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Tuesday, 5 April 2022

Legislative Assembly

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THE SPEAKER (Mrs M.H. Roberts) took the chair at 2.00 pm, acknowledged country and read prayers.

PARLIAMENTARY EDUCATION OFFICE — VIRTUAL TOUR

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.01 pm]: Members, due to the suspension of tours at Parliament House, the Parliamentary Education Office is developing a virtual tour, which will allow school groups to access Parliament House online from the classroom. The tour will feature video content and images of Parliament with activities linked to the WA curriculum and will enable the Parliamentary Education Office to deliver civics and citizenship programs virtually. Accordingly, I have given permission for Parliamentary Education Office staff to take photographs of chamber proceedings from the public and press galleries this afternoon to assist with the development of this educational resource. The virtual tour is scheduled to be available for access on Parliament's website from term 2 at the end of April.

DAVID IRVINE, AO — TRIBUTE

Statement by Premier

MR M. McGOWAN (Rockingham — Premier) [2.02 pm]: I rise to acknowledge the passing of David Irvine, AO. David Irvine was one of the nation's most respected senior public servants. He was born and raised in Western Australia, educated at Hale School and graduated from the University of Western Australia with honours in Elizabethan history, before working as a journalist at *The West Australian*. Mr Irvine then moved to Canberra in 1970 to work in the precursor to the Department of Foreign Affairs and Trade, the then Department of External Affairs, where he would go on to become one the nation's most accomplished and renowned public servants. Across his career, Mr Irvine served as High Commissioner to Papua New Guinea, Ambassador to China, and director general of both the Australian Security Intelligence Organisation and the Australian Secret Intelligence Service. He is the only person to have led both Australia's foreign intelligence collection agency and its domestic security service, holding those roles under four Prime Ministers. Most recently, he served as the chair of the Foreign Investment Review Board, where his experience in diplomacy and intelligence served him well in balancing the nation's need for foreign investment and protecting the national interest. In addition, he was known as a gifted linguist. He penned two books on Indonesia, and he retained a connection with Western Australia, serving as chair for Edith Cowan University's Cyber Security Cooperative Research Centre. David Irvine was respected by both sides of politics and I know he was highly regarded by former Premier of Western Australia Geoff Gallop. He led some of the nation's most influential institutions through periods of great economic, technological and geopolitical change. On behalf of the government, I extend our sympathies to his family and friends.

MINISTERIAL REPRESENTATION — CHANGES

Statement by Premier

MR M. McGOWAN (Rockingham — Premier) [2.03 pm]: I rise to update the house on a minor change to the appointments of parliamentary secretaries, and the representation of ministers between the houses. On 31 March 2022, Hon Matthew Swinbourn, MLC, was sworn in as Parliamentary Secretary to the Minister for Mines and Petroleum; Energy; Corrective Services; Industrial Relations in addition to his existing appointment as Parliamentary Secretary to the Attorney General; Minister for Electoral Affairs. For members' information, I now table a list of arrangements for the representation of ministers between the houses.

[See paper 1075.]

STATE LIBRARY — MARGARET ALLEN, PSM — RETIREMENT

Statement by Minister for Culture and the Arts

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [2.04 pm]: Last week, Margaret Allen, PSM, retired as the chief executive officer and State Librarian of the State Library of Western Australia. Margaret led the State Library, one of our state's most visited cultural institutions, for the past 17 years. During her time as CEO and State Librarian, Margaret was a driving force behind many important social initiatives, including the State Library's Better Beginnings family literacy program, which has touched the lives of over one million Western Australian families. She has been a champion for the value of lifelong literacy. Margaret also championed the library's Storylines archive, which has become a central point for Aboriginal peoples who wish to access the State Library's extensive heritage collections, and it is also a safe place for Aboriginal communities to store important records of people, place and history.

Margaret ensured that the State Library was always at the cutting edge of library services. She developed the library as a centre that embraces and supports Western Australians with information, ideas, research, conversation, literacy and our own stories. She is passionate about ensuring that the State Library is a library for everyone; a place where all are welcome to visit and learn, research, dream, create, read and educate themselves. Margaret worked tirelessly to create an environment for the local public library network to evolve to meet the changing needs of our communities, with more independence for larger public libraries and additional support for regional and remote libraries. In 2018, Margaret was awarded a Public Service Medal for outstanding public service to the libraries sector in Western Australia. In recognition of her four decades of service to the library profession, Australia's peak library professional body, the Australian Library and Information Association, recently awarded Margaret Australia's highest library honour, the HCL Anderson Award. This award is for outstanding service to the library and information profession in Australia and recognises Margaret's career-long commitment to libraries, the library profession, the international library community and the people of Western Australia.

I wish Margaret well for a long and fulfilling retirement. While farewelling Margaret, I also welcome the new CEO and State Librarian, Catherine Clark. I look forward to working with Catherine to support libraries across Western Australia that are crucial to the wellbeing of our communities.

CRICKET — SHEFFIELD SHIELD

Statement by Minister for Sport and Recreation

MR D.A. TEMPLEMAN (Mandurah — Minister for Sport and Recreation) [2.07 pm]: I would like to congratulate the Western Australia men's cricket team for their victory over Victoria in the Sheffield Shield final in front of a home crowd at the WACA—and I was there when it happened, Madam Speaker! The playing group have worked very hard for this win and it is just reward for their dedication and commitment. This is the first time in 23 years that the Sheffield Shield will return to Western Australia—a momentous occasion for WA cricket. The 2022 trophy is WA's sixteenth Sheffield Shield victory since the state joined the competition in 1947. This comes after WA's outstanding win in the Marsh One-Day Cup 2021–22 final, along with the Perth Scorchers' victory in both the men and women's Big Bash League. This means that the WA men's team have now won all three domestic cricket trophies, one of the state's most successful seasons on record.

I would like acknowledge in particular WA captain and international test cricket legend Shaun Marsh. Shaun made his Sheffield Shield debut 21 years ago, and I am delighted that this veteran cricketer was able to celebrate this historic victory in the home of WA cricket. I would also like to extend special congratulations to Sam Whiteman, who received the honour of being named player of the match after scoring 208 runs across both innings. Although WA needed only a draw to claim the title after Perth local Joel Paris took two key wickets from Victoria on day 3, an inspiring five-hour partnership between Sam Whiteman and Aaron Hardie netted the home side 174 runs and secured a victory for WA. Mandurah local Teague Wyllie also becomes WA's youngest ever Sheffield Shield player. Congratulations to head coach Adam Voges, whom I taught when he was a year 6 student at Warnbro Primary School—he learnt nothing from me!—and all involved with the team and at the WACA. The win yesterday caps off a golden summer for WA cricket in both the men's and the women's code. Congratulations to WA cricket.

GAMING AND WAGERING COMMISSION — APPOINTMENTS

Statement by Minister for Racing and Gaming

DR A.D. BUTI (Armadale — Minister for Racing and Gaming) [2.09 pm]: The best sports minister since the last sports minister!

I rise to inform the house of the appointment of two new members to the Gaming and Wagering Commission. Mr Colin Murphy and Dr Michael Schaper bring extensive knowledge and experience to the commission, which regulates the conduct of gaming and wagering in Western Australia. Mr Murphy brings a wealth of experience from his most recent role as a commissioner on the Perth Casino Royal Commission. Mr Murphy was also Western Australia's eighteenth Auditor General, with a successful career in state government leadership positions. Dr Schaper is an experienced board chair, company director and economic policy and development consultant. Dr Schaper has a long history of work and academic accomplishments relevant to the role of the GWC, including as deputy chair of the Australian Competition and Consumer Commission.

As I previously mentioned in this place, the state government is committed to acting on the recommendations of the royal commission into the Perth casino. These appointments deliver on some of the commitments I made to introduce immediate measures to strengthen the regulation of the Perth casino. Indeed, this is an important step towards major, comprehensive reforms to how the casino is regulated in Western Australia. The state government is currently working on priority legislative amendments that will provide me, as minister, with greater powers to direct the GWC to take immediate steps in investigating and implementing measures that mitigate the risks associated with the gaming operations at the Perth casino. The amendments will also give the GWC greater powers to direct the operator of the Perth casino with respect to the implementation of appropriate and necessary measures. A strengthened GWC will play a significant role in implementing the recommendations from the royal commission. The state government thanks outgoing members, Carmelina Fiorentino and Jodie Meadows, for their work during their terms with the GWC.

QUESTIONS WITHOUT NOTICE

CORONAVIRUS — RESTRICTIONS — EASING

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

The SPEAKER: Members, are there any questions? Leader of the Opposition.

Several members interjected.

Ms M.J. DAVIES: That has given me a fright! It was very enthusiastic, member for Kalgoorlie; I thought I had got our order wrong!

I refer to the fact that Western Australia is the last jurisdiction to require the equivalent of a G2G PASS, and news today that the Northern Territory has scrapped its vaccine check-in requirements for licensed venues on the basis that the Northern Territory has a largely vaccinated community and that it was a proportionate response to the risk the community faced.

(1) Given Western Australia has one of the highest triple vaccinated populations in the nation and there is no longer a hard border, when will the government scrap the G2G PASS requirement?

(2) When will the Premier drop the check-in requirement for licensed venues in Western Australia?

