

WEAPONS (SUPPLY TO MINORS AND ENHANCED POLICE POWERS) AMENDMENT BILL 2008

Second Reading

Resumed from 3 December 2008.

MR R.F. JOHNSON (Hillarys — Minister for Police) [5.50 pm]: I will obviously respond to the second reading speech of the member for Girrawheen, who is the shadow police spokesperson. I am the lead speaker on this side of the house. I am very happy to say at the outset that we will not support the Weapons (Supply to Minors and Enhanced Police Powers) Amendment Bill 2008. I am sure that that will come as no surprise whatsoever to members of the opposition. I must question the commitment of the member for Girrawheen and the opposition to the bill. It was a bit of an afterthought.

Several members interjected.

The ACTING SPEAKER: Order, members! If members want to have a conversation, please take it outside the chamber.

Mr R.F. JOHNSON: I will take us back to Friday, 21 November 2008. On that day, I announced that I would introduce, through legislation in the Parliament, random search laws to apply across the whole of WA, but initially in specific areas. That is highlighted in an article in *The West Australian* on that day. That was because of the weapons that were being found on people, predominantly in Northbridge but also in other areas, and that were causing enormous pain and suffering to some innocent people in our community. On 28 November—a week later—another article appeared in *The Australian*, titled “Armed and furious”. I thought it was quite good.

Ms M.M. Quirk: Was it in the “Strewth” column?

Mr R.F. JOHNSON: It was indeed in the “Strewth” column. If I am allowed to, I will quote it. It states —

West Australian MP Margaret Quirk found a novel way of taming the media yesterday, fronting reporters with a lethal-looking 40cm machete clutched in one hand and a brutal dagger called a scorpion in the other.

What a sight to see! Goodness me! She intimidates me on her own, without those types of weapons in her hands. It goes on to say —

The Opposition police spokeswoman was driving home her fury that such weapons can be sold to minors in Perth. As she swivelled them around in front of her, stroking the blades, reporters weren't about to argue. All questions were polite as the hacks kept a sensible distance, nodding encouragingly as she declared she had just introduced legislation to fine and jail anyone who sold weapons to children, even though the WA Government has already promised to introduce a similar law.

I was quite interested in that. I thought it was catch-up politics. I announced in one week that I would do something and a week later the shadow spokesperson said that she would do the same thing. Imitation is a top form of flattery, as far as I am concerned, and I am very flattered that the member for Girrawheen felt the need to imitate me. I was indeed flattered. What sort of commitment is there from the opposition? It has now been nearly six months since the member for Girrawheen and the opposition introduced this bill into Parliament and it is only today—as an afterthought at the end of private members' business that we might or might not have got to—that we are dealing with this bill. There was not a lot of commitment, in my mind, from the opposition to this legislation. The trouble with members opposite—including the member for Girrawheen, who was a minister; members should not forget that—is that in nearly eight years in government, they did not even dream of introducing a bill like this. Violence was escalating out of hand all over the state, yet it took a statement by me to generate some enthusiasm on this matter among the opposition via the member for Girrawheen. It shows the commitment that you guys have by bringing this in after six months —

Several members interjected.

Mr R.F. JOHNSON: “You guys” is a general term. I am an Aussie now—fair dinkum!

Mr P.B. Watson: You're a 10-bob tourist.

Mr R.F. JOHNSON: No, and I do not want members opposite to give me the money back, all right?

This legislation has taken six months to reach this stage. That shows the priority the opposition has given to it. Was it the number one priority on today's private member's business? No. The top priority was breastfeeding in cafes. Jeez, that will hold up the whole state—whether women can breastfeed in a restaurant. If I had more time, I would go into that because I used to own some restaurants and there were similar problems there; some people took offence at breastfeeding. Notwithstanding that, that was the first item of private members' business. The second item was a motion that the opposition moved last week that was virtually exhausted but has brought them

back to life again. At five minutes to six o'clock we are now debating this bill. I just wanted to highlight the lack of importance that the Labor Party places on this legislation.

Mr W.J. Johnston: Are you saying that this is more of a problem than breastfeeding?

Mr R.F. JOHNSON: I will say that combating violent, vicious attacks by thugs with weapons is more important than whether some restaurateurs might not like women breastfeeding in their restaurants.

Several members interjected.

Mr R.F. JOHNSON: I believe that this sort of legislation is quite important. The trouble is —

Mr D.A. Templeman interjected.

Mr R.F. JOHNSON: I have had four kids and I have eight grandchildren.

Mr D.A. Templeman: You didn't breastfeed them.

Mr R.F. JOHNSON: I did not, no, but I fed them at all hours of the night and day. I was a good dad, as I am sure is the member for Mandurah. I do not question that at all.

Let us get back to the bill and whether the opposition is showing commitment to the bill, because it is important. I do not believe the opposition has shown much commitment to the bill. This is very half-hearted legislation. The Labor Party had seven and a half or eight years in government and it did very little for law and order. The member for Girrawheen, when she was a minister in the previous government, hardly brought any legislation into this place at all.

