Australian

That is to ensure that an offence committed outside of Australia that corresponds with the other offences would be a disqualifying offence. This is addressed later in clause 11 with a subsequent amendment as well to remove “Australian”. While clause 11 provides several parameters of which guilt can be found and later referenced in regard to obtaining a firearms licence or offences, the bill does not require someone to disclose overseas offences. In the interest of public safety, a requirement should exist to extend the finding of guilt to overseas offences.

Hon STEPHEN DAWSON: I am afraid that I am not in a position to support the member’s amendments this afternoon. This amendment makes a substantially similar offence to those prescribed in the legislation, being those committed in a jurisdiction outside Australia that would be a disqualifying offence. Noting that this includes serious offences being any offence carrying a maximum penalty of five or more years’ imprisonment, it is intended that the Western Australia Police Force will apply discretion in dealing with applications or licence holders who have committed such offences in jurisdictions outside Australia. As I am told, determining the similarity of offences becomes increasingly subjective outside the Australian legal system, which is largely consistent. Other legal systems outside Australia may apply inconsistent penalties to offences similar to those in Australia. Accordingly, it is preferred that discretion be applied in such circumstances. In such circumstances with any application or existing authority, it will be the case that the Western Australia Police Force must apply the power under clause 151 to conduct a mandatory criminal records check, and this may include an inquiry with law enforcement outside Australia to determine the nature of offending and whether a person is or remains a fit and proper person.

Hon NICK GOIRAN: I have some real concerns about the explanation that was just provided. I will take this a little further in the limited time we have. At the moment, is a disqualifying offence defined under the 1973 act?

Hon STEPHEN DAWSON: No.

Hon NICK GOIRAN: If a person is considered to be disqualified or ineligible to have a firearm under the current act, what is the criteria that disqualifies them or makes them ineligible?

The DEPUTY CHAIR: Minister, in the interests of efficiency, noting the time, I might leave the chair for the taking of questions.

Committee interrupted, pursuant to standing orders.

[Continued on page 2961.]

QUESTIONS WITHOUT NOTICE

FAMILY AND DOMESTIC VIOLENCE RESPONSE TEAMS

702. Hon PETER COLLIER to the minister representing the Minister for Prevention of Family and Domestic Violence:

- (1) What is the allocated FTE within the family and domestic violence response teams?
- (2) What is the actual FTE within the FDVR teams?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Prevention of Family and Domestic Violence.

- (1)–(2) The Department of Communities advises that the FDVRT model is a partnership between the Department of Communities, the WA Police Force and the community services sector, delivering the coordinated response service. Seventeen family and domestic violence response teams operate across the state, with an additional satellite team located in Karratha.

As at 31 May 2024, the Department of Communities had 18 FTE senior child protection worker positions and 14 FTE family safety service positions allocated to FDVRTs.

As at 31 May 2024, the Department of Communities had 25.3 FTE senior child protection worker positions, three FTE senior field officer positions and 14 FTE family safety service officers working with FDVRTs. I note that the additional child protection workers work both with the FDVRTs and undertake child protection-specific activities in response to family and domestic violence incidents that impact child safety.

As part of a contractual agreement, nine organisations provide coordinated response services to the 17 FDVRTs. Across the FDVRTs, they contribute 37 FTE. As this function is contracted to community service organisations, the actual FTE, recruitment and other human resource matters are managed by the service providers and are not available to Communities. The WA Police Force is a key partner agency. I note that the member was recently advised of its FTE allocation in the answer to question without notice 453.

POLICE — OVERSEAS RECRUITMENT

703. Hon PETER COLLIER to the minister representing the Minister for Police:

I refer to the overseas recruitment program for police officers.

- (1) How many applications have been received?
- (2) How many officers have been recruited?
- (3) Of those referred to in (2), how many are —
 - (a) male;
 - (b) female; and
 - (c) other?
- (4) How much has been spent on the program to date?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I provide the following answer on behalf of the Minister for Emergency Services.

The Western Australia Police Force provides the following figures as at 11 June 2024.

- (1) There have been 1 889.
- (2) There have been 179.
- (3) (a) There are 142 males;
- (b) 37 females; and
- (c) zero other.
- (4) An amount of \$2.3 million.

LLOYD STREET BRIDGE PROJECT

704. Hon TJORN SIBMA to the minister representing the Minister for Transport:

I refer to the minister's recent answer to my question concerning the status and future of the Lloyd Street Bridge extension project.

How much has been spent on the project to date and on which aspects of the project?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I provide the following answer on behalf of the Minister for Emergency Services.

A total of \$20.85 million has been spent to date on the project, with the City of Swan constructing the connecting road infrastructure and Main Roads Western Australia undertaking project development and the design for the bridge.

EDITH COWAN UNIVERSITY — MT LAWLEY CAMPUS — STEERING COMMITTEE

705. Hon DONNA FARAGHER to the minister representing the Minister for Lands:

I refer to the establishment of a government steering committee as part of the master plan for the Edith Cowan University Mt Lawley campus site and surrounding areas.

- (1) Will the minister list the current members of the steering committee?
- (2) How many committee meetings have been held since the committee's establishment?
- (3) Of the meetings referred to in (2), will the minister list the date of each meeting?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Lands.

- (1) The Edith Cowan University Mt Lawley steering committee consists of members from DevelopmentWA, the chair, the Department of Education, the Department of Planning, Lands and Heritage, the elected MLC for the East Metropolitan Region and the City of Stirling.
- (2)–(3) Development WA is currently undertaking initial due diligence investigations into the ECU Mount Lawley site, which are required to inform the work of the government steering committee and potential future uses of the site. Once completed, these initial investigations will support the reconvening of the government steering committee, which last met on 12 October 2021.

BUNBURY REGIONAL PRISON — STORM DAMAGE

706. Hon Dr STEVE THOMAS to the minister representing the Minister for Corrective Services:

I refer to the storm damage to the roof of Bunbury Regional Prison on 10 May 2024.

- (1) What is the latest valuation of the damage?
- (2) What buildings were damaged and which are now unusable?
- (3) How many prisoners had to be moved to other sections of Bunbury Regional Prison and to other prisons?
- (4) Will the repairs take eighteen months to complete; and, if so, why?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I answer on behalf of the Minister for Emergency Services.