Mr M. McGOWAN replied:

I thank the Leader of the Opposition for the question.

(1)–(2) As you know, Madam Speaker, we made a number of changes recently, which started last week, which reduced some of the requirements for people in terms of the density limits and so forth of venues across the state. A whole range of changes have already been made. Further changes are starting on 14 April, which will remove the 500-person cap on hospitality venues. At that point, we will basically be back to what we term level 1 restrictions, which are relatively mild compared with what has been in place around Australia at various times during the pandemic.

Obviously, Western Australia is in a very different position from other states in that we are now, essentially, going through our first wave. Victoria is up to wave 5 or thereabouts. New South Wales has been through many waves, and we are, essentially, in our first wave, so our situation is quite different from other states. On the way through this pandemic, we have accepted the medical advice that one of the most important things we can do is get to very high levels of vaccination. It is one of the key components of keeping Western Australians safe and reducing hospitalisation, ICU and ventilator rates. The G2G PASS requires people entering Western Australia to have adhered to the vaccination requirements, and the vaccination requirements going into certain venues are an important part of that—that is why they are in place, so we encourage vaccination amongst Western Australians. Our first and second dose vaccination rate is around 99 per cent, and our third dose vaccination rate is now at 76 per cent. We want to continue to get the third dose rate up, particularly as we head towards winter when people may be more vulnerable. That is one of the things that we are working on because the third dose rate is very important to ensure that we keep people as safe as possible. We have not made any decisions on this. Obviously, I realise that those people who are eligible to but have not had their third dose are probably not too happy about it, but at this point, we are trying to get people to get vaccinated because all the evidence shows, both here and overseas, that it saves lives.

CORONAVIRUS — RESTRICTIONS — EASING

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

I have a supplementary question. Can the Premier please explain why we have valuable police resources tied up in airports when we no longer have a hard border and there are other ways to check vaccination status to enter Western Australia?

Mr M. McGOWAN replied:

As the Commissioner of Police announced a week or so ago, the vast majority of police resources have been removed from Operation Tide. I think there were 400 police in total in Operation Tide; I think there are now around 50 or thereabouts. The presence at the airport is very small now. In terms of the G2G PASS, there is a spot-checking system for people coming in, as opposed to a formal system in which everyone has to be checked when they come through the airport. That decision was made at least a week ago and has already been implemented.

AIRFARES — REGIONS

204. Ms A.E. KENT to the Premier:

I refer to the McGowan Labor government's unprecedented investment in supporting those living in regional Western Australia, in particular its record of making airfares more affordable for residents in the regions. Can the Premier update the house on this government's commitment to capping airfares for regional Western Australia and outline how this will help ease the cost of living for those living in the regions?

Mr M. McGOWAN replied:

Thank you to the member for Kalgoorlie, who joined me in Kalgoorlie last Thursday with the Minister for Transport and Hon Kyle McGinn for this important announcement.

One of the important commitments that we made at the last state election was to cap regional airfares, ensuring that we made them more affordable for people living in regional WA. It is something that has never been done before in Australia and certainly is something that no government in Western Australia has done before. From 1 July, those living in regional Western Australia and leaving an airport within 1 000 kilometres driving distance from Perth will pay no more than $199 one way. This includes Albany, Esperance, Kalgoorlie, Geraldton, Monkey Mia, Wiluna, Laverton, Leonora, Meekatharra and Mt Magnet. For those people living more than 1 000 kilometres driving distance from Perth, flights will be capped at $299 one way. This includes Broome, Exmouth, Kununurra, Karratha, Port Hedland, Newman and Paraburdoo. We know that the cost of airfares has been a significant issue for people across regional WA for a long time and, obviously, this will mean that airfares will be significantly more affordable for the vast majority of people living across regional Western Australia. This is an issue that no government has tackled before, but upon arriving in office, we put one of the parliamentary committees, chaired by the member for Swan Hills, to work on an inquiry into regional airfares. The Minister for Transport negotiated with the airlines about how to provide more affordable and accessible regional airfares. We have seen Qantas, Virgin Australia and Skippers Aviation introduce resident fares and Rex Airlines introduce community fares. This is the latest step in the process to ensure that regional airfares are more affordable for people who actually live in the regions and want to travel to Perth. I am sure that this will be much appreciated by many people across regional WA. The government has stepped in to ensure that airfares are more affordable for those people in regional WA who want to visit Perth, for whatever reason. It is a significant cost-of-living initiative to support regional WA, as this government always does.

RENTAL ACCOMMODATION — COST

205. Dr D.J. HONEY to the Minister for Housing:

I refer to last year's average rental cost increase of 12 per cent and to last month's average cost increase of 2.4 per cent, noting that if this rate of increase continues, rental prices in Perth could increase by more than 25 per cent this year. In the upcoming budget, will the minister commit to reducing rental stress for families struggling to make ends meet?

Mr J.N. CAREY replied:

I thank the member for his question.

There is no doubt that we face challenging times in the rental market—it is tight—but that is being seen across Australia. I am very cognisant of that. We, as a government, have undertaken a number of initiatives to drive the key answer, which is housing supply. That is the answer to assisting the rental market. We have done that in three ways. The first is that we brought in the building bonus grant, which saw unprecedented growth in the number of homes approved—27 000 building approvals, with 4 000 in the regions. We also brought in an off-the-plan stamp duty rebate. We also have our Keystart program, which saw huge growth in the number of Keystart approvals. The second key part of our plan is land supply, which can be a constraint. Under our $116 million Regional Land Booster program, new land has been released in regional communities to assist with that housing supply. Of course, the third, which I have talked about a lot, is our huge investment of $875 million, with a total of $2.1 billion over four years to deliver 3 300 new homes. What you can see there is a very measured approach across a range of different areas to increase housing supply in Western Australia.

I also want to tackle the issue of rental affordability. I note that the most recent *Housing affordability report* by the Real Estate Institute of Australia found that Western Australia retained the title of most affordable place in the country for renting and the most affordable state in the country for housing. We know the market is tight. We are doing everything that we can to increase housing supply, but we also know that where Western Australia currently sits, it is still better positioned than all other states.

RENTAL ACCOMMODATION — COST

206. Dr D.J. HONEY to the Minister for Housing:

I have a supplementary question. Given our statewide vacancy rate sits at 1.5 per cent and is declining, what additional measures will the minister take to increase the supply of rental accommodation?

Several members interjected.

The SPEAKER: Order!

Mr J.N. CAREY replied:

Member, with respect, I just went through a very clear three-point plan about how we are delivering housing. The facts are very clear: 27 000 building approvals, with 4 000 in the regions. They are being delivered and completed each month. We backed in a land program and we also, of course, have our social housing program. Today, I toured six newly completed homes. Given the heated construction market, I am on the record as saying that we are doing

everything we can to accelerate delivery through timber and modular construction or by converting vacant Government Regional Officers' Housing back into the social housing system. I am seeking every opportunity as the Minister for Housing; Lands. As part of our reforms, the Minister for Planning and I announced a housing diversity pipeline. That is an innovative project. In fact, an editorial in *The West Australian* called it a visionary proposal. That proposal is unlocking lazy land and taking it to the market to not only build supply, but also get a social housing return. I think Western Australians know that this government is doing everything it can, despite the challenges of COVID and a heated market, to increase housing supply in Western Australia.

JOBS — RAILCAR MANUFACTURING — BELLEVUE

207. MR S.J. PRICE to the Minister for Transport:

I refer to the McGowan Labor government's investment in local jobs through the delivery of Metronet and by bringing railcar manufacturing back to WA.

(1) Can the minister update the house on the Metronet railcar manufacturing and assembly facility in Bellevue and the delivery of locally built C-series railcars, as well as the progress in delivering the Metronet Morley–Ellenbrook line?

(2) Can the minister advise the house how this investment in local jobs compares with that of the previous Liberal–National government?

Mr R.S. Love interjected.

The SPEAKER: Member, I will actually enjoy this answer.

Ms R. SAFFIOTI replied:

(1)–(2) Thank you, Madam Speaker. The member for Moore is not the opposition spokesperson for Metronet anymore, so he should not be too concerned. They have moved that to the upper house.

Last week, we saw that new railcars manufactured here in Western Australia, in Bellevue, had left the manufacturing shed and moved into the high-voltage transmission testing shed. For the first time in 30 years, Western Australians are building our railcars here in Western Australia. The manufacturing facility is an incredible site. It is very modern. As the executive from Alstom said, we have some of the best manufacturing facilities in the world here in Bellevue in Western Australia. The first railcars have left the manufacturing shed to go into the testing sheds, and we will see our railcars on our tracks by the end of this year.

Of course, today we visited another significant project—another project the opposition said could not be done. That, of course, is the Ellenbrook rail line and the works happening around Bayswater, including the new Broun Avenue Bridge, and the works happening to ensure that we can get that rail line operating. Currently, we have over 10 000 workers on our Metronet projects. We are creating jobs and creating infrastructure for future generations. What was the opposition's view on all this? It committed to the Ellenbrook rail line twice. When we won government in 2017, what work had been done? Zero! From scratch, we are delivering the Ellenbrook rail line.