Ms M.M. Quirk: How is that corrective services bill going, Attorney General?

Mr R.F. JOHNSON: Was that work not done by the member's predecessor? The member dealt with it almost as soon as she became a minister, but the work had been done by the previous minister. She did not really do much, but now she is in opposition she has as zest for bringing in a private member's bill on an issue that she knows that I and every member on this side of the house feel very strongly about.

Mr P.B. Watson: Have you done something about it?

Mr R.F. JOHNSON: That is a good question from the member for Albany. I have done something about it. I have a whole raft of legislation that will be introduced.

Mr P.B. Watson: I think the raft has gone down the river.

Mr R.F. JOHNSON: No. As I said yesterday, we have to deal with the legislation that the previous government left when it abrogated its responsibility, showed the white flag and said that it could not cope any more and that the state needed a good government, so the Liberals and Nationals should take over. Legislation needed to be dealt with. The previous government had introduced it, but it had not been proclaimed or had been sent off to a committee in the upper house.

Mr M.P. Whitely: You could have sat more weeks.

Mr R.F. JOHNSON: The previous government should have sat more weeks before it called the election, should it not? Had it done so, there might have been a different outcome.

Mr M.P. Whitely: You are the best shop steward that this place ever had.

Mr R.F. JOHNSON: I try to look after members.

Mr M.P. Whitely: You never work late.

Mr R.F. JOHNSON: Members will be working late next week; I promise them.

The legislation that has been introduced by the member for Girrawheen is a bit deficient. I have had my people look at it. It is covering some very limited areas. The legislation that the government will introduce will encompass more than merely the limited part in this bill, which is what I told the member when I was asked what I thought about the legislation that the member had hurriedly drafted and delivered into this house. I said that it was poor legislation and not well thought out. It did not encompass all the areas that we need to encompass. The most important part of the legislation needs to be the power to stop and search, which is what our legislation will enable. For members who do not know, I will explain a little more about that area.

Mr M.J. Cowper: Did anyone in this house come to you with an issue or problem about under-aged people having controlled weapons? Have any of them written to you or made representation to you while you have been minister?

Mr R.F. JOHNSON: I do not think they have, not from the other side of the house.

Ms M.M. Quirk: They have to me.

Mr M.J. Cowper: Has anyone in this place gone to the minister and said that it is a problem?

Mr R.F. JOHNSON: That is a good point.

Several members interjected.

The ACTING SPEAKER (Mr V.A. Catania): Order! I am sure that we want to hear from the Minister for Police.

Mr R.F. JOHNSON: For the benefit of members who may not be aware, general provisions allowing a police officer to search a person are contained in the Criminal Investigation Act 2006. Police officers from time to time rely on provisions in other legislation to conduct a search of a person; for example, the Weapons Act 1999, the Misuse of Drugs Act 1981 and the Public Transport Authority Act 2003. We are looking here at a search of a person, which can be authorised by a relevant search warrant, which the member would know because she has a legal background, or it can be authorised without warrant on occasions. Usually, searches without warrant are founded on the basis of the police officer having a reasonable suspicion of certain matters before being authorised to conduct a search. The member is aware of that as well.

Ms M.M. Quirk: Yes. I like sucking eggs occasionally. Go on.

Mr R.F. JOHNSON: There is no blanket reason to simply allow a police officer to randomly conduct the search of a person. The private member's bill proposes to amend the Weapons Act 1999 to give police officers the power to search persons in specified areas to determine whether they are carrying a weapon.

Ms M.M. Quirk: They do need to hold a reasonable suspicion.

Mr R.F. JOHNSON: That is what the member's bill states. It does not contain any provisions to enable police officers to seize items that are found by a search. Therefore, her bill does not give the police powers to seize items found by a search. Under her legislation, they have the right to search somebody but they do not have the right to seize whatever item they find.

Ms M.M. Quirk: If we moved an amendment to that effect, would you think that it would improve the deficiency?

Mr R.F. JOHNSON: I will save the member the bother. I will get a really good piece of legislation brought into this place that will cover this and other areas that are relative to it. I want the member to have a bit of an easier time now that she is in opposition.

Ms M.M. Quirk: Would not such an item be a prohibited weapon and would it not already come under the Weapons Act, which would mean that those police powers already exist? Is that argument not correct?

Mr R.F. JOHNSON: I will say another couple of things, because my speech has had a lot of interjection.

Ms M.M. Quirk: I think you will find that under section 6 of the Weapons Act it is already covered.

Mr R.F. JOHNSON: Yes, but the member's bill is silent on whether police officers will be able to use force when conducting a search.

Ms M.M. Quirk: I think that is not the case.