The Department of Justice advises:

- (1) The remedial program is currently under development and has not yet sufficiently progressed to allow for an opinion of probable cost.
- (2) Accommodation units I and K sustained major damage and are not habitable. The cool room and associated fly-over roof were damaged beyond repair and are not usable. Transportable cool rooms have been sourced and deployed on site. The market garden chemical store lost its roof.
- (3) There were 45 prisoners who were moved to other units or houses of Bunbury Regional Prison, and 27 prisoners were transferred to other prisons.
- (4) A project program is yet to be finalised.

SCHOOLS — MENSTRUAL PRODUCTS

707. Hon SOPHIA MOERMOND to the Leader of the House representing the Minister for Education:

I refer to the provision of menstrual products in public primary schools provided for by this year's budget.

- (1) How is the budget for this provision allocated across the state?
- (2) Does the department also provide a provision of menstrual products to public high schools?
- (3) If no to (2), is this under consideration by the department for future spending?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1) The total cost of the initiative is paid for and managed centrally. The provider supplies products to schools directly. To ensure continued access to supply, product replenishment is pre-scheduled or done via an online request form that schools complete.
- (2) Yes.
- (3) Not applicable.

CONSERVATION AND RESTORATION PLANS — PERTH AND PEEL

708. Hon Dr BRAD PETTITT to the minister representing the Minister for Planning:

I refer to the media statement on 22 December 2022 “Government provides certainty over Perth and Peel planning” and the commitment to detailed conservation and restoration plans that will be developed to reverse declining environmental values in Perth and Peel and to help facilitate state and commonwealth environmental approvals. The cross-government work will be led by the Environment and Planning portfolios and will incorporate products and datasets produced through the Strategic Assessment of the Perth and Peel Regions.

- (1) Have these detailed conservation and restoration plans been produced, and are they now available to decision-makers and the public?

- (2) If yes to (1), will the minister please provide a link or table to these plans?
- (3) If no to (2), why have these plans not been produced as promised?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question.

The following response has been provided by the Minister for Planning.

- (1)–(3) The Department of Planning, Lands and Heritage continues to assist the Department of Water and Environment Regulation to progress this significant and complex body of work.

INDUSTRIAL HEMP

709. Hon Dr BRIAN WALKER to the Minister for Agriculture and Food:

I refer the minister to the commitment made by her colleague the Minister for Environment to bring forward legislation during this Parliament that would simplify mining approvals and ease Environmental Protection Authority restrictions to assist industry but to the possible detriment of the environment.

- (1) Will the Cook government make the same promise to our industrial hemp growers and consider easing the legislative burden they face?
- (2) Given that all available research suggests that an expansion of that industry would help rather than hinder our environment, why should miners benefit from digging up our valuable resources, while farmers suffer for improving our soil and waterways?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question.

- (1) The Industrial Hemp Act 2004 regulates the cultivation, harvesting and processing of industrial hemp. It is considered to impose minimal regulatory burden and provides growers with a defence to charges under the Misuse of Drugs Act 1981.
- (2) Western Australian regulatory costs to hemp licensees are among the lowest costs in Australia.

LIVE EXPORT — MEAT INDUSTRY WORKERS — UNION REPRESENTATION

710. Hon BEN DAWKINS to the Minister for Agriculture and Food:

I refer to the minister's answer to yesterday's question without notice, conceding that at some stage she met with the meatworkers' union. I would suggest that this was the Australian Labor Party-affiliated and ALP-donor union the Australasian Meat Industry Employees Union.

I refer to AMIEU's statement on its website, which says —

The AMIEU has been working with animal welfare groups since 2007 ... to put a stop to live animal exports.

At the minister's recently disclosed meeting with the AMIEU, did it ask the minister to support or oppose a ban on live sheep exports?

The PRESIDENT: I will ask the minister to attempt to answer that question; however, the point of questions without notice is that ministers are reasonably expected to be able to answer the question, and your question goes beyond a certain timeframe. I will give the minister the opportunity to attempt to answer it, but you may not reasonably expect an answer.

Hon JACKIE JARVIS replied:

Thank you, President. As I noted yesterday, I met with a union representative from a meat industry union. I do not know of that union. I recommended yesterday that, if the member put the question on notice, I would check my diary. He did not put a question on notice, so I have not checked my diary in the time in between.

I can tell the member that when I did meet with one union official from a meatworkers' union, it was in relation to discussing the Western Australian Meat Industry Authority and the fact that we require a representative on the board. I have never discussed anything to do with live export with a meatworkers' union. As I noted yesterday, I had a meeting with a union representative. My understanding is that several unions on the east coast represent meatworkers. My understanding is that in WA there is one FTE who provides that support. I met with that person. I have never discussed live exports with that person. It was specifically a discussion about the Western Australian Meat Industry Authority and a vacant board position.

WESTERN POWER — STREETLIGHT INSPECTIONS

711. Hon MARTIN ALDRIDGE to the parliamentary secretary representing the Minister for Energy:

I refer to routine streetlight inspections by Western Power.

- (1) How often are streetlights inspected for serviceability?
- (2) Are internal crews or external contractors tasked with carrying out the inspections?

- (3) What is the cost associated with the routine inspections of streetlights?
- (4) How many routine streetlight inspections were carried out in the 2022–23 financial year?
- (5) How many routine streetlight inspections have been carried out in the 2023–24 financial year to date?

Hon DARREN WEST replied:

I thank the honourable member for some notice of the question. On behalf of the Minister for Energy, I will attempt to shed some light on this important matter.

- (1) Streetlight metal poles are inspected every four years once they reach eight years of age. Streetlights on other Western Power assets are inspected at the time of their inspection cycle, at least every other four years. Western Power has an easy-to-use online system that enables members of the public to quickly report faulty streetlights, in addition to its telephone fault call service.
- (2) Both internal crews and external crews inspect streetlights.
- (3) It was \$129 per streetlight metal pole as at 31 May 2024.
- (4) It inspected 36 369 streetlight metal poles as at 30 June 2023.
- (5) It inspected 29 073 streetlight metal poles as at 31 May 2024.