On the issue of railcars, it was the Liberal–National coalition government that closed the Midland Workshops. What did its members say when we committed to building railcars in Western Australia? The former Leader of the Opposition said railcar manufacturing was an unsustainable, failed manufacturing industry and just a waste of money, and that we should not bring back industries from a bygone era. Well, members, what we are doing is that we are bringing high-value, high-tech manufacturing to our railcars and we are creating our railcars here in Western Australia. We are also building the rail lines and the new stations that will soon be welcoming those railcars as we transform the public transport system throughout the suburbs.

GOVERNMENT REGIONAL OFFICERS' HOUSING

208. Mr R.S. LOVE to the Minister for Housing:

I note that 723 Government Regional Officers' Housing properties were empty in November 2021—one in seven were lying vacant amid a housing crisis. Why is this acceptable to this government, and what is the minister doing to streamline Government Regional Officers' Housing to ensure that every available property is being used?

Mr J.N. CAREY replied:

I thank the member for his question.

Our government invests around $200 million across the state in Government Regional Officers' Housing, and that is both spot purchasing, new builds and refurbishing properties to bring them back online. One of the issues that we face—I have been on the public record about this already—is that we have significant ageing stock. I am looking at every opportunity to bring that stock back online. There are two things. First, in the most recent budget, we announced $12.8 million to assess around 10 000 ageing properties, so that we can plan how to bring them back or

extend their life for future housing. The second thing I am doing is looking at vacant GROH properties—those that are not required. The first false premise in the Deputy Leader of the Opposition's question is the lack of recognition that vacant housing has been allocated to agencies to be filled. The idea that all those houses are simply sitting idle and are not going to be used is false. Anyone who understands the GROH management system realises that we allocate housing to different agencies that they hold for recruitment. As the Minister for Housing, I have already requested a review of existing GROH stock and the stock that is surplus to needs will be brought back either for social housing or local governments. An example is Derby where there was surplus GROH stock. We identified that out of 15 homes, many of them could be used for the local government and the remainder for social housing. It is already underway. My agency and I are going through this. I have outlined this previously in this Parliament.

GOVERNMENT REGIONAL OFFICERS' HOUSING

209. Mr R.S. LOVE to the Minister for Housing:

I have a supplementary question. Minister, there are 100 empty houses in the midwest alone a year after cyclone Seroja; why are these houses still empty?

Mr J.N. CAREY replied:

Can I note that when I was previously asked a question about the Kimberley—I do not know whether any members took note at that time—the Leader of the Opposition mocked me when I talked about what we were doing to address housing in the Kimberley; in fact, she mocked me for reviewing GROH and then finding GROH properties and allocating them to Derby. She scoffed at it. She said, "That's not worthwhile", but other members are suddenly realising there is potential for GROH properties. We know the Leader of the Opposition's record on GROH properties in the wheatbelt—44 properties were sold under your government. That is your record.

Ms M.J. Davies interjected.

Mr J.N. CAREY: Opposition leader, I know you are embarrassed about it; I know you are ashamed about it. But it is a record —

Mr R.S. Love: There are 150 houses in the midwest; what are you doing about it?

The SPEAKER: Order, please. You can ask a supplementary potentially.

Mr J.N. CAREY: That is the Nationals' record under the former Liberal–National government—flogging off GROH properties in the system.

Ms M.J. Davies interjected.

Mr J.N. CAREY: What am I doing? I am reviewing GROH stock, doing assessments and refurbishing, like we did in Collie as well, and bringing that stock back into the system. That is what we are doing. We have a very clear plan to accelerate the delivery of social housing—timber frames, modular, converting existing stock and putting GROH stock back into the system.

CORONAVIRUS — VACCINATION — SECOND BOOSTER

210. Ms L. DALTON to the Minister for Health:

I refer to the recommendation of the Australian Technical Advisory Group on Immunisation that select high-risk groups should receive a second COVID-19 booster vaccination.

(1) Can the minister outline to the house how eligible Western Australians can receive their winter booster dose of the COVID-19 vaccine?

(2) Can the minister advise the house why maintaining WA's world-leading vaccination rates is so important for our ongoing response to COVID-19?

Ms A. SANDERSON replied:

I thank the member for Geraldton for her question.

(1)–(2) Yes, it is the case that the Australian Technical Advisory Group on Immunisation recently recommended a winter booster COVID vaccination for vulnerable groups as we move towards the winter flu season, and also because the eastern states in particular are experiencing another surge of the Omicron variant BA.2, with all the cases pretty much being the BA.2 variant. Western Australia is currently in its first wave of COVID, having had outstanding management of COVID over the last two years. We are well prepared to deal with that. The vulnerable groups that are recommended to have the winter booster are essentially those who are over 65 years of age, residents of aged-care or disability care facilities, Aboriginal and Torres Strait Islander people over 50 years of age, and people over 16 years of age with severe immunosuppression who have already received a fourth dose, meaning that it will be their fifth booster to keep those people safe. We know that that booster dose is very important because it is keeping people out of hospitals and allowing them to manage COVID at home. Thirty per cent of people in hospital currently are unvaccinated, and, on top of that, another 30 per cent have had only two doses. Combined with that, that is stark evidence of

the importance of the booster to keep people well and out of hospital and out of ICU. At this stage, ATAGI is not recommending a fourth dose for people who are not in a vulnerable group. Those people are eligible four months after their third booster. ATAGI also recently made an important recommendation that people can receive their flu vaccination at the same time as their COVID booster, which is really good news because people will not have to wait. In fact, they can get their flu dose at the same place that they get their COVID booster. People can access a COVID booster at state clinics, GPs and pharmacists—the same places at which they can access a flu vaccination—and it includes Pfizer, Moderna, AstraZeneca and Novavax where appropriate. People are encouraged to book but they can walk into clinics for their winter booster. It is incredibly important that people who are eligible access this COVID booster and their flu vaccination as we come into the flu season. The booster is keeping people out of hospital and it is keeping people well and it will see us well through this winter.

PUBLIC HOUSING — WAITLIST

211. Dr D.J. HONEY to the Minister for Housing:

I refer to public housing stock —

Several government members interjected.

The SPEAKER: Order, please!

Dr D.J. HONEY: Is there some issue?

I refer to public housing stock, which fell during the last term of this government, and the 32 000 applicants on the waitlist.

(1) Given the minister's statement that he was waiting for the boom to finish before commencing the $522 million special housing package, how will he balance demand with decreasing stock?

(2) What is an acceptable wait time for a public house in our rich state?

The SPEAKER: Minister, just before you answer, I ask the Ministers for Finance, Industrial Relations and Health to not interject while questions are being asked.

Mr J.N. CAREY replied:

(1)–(2) Member, respectfully, I am disappointed. I note that you make that claim without actually quoting the source, which is totally misleading. It saddens me that we are seeing this persistent approach by the opposition to mislead Western Australians. I will give another example. The opposition previously released a media statement—there was another one over the weekend—in which it talked about only a certain number of properties available under $400, and in its previous media statement, it referred to $450. What the opposition failed to mention is that it only looks at houses rather than the total stock.

Dr D.J. Honey: I specifically said houses. You're misleading Parliament.

Mr J.N. CAREY: Member, I showed you respect by listening to you; perhaps you would like to do the same.

The opposition has persistently misquoted to provide the worst dire picture. It selects only those houses under a certain value and then puts them in a media statement, ignoring the other types of properties that are available in the market. I do want to get to the waiting list. I am deeply proud that this government has made the biggest investment in social housing in our state's history. We did not rely on Kevin Rudd and a commonwealth funding boost to deliver social housing. I note that the federal government has completely disappeared from the remote communities space and other policy areas, and we are making a huge investment. But I have also been very clear on the record that we are undertaking unprecedented approaches to accelerating delivery right now. It is absolutely misleading and dishonest for the opposition to make the claim that we are not delivering social housing now. That is false —

Dr D.J. Honey interjected.

The SPEAKER: Member for Cottesloe, if you would like to be able to ask a supplementary question, I am going to urge you not to continuously interject.

Mr J.N. CAREY: That is false. As the Minister for Housing, despite the heated construction market, I am doing everything I can to accelerate delivery. That includes a specific modular program for the regions, moving to timber frames, an ambitious spot-purchasing program and the review of Government Regional Officers' Housing to get vacant stock back into the system. I have also reviewed procurement procedures and practices so that we can move faster to deliver social housing. There is substantial work being done right now. We have also set aside $500 million to provide a pipeline of work once the housing boom is over. I note that that has been welcomed by the Master Builders Association and many other stakeholders in the construction industry, because they want to see that pipeline of investment as the boom recedes. We have taken the right approach: up-front investments through a number of different strategies and then a social housing fund that is there for a pipeline of work once the housing boom recedes.

PUBLIC HOUSING — WAITLIST

212. Dr D.J. HONEY to the Minister for Housing:

I have a supplementary question. After four years in government, nearly 900 applicants sat unhoused on the minister's waitlist for more than 350 weeks as at June 2021. In a state with an eye-watering surplus, how is that excusable?

Mr J.N. CAREY replied:

I find it extraordinary. This government makes the largest social housing investment in the state's history, and the member for Cottesloe ignores it.

Several members interjected.

Mr J.N. CAREY: The member for Cottesloe keeps interrupting. I show him due respect; he appears not to be able to do the same. His contributions to this debate are about as useful as a flyscreen in a submarine.