Mr R.F. JOHNSON: The police have finalised a proposal to allow increased powers to be given to police officers to search persons in declared areas. We are looking at that at the moment. We are working on the legislation and it is very close to being introduced. I accept the spirit and good faith of the member and that she is trying to be helpful, but I think at the same time that she is also trying to be political. That is why a week after I announced I would be doing this she said that she would be doing the same thing. However, the issue is more than selling weapons to minors. We have seen too often in the past two or three years, if not more, incidents when weapons have been used more and more. In the old days people used to use their fists to fight, but these days it is not so much the fists as the knife and the machete, such as the one the member for Girrawheen was brandishing and showing to the media when she held her press conference. Such weapons do permanent damage to people, if they do not kill them. They can inflict such injuries that people could be severely disabled for the rest of their lives.

It is important that we have laws in place to allow police officers to randomly search people, at their discretion, for weapons and also for drugs. I believe that many people who carry weapons and commit violent attacks also deal with drugs; they are drug takers, drug pushers or drug sellers. That very often seems to be the crux of the matter. Sometimes it can be alcohol but too many times it is drugs. The Weapons Act 1999 does not contain any provisions relating to the sale or supply of controlled weapons to minors. The licensing enforcement division of

the Western Australia Police has sought information from other states and territories on whether they have age restrictions in similar legislation. There is no age restriction built into Australian Capital Territory legislation.

Ms M.M. Quirk: You can buy porn and fireworks pretty well on any street corner, so I wouldn't use the ACT as a good example.

Mr R.F. JOHNSON: I would not have a clue where one would buy porn. Can one buy porn on a street corner in Canberra?

Ms M.M. Quirk: Virtually.

Mr R.F. JOHNSON: I thought the member meant it.

I was saying that there is no age restriction built into the legislation, but that it is a point of consideration by the registrar of police before issuing a permit. New South Wales has the same provisions as the Australian Capital Territory does. I do not know whether one can buy porn on the corner of streets in New South Wales; I would hope not. There are no age restrictions for category M weapons in Queensland, which are similar to our controlled weapons. To possess restricted items, one must be an adult. One would automatically assume that one would have to be 18 to be an adult. In the Northern Territory people over the age of 18 years are restricted from possessing prohibited weapons, similar to controlled weapons. Permits are issued by the registrar of police. Crossbow owners must be at least 18 years of age. There are no restrictions on who can possess weapons and other items included in the Western Australian Weapons Act not identified as a controlled weapon. The sale of these items is apparently self-regulated by suppliers who restrict sales to people older than 18 years. What happens in Tasmania? It does not have a weapons act. Firearms and crossbows are restricted to persons older than 18. They do not seem to have any laws relating to the sort of weapons that we are talking about in WA. In South Australia there are no age restrictions for controlled weapons. It obviously has no problem with people under the age of 18 buying certain controlled weapons. A permit is required to possess weapons of this nature. In Victoria, there are no age restrictions for possession or supply of prohibited weapons within the act. There exists a policy in which the registrar gives consideration to a person's age before issuing a permit. This policy parallels the Victorian Firearms Act minimum age standards, which is 12 years. I think that is too young for the sort of weapons that the member for Girrawheen and I are talking about. Firearms are already covered. Weapons include such things as knives and machetes.

A lot of young people have some ingenious ideas about how to turn what would appear to be an innocent item into a dangerous weapon. So many objects can be changed to become dangerous weapons. That needs to be encompassed in the bill. That is something that our drafters are looking at. We are trying to ensure that we cover every area we can so that when the bill is introduced and passed through Parliament, out of the blue there is not some way of getting around it and some other type of weapon that had not been identified. We are looking at an all-encompassing bill.

As I said earlier, we have seen so many examples of people carrying out brutal attacks in WA. We have also seen a number of gang attacks. We have certainly seen them in Northbridge and other areas. Some members of gangs have a competition to see who has the most weapons tucked up behind their shirts. This is a concern and a serious worry to our law enforcement officers. It is unfair that they have to go out on the streets and put their lives on the line when people are walking around carrying these sorts of weapons.

I have some sympathy and am in some agreement with the intention of the member for Girrawheen's bill. Obviously, it will not be supported by the government. I am sure that that will come as no surprise to her.

Ms M.M. Quirk: I'm deeply disappointed.

Mr R.F. JOHNSON: The member looks deeply disappointed. I know how disappointed she is because I know what it was like when I brought a private member's bill into this place. When I was in opposition, I was so committed to that bill. I was probably more committed than the member is to this bill. The bill that I handled when I was in opposition related to serious assaults on our police officers and mandatory sentencing.

Ms M.M. Quirk: I think you'd change your mind if you went down to those premises on Wellington Street and saw the range of articles that minors can buy.

Mr R.F. JOHNSON: I would change my mind. I want to stop all that. That is why I said we have some areas of agreement between us. I do not think for one minute that the member does not take very seriously the fact that young people can obtain some of these terrible-looking weapons, particularly the ones that the member brandished around at her press conference. The fact that they can buy those weapons is absolutely abhorrent. I find it abhorrent that anybody can buy those weapons. What genuine reason would people want those types of weapons for? Some might say they want them as collector's items. We have seen so many machetes used in violent attacks in recent years that they are not used by collectors; people are purchasing those weapons to use in a violent situation or confrontation with either another individual or a group of individuals. They are used to

intimidate and inflict serious injuries on other people. I do not think we disagree in that general area. I suggest to the member for Girrawheen that she needs to be patient. I know that the member is interested in what I have to say.