POLICE DONATION — FIREARM STOCKS — SUBIACO MEN'S SHED

712. Hon LOUISE KINGSTON to the minister representing the Minister for Police:

I thank the minister for the answer to my question without notice 771 regarding firearm stocks that were donated to the Subiaco Community Men's Shed.

- (1) How were the firearm stocks rendered in such a manner that they were no longer considered a major firearm part?
- (2) Where were they rendered and by whom?

Hon SUE ELLERY replied:

I answer on behalf of the minister representing the Minister for Police. I thank the honourable member for some notice of the question.

The Western Australia Police Force advises the following.

- (1) They were rendered innocuous by the use of a mechanical saw.
- (2) The rendering was undertaken by suitably qualified persons, following appropriate guidelines, and checked by the Western Australia Police Force. Further details on the location and the individual cannot be disclosed for security and safety reasons.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT —
CHANGE-OF-NAME APPLICATIONS — RESTRICTED PERSONS

713. Hon NICK GOIRAN to the parliamentary secretary representing the Attorney General:

I refer to the Attorney General's answer to my question without notice 603 that revealed that 10 out of the 21 change-of-name applications made by restricted persons from 1 October 2022 were refused as the applicants did not have the written approval of their relevant supervisory authority.

- (1) How many supervisory authorities are there whose approval is of relevance under the Births, Deaths and Marriages Registration Act 1998?
- (2) Who are those authorities?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. The following answer has been provided by the Attorney General.

- (1)–(2) Supervisory authorities are defined within the Birth, Deaths and Marriages Registration Act 1998. They include —
 - (a) the chief executive officer of the Department of Justice for a high-risk serious offender;
 - (b) the chief executive officer of the Department of Justice for a detainee;
 - (c) the Prisoner Review Board for a person subject to an early release order;
 - (d) the chief executive officer of the Department of Justice for a prisoner;
 - (e) the chief executive officer of the Department of Justice for a supervised offender;
 - (f) the Supervised Release Review Board for a supervised young offender; and
 - (g) the Commissioner of Police for any offender who is subject to the provisions of the Community Protection (Offender Reporting) Act 2004.

SOCIAL HOUSING

714. Hon STEVE MARTIN to the minister representing the Minister for Housing:

I refer to the minister's answer to my question 658 on Tuesday, 11 June, providing the number of applications on the public housing waitlist as of 30 April 2024.

- (1) How many individuals are represented by the 20 203 applications?
- (2) How many individuals are represented by the 5 431 priority applications?

Hon JACKIE JARVIS replied:

I thank the honourable member for notice of the question. The following response has been provided by the Minister for Housing.

- (1)–(2) Counting the number of distinct individuals within applications does not form part of regular verified reporting. As advised in the answer to Legislative Council question without notice 321 on 17 April 2024, double counting is present as part of the waitlist's composition given that an individual may be listed as a householder on more than one application at any one time. Examples include when householders are listed on multiple applications or children may be counted as householders on the applications of each of their caregivers.

YOUTH DETENTION — INFRASTRUCTURE REVIEW

715. Hon PETER COLLIER to the minister representing the Minister for Corrective Services:

I refer to the minister's response to question without notice 60 on Thursday, 29 February 2024.

- (1) Has the business case for the new secure facility to be constructed at Banksia Hill Detention Centre been completed?
- (2) If no, when is it anticipated that it will be completed?

Hon SUE ELLERY replied:

On behalf of the minister representing the Minister for Corrective Services, I thank the honourable member for some notice of the question.

- (1)–(2) The Department of Justice advises that the business case is being finalised and will be provided to government in due course.

METROPOLITAN RAIL NETWORK — INTERRUPTIONS

716. Hon TJORN SIBMA to the minister representing the Minister for Transport:

Regarding the reliability of the metropolitan rail network, how many unscheduled service interruptions have occurred on each line over the past 12 months and what was the cause or were the causes of those interruptions?

Hon SUE ELLERY replied:

I answer on behalf of the minister representing. I thank the honourable member for some notice of the question. I refer the member to the answer provided to his 2024–25 budget estimates question —

Hon Tjorn Sibma: I haven't seen it yet, so you can't do that; sorry.

Hon SUE ELLERY: Maybe the member could let me finish my sentence. I refer the member to the answer provided to his question 3(a) prior to the 2024–25 budget estimates hearing for the Public Transport Authority. If there is some discrepancy, I am happy to take that up for him with the Minister for Transport.

SCHOOL DENTAL SERVICE

717. Hon DONNA FARAGHER to the parliamentary secretary representing the Minister for Health:

How many children have accessed the School Dental Service in 2023 and 2024 to date?

Hon PIERRE YANG replied:

I thank the honourable member for some notice of the question. The following has been provided by the Minister for Health.

In 2022–23, there were 117 873 children, representing 191 583 occasions of service. In 2023–24 year to date to 31 May 2024, there were 107 579 children, representing 174 493 occasions of service.

SYNERGY COLLIE BATTERY ENERGY STORAGE SYSTEM

718. Hon Dr STEVE THOMAS to the parliamentary secretary representing the Minister for Energy:

I refer to the construction of big battery storage in Western Australia.

- (1) Will the Synergy Collie battery energy storage system be complete in 2025 as projected; and, if so, in what month?
- (2) If not, when will it be complete?

- (3) When will the Synergy CBESS start delivering electricity to the south west interconnected system?
- (4) What is the latest cost projection for the Synergy CBESS?
- (5) Why is the CBESS so far behind construction compared with the privately built and owned Neoen big battery also being built in Collie?

Hon DARREN WEST replied:

I thank the member for some notice of the question. On behalf of the Minister for Energy, I provide the following answer.

- (1)–(4) Synergy’s Collie battery energy storage system project remains on time and on budget.
- (5) These are two different projects, with two different target completion dates. They are at different stages of construction. The timing of CBESS is unchanged from the original announcement.

WIND TURBINE MANUFACTURING

719. Hon SOPHIA MOERMOND to the Minister Assisting the Minister for State and Industry Development, Jobs and Trade:

I refer to the wind turbine manufacturing initiative.

- (1) How was the \$8 million estimated actual cost from 2023–24 spent?
- (2) Has the full feasibility study been completed?
- (3) If no to (2), when is the study due to be completed?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question.