I want to put it on the record that we are doing everything we can to accelerate the delivery of social housing, but waiting lists are always tied to rental markets. That is the case across Australia, and in this COVID pandemic, during which we have faced extraordinary circumstances, the rental market has tightened. I want to remind the member for Cottesloe that this has happened in the past; waiting lists increase with the tightening of the rental market. That happened in 2010 under the previous Liberal–National government; it got up to 24 000 on the waiting list. It is tied to the rental market, but despite that, we have an enormous program at the moment through which we are doing everything we can to accelerate the delivery of social housing whilst having a pipeline of work through a housing fund.

WORK HEALTH AND SAFETY ACT

213. Mr S.A. MILLMAN to the Minister for Industrial Relations:

I refer to the McGowan Labor government's commitment to protecting the health and safety of Western Australian workers. Can the minister update the house on the government's historic reforms to the state's work health and safety laws, including how the McGowan Labor government has worked with industry, employers, unions and advocates to deliver safe workplaces for Western Australians?

Mr W.J. JOHNSTON replied:

I thank the member for his question, and I acknowledge his life's work in supporting people in health and safety matters.

I am very proud to be the minister who was able to bring the work health and safety laws into effect last Thursday, 31 March. Western Australia now has probably the best health and safety laws in Australia. We are the first state, using these new uniform laws, to bring all workplaces—general workplaces, mining workplaces and petroleum sites—under a single Work Health and Safety Act. The act is an important step forward in modernising our workplace laws after 36 years. This includes the introduction of industrial manslaughter, with potential penalties of 20 years' imprisonment and a $5 million fine for individuals, and up to a $10 million fine for a body corporate. I want to acknowledge the work of Families Left Behind—that is the group of families who lost relatives in industrial incidents—and the effective advocacy it has had for these important laws.

Another part of improving the protection of workers is the creation of the idea of a person conducting a business or undertaking, which recognises modern workplaces with subcontractors, contractors, labour hire and gig economy workers so that the lines of responsibility are much clearer. We have also brought in clearer obligations on officers of businesses—that is, the bosses at the top. They will need to exercise their own due diligence in implementing health and safety in their workplaces, and not just rely on subordinates to have an excuse for walking away from their important responsibilities. Another enhancement in the legislation is to increase the role of work health and safety reps in individual workplaces. That includes allowing them to direct that work cease if they have a reasonable concern that continuing work will expose others to serious health or safety risks.

Another provision in the act, again leading the country, is to ban insurance for workplace penalties. It is very important to think about this: the idea that an insurance company would pay the penalty on behalf of an individual is ridiculous. The penalty is imposed by the court to penalise the person responsible for the poor behaviour. The idea that they can hand that responsibility onto another is ridiculous. However, the law also now allows for work health and safety undertakings, which is a new tool in the toolkit for the regulator. Of course, we have also provided additional resources to the regulator, in both general industry and in the mining industry. Indeed, the number of inspectors in the general industry is now 50 per cent higher than it was when we came into government. We have also appointed an independent commissioner who has successfully brought three prosecutions for gross negligence—the first time ever that we have had successful prosecutions in 38 years of the previous laws.

I want to thank the Department of Mines, Industry Regulation and Safety; the Commission for Occupational Safety and Health; the WorkSafe Commissioner; and the Mining Industry Advisory Committee for all their hard work to get to where we are now. I want to congratulate the many stakeholders, including employers, unions, advocacy organisations and Families Left Behind. No relative of a deceased worker suffers more than another, but I want to

pay tribute to Regan Ballantine and the exceptional work she did in taking the suffering she had from losing her son in an unnecessary industrial death to make sure that this legislation was passed by this Parliament. I thank everybody involved in this, and I look forward to improved health and safety outcomes because of this important legislation.

ROYAL PERTH HOSPITAL — WAITING ROOM NURSES

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

I refer to today's ABC article that claims that a waiting room nurse role that was introduced at Royal Perth Hospital after the tragic death of Aishwarya Aswath has been abandoned since the state's border opening on 3 March. Given that this role was reintroduced at RPH following the independent inquiry into Perth Children's Hospital and that staff had noted its crucial role in identifying patients whose conditions have deteriorated, why has this integral role been deserted and when will it be reinstated?

Ms A. SANDERSON replied:

It has not—the article was wrong—which was the clear response from the hospital. It is very dangerous to take the view of one individual and extrapolate it across the system or to not even seek evidence of that view. It is important to hear the views of individuals across the system, but you have to then seek the evidence that backs it up before coming in here and making claims. It is wrong. It is not the case. Our waiting room nurses are an important part of our emergency departments. They are staffed and they are funded in the budget.

My understanding is, and the response from the hospital is very clear: the waiting room at Royal Perth Hospital has expanded significantly, because there are now two areas. There is a respiratory waiting room and a non-respiratory waiting room, and one waiting room nurse has been put into the COVID area, or the respiratory area. I also note that in the response from the hospital it has significantly increased resources in the waiting area and for the emergency department, including senior clinicians. The member is simply wrong. It has not been removed. It is funded and it is in place.

Several members interjected.

Ms L. Mettam: I have a supplementary question.

The SPEAKER: Order! Member, just wait for order and wait for the call.

ROYAL PERTH HOSPITAL — WAITING ROOM NURSES

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

How can a nurse who is positioned in a tent outside the ED monitor patients' conditions inside the ED?

Ms A. SANDERSON replied:

That is another bizarre question. Waiting room nurses are in place. A decision was made at that point to put them at the front tent where most of the patients were. I understand that that was on one occasion and that it is an operational decision for the emergency department.

Ms L. Mettam interjected.

Ms A. SANDERSON: I do not second-guess the decisions that are made on the floor when they are treating patients every day, unlike you. The CARE Call system is in place and is working. Waiting room nurses are in place, and they are funded and working. They are in there. I really caution the member for Vasse on taking one opinion and not seeking the evidence behind it, instead of standing up and making spurious claims.

Ms L. Mettam interjected.

The SPEAKER: That question is over. Member for Vasse, please desist.

Several members interjected.

The SPEAKER: Order, please! Member for Landsdale, just wait until the ministers have finished interjecting.

ELDER RIGHTS WA

216. Ms M.M. QUIRK to the Minister for Seniors and Ageing:

Looking at the Leader of the House, I feel a little underdressed today!

I refer to the McGowan Labor government's commitment to protecting vulnerable seniors and tackling the scourge of elder abuse in Western Australia. Can the minister update the house on this government's investment in establishing the Elder Rights WA service and outline how this service will ensure that victims have access to the legal advice and representation that they need?

Mr D.T. PUNCH replied:

I thank the member for Landsdale for the question and also for her advocacy for seniors in our community over many, many years.

As the house well knows, the McGowan government is a champion for seniors in Western Australia, but elder abuse continues to be a scourge on society. It too often remains hidden or goes unreported because it often involves a trusted relationship. That needs to change. Victims of elder abuse need to know that they can come forward and have access to legal advice and representation should they need it.

I am pleased to inform the house that last week the Attorney General and I launched the Elder Rights WA service for seniors experiencing elder abuse. The launch of this critical $4 million service will deliver yet another McGowan government election commitment to older Western Australians. The statewide service network of offices run by Legal Aid Western Australia will provide legal advice and support to Western Australian seniors experiencing all forms of elder abuse and also safeguard and advocate for the rights of older people. As part of Elder Rights WA, Legal Aid offices across Western Australia, including in Bunbury, Albany, Kalgoorlie, Geraldton, South Hedland, Broome and Kununurra, will provide legal advice and support for people experiencing elder abuse or seeking guidance on other legal matters. A network of 14 virtual offices will also provide virtual face-to-face appointments with Legal Aid WA civil lawyers working from other locations at citizens' advice bureaus across metropolitan Perth as well as in the Peel region, Esperance, Karratha, Leonora, Fitzroy Crossing and Jurien Bay. Legal Aid will partner with Advocare to deliver information and community education programs in Albany, Bunbury, Busselton, Geraldton and Broome.

The service model for Elder Rights has been developed by Legal Aid WA in partnership with the Department of Communities and is a comprehensive first-of-its-kind service for our vast state. Elder Rights WA will build on Legal Aid's seniors rights and advocacy service, which provides legal advice and representation regarding elder abuse and other legal matters. Elder Rights WA will provide legal assistance to older people experiencing all forms of elder abuse and will safeguard and advocate for the rights of older people.

I am proud to deliver this initiative on behalf of the government. I am also proud to be part of a government that keeps its commitments. Elder Rights WA will make a significant difference to the lives of thousands of Western Australians when they are at their most vulnerable. It is yet another example of how this government's sound financial management gives us the capacity to prioritise extra services that build our communities and protect the vulnerable. I commend the service to house.

The SPEAKER: The Leader of the Opposition with the last question.

LEVEL CROSSINGS — REGIONS

217. Ms M.J. DAVIES to the Minister for Transport:

I refer to the recently announced federal budget and the announcement of $180 million to establish the regional Australia level crossing safety program to improve safety at level crossings across the country. Will the minister give families who have campaigned for 20 long years confirmation today that her government will use this state budget to invest and partner to maximise the commonwealth government's commitment to improve passive rail crossings in regional Western Australia?

Ms R. SAFFIOTI replied:

I thank the Leader of the Opposition for that question.