Ms M.M. Quirk: I can do two things at once; I'm a woman.

Mr R.F. JOHNSON: The member can do two things at once.

Ms M.M. Quirk: Yes, I can listen and talk at the same time.

Mr R.F. JOHNSON: Can the member show me how to do that sometime because I find it difficult?

The member for Girrawheen has a genuine interest in this area. I am not going to ridicule that. I will not agree that the government accept her bill as being ideal to put through this Parliament. I ask the member to bide her time a bit longer. She will not have to wait very long until I introduce a bill on behalf of the government that will incorporate much of what she has in her bill, but there will be more. I look forward with anticipation to the support of the member for Girrawheen and the Labor Party when I bring it into the house. That is the way things work. Governments are here to govern and bring in bills of this nature because these bills very often correlate and integrate with so many other bills. Because the member for Girrawheen is not a minister any more, she would not be aware of the other bills that will have some sort of integration with the weapons bill. That will all become clear when I introduce that legislation. I have a raft of legislation to introduce. Our problem is that we have so many competing ministers with legislation that there is a limited number of parliamentary draftspeople to draft the bills.

Mr A.P. O'Gorman: We're helping you out. We're assisting you. If you can't get it up, we'll get it up for you.

Mr R.F. JOHNSON: What did the member say?

Mr A.P. O'Gorman: I said that if you can't get your legislation up, we'll get it up for you.

Mr R.F. JOHNSON: That is an interesting comment. I will think about that one. In all seriousness, I appreciate the offer of the member for Joondalup, but I would not say that I need his help in that area at all!

Mr D.A. Templeman: Are you sure?

Mr R.F. JOHNSON: We will manage perfectly okay on this side of the house!

I hope that when I bring in some legislation—I am sure that the Attorney General will also have some legislation—it will to a great extent integrate and intermingle and be relative to different legislation. I am very hopeful that that will happen within the next few months. Some of it could be within the next few weeks, but it is the intention of the government to get as much of this legislation into the Parliament as soon as we can. There is severe competition between ministers, not only in this place but also in the other house, to get legislation to a point at which it can be introduced. The member for Girrawheen knows about this herself because she has been a minister. Even if she did not bring in a lot of legislation of her own, she would have seen around the cabinet table the process of drafting legislation, first approval to draft, and then approval to print. She would know that very often this kind of legislation that integrates with other legislation cannot be drafted overnight. It is necessary to do a really good job with it, because the worst thing in the world for this Parliament is to pass deficient legislation for people to abuse and use in a manner for which it was not designed.

I do not intend to speak any longer on this legislation. I am sure that my colleague the Attorney General would like to say a few words. The government will not support this legislation, and not because the intent is not good. I think that the intent is there, albeit for political reasons—the member must accept that her intent is for political reasons—to try to get this legislation through the house. That is why she introduced it.

Ms M.M. Quirk: It is to save lives.

Mr R.F. JOHNSON: The member for Girrawheen introduced this legislation because I had announced a week before her press conference that I intended to do it. She thought she would jump the gun and get in before Johnson.

Ms M.M. Quirk: You never said anything about sales to minors. That is all news to me.

Mr R.F. JOHNSON: That is all part of it, and the member knows that it was. I told the media that, but if the media chose not to publish that bit, that is up to them. Of course sale to minors is part of the government's legislation. It has to do with control of weapons, and part of the process of controlling those weapons is obviously trying to stop minors obtaining them, because people under the age of 18 are using those weapons. We do not only want young people to be stopped and searched and the items confiscated—we do not want the weapons to be sold to them in the first place. Of course that is the case; it would surely be a given. I am happy to say that the member probably does have a commitment in this area and I urge her, when the time comes—she

will not have to wait for too long—to support the government's legislation. I very much look forward to that support.

MR D.A. TEMPLEMAN (Mandurah) [6.24 pm]: I am very pleased to make a contribution to the debate on the Weapons (Supply to Minors and Enhanced Police Powers) Amendment Bill 2008. I congratulate the member for Girrawheen for bringing this very important bill before the house. I have listened to the comments of the Minister for Police, and I am very disappointed that he has not seen his way clear to supporting the bill because some time in the future—when that may be, we do not know —

Mr R.F. Johnson: In the very near future.