- (1) A total of \$8 million has been allocated to support local businesses to manufacture wind turbine components and service supply chains. The funding will be available as grants to develop wind turbine manufacturing opportunities across the state.
- (2) Yes.
- (3) Not applicable.

BANKSIA HILL DETENTION CENTRE AND UNIT 18 DETAINEES —
SUICIDE ATTEMPTS AND SELF-HARM INCIDENTS AND OUT-OF-CELL HOURS

720. Hon Dr BRAD PETTITT to the minister representing the Minister for Corrective Services:

I refer to youth justice. Will the minister please provide the following information on Banksia Hill Detention Centre and unit 18, respectively, for May 2024 —

- (a) the number of suicide and self-harm attempts;
- (b) the monthly average out-of-cell hours;
- (c) the number of occasions a young person spent 20 or more hours in their cell; and
- (d) the number of occasions a young person spent four or more hours out of their cells?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The member has a slight preamble in his copy of the question that is not on my copy; however, the rest of the question is the same, so I provide this response. The answers are in tabular form and I seek leave to have them incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

Answer

The Department of Justice advise:

- (a) Answer (1)(a)

Table 1. Banksia Hill Attempted Suicide and Self-Harm Instances between 1 and 31 May 2024

	May 2024
Attempted Suicide	8
Self-Harm – Serious	0
Self-Harm – Minor	73

Table 2. Unit 18 Attempted Suicide and Self-Harm Instances between 1 and 31 May 2024

	May 2024
Attempted Suicide	0
Self-Harm – Serious	0
Self-Harm – Minor	17

(b) Answer (1)(b)

Table 3. Banksia Hill and Unit 18 Average Out of Cell Hours between 1 and 31 May 2024

	Banksia Hill	Unit 18
May 2024	9 hrs 17 mins	4 hrs 51 mins

(c) Answer (1)(c)

Table 4. Occasions at Banksia Hill and Unit 18 on which a young person spent 20 or more hours in Cell between 1 and 31 May 2024

	Banksia Hill	Unit 18
May 2024	172	190

(d) Answer (1)(d)

Table 4. Occasions at Banksia Hill and Unit 18 on which a young person spent 4 or more hours out of Cell between 1 and 31 May 2024

	Banksia Hill	Unit 18
May 2024	2,188	220

CANNABIS — PROSTATE CANCER

721. Hon Dr BRIAN WALKER to the parliamentary secretary representing the Minister for Health:

I refer the minister to recent research suggesting that cannabis use, legal or otherwise, may have a positive impact on the number of seniors developing prostate cancer.

- (1) If, as we are repeatedly told, the Cook Labor government has no plans to legalise cannabis, does it at least have plans to tackle the rate of prostate cancer here in WA given that it is one of the most prevalent forms of cancer in our community?
- (2) If yes to (1), what are those plans?
- (3) Why does it appear that prostate cancer and cannabis are being treated as separate issues here in WA when many other jurisdictions have woken up to the fact that they are linked and sympathetic issues?

Hon PIERRE YANG replied:

I thank the honourable member for some notice of the question. The following answer has been provided by the Minister for Health.

- (1)–(3) The Western Australian government supports several existing services for men with prostate cancer, including the prostate cancer specialist nurse program facilitated by the Prostate Cancer Foundation of Australia, the cancer nurse coordination service administered by Cancer Network WA and the information and support line provided by the Cancer Council. The commonwealth Therapeutic Goods Administration regulates medicinal cannabis products as therapeutic goods. Decisions on whether cannabis products may be appropriate for a patient are made by the treating prescriber dependent on the clinical needs of the patient.

SCOTT RIVER – WIND FARM PLANS

722. Hon BEN DAWKINS to the parliamentary secretary representing the Minister for Energy:

I refer to investigations into a potential wind farm at Scott River.

- (1) Can the minister advise when a decision will be made by Synergy on whether it will progress to the next stage of the development of a wind farm at Scott River?
- (2) Will the minister commit to making public the details of payments to landowners for the use of their land, to ensure that all landholders are treated equally?
- (3) Will landowners who do not host turbines, but will be adjacent to them, receive compensation for the impact on their land?
- (4) Can the minister rule out that the Scott River wind farm will expand from the currently suggested 10-megawatt capacity?

Hon DARREN WEST replied:

I thank the honourable member for some notice of the question. On behalf of the Minister for Energy, I provide the following answer.

- (1) Synergy is currently assessing the feasibility of a wind farm at Scott River, with any progress giving consideration to relevant site studies and community and stakeholder engagement.
- (2) Payments to landowners are commercial-in-confidence.
- (3) Synergy seeks to enter into neighbour agreements with individuals proximate to the site under assessment. Synergy's discussions with neighbours proximate to the site under consideration are still underway.
- (4) The generation capacity potential of the site will be determined by the current feasibility study.

HOME CONSTRUCTION DELAYS — NICHELIVING — INVESTIGATION

723. Hon MARTIN ALDRIDGE to the parliamentary secretary representing the Minister for Industrial Relations:

I refer to the investigation by the Fair Work Ombudsman into Nicheliving in relation to hundreds of unfinished homes across Perth dating back more than three years.

- (1) Has the minister received any update on this investigation; and, if so, will she please provide detail?
- (2) Is the minister aware of allegations that Nicheliving is not paying contractors, is not paying its staff superannuation and is not taking out mandatory builders' indemnity insurance?
- (3) If yes to (2), what action is being taken by the state government to investigate these serious allegations?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. The following answer has been provided to me by the Minister for Industrial Relations.

- (1) No. The state would not generally seek information from a federal regulator, given that investigations are confidential, so it is not able to disclose information.
- (2) The minister is aware of matters related to Nicheliving being raised in the media and understands that the Minister for Commerce has sought an urgent meeting with it.
- (3) Not applicable.

POLICE — FIREARMS — LICENCES

724. Hon LOUISE KINGSTON to the minister representing the Minister for Police:

I thank the minister for the answer to my question without notice 621 regarding the number of firearms licensed in Western Australia.