Of course, rail crossing safety is very important to this government. I have spoken directly to the Deputy Prime Minister about this issue on a number of occasions in the lead-up to the federal and state budgets. We welcome the announcement made by the federal government in its budget and we will be making our announcements in relation to all federal budget initiatives in our state budget when it is released in May. I will not say exactly what our response will be, only to say that we are very, very supportive of safety at rail crossings. We are already investing $5 million through Main Roads into that project. We partner with Arc Infrastructure and will continue to work to improve safety at rail crossings. But, as I said, all those details will be disclosed in the state budget or close to the time of the state budget.

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

Inquiry into Sexual Harassment Against Women in the FIFO Mining Industry — Extension of Reporting Date — Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.58 pm]: The Community Development and Justice Standing Committee has resolved to extend its Inquiry into Sexual Harassment Against Women in the FIFO Mining Industry to 23 June 2022.

BILLS

Assent

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

1. Administration Amendment Bill 2021.
2. Mutual Recognition (Western Australia) Amendment Bill 2021.
3. Wittenoom Closure Bill 2021.

PAPERS TABLED

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

PARLIAMENTARY RESEARCH PROGRAM

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [3.00 pm]: The Parliamentary Education Office is again running the parliamentary research program. The program produces consistently high results with university interest increasing each year. Members have the opportunity to submit a topic for research or select a topic submitted by universities. Students are third year or above and are drawn from all disciplines. The research project runs during the second university semester; however, members need to register their interest with the Parliamentary Education Office by 8 April. An email will be sent tomorrow with guidelines and further information on the benefits of the program.

DUTIES AMENDMENT BILL 2022

Notice of Motion to Introduce

Notice of motion given by **Dr A.D. Buti (Minister for Finance)**.

STATE BUDGET — COST-OF-LIVING INCREASES

Notice of Motion

Ms M.J. Davies (Leader of the Opposition) gave notice that at the next sitting of the house she would move —

> That this house calls on the McGowan government to ensure that the upcoming state budget is focused on alleviating the cost-of-living pressures burdening WA families.

HOUSING AVAILABILITY

Matter of Public Interest

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

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

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [3.02 pm]: I move —

> That this house condemns the McGowan government's failure to deliver adequate solutions to the state's critical housing shortages, leaving WA families vulnerable to an ever-deepening crisis.

In leading into this debate, I have no doubt whatsoever that the Minister for Housing is a very compassionate person and cares deeply about this issue. It is not only the Minister for Housing who bears responsibility for this issue, but also the McGowan Labor government, which has now been in office for five years, yet the housing situation in the state is a genuine worsening crisis. The government talks about investment in that sector, but what is meaningfully happening on the ground to not only contain the problem, but also pull it back from the brink? I see the problem getting worse and worse.

Figures were released in the other place due to questions asked by several folk. If we look at the number of people waiting for public housing, we see that it has increased by over 8 600 since June 2020. That is a 36 per cent increase in the number of people wanting to access secure and affordable housing. At the end of February, 32 609 Western Australians were waiting for a placement in a public housing property. Of those, 7 786 were priority applicants. That is an increase of 9 352 people since June 2018, not long after this government came into power. These figures show that the government has not put sufficient priority on the issue of housing in the five years that it has been in power. We know that in the first term of this government, with social housing, it sold 1 300 public houses.

The member for Perth became Minister for Housing in March 2021, and he was also given the task of managing homelessness in December 2021. Prior to the new minister, in November 2020, 628 people were experiencing homelessness in metropolitan Perth. We see that the figure increased to 995 people between August 2021 and February 2022. I mentioned these figures in this place a little while ago. That is in metropolitan Perth, Fremantle and the surrounding areas, so larger metropolitan Perth. That data is from the Zero Project. I have the reference here if any member wishes to obtain that reference from me. It is hard to estimate the number of people experiencing homelessness. We know that those figures are very likely to seriously under-represent the real challenge of homelessness. The census in 2016 reported that about 9 000 people were experiencing homelessness in WA on census night. Under this government, we see a growing number of people who are living on the streets and are unable to access suitable housing.

We know the government can purchase housing under the spot program provisions, yet between 2017–18, when the government came into power, and 2020–21 it purchased only 119 houses. Since the opposition alerted the government to the deficiency in purchasing houses, we have seen a recent spike. The government likes to reference

the former Liberal government. The former Liberal government in 2016–17 alone purchased 317 houses under that program, yet this government has, until recently alerted by the opposition, failed to utilise that program to deal with the issue of homelessness.

I mentioned this and I will read out the quotes. I had some derisive comments from a few ministers on that side. The Minister for Housing; Homelessness is on the record as stating that his government has a pipeline of work set aside once the boom finishes. I refer to *Hansard*. On Thursday, 24 February 2022, in response to a question from the Leader of the Opposition about housing in the Kimberley, the minister gave an explanation. I will just read the part at the end of the first paragraph —

> … we are still doing everything we can to deliver and accelerate social housing while also having a $522 million social housing fund for a pipeline of work once the boom finishes.

The minister repeated in the last paragraph —

> We also have $522 million set aside so that when the market recedes, we have a pipeline of work.

That relates to the question I asked today, for those ministers who wanted to make derisive comments across the chamber: why is the government sitting on a $522 million package and not applying those additional resources now to supply the housing that is critically needed?

We have the issue of the Boorloo Bidee Mia centre. As we understand from the latest figures, it is still at only 50 per cent of bed capacity. The minister and others on that side are very proud of that facility, but we have a $6.7 million taxpayer-funded facility that sits half empty while people are literally on the streets dying. We know that not all those deaths are related to homelessness, but we also know from the various agencies that homelessness is a substantial contributor to people dying prematurely and dying on the streets of Perth. That facility should be at near-record capacity.

If we go back a little in time to 6 December 2021, we see that only 37 people were being helped by the shelter and only 30 referrals had been assessed since the opening. In February 2022, it was confirmed that the facility was housing just 47 rough sleepers. Clearly, that is an opportunity at least to help a handful of those people who are homeless and on the streets. As we understand it, the referral process is open only to those who were previously sleeping at the former rough sleepers' camp in Lord Street in East Perth and Pioneer Park in Fremantle. Clearly, there is capacity for that centre to help more people, particularly more Indigenous people, who we know are over-represented in homelessness in the state of Western Australia.

With 8 145 cases of COVID reported today, what is the minister doing to protect our most vulnerable? We know that many of our homeless suffer chronic health conditions and yet there are more people on the streets than ever before, in a COVID pandemic. If we look at the supply of housing in the market, we can see there is 57 per cent less supply compared with three years ago, including a 53 per cent decline in listings for sale and a 65 per cent decline in listings for rent. I know the minister is pleased that he has achieved additional funding out of the Premier, but this is a government that has been in office for five years, not six months or 12 months. It has been in office for five years, and all the time during that time this situation has been getting worse. In relation to the rental shortage, these are not just statistics and numbers, these are human stories and heartrending human stories. I think at least some of the members on the other side would know that the dearth of rental income is a particular issue for women who are suffering domestic violence. We now hear numerous stories of women having to stay in homes with abusive partners because they simply have nowhere else to go. I have a colleague outside of Parliament who has a low-cost rental house in Safety Bay, in the Premier's own electorate. That property recently went on the market and was rented for $325 a week. I will say that members on the other side and the minister said, "Why do you focus on this low number, this figure of $450 or $400?" It is because that is the end of the market that is the most vulnerable. They are the people who have the fewest choices in life, including women who are suffering domestic violence. I will just read out a couple of quotations from a lady making an inquiry for the property that was advertised. There were over 160 inquiries for that property. The lady writes —

> Hi I'm super interested in this property
>
> I'm a single mum who shared custody 50/50
>
> I'm trying to get my foot in the door I've just left a domestic violence relationship 8 months ago and am struggling to get a place
>
> I understand I need 3 rooms but my daughter and I are happy to share a room im currently working … and have worked my self up to crew leader in a short space of time —

In the workplace. I will read just one more —

> Hi im looking for somewhere stable for me and my kids where homeless due to domestic violence were needing a place as soon as possible if I could view and apply for this domestic id really appreciate it It will just be me and my two kids aged 3&4 I get single parenting payments and family tax benefit this is within my range of affordability another one also have homeswest bond and rent ready.

I am just reading it out as the email was sent to this person.

But the truth is this is not just numbers and this is not just statistics. We have a homelessness crisis that has got worse and worse under this government. Five years in, this is a problem that this government owns. This is a problem that the government has to come up with other solutions for. Saying it has spent this much money or it has allocated this much money is not adequate. There is more that needs to be done to deal with the critical issue of homelessness and the supply of homes for the homeless, but also home supply in the state of Western Australia.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [3.13 pm]: I tell you, Deputy Speaker, Sir Humphrey would have been proud of the answers to the questions from the minister during question time. There were clearly some talking points. He was getting revved up for the MPI and he stuck to them. But I would just point out that it makes not one iota of difference if these are acknowledged as challenging times and everybody else in Australia is suffering from them to the person who cannot get a house and is suffering from domestic violence. It makes not one iota of difference if the minister says housing supply is the solution but we cannot get those houses on the ground because of the supply chain issues and the worker issues. It makes no difference and it is not the solution in the very short term for the people who are struggling on the public housing list that is getting bigger and bigger under this government. It is certainly of cold comfort to anyone who is in that position who cannot afford to keep a roof over their head when the minister says, "We retain the mantle for the most affordable state in the nation", because when a person is at the at the other end of the spectrum who cannot actually keep a roof over their head, they do not care.