Mr D.A. TEMPLEMAN: In the very near future, according to the minister. I have heard him define “near future” and I realise that his definition can be very loose. I am not filled with confidence, and I will not be filled with confidence as I make my lonely journey home to Mandurah later on this evening, thinking about this bill and the minister's comments about it. I am more than a little disappointed that the minister has consigned this bill to the wastepaper department. He has been caught out quite badly. This is another demonstration of the government's lacklustre approach to the introduction of important legislation. This year we are spending very limited time in this place. The number of sitting weeks has been reduced, and I think this is because many ministers in the government are glaringly unable to carry out their duties, so that the less time they spend in this place, the less they will be subject to appropriate scrutiny. It is very sad that important bills like this do not get the support of the government. This bill seeks to send a clear message to communities throughout Western Australia about concerns that the number of weapons being, in many cases, concealed by people for a variety of reasons is on the increase. It is disappointing when a very effective member of this place, in the person of the member for Girrawheen, introduces a measure such as this and it is dealt with in this way by the minister.

Like all members of this chamber, I am very concerned about safety issues in the community. In recent times in the City of Mandurah, the centre of the Peel region, there have been some very tragic murders and savage assaults on people exercising their right to go to licensed premises to enjoy a few drinks with friends. Some people, in doing that, have tragically lost their lives. Violent assaults always weigh heavily on my mind, because unfortunately we have seen our fair share in my community. I am very eager to support legislation that seeks to protect people going about their lawful business and enjoying themselves. In Mandurah, as in places such as Bunbury, Rockingham, Fremantle, Northbridge and many other places in the metropolitan area, people are encouraged to enjoy nightlife activities and social contact with friends and family in entertainment precincts. There are many places where those sorts of social activities are encouraged, but it is an unfortunate reality that many people, for a number of reasons, carry concealed weapons that can be and are used to assault and sometimes even cause the deaths of citizens. That should be, and I am sure it is, a concern to all people in this place. The former minister, the member for Girrawheen, who introduced this bill, has articulated in her second reading speech and in the various clauses of the bill a very strong case for legislation of this nature.

I am always very interested in the sorts of responsibilities and powers that such legislation may provide to our policemen and women. I will talk about the policemen and women in my area in the context of what the member for Girrawheen is attempting to do with this legislation. I am very proud of the officers of the Peel police district, which serves the Peel region. Officers serve as far to the south east as Mundijong, through to Boddington, through to the shires of Murray and Waroona, and of course the City of Mandurah and the Serpentine-Jarrahdale area. In the Peel police district in particular we have been very fortunate to have had some outstanding leadership. I have mentioned in this place before my admiration for not only our current superintendent but also past superintendents. They have served and led admirably the men and women officers under their control. Because of that outstanding service, I believe our police district is one of the best in regional Western Australia.

When the Labor Party was elected in 2001, one of the issues our region had related to police numbers. I am very pleased that in a couple of years we saw something like a 40 per cent increase in police numbers in the Peel police district. The argument that I had before the election in 2001, or the argument I raised at the door in public forums, was that the fastest growing region in Western Australia must have adequate police resources. Both the Gallop and Carpenter governments committed to increase police numbers, and I was very proud and pleased to see those numbers increase in the Peel. I continue to argue for more police. I will be looking very carefully at the budget tomorrow, and in the days after, at the sorts of police resources that are to be provided. I will be asking questions about what additional allocations will be made to the Peel police district, the Mandurah station in particular, as Mandurah continues to be the fastest growing regional city. Our population is larger than that of any other regional city in the state.

One of the things that the Labor Carpenter government committed to, after much badgering by me as the local member, was of course a water police presence. I am really pleased that in July or August this year the Labor government's marine operations centre—a \$9 million, funded project—will be opened. The Minister for Police

will probably fight with the Minister for Fisheries, the Minister for Environment and the Minister for Planning over who will open it. I hope the Minister for Police will include me on the invitation list when the marine operations centre is opened.

Mr R.F. Johnson: I will take you there by boat down the canals.

Mr D.A. TEMPLEMAN: I would love that, and would welcome that.

Mr R.F. Johnson: You can always pop in for a cup of tea at my place.

Mr D.A. TEMPLEMAN: We could. That will be a very important additional police resource for the City of Mandurah and for the Peel region, because we have the largest coastal and inland waterway in Western Australia; it is much larger than the Swan River system.

Mr M.J. Cowper: It is 173 square kilometres.

Mr D.A. TEMPLEMAN: I thank the member for Murray-Wellington for that. Many people in this place do not realise that. They look out at the Swan River and think it is probably the biggest body of water there is in the state. Wrong—it is the Peel inlet and the Peel waterway system.

Ms R. Saffioti: I never knew that.

Mr D.A. TEMPLEMAN: The member for Murray-Wellington and I are very proud of that waterway but very concerned about its protection. The Labor Carpenter government funded the marine operations centre, and we will see it opened in a few short months. It comprises, for the first time, a permanent water police unit operating in the Peel waterways. It is very important. It adds to the resources of the police service in the Mandurah-Peel area.