- (1) How many collector firearms are held under collectors' licences in Western Australia?
- (2) How many collectors' licences are currently issued in Western Australia?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. Honourable member, this is the first time I have seen this question. However, the answer is that the Western Australia Police Force advises that it is not possible to provide a response within the required timeframes. An answer will be provided for the honourable member on Tuesday, 18 June 2024.

KNIFE ATTACK — WILLETTON

725. Hon NICK GOIRAN to the minister representing the Minister for Police:

I refer to the fatal shooting of a 16-year-old male on 4 May 2024, at around 10.15 pm, which took place outside Bunnings in Willetton after he stabbed a man.

- (1) Is the minister aware that a call was received by St John Ambulance at around 6.27 pm on 4 May 2024, during which it was alleged that a paranoid schizophrenic person was behaving violently and had a knife?
- (2) At what time were police first notified about this phone call?
- (3) At what time did police attend the scene?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. This answer has been provided to me by the Minister for Police.

- (1)–(3) The Western Australia Police Force advises that the call referred to by the honourable member is unrelated to the fatal shooting incident of a 16-year-old male.

HEALTH — RESPITE AND RESIDENTIAL BEDS — WHEATBELT

726. Hon STEVE MARTIN to the parliamentary secretary representing the Minister for Health:

I refer to the 30 health services and centres across the wheatbelt.

- (1) How many beds are open for respite and residential care across the region?
- (2) Will the minister please table a list of how many beds in (1) are available for each health service in the wheatbelt?

Hon PIERRE YANG replied:

I thank the honourable member for some notice of the question. The following has been provided by the Minister for Health.

- (1) There are 241 beds across 18 multipurpose services in the wheatbelt. The MPS program is jointly funded by the state and commonwealth governments to provide residential care in regional communities. Emergency respite is also available in acute hospitals that do not receive commonwealth funding for residential and respite aged-care services.

The answer to (2) is in tabular form and I seek leave to have the response incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

(2)

Wheatbelt MPS Site	Available
Beverley	8
Bruce Rock	1
Corrigin	4
Dalwallinu	8
Dumbleyung/Kukerin	1
Southern Cross (Yilgarn)	4
Kellerberrin	6
Kununoppin/Trayning	4
Merredin	3
Wyalkatchem	6
Narembeen	3
Kondinin / Kulin	1
Lake Grace	1
Moora/Dandaragan	4
Goomalling	5
Wongan Hills	3
Quairading	8
York	2

*Beds available for acute inpatients, residential care, respite or patients awaiting aged care services

POLICE — FAMILY SAFETY OFFICERS

727. Hon PETER COLLIER to the minister representing the Minister for Prevention of Family and Domestic Violence:

I refer to the announcement on 5 December 2023 of 14 new specialist family and domestic violence officers—family safety officers.

- (1) Have seven family safety officers been appointed throughout the metropolitan region and seven throughout the regional areas?
- (2) If not, why not, and when will they be appointed?

Hon JACKIE JARVIS replied:

The following response has been provided to me by the Minister for Prevention of Family and Domestic Violence. The Department of Communities provides the following advice.

- (1) As at 31 May 2024, all 14 family safety officer positions were filled.
- (2) Not applicable.

PARLIAMENTARY COUNSEL'S OFFICE — BILLS — DRAFTING APPROVAL

728. Hon TJORN SIBMA to the parliamentary secretary representing the Attorney General:

I was about to say “eternal general”! I need to make a minor correction to the question I asked yesterday.

- (1) Of the 74 bills—I said that incorrectly; it should be 77—presently being drafted by Parliamentary Counsel's Office, how many will be in a condition to be introduced before the prorogation of the forty-first Parliament?
- (2) In tabular form, can the Attorney General please indicate by portfolio the ministers responsible for the carriage of the 77 bills?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. The member is correct because the answer we provided yesterday was for 77 bills.

- (1)–(2) Matters regarding the government’s future legislative program, priorities and timeframes are decisions of cabinet and are cabinet-in-confidence.

HEALTH — SCHOOL HEALTH NURSES

729. Hon DONNA FARAGHER to the parliamentary secretary representing the Minister for Health:

I refer to school health nurses employed by the Department of Health. How many positions are currently vacant for school health nurses by FTE in the Child and Adolescent Health Service and WA Country Health Service?

Hon PIERRE YANG replied:

I thank the honourable member for some notice of the question. The following answer has been provided by the Minister for Health. The Child and Adolescent Health Service has 16.75 FTE and the WA Country Health Service has 10.93 FTE.

ENERGY — BATTERY STORAGE CONTRACTS

730. Hon Dr STEVE THOMAS to the parliamentary secretary representing the Minister for Energy:

I refer to the construction of the big battery storage in Western Australia.

- (1) What contract for battery-stored energy has been negotiated and/or signed by the following state entities for the supply of battery energy currently and in future years —
- (a) Synergy;
 - (b) Western Power; and
 - (c) Horizon Energy?
- (2) For each contract, how much power has been contracted over what time period?

Hon DARREN WEST replied:

I thank the honourable member for some notice of the question. On behalf of the Minister for Energy, I provide the following answer.

- (1) No contracts with big battery storage have been negotiated and/or signed by state entities for the supply of energy currently or for future years.
- (a) Not applicable. Synergy has a non-co-optimised essential system services contract for reliability—that is, peak demand services—with the Australian Energy Market Operator for Synergy’s 200-megawatt Kwinana stage 2 storage facility.
 - (b)–(c) Not applicable.
- (2) Synergy’s contract referred to in (1)(a) is for peak demand services in the years 2024–25 and 2025–26.

CHILD AND PARENT CENTRES

Question without Notice 688 — Answer

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [5.04 pm]: I would like to provide an answer to Hon Donna Faragher’s question without notice 688 asked yesterday and seek leave to have it incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

On behalf of the Minister for Early Childhood Education, I would like to provide answers to Hon Donna Faragher questions without notice Hansard number 688 from yesterday. The Minister apologises for the delay.

The Minister advises this information has already been provided to the Member in Question on Notice 1189 in October 2023, however the Minister is happy to provide the information again. I seek leave to incorporate it into Hansard.