The challenge for the minister, who I acknowledge, because he says repeatedly and repeatedly and repeatedly in this place that the government is doing everything that it can, is that, unfortunately, it is not enough. The metrics under this government that measure how it is addressing these issues show that under this McGowan Labor government, access to housing, whether it is in the community housing section of the housing continuum, whether it is public housing, whether it is Government Regional Officers' Housing, whether it is the rental market, all those issues have got worse. The number of public houses has decreased under the Labor government. The number of GROH properties under this government has decreased. The member for Moore spoke to the vacancies in the GROH market and I have no doubt he will continue to talk about the excess that he has vacant in the midwest where there are challenges for attracting and retaining workers and accommodating essential workers in the region. There are 182 vacant GROH properties in the Pilbara. That tops the list, followed very closely, I might add, by 118 in the wheatbelt. It is very frustrating when these communities see these houses lying vacant. The purchases on the spot market, as the Leader of the Liberal Party pointed out, have significantly decreased under this government compared with when the Liberal–National government was in power. There were 97 in 2013–14, down to just 14 in 2020–21. There is more that this government could be doing, quite clearly.

I know this minister likes to play the blame game. He likes to hark back to when we were in government and point out some of the things he thinks are failures, but I would also point out, minister, that in 2010 it was the Liberal–National government leading the way nationally with the release of Australia's first affordable housing strategy and introducing that housing continuum for government to start working towards investing in not only social housing but working with shared equity and with Keystart loans. We were making sure that we were providing support and rental assistance to those who required it to keep people from having to move out of housing they were already in, and making sure that we had a whole continuum of housing available. It was very successful. Actually, we set a target of 20 000 homes in Western Australia by 2020 when it was first released and in 2015 we had to reset the target to increase it because we hit it. I am happy to acknowledge that there are some things our government might not have got right, but in terms of housing, there is a continuation of that strategy under this government, building on the successes that we put in place and an acknowledgement that we actually exceeded expectations when we were in government in terms of fielding and delivering new houses. Unfortunately, all the metrics under this government have gone in the opposite direction.

The challenge is that I am faced, when I have people coming to my office, with an impossible situation, as I expect every other member of Parliament is. I have three examples from my electorate. I have changed the names of these people for privacy because I do have very small communities in my electorate and they probably are immediately identifiable. We have Violet and her four grandchildren currently living with relatives. There are 12 in that house. They have been on the waiting list since August 2021. Some would say that is a short time in comparison with some of the wait list times—up to 350 weeks, I think, we have seen for some on the list. She moved out of her previous house, which was a public housing property, due to domestic violence issues and has been unable to be moved into a new property.

I have Natalie and her three children currently living in a car at a relative's house. She has been waiting since January for a home and is on the priority list due to the fact that she, too, was subject to domestic violence at home. Krystal and her three children have been living with relatives in two of my communities across the electorate and they have been waiting for over eight months. The feedback from constituents who end up in my office appears to be that the houses are not available because of maintenance issues. Clearly, attention has not been paid to this and is not being paid to this. There is a very good understanding in the community of which houses require maintenance and what needs to be done, so they are frustrated beyond measure that they cannot get in and have a roof over their heads. I am also aware that in my electorate that the priority list is filled with young women with young children who are currently in a domestic violence situation or who have escaped from domestic violence. Before COVID-19, there were 34 on

the list in one part of my electorate alone—not the entire electorate; I am talking about Avon Valley, at this point—and there are now over 90 on the priority list in that region, I am told. When talking about people who are at that level of desperation, it is very, very challenging to have the minister saying that these are challenging times, this is happening everywhere and we are the most affordable state. That is cold comfort for those people suffering as a result of the lack of investment along the supply chain under this McGowan government.

Moving outside my electorate, we have repeatedly raised concerns about overcrowding in housing in the Kimberley and the fact that it has been exacerbating the youth crime issues in the region. I was also drawn to the example of two men with intellectual disabilities from Busselton who back in February were reported to be on the brink of homelessness. Advocacy WA and Activ Foundation, which have been advocating and looking for solutions for not only these gentlemen, but also a whole raft of others, say that it is virtually impossible to find places in our community for these vulnerable people. On a lighter side—the government might find this acceptable; I am not sure—we have had stories of teachers living above the pub in some of our regional towns they were working in because there was no housing. They had been waiting for over a year to be placed. I am also aware that it has not been uncommon, particularly in my electorate, for new graduates, in particular teachers, to sometimes find themselves sharing a house with the principal of the school because there has been no housing. I do not think that is acceptable in anyone's book. I do not think that is appropriate. They are then left to find a solution in the private sector, which is very difficult.

We need action from this government, not just words. We need a minister who instead of making multiple media statements and repeating that the government is doing everything it can, actually gets some rubber to hit the road. I acknowledge that there is investment being made down the track, but there is a crisis here now, and this government needs to use some of that surplus we know will be returned at the state budget to ensure that we provide those people who currently have properties with rent relief. We need to make sure we are doing everything to identify and maintain those properties at our disposal within the public service so that those who most need them can be looked after. It is simply unacceptable to be tinkering around the edges on policy that could be making a real difference for the people about whom this government talks so often but who are being left with the increasing likelihood that they will become homeless as a result of these increasing prices in the market across Western Australia.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [3.23 pm]: I think everybody in the room knows now that there is a crisis in housing. We have heard that solutions need to be promised. There are lots of promises. The government is very long on promises but very short on delivery. That has been the story of this government over the past five years. I wonder just how much of this is due to that strange beast, the Department of Communities—a very strange system that this government has put in place in which five ministers share a director general. Three of those ministers really play bit parts, and I cannot imagine that they ever get much time or attention from the director general, but there are two very substantial portfolios within that Department of Communities—housing and child protection.

Over the last few months we have seen just how much of a mess child protection is in. The Minister for Child Protection was under a lot of pressure due to the goings on and dysfunction in her department—the mistreatment of a whistleblower there. We called for her to resign. She should have resigned, but she is still here. Now we have got the Minister of Housing here. He is also called the "minister for homelessness" now, and that is very appropriate because he is certainly doing a very good job in that respect! We are going to see a very large number of homeless people in Western Australia if the current trends are allowed to continue without any abatement.

I refer to an article in *The West Australian* from 19 March that states, "Mandurah is the eye of WA's rental crisis storm". This article outlines the rental shortages in 20 towns and suburbs across Western Australia and lists them as being the worst in the state. I want to make clear that this is not a metro issue alone. Seventeen of the 20 districts listed are in regional Western Australia. I will tell members where they are. They are in the electorates of Mandurah, Vasse, Warren–Blackwood, Albany, Central Wheatbelt, Bunbury, Geraldton, Roe, Murray–Wellington, Dawesville and Moore. I know very well the situation in the electorate of Moore. I have been dealing with a local person there, a person whose family has been in that town since its inception, a person who has four children and works at a local business providing a vital service in that town. That person simply cannot find anywhere for his children to live. He is contemplating either leaving town or moving them into someone's shed so he can squat in it and keep the children in town. He does not want to leave. He does not want to leave the job. His family has been in that town since its inception, but he might have to leave because of the rental stresses there. That is one of the 20 towns listed in that article.

There seems to be a housing shortage even in some larger communities where we might think housing would not be an issue, such as Busselton or Geraldton. But it is very much the case in all of the communities across Western Australia that we see those sorts of stresses coming into place.

I represent many of the communities that were badly affected by cyclone Seroja, and I just put on record that Monday and Tuesday of next week will be the one-year anniversary of that event when the cyclone destroyed many, many houses in Kalbarri in the electorate of North West Central, but also in many communities I represent in Moore, from Binnu in the north all the way down to communities, houses and farms in the Shire of Dalwallinu and right across into the central wheatbelt as well. One of the towns that I represent has provided a precis of its situation and

what it sees as being its immediate problems in the wake of the cyclone. The town has held meetings recently about this. Housing is the number one issue in that community. The shire receives regular calls regarding housing availability and what there is to rent and what there is to buy. The shire is doing surveys to ascertain housing demand. It needs to know what a local housing model might look like. The shire does not know whether that is a role for local government, but it certainly feels that if nothing else is going to happen, it is going to step up. One of the problems it sees is that there is no commercial incentive for people to build because there is not the idea that there will be a strong capital gain. If someone builds a house in some of these communities, they might make strong rental returns, but they will not make a capital gain. What can be done to incentivise people to build in a community like that where there is not going to be the capital gain that people might expect elsewhere?

There is also the fact that once we leave the metropolitan area, of course, building costs start to rise. It is going to be more expensive than it would be to build in Perth for anyone wanting to build in that region. Five houses were lost in the town I refer to due to tropical cyclone Seroja, and that is actually one of the lower numbers if you like. In many towns such as Morawa and Northampton, many more houses were lost, as they were in Kalbarri.