I pay tribute to Ross Napier, who is a former police superintendent. He is no longer in the police service; however, it was Ross Napier, as the superintendent at the time, who was absolutely passionate about the need for such a water police presence in the Mandurah-Peel region. He worked very hard and lobbied very hard for it, along with me, with the then Minister for Police and indeed the commissioner of the day, Mr Falconer. Initially, Mr Falconer was not supportive of it; however, we kept fighting for it. Minister for Police, I hope that former superintendent Ross Napier will be invited to the opening of that centre. I mean that sincerely. I can give the minister his contact details. He was part of the initial push for such an important service.

When looking at the things that I want to do as local member to support my policemen and women, who do such a tremendous job in my community, I look at the legislation and support that we need to provide. This bill, which the member for Girrawheen has brought before this place, is a compelling piece of support for our policemen and women. It is also an important tool for helping protect our community and provide safety for our community. The last thing I want is for people in Mandurah, and in other communities with entertainment precincts, restaurants and nightclubs and those sorts of places, to start feeling that they really cannot go out at night as it is unsafe and they are not protected. Our policemen and women need to have the powers, responsibilities and backing to do what is necessary to provide improved safety. People who go into nightclubs should not be taking in concealed weapons; therefore, the places that sell these weapons should be made responsible. That is what the member for Girrawheen has attempted to do in this bill—to again remind proprietors who might sell weapons that can be used to inflict not only pain but, in some cases, as we have seen, the death of a person, that they have an acknowledged responsibility.

I have not gone into the Wellington Street example that the member for Girrawheen highlighted; however, I am sure there are many people in this place who have seen the sorts of weapons that were highlighted. The member for Girrawheen highlighted some of those in her media exposé late last year. I am sure people are horrified by the sorts of weapons that are available. Those weapons should not be available for people under the age of 18, except—as is provided for in this bill—if they are for a specific legitimate purpose, such as sport et cetera. The legislation attempts to highlight the responsibility of proprietors and to give police powers to protect people if somebody is carrying such a weapon. I am very interested in what this bill is attempting to achieve. I am a little disappointed that the Minister for Police has been negative towards what has been proposed.

Mr M.J. Cowper: I have a 17-year-old daughter, and you may have seen her around the place.

Mr D.A. TEMPLEMAN: Yes, she is a fine young woman.

Mr M.J. Cowper: She is doing after-hours study.

Mr D.A. TEMPLEMAN: I will ask for an extension of time while the member is interjecting.

[Member's time extended.]

Extract from Hansard

[ASSEMBLY - Wednesday, 13 May 2009]

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Mr Rob Johnson; Mr David Templeman; Mr Tony O'Gorman

Mr M.J. Cowper: It may be the case under this legislation that, if she is in possession of, for instance, OC spray, which is a controlled weapon under the regulations but which can be possessed by certain people in certain circumstances—for example, nurses leaving work late at night and walking in areas that are dimly lit et cetera—there is potential for it to be an offence for her to be supplied with OC spray. I am not sure that that sits comfortably with the people of Western Australia. Although I applaud the member for her interest in this area, I do not want to throw the baby out with the bathwater, if you know what I mean. I am curious to know whether you would support some sort of amendment to this bill to not include OC spray, for instance.

Mr D.A. TEMPLEMAN: I thank the member for Murray-Wellington for his comments by way of interjection. I support an effective system that protects people and allows people to protect themselves appropriately within the law. I think the intent of the clauses in the bill is to do exactly that. The member may have been in the house when the Minister for Police was asked by the member for Girrawheen whether he supported an amendment in a particular area and he indicated that he would not. I think we should demonstrate a good bipartisan approach towards these sorts of bills. I think that what has happened is that the Minister for Police has indicated that he was going to do this and, to be honest, he is a bit embarrassed that he did not bring this important bill to this place earlier. I think that is the problem. I think we have exposed that vulnerability of the Minister for Police. When the Liberal Party was in opposition, one of the most vocal people on a range of law and order issues was the now Minister for Police, and now he must be accountable. He has made some outlandish comments in his speeches during the past nine years.

Mr C.C. Porter: Name one!

Mr D.A. TEMPLEMAN: I would, but I like the minister too much. The reference to inappropriate dealings with animals is a classic example of an inappropriate and very poorly contrived speech by the now Minister for Police. That is one example of many. The Minister for Police and many other government members, including the Attorney General, who made the interjection, are now finding that although they could make outlandish comments and claims in opposition that they would crush this, castrate that and lock everyone up for 50 years, in government they must be accountable.

Ms M.M. Quirk interjected.

Mr D.A. TEMPLEMAN: That is right. I am looking forward to tomorrow to see where the new prisons will be built.

Mr J.E. McGrath interjected.