CHILD AND PARENT CENTRE	2023–24 TOTAL ANNUAL OPERATION FUNDING (\$) (GST EXCLUSIVE)
Arbor Grove	348,767.67
Banksia Grove	354,592.09
Brookman	354,592.09
Calista	354,592.09

Carey Park	356,481.49
Collie Valley	356,481.49
Dudley Park	354,592.09
East Maddington	354,592.09
East Waikiki	354,592.09
Fitzroy Valley	481,777.03
Gosnells	354,592.09
Halls Creek	478,562.39
Kununurra	461,978.40
Mount Lockyer	356,430.72
Rangeway	356,725.11
Roebourne	490,322.00
Roseworth	354,592.09
South Hedland	442,334.27
Swan	518,994.45
Warriapendi	354,592.09
Westfield Park	354,592.09
Westminster	354,592.09

FIREARMS BILL 2024

Committee

Resumed from an earlier stage of the sitting. The Deputy Chair of Committees (Hon Stephen Pratt) in the chair; Hon Stephen Dawson (Minister for Emergency Services) in charge of the bill.

Clause 5: Terms used —

Committee was interrupted after the amendments moved by Hon Louise Kingston had been partly considered.

Hon STEPHEN DAWSON: I am waiting on some updated advice, but it is on the way.

In relation to disqualifying offences outside of Australia, although the existing legislation provides a discretionary power to consider offences or orders as to a person's fit and proper status and in some regard limits that to within the past five years only, the mandatory disqualification provisions will remove any discretion on behalf of the commissioner or anyone else making decisions under the bill to grant them a firearm authority. This does not limit the consideration of when that disqualifying matter occurred.

The position is not to amend the clause to include international jurisdictions, as this contemplates the laws of over 190 jurisdictions, each with their own legal systems. Some jurisdictions may deem a matter a serious offence that would otherwise not be a serious offence in Australia—for example, journalists jailed for reporting normal matters in the Middle East; what we may deem minor drug possession offences with little or no imprisonment can carry significantly greater penalties; or political activism, which in some countries is treated far more harshly including imprisonment. The validity or veracity of these matters may not be to the same standard of proof as required within Australian jurisdictions. Additionally, subjective assessment of any convictions within other jurisdictions will be restricted by access to relevant law enforcement information. Consequently, it was deemed too unreasonable to apply a mandatory disqualification to such persons when the discretionary powers of the commissioner under the fit and proper provisions within this bill must still give regard to these convictions from other jurisdictions. Does that answer the member's question?

Hon NICK GOIRAN: In essence, the position of government is that essentially it would be too onerous because of how many jurisdictions there are. I think the minister said there are 190 jurisdictions. For WA police, which will continue to have the responsibility to consider these applications, to be across the laws of 190 jurisdictions, would be too onerous and that is why this is not being done.

Hon Stephen Dawson: By way interjection, it is not too onerous, because there is checking that we would do anyway. But it is unreasonable. It is unreasonable for the person who has a conviction from another jurisdiction.

Hon NICK GOIRAN: That is okay. The minister has explained. It is unreasonable. My question is: does that apply to working with children checks?

Hon STEPHEN DAWSON: I am waiting for the answer, President. We put our heads together and contemplated where the member might be going next. It is not where we thought he was going.

Hon Nick Goiran: Which direction?

Hon STEPHEN DAWSON: It is a different direction. I am not going to give the member that direction now for fear he might follow it. However, I will see what answer I can provide, if people do not mind me pausing for a moment.

I do not have that information at hand. Perhaps the honourable member might tell us the answer to the question, if he knows; otherwise, we can wait until I find it.

Hon NICK GOIRAN: This is the standard of the Cook Labor government. It cannot do its job so it wants the opposition to do the job for it. It does not know the answer.

The concern that is reasonably held by members on this side of the chamber is that effectively the minister is saying that under this new regime, it will be mandatory to disqualify a person who has murdered somebody in New South Wales. Evidently, they have committed a serious offence. This provision states —

- (b) an offence under the law of another Australian jurisdiction that substantially corresponds to an offence referred to paragraph (a);

Mandatorily, we are saying as a Parliament—the government has said that this is what it wants—that a person cannot have a firearm in Western Australia if they murdered somebody in New South Wales. But if they murder somebody in Thailand, France, Iceland, Canada or in one of the 190 jurisdictions that the minister referred to, mandatorily, it will not be the case. Why would that be the case? What would happen if a firearm was used in the murder? Would that change the situation in the eyes of the government? It would not if it happened under Australian law. If a knife was used in a murder in Sydney, that would mandatorily prohibit somebody from getting a firearm here in Western Australia. Is that the case, minister? Let us clarify that first. If somebody murders another person in another state of Australia and that murder does not involve a firearm, would that person be mandatorily disqualified?

Hon STEPHEN DAWSON: We are not prescribing whether someone commits murder in another jurisdiction. What is prescribed in the bill is a crime that has attached to it a term of imprisonment of more than five years. It is not about murder. As I indicated earlier, if somebody gets done in Asia for having pot or something that is a less serious offence in Australia, should that person be captured by this legislation? It is not about murder but those types of things like using pot or, indeed, people protesting in countries that deem that protest involving nonviolent direct action as a serious offence. Hon Louise Kingston, should that person who gets captured by law in another country for protesting against something that is deemed a serious offence there be banned from having access to a gun here? That is the type of thing we are talking about. It is not about an offence of murder; it is about the fact that a serious offence is one that is linked to a crime that has a term of imprisonment of more than five years attached to it.

I refer to the honourable member's comment that I do not know the answer. I am the representative minister here. My job is to facilitate debate and get answers where I can. I am very happy to sit for the next 10 minutes or however long it takes to get a particular answer to that question. The member's usual modus operandi in this place is that he does not ask a question unless he knows the answer. In the interests of using this two hours and 57 minutes as wisely as possible, I thought I would say that if the member had the answer to that question and wanted to give it to us to facilitate the debate moving on, that would be great, because his colleagues on that side who have further questions could ask them. That was not the case, and the member made his point as he did. The answer I have given is the answer I have given. It is not about murder in New South Wales or, indeed, in some other jurisdiction; it is simply a serious offence. The reason we are including what we are including in the bill is that there is not always commonality between what we and some other jurisdictions overseas say is a serious offence. It is for that reason we are including what we are in the bill before us.