The lack of housing is holding back many businesses in the towns. Businesses cannot get staff to come in. There is no accommodation. They are not talking here about social housing. They are talking here about housing for workers who are willing to put money in and willing to pay rent. That is the case in Jurien Bay, but it is impossible to actually find anywhere to rent, and it is impossible to get somewhere to build. So we have a severe crisis in those communities and those sorts of towns right through the Shires of Morawa, Northampton, Chapman Valley, Perenjori, Mingenew, Carnamah, Three Springs and beyond.

I asked questions today about GROH. It is very sad to say that there are GROH premises sitting in the midwest that have not been allocated to be used when we have such a dire need for housing. As the representative for this very damaged electorate, I asked the Minister for Housing to give me some information about what housing was available in each of the shires I represent. That should not be difficult for him to do. There should be an inventory. One would think there would be an electronic record of all the location numbers, and up pop the numbers. Apparently, that is too hard to actually do. This department does not even know how many houses are in which towns and what their state is. I asked the minister whether there were any plans to sell them and what was their condition and the type of construction and their size. That sort of information should be readily available to the Minister for Housing, yet I saw a response from him that denied me that knowledge and denied me the opportunity to know more fully what is the situation on the ground in those communities that are suffering very real stress at the moment. They are reasonable questions that could easily have been answered and I am very disappointed they were not. It goes to show that this department is not focused on getting results, but on making promises. It is empty rhetoric and political pointscoring as far as I can see.

I know the minister has not been the Minister for Housing for five years, but this government has been in place for five years. As the Leader of the Liberal Party outlined, instead of growing houses in the early part of this government's term, it sold off 1 300 houses. That is an enormous number. The government was asleep at the wheel for the first four years of its term. Now there is a tsunami of demand but a constrained ability to build because we have not been able to get labour and supplies into the state. Only the other day the Minister for Transport outlined how her Metronet projects had blown out and how her numbers were being shot to pieces and that hundreds of millions of dollars of federal funding was needed to keep those projects on track.

The state is in the same situation with housing. We are in the middle of a crisis and the government is trying to make up for lost time—time it should have spent in the first four years of its term, increasing housing stock and ensuring that there was a supply line of housing. Instead of that, the government comes up with lots of announcements. Yes, it puts allocations in the budget, but it has no realistic opportunity to make use of that money. It has no realistic opportunity to cure the situation with those expenditures because it has left its run too late. It has not looked properly at the potential demands coming forward. That has led to us seeing more and more Western Australian families under an enormous amount of stress at a time when this budget is blowing out to billions and billions of dollars—$5.8 billion last year.

MR J.N. CAREY (Perth — Minister for Housing) [3.32 pm]: I am happy to speak to this debate and detail what the government is doing on a number of planks in relation to housing supply. Enormous reform is being undertaken in this area. The Leader of the Opposition said that the previous government did not get things right. One might start with the fact that in 2010 the then government had the biggest waiting list. It failed to mention that on numerous occasions; however, in 2010 it was at 24 136. It did not get some things right—the biggest thing was the waiting list, which is what members opposite are judging me by. I note the irony there. The previous government did not get Government Regional Officers' Housing right. In fact, it clocked up an enormous debt with the GROH program and accordingly had to adopt—the opposition leader agreed to this—an aggressive sales program of GROH properties, which included 44 in the wheatbelt. She did not get that right either, apparently, but that is minor as well—the waiting list and selling off GROH properties. She did not get that right. They were extraordinary statements by the Leader of the Opposition.

The opposition also put forward the idea that the government is tinkering. The government is undertaking an incredible reform program. Apparently, I should not issue media statements because they are just media statements;

I should not tell people about the initiatives the government is rolling out. The government is undertaking significant work in housing in Western Australia. It is important to put on the record the current context we face. When we implement policy, we always have to look at the current context. Because of the COVID pandemic, rental markets across Australia are being hit. That is a fact. That is a reality. There is a tightening of the rental market as more people are returning home to Australia and to Western Australia. Of course, there have been supply chain issues. That is well on the record, and there are a number of factors in that. Anyone in the construction industry will say that a range of factors have been hurting supplies. Any good government will look at the challenges and the current circumstances and adapt policy accordingly.

The government has been focused on three very clear platforms to increase housing supply. The first is the building bonus grant. That grant has been critical in increasing housing supply in Western Australia. There is no doubt about that. The $20 000 grant that the government brought in is overwhelmingly increasing housing supply. There have been 27 000 approvals, 4 000 of which were in the regions. That cannot be denied. The Bankwest Curtin Economics Centre—not a government body—has said through its research that that increase in supply will mean that about 10 000 homes are added back into the rental market. The decision to introduce the building bonus grant was deliberate. It was a deliberate measure to not only support the construction industry, but also create that future housing supply. I note that the Master Builders Association put on the record that it saved jobs; it saved the construction sector. The Urban Development Institute of Australia in summary said that it was a strategic decision that showed the government understood the need for these kinds of measures. That is on the record. I quote Tanya Steinbeck's comments on the building bonus grant. She said that the government had acted "decisively and precisely" and —

> … They have demonstrated a detailed understanding of the mechanics of the market, and the grave situation the housing construction industry was facing in the coming months without government support."

That is not from us; that is from a key industry body that said that a policy initiative the government introduced was not only critical, but also understood the market.

John Gelavis, the head of the Master Builders Association, said it was a game changer for the building and construction industry. He said it was going to turbocharge the residential housing sector. Jay Walter in his column, only this year, in *The West Australian* said —

> Livelihoods and jobs were saved, and the generous stimulus packages enabled many first home buyers to enter the market.

Because of that initiative and because of Keystart, we have seen unprecedented numbers of first home owners entering the market—a huge growth. That is a very good sign because it indicates that we still have affordability; that a large number of home owners are entering the market. The government also introduced a rebate to buy off-the-plan apartments so that we could stimulate that sector to encourage further apartment growth, because we know we need density. I note that there has been a demonstrated rise in private investment in apartments.

The second part of the government's plan is about land supply, particularly regional land supply, which we know can act as a constraint. That is why we also made a very clear and measured response with the $116 million Regional Land Booster program. The Leader of the Opposition says that that is tinkering. I do not think that anyone in a regional community would think that the $116 million Regional Land Booster program is tinkering. That was another major change to help get land out to the market, and it has definitely worked. On top of that, as Minister for Lands, I am working with different local governments to look at other opportunities so that we can get regional land supply out to the market. That shows, members, that through those kinds of programs we are boosting regional land supply.

The third area is social housing. It is funny that the opposition takes well credit for the Kevin Rudd housing package, but it is well known and on the public record that the big boost to social housing was, in fact, funded by the commonwealth Rudd government. The federal government is vacating housing, which is extraordinary, and the Leader of the Opposition has the audacity to raise the issue of crowding in remote communities when it is her National political party and its Liberal federal counterparts that yanked all the funding out of remote communities. She is very worried about overcrowding, but she said nothing when her National federal counterparts took all the money out of remote communities and left our state to pick up the mess. Again, that is something that they just did not get right, according to the Leader of the Opposition.

We have announced a social housing package that is both current and long term. It is a completely logical and measured approach that has been welcomed. I note that the response to the budget from the homeless sector was overwhelmingly positive. When we announced the $875 million package—$2.1 billion over four years—Deb Zanella from Ruah Community Services took a moment to say that this is a really great investment. The government has been listening to the sector and doing its own analysis, and it has produced something that will actually begin to shift the dial. We have this housing program, and in the short term, right now, what can we do? We have shifted to a modular program for 150 regional homes. We have also moved to timber frame homes because we know that we simply cannot rely on double-brick, given the constraints, and that timber frame homes are a very reasonable proposition that are delivering us houses in a quicker time frame. We are spot purchasing

and converting to social housing other existing stock that would have been sold to the private sector. We have re-looked at procurement procedures to see how we can speed up approvals along the way so we can get housing out faster. We have looked at Government Regional Officers' Housing. I have to say that the opposition does not understand GROH. The member who raised the issue of GROH got it wrong. I am advised that there are not 100 vacant GROH properties in the wheatbelt; my understanding is that there are 14 vacant houses. The rest are vacant as part of the normal churn process. I want people to understand that there will always be vacancy in the GROH system. People come; people go. At any one point, there are a number of vacancies because of the churn rate; that is absolutely normal. It is dishonest of opposition members to come in here and say that there are 100 vacant GROH properties that are not being used. It is wrong. It is dishonest. It is misleading.

As the minister, I am getting assessments done for those GROH properties that are not going through the churn at any one time and are long-term vacant and then transferring them across to social housing or to local governments. The Leader of the Opposition mocked this and scoffed and said, "Oh, just 15 houses for Derby!" She scoffed at that; I remember it distinctly. Other members of her opposition were saying that I need to re-use or review housing stock; that is what I am already doing. I have done it in Derby, where I have provided housing to the local government and to social housing. I have done it in Collie, where I have converted six vacant properties and shifted it across to social housing, following refurbishment works. We are looking at opportunities for GROH everywhere we go. Members can see that we have a very substantial reform program. The idea that we should mock or criticise a social housing fund is absolute nonsense. We are doing everything we can right at this moment to accelerate the delivery of social housing. We also understand that we face some constraints, and we want to use this fund to grow the community housing sector. It makes absolute sense that we have a fund for social housing, and that is what the construction industry tells us. The construction industry says that this is a very strong policy decision that will ensure that we deliver more social housing into the future and provide more construction jobs. The members opposite are dishonest and disingenuous because they claim that nothing is happening now and that we are simply tinkering.