Mr D.A. TEMPLEMAN: I hope not—not in my backyard, sunshine! Why did we deserve to get a prison in the Peel region? Go and put the new prison on the beach in Cottesloe. Go and put the new prison in the member for Jandakot's electorate, next to the airport. Put it in the member for South Perth's electorate. If a new prison is to be built, I can guarantee that it will not be in the electorates of government members; they would have had a look at a map. If a prison is to be built in the member for Darling Range's electorate, I hope he will come over here and vote against it, because he will be spewing if he sees that in the budget tomorrow. I like the member for Darling Range; he is a good man. He is already spewing because I have had to take up the fight for pensioners for the fuel card introduced by the Minister for Regional Development. I have had to take up the fight for the fuel card for the people of Serpentine and Jarrahdale, because they have missed out. I have told the member that I will take up the fight, because I know that he is unable to do so. He will be hamstrung and silenced by his own party. I bet that he is not very good friends with the Minister for Regional Development. The Deputy Premier, my very good friend the member for Dawesville, whose electorate is alongside mine, is not able to fight for the pensioners in Herron, Erskine, Wannanup, Falcon, Dawesville and Bouvard who do not have access to a bus service, which is one criterion for the fuel card; I have to. That is why I have said that the government should pay me three wages. I am working for the Deputy Premier and the member for Darling Range. I am working for the pensioners who missed out on the fuel card because the Minister for Regional Development has decided that some of the people in the Peel region will miss out.

The ACTING SPEAKER (Ms L.L. Baker): I think perhaps the member should return to the issue at hand.

Mr J.N. Hyde: Member?

Mr D.A. TEMPLEMAN: I am certain that the member for Perth has a very important interjection.

Mr J.N. Hyde: I know that you are on the topic and I would hate to divert you, but this bill is very important to me and to those of us concerned about Northbridge and our entertainment precincts. I know that you are on the message and are right on the money in the way you are addressing this issue, but I care —

Mr R.F. Johnson: He was talking about pensioners.

Mr D.A. TEMPLEMAN: They should be able to go out as well.

Mr R.F. Johnson: They are very important, but they have nothing to do with this bill.

Mr D.A. TEMPLEMAN: Absolutely they have; they want to be safe. I know some older people who go to nightclubs.

Mr R.F. Johnson: You were talking about their bus passes, not their safety.

Mr D.A. TEMPLEMAN: Yes, I know, but I am also concerned about their safety.

Mr J.N. Hyde: To dine —

Mr D.A. TEMPLEMAN: I thought you were about to say that they should die. I was hoping that you were not going to say that; that would have been inappropriate.

Mr J.N. Hyde: It would have been. In fact, someone should have raised a point of order if I had said that, but I did not.

Mr D.A. TEMPLEMAN: Yes, I would censure the member for that.

Mr J.N. Hyde: I thank you for the correction. They should be able to be in the entertainment precinct in my electorate.

Mr D.A. TEMPLEMAN: I thank the member for Perth, but the member for Dawesville is in the chamber. I am defending the pensioners of Dawesville because they will not get a fuel card. I will do that without payment, but I am getting tired of carrying the burden. The burden is getting heavier as I try to take on the issues outside my wonderful electorate of Mandurah. Now I will have to get the pensioners in Dawesville and the people in Serpentine and Jarrahdale who will miss out on the fuel card to sign my petition. While I am talking about missing out, the Parliament and the people of Western Australia are missing out because the Minister for Police—I like him, and he knows that; he is a good friend of mine—

Mr R.F. Johnson: You're on my Christmas card list; you know that.

Mr D.A. TEMPLEMAN: I am devastated because I thought that the minister would have said, "Yes, the intent of this legislation is excellent, the provisions in the legislation are very valid and relevant, and the bill contains sensible clauses that deal with the sale and availability of weapons to people who, quite frankly, should not have access to them." I am disappointed that the Minister for Police has given us some indication that only in the fullness of time will he come up with something that, in his words, will be far better thought out; but, of course, we do not know when. I suspect that it will be late this year if it happens. So few weeks of sittings in this place are scheduled this year that I do not think we will see it for some time, and that is sad. As I said earlier, I think it demonstrates again that a number of ministers are not on the ball in delivering action.

The member for Joondalup wishes to speak and the Attorney General also has some comments to make. This is an excellent bill. It has been introduced to ensure that we consider the safety and wellbeing of our communities and that we protect areas within our communities such as entertainment precincts et cetera so that the police can police those areas even more effectively than they already do—they do a great job—knowing they have the appropriate powers and responsibilities to do that. I do not think anyone should oppose the intent of the provisions in this bill because it is about community safety. It does not matter whether it applies to pensioners in Mandurah who want to go out to a precinct with friends at night, which they do. A number of my constituents go into the entertainment precinct at various hours of the night.

Mr J.E. McGrath: Boot scooting.

Mr D.A. TEMPLEMAN: They do, and they have a right to do that. People should feel safe and know that they are safe when they choose to do those sorts of activities. Well done, member for Girrawheen. It is great to see that so many of the members on this side of the house, unlike some on the other side of this place—I will not name them all—have consideration for the safety of the people of Western Australia as a high priority.

Mr R.F. Johnson: We are very committed.

Mr D.A. TEMPLEMAN: I hope that the minister will reconsider.

Mr R.F. Johnson: I hope you will support the bill when I bring it in. I will bring in a range of bills to try to make WA a safer place, particularly for your residents.