Hon NICK GOIRAN: Let me assist the minister. A class 1 offence under the Working with Children (Screening) Act is as follows —

- (a) an offence against a provision listed in Schedule 1 (if the offence complies with any condition specified in that Schedule); or
- (b) an offence under a law of another jurisdiction prescribed by the regulations to be a Class 1 offence; or
- (c) an offence under a law of another jurisdiction the elements of which, if they had occurred in this State, would have constituted an offence of a kind referred to in this subsection; or
- (d) an offence committed, or alleged to have been committed, before 1 January 2006 that is an offence of a kind referred to in this subsection; or
- (e) an offence of attempting, or of conspiracy or incitement, to commit an offence of a kind referred to in paragraphs (a) to (d).

If we then go to the schedule at the back of the working with children legislation, the minister will see that it sets out all the different types of offences that are covered. It has been a while since I have had a look at that, but various heinous offences are covered under this provision. One of them is murder, so it is covered by the working with children legislation. One cannot be a murderer and get a working with children check card in Western Australia. What is not clear is whether a murderer will be able to get a firearm in Western Australia under

the minister's legislation. Remember, it is the minister's Premier and Minister for Police who are out there telling all Western Australians that they are making the laws tougher—the toughest going around! But when I ask the minister whether an international murderer will be able to get a firearm or not, we cannot get a straight answer. Apparently, it is not about that. What is it about? Hon Louise Kingston is trying to make it about this. The minister simply says, “We are worried about political protests overseas”—then carve out those matters! The minister has access to Parliamentary Counsel. If he wants to carve out some of these international offences, he can. He is the one who referred to, I quote, “smoking pot”. The minister is apparently the one who wants to carve that out. I am getting the impression from him that he thinks that is okay overseas, and maybe there are other honourable members here who agree with him and think that those people ought to be able to access a firearm. If the minister wants to carve out those provisions, he should do so, but I am asking about murder. Does the minister think that an international murderer should be able to access a firearm? Clearly, here, unless we agree with Hon Louise Kingston's proposed amendment or a version that the minister might like to put together with the benefit of Parliamentary Counsel, particularly as we are about to have an adjournment for a number of days, we will not be mandatorily excluding those people. That is unacceptable.

Progress reported and leave granted to sit again, pursuant to standing orders.

MINISTER FOR TRANSPORT — PARLIAMENTARY QUESTIONS

Statement

HON TJORN SIBMA (North Metropolitan) [5.19 pm]: Thank you, President. This will be a quick one. During question time today, I asked a question directed through the minister representing the Minister for Transport. That question asked about the number of instances over the last 12 months of unscheduled service interruptions across the rail network. President, you might recall a significant problem about a fortnight ago when fans who intended to attend an international soccer match—it was a good event—at Optus Stadium were inconvenienced by effectively a service-wide outage. On occasion, these things happen for technical or some other reasons. I am on the alert system, and because I drive along the freeway frequently enough, I have noticed over the last 12 months in my estimation that there seems to have been an increase in frequency of these unscheduled service interruptions, which can happen for any number of reasons. I have been seeking to validate whether or not my suspicion is correct or this effectively falls within normal parameters. I had asked a similar question, not necessarily precisely the same question, in the very helpful process that has been opened up by the Standing Committee on Estimates and Financial Operations that allows members to submit electronically questions ahead of a physical hearing with an agency. It is a very useful protocol, as indeed is the opportunity to submit questions after that fact.

What I intend to say here is not a reflection upon the hardworking committee or its staff. As the President knows, I have previously served as a member of that committee. The processing of questions and answers prior to and after hearings can be a little arduous. Actually, in my experience, it is unusual to provide answers to members this far in advance of the physical hearings taking place. However, I take no issue with my minor inconvenience, but at 5.17 pm today when I checked online, there was no answer to which I had been referred by the Minister for Transport. That is a technical quibble. That suggests that there is indeed an answer out there; I just cannot see it yet. My issue is not so much with the process, which sometimes does not meet a member's personal preference; my issue is with the attitude with which that answer was provided to me today as a member. I found it striking that apparently the minister took umbrage at the fact that I would dare ask a similar question repeatedly, but it has been my experience that if there is indeed one minister of the Cook Labor government whom one needs to ask questions of repeatedly, it is the Minister for Transport. I want it to be very clear in the minister's mind or the minds of those who work in her office that it is not out of forgetfulness that I pose questions; it is out of determination, because I know that I will not necessarily receive a full answer or even an accurate answer at my first attempt.

I draw members' attention to the issue of the Lloyd Street Bridge extension project that has now been stalled for two years. I understand the project has stalled on the examination of, I think, probably a very plausible Aboriginal heritage claim. Nevertheless, I asked three questions this week. I was effectively asking: What is the future of the project now? Will there be a realignment? How much money has been allocated to the project and how much money has been spent? I could have asked all these questions at once to save myself and the chamber time. Unfortunately, I feel that whenever I do that the one element of the question that the minister has a particular interest in will be answered and everything else will be obfuscated or forgotten about conveniently. Therefore, my contribution tonight is to enjoin the minister to perhaps act with some maturity and professionalism and just provide straight answers to straight questions, because my question today on unscheduled service interruptions on that rail line could not have been any more direct.

MEN'S MENTAL HEALTH WEEK

Statement

HON SANDRA CARR (Agricultural) [5.25 pm]: That was not my most gracious approach to standing. I cannot get my words out! Can I start that again, please, President?

The PRESIDENT: Please do, honourable member!

Hon SANDRA CARR: For the benefit of Hansard, I will start again.

I rise tonight to acknowledge that this week is Men's Mental Health Week, and I thought it was a really important one to acknowledge. I feel a sense of disappointment that there has not been as much fanfare about this day as there has been about others, because I think that addressing men's mental health is one of the most important activities that we could collectively undertake for the betterment of our whole community. Men's Mental Health Week is from 10 to 16 June 2024, but men's mental health is something that we need to take care of every single day, and we need to encourage the men in our lives, and those around us, to take care of and brave those uncomfortable feelings and seek out support and help when people are experiencing mental health challenges. It is as important as men's physical health. It is as important as men's relationships with their mates and turning up to the footy and having a beer later in the day or at the end of the day.

This week I was having a chat to a young man who was quite distressed. Clearly, it was a mental health issue for him. One of the questions I asked him was about his conversations with his friends: "Do you have friends experiencing this? Do you have friends going through this who can relate to you?" He said that he cannot talk to them about it and when he does try to ease those conversations in, everybody shuts down. I found that really worrying for him, first of all because he was seeking out connection and support, but it is also worrying that the young men around him are struggling to have those conversations. I was trying to reassure him that the hardest conversation he will have about his mental health is usually just the first couple of conversations and after that it gets easier and better and more helpful the more he approaches people and seeks the help that he needs.

I would really like to encourage people to check in with the blokes in their lives and make sure they are all okay. Ask them whether they check in on their own mental health to check that they are going okay. The Mental Health Commission of WA has some information on its website, and there are even live chat facilities that people can click on and start talking to someone. There is a whole list of numbers, including a specific men's line. If people want someone to talk to, they can click on the various lines. The men's line is not one that is supported by the Mental Health Commission, but it is promoted via that source. A lot of resources are out there for people who do not want to speak to someone they know but want to talk and share some information privately. I really encourage people to look out for the blokes in their lives. Our whole community and the safety of everyone is improved when everyone is doing well and looking after their mental health. This week is one to make sure that we are looking out for the men in our lives, so I will say a big hello to my dad, my son, my nephew and my amazing brother-in-law, who has been especially good to me. I will check in on them on the weekend and make sure they are all going well. I encourage all members to please do the same.

ANTI-SEMITISM

Statement

HON KATE DOUST (South Metropolitan) [5.28 pm]: I will not take too long. I want to share a story with members. On Tuesday night, the police visited my house and left a card. My husband phoned them up to find out what we could do and why they had visited us. It was a very unusual occurrence in my house. It turned out that they wanted to see whether they could access the video footage from our security system. For a variety of reasons, that was not possible and, unfortunately, we were not able to help them. The reason they wanted to do that was to find out who had daubed a swastika and very offensive words about their views of Jewish people on one of my neighbour's walls. I cannot use the word that was applied on this wall, but I have photos of it. It is a well-known house in my street. A stunning mural has been painted all across the length and breadth of this external wall. Not only has the wall and the imagery been desecrated, but also somebody has come along to a suburban street and chosen to destroy and cause difficulties for the owner of that property, and also put up a massive swastika that we all know is there to intimidate, bully and create fear to hark back to a very dark period of our history.

I have talked about these things on a number of occasions. I want to raise this because it is something that we need to be vigilant about. We need to send clear messages out continuously that this behaviour is not acceptable and not to be condoned. We should be upstanders not bystanders, and do everything possible to persuade people that they should not participate in these activities. As I am dealing with the Jewish community at the moment on a range of levels, I know that these types of actions that seem to sadly be increasing in frequency and around a variety of places in the city are causing significant distress to individuals in that community and a great deal of concern about how it is being managed. Members will recall that, in May 2022, I made a statement in this house and called on the government to look at introducing legislation that would ban the use of swastikas in these type of situations. That would then bring us into line with what has happened in other states now, because a number of other states have moved on this. Given what we see happening not just in Australia, but also around the world, this type of activity is sadly on the rise. It is becoming more important to send the message to the community that this is not to be tolerated.

I know that the government has been working on legislation. I know that Premier Roger Cook has indeed been very supportive of bringing in this type of change. I want to put on the record and explain how upset and angry I was to know that this had happened so close to home. I intend to knock on the door of those people and see how

they are dealing with it, because I know that they would be very upset. It is a challenge of our times. We have to be consistent in our messaging and we have to do everything we can to protect the people in our community who will be most affected and distressed by this type of imagery and the intent behind this imagery. I look forward to when the Labor government introduces legislation to try to put a stop to these behaviours. I know from our past discussions that our colleagues on the other side of the chamber have indicated their support for this type of ban. I hope that in the not-too-distant future we will be able to push that legislation through to try to prevent this type of obscene and distressing behaviour that occurred in my suburb this week.

MEN'S MENTAL HEALTH WEEK

Statement

HON BEN DAWKINS (South West) [5.33 pm]: I will just say a couple of sentences. I support what Hon Sandra Carr said tonight about men's mental health. I appreciate that. From my perspective, from the time that I have been here, it is nice to see members of the Labor government talking about men's issues. It is often implied that men are not encouraged to access services. I was just looking at an article on my phone about men being victims of domestic violence. I will use the fact that Hon Sandra Carr spoke about men's mental health to flip the conversation ever so slightly towards men sometimes being the victims. I was looking at a 2020 article from the ABC News website. I think it is acknowledged but seldom spoken about that on occasion men are the victims of domestic violence at the hands of women. It is more likely that it will be the other way around, but I would like to say —

Hon Peter Foster: Or other men.

Hon BEN DAWKINS: I beg your pardon?

Hon Peter Foster: Or other men. Men can be in relationships with men, and men can suffer at the hands of other men. You seem to conveniently forget that.

Hon BEN DAWKINS: Okay. This is a bit left field. I think what the —

Hon Peter Foster interjected.

The PRESIDENT: Order, member! This is also not a cross-chamber chatter opportunity. Hon Ben Dawkins has the call.

Hon BEN DAWKINS: I think my friend on the other side was saying that perhaps gay men can also be perpetrators of violence. That is another paradigm that I had not thought about venturing into.

Nevertheless, like with mental health, men who are the victims of domestic violence have a track record of not necessarily coming forward. Similar to what Hon Sandra Carr has said, men should seek treatment for their mental health and come forward, as they are perhaps less likely to than females. I am slightly spinning that conversation into men being the victims of domestic violence.

I, myself, will never seek sympathy in this forum, but I can say from personal experience that when physical violence was perpetrated against me, I did not seek help. I should have known that was the beginning of the end of that particular relationship. A lot of heartache could have been avoided had I reached out for help on that occasion, as this ABC article from 2020 referred to. Due to preconceived notions within our society, men do not think about reporting domestic violence. They probably should, because it is abhorrent in any form regardless of the sex of the perpetrator.

House adjourned at 5.37 pm