Mr D.A. TEMPLEMAN: As the minister has told me, he has a home down in the canals.

Mr F.M. Logan: Is that right?

Mr D.A. TEMPLEMAN: Yes.

Mr F.M. Logan: How come he hasn't invited us down?

Mr D.A. TEMPLEMAN: I have not been invited yet, but I am sure I will be. Our new water police unit, which I fought strongly for, is in the area now, but it will be fully operational in July. It is very important. I ask the minister to please put the politics and the “I did not think of it first” attitude aside and support what we are trying to achieve with this very important bill.

MR A.P. O’GORMAN (Joondalup) [6.53 pm]: I rise to support this bill.

Dr K.D. Hames interjected.

Mr A.P. O’GORMAN: The Minister for Health does not have to tell the Acting Speaker (Ms L.L. Baker) that speakers get the call from one side and then the other. She is the Acting Speaker; she can call whomever she likes.

I have great concerns that the government is opposing the bill.

Mr R.F. Johnson: You know the ropes. You are a very experienced member now.

The ACTING SPEAKER: Order! The member for Joondalup can continue please.

Dr K.D. Hames: He’s an old hand.

Mr A.P. O’GORMAN: I am an old hand. I thank the member. I am glad that I am seen as such an old hand. However, I am a new hand on this side of the chamber. I am not used to standing up and criticising people; I am used to supporting issues. Tonight I want to support the shadow Minister for Police, the member for Girrawheen, for introducing this bill.

Over the years there has been a steady deterioration of standards in our community. That is obvious to some degree in Joondalup. I am sure the member for Hillarys, the Minister for Police, who lives up that way, often reads in the local Joondalup paper about assaults in the entertainment area, around the Old Bailey, Dusk Nightclub, the other nightclub—which I think is called the Maxx Nightclub—and the GBT, or the Grand Boulevard Tavern, which had the local name of “grievous bodily harm”. I think that is changing, albeit slowly; these things do not happen quickly. There is also another new, smaller bar. That brings me to one of the issues regarding the violence we are starting to see in our community. There are many big bars that can accommodate 800 or 1 000 people, and in these places when there is a scuffle or a bit of trouble it can escalate fairly rapidly. If some people are carrying hidden weapons, the trouble can escalate to quite a serious situation in a very short time. We have seen that many times in Joondalup.

I am not the sort of person who wanders around the streets late at night after the pubs close. When I go into the CBD in Joondalup I tend to go early, have a meal and a couple of drinks if I have some way of getting home and then wander home with my wife. We are probably out of the CBD by the time most of the trouble starts, but my son likes to party until late and I am sure my daughters also have been in Joondalup late at night with their husbands or boyfriends. They have recounted many incidents they have seen that have involved assaults, and, in their view, on many occasions they were unwarranted. At one stage my son went to the police station to report an assault that happened late at night across from the Old Bailey, where he used to work. He told me that trouble does not necessarily start inside the Old Bailey; it quite often starts outside.

The weapons that are freely available at the moment can be seen in most shopping centres. They call them trophy shops, if I am thinking of the right shops. They display Samurai swords, machetes and all sorts of weapons that look horrific. They are sold as display-type items. I cannot understand why people would have them as display items in their homes. They are not sending a good message to people who come into their homes and they are not sending a good message to their children.

We in the Joondalup area have heard of animals being attacked in the Yellagonga Regional Park by Lake Joondalup. My office received a call early one morning to say that a gentleman had seen some people stab a kangaroo and that the kangaroo had bounded off with a knife sticking out of its neck. I think in the Minister for Health’s electorate of Dawesville there were a couple of incidents where cross-bows were used on kangaroos. It is vitally important to ban the sale of these types of weapons, particularly to minors. We should be considering a total ban on the sale of all weapons in retail outlets. We must also take into consideration what seems to have happened over many years. It is something that many members on that side have referred to when they were on this side; namely, the lack of respect from younger people in our society for their peers, for seniors and for police. We must analyse why that is happening. I think there are many reasons. We cannot just point the finger at one sector of the population and say that is the reason it happens. Parental control in our society is diminishing and we need to restore that. Hopefully, bills such as this will send a message to parents that they must control their children starting from a very early age. They must let them know what is right and wrong and they must teach them respect for everyone in our community. That is not an easy thing to do. Some people think that the way to teach children respect is to smack them, send them to their room or whatever. There are many ways of teaching children respect, but I think we must start in the home. We must also look at what parents are allowing

Extract from Hansard

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their children to watch on TV and at the movies. The other night I did something I had not done for a long time and went to see *Star Trek* at the movies.

Mr M. McGowan interjected.

Mr A.P. O'GORMAN: Yes; I was a "Trekie" way back and I thought that, given it was a type of prequel, I would go and see it. Although it contained some violence, from the perspective of the story of the film, it was not gratuitous violence. It was what we would expect as consequential actions, but it was obviously not real; it was fantasy.

Debate adjourned, pursuant to standing orders.

House adjourned at 7.00 pm