Finally, I want to address homelessness. I note that this government—this has been presented to the inquiry—is investing $190 million across government agencies. That is an extraordinary amount of money. As the new Minister for Homelessness, I am looking at how we can reform those programs to best leverage outcomes. People refer to the zero list, or the zero count; in fact, we are actually seeing more people being counted. That is the case. More people are being counted now than in the past. The actual rough sleeping By-Name List has meant we had to have a more concerted effort to account for people who are rough sleeping.

Secondly, I want to talk about the Boorloo Bidee Mia facility, or BBM. I have explained this again and again, and I think the opposition is being absolutely disrespectful. It was always our intention that BBM—our homeless facility on Wellington Street—would be a gradual process. This is based on the advice from the homelessness sector. The idea that we would put 100 people overnight in a facility is absolute nonsense. There has to be a measured approach. The risk is that if we adopt the member for Cottesloe's approach and just throw open the doors, the whole thing could close. This model will work by being very intensive and having Aboriginal culturally appropriate support services; therefore, it is a tailored approach. Yes, it started in its twenties, then thirties, then forties, and I think it is just under 50 right now, but that is the approach that will deliver the best outcome for those people, and that is the advice from BBM. I say this sincerely to the member for Cottesloe: go down and visit the site yourself and meet with the Aboriginal organisations that are running it. It is a new model, and we want it to work. I could, for populist reasons or because a media outlet ran a story, say, "Just fill it up overnight. Just find anyone and put them in there", but that would have disastrous consequences for those people already in the centre.

I will end on this. Can we at least have an informed, measured debate about homelessness support and services? It is not just about filling buildings, as the opposition claims. It is complex, but we have a model that is working. However, to make sure that it works and does not fall over, we need to give it time. I recognise Boorloo Bidee Mia. I recognise Daniel and his team. They are doing an extraordinary job and the model is working. They are changing lives. It is slow and it is hard, but they are even getting people into public housing. I thank them for their efforts and for the work they do.

MS R. SAFFIOTI (West Swan — Minister for Transport) [3.50 pm]: I thank the Minister for Housing for his contribution. It is clear to see that the Minister for Housing has a comprehensive plan when it comes to all things housing in Western Australia, whether it be Government Regional Officers' Housing, social housing, new builds, the methods used to undertake new builds, spot purchasing or homelessness. He is a very energetic and driven minister who is delivering, and will continue to deliver, results for Western Australia.

I will talk more generally about the housing sector and make a couple of key points today. First, no-one could have predicted the economic times that we are in. If anyone had said that they could, I would say that they were not telling the truth. It is clear that there is strong economic activity in Western Australia and that that has been the case for a number of years. That is not what we all predicted at the start of the COVID outbreak. The opposition has spent many a press conference and many a time in this Parliament talking about how bad it has been in Western Australia. That is clearly not the case. What we saw when the borders were closed was increased economic activity within Western Australia and a higher demand for housing. We now have open borders and we are now seeing people coming into the state, so we have a challenge in producing housing at a rate to fulfil the demand. Of course, there

have been supply chain interruptions, whether through the rail line being washed away, the impact of COVID closures, the impacts to factories around the world because of COVID, some of the conflicts that are happening around the world or the increased cost of steel and other key products. It is a challenging time, but the government and the Minister for Housing are doing everything possible to increase stock, through both the facilitation of private stock and direct investment in social housing.

I want to make one point: there is one group in this place that continually opposes developments in Western Australia, whether it be infill or new developments, and that is the Liberal and National Parties. They have opposed pretty much every reform we have brought in to fast-track housing in this state. We will bring in more reforms to cut red tape. Does the member for Cottesloe think we should further streamline approvals? Does he think that we should streamline approvals?

Dr D.J. Honey: I don't think we should cut councils out of approvals in their areas, like you are doing.

Ms R. SAFFIOTI: This is the member for Cottesloe —

Dr D.J. Honey interjected.

Ms R. SAFFIOTI: No, member for Cottesloe; I asked you the question and you gave the answer. The answer is that he believes councils can do what they want to block new developments in this state. That is what he is saying. Do members know what? To increase housing stock, we need to build things, but this opposition opposes building anything. It will require more reforms. To increase housing stock, we have to be bold. The Leader of the Liberal Party comes in here and says that we need to increase housing stock, but he opposes every development. He believes that councils have the right to completely block developments in some areas. How does that marry up? How will that work? If the member for Cottesloe comes in here and says that the government needs to do more with housing, we will do more, but he should not come in here and complain when we do it!

Let us go through it. The member for Cottesloe and the rest of the Liberal Party oppose the state development assessment unit, which is about streamlining approvals. Dozens of residential developments are going through that process, which again will improve stock. We saw them oppose a new development for workers' accommodation in Karratha. Imagine if that had not happened and the pressure there would be now. They oppose all housing developments. We will be increasing housing stock. The Minister for Housing is doing a lot across all fronts. Members should not come in here and complain about it and oppose it, because we need to increase housing and density in some areas. For all those people the member for Cottesloe pretends to care about, we need one and two–bedroom units.

Several members interjected.

Ms R. SAFFIOTI: This is the member who comes in here and says that we cannot have a multi-unit dwelling next to a school.

A government member: Why?

Ms R. SAFFIOTI: He has the idea that people who live in apartments are somehow bad people. That is what he says. Then he comes in here and talks about single women looking for accommodation. Well, I tell you what: one and two–bedroom apartments cater to single people, of whom there are many in Western Australia who need suitable accommodation. He comes in here and says they are bad people because people who live in apartments are bad people. That is what he says. He comes in here worried about housing and about where people are living when all he has done has been to oppose developments and try to paint people who live in apartments as being bad people. That is what he has tried to do. Sorry; I do not actually believe you care anything about people in social housing and people who want housing in Western Australia, because if you did, you would be supportive of new developments, new social housing projects and housing diversity!

Do members know what housing diversity does? Housing diversity brings a mixture of people into a suburb. That is what it does. Do members know what? The Leader of the Liberal Party opposes housing diversity. As the Minister for Housing outlined, we are working on the housing diversity pipeline, which is all about facilitating new developments for social and affordable housing on what we term "lazy land" or unproductive government-held land. We have released our first tranche and we will release more, because we want to be more innovative in how we deliver housing diversity. I know the opposition will oppose it. I know the Leader of the Liberal Party opposes it. I say again: the Leader of the Liberal Party believes that people who live in apartments are bad people. That is why he does not want an apartment building near a school.

Point of Order

Dr D.J. HONEY: We are simply hearing repetition from the member opposite.

The DEPUTY SPEAKER: Thank you, member. I do not uphold that point of order. Carry on, minister.

Debate Resumed

Ms R. SAFFIOTI: We will be innovative and bold, because we understand that we need more density and housing diversity. We need more smaller homes. The situation outlined by the Leader of the Opposition and the Leader of

the Liberal Party was that they would also call for more one and two–bedroom apartments and smaller housing because that is the only way to deliver the volume, density and opportunities for everyone in society. Again, I cannot support this motion from the opposition. It is completely unbelievable that people who come into this place and complain about any new housing development or one or two–bedroom units being built in their suburb would really care about housing. It is just not true and they are simply not serious about it.

MS L. DALTON (Geraldton) [3.59 pm]: The Minister for Transport is always a tough act to follow! I am very, very pleased to speak on this motion on behalf of the government and regional Western Australia. Opposition members claim that nothing is being done, but clearly they are burying their heads in the sand. Yes, housing supply is an issue—it would be ridiculous for me to deny that—but for the opposition to make false claims that the government has failed to put in place measures to address housing supply, shows perhaps it has forgotten a few key things, such as the $20 000 building bonus grant, which is now being paid to around 20 000 Western Australians, and our $116 million Regional Land Booster program, which has provided affordable land for housing development in regional Western Australia. Do I get to ask for an extension?

Several government members: No!

Ms L. DALTON: I just thought I would check!

The massive increase in new builds is being experienced right across the state with 370 new homes in Albany and 682 homes approved for construction in Busselton. I could list many, many of them, but obviously time is prevailing.

In the last financial year, 200 new homes were approved for construction in Geraldton alone. There has been a record amount of investment in Geraldton and right now we are also seeing a huge amount of investment in refurbishments, maintenance and the delivery of new homes. In fact, just the other day, with regard to the social housing economic recovery package, I visited one of the most recently completed homes, a fantastic property that was made available for a new family. It is really disingenuous of the opposition to suggest that nothing is being done when people are coming into our electorate offices daily to look for homes. To use this issue as a political football is really outrageous. There are a number of other social housing properties under construction right now in Geraldton and, on top of that, the government has announced that five new homes will be delivered in Geraldton as part of the modular build. This Minister for Housing is looking at all the different ways to tackle the problem and put solutions in place, with those solutions being rolled out right now. I went to Spalding recently to see the start of the renewal program. We are investing $10 million to refurbish dozens of properties in Spalding, build new roads and create a more vibrant suburb and neighbourhood for that community.

I completely reject the opposition's motion. Our government and this Minister for Housing is putting in place many measures that are having an impact on the availability of affordable housing in Western Australia. We understand the many challenges we face with the delivery of affordable housing, but we cannot just snap our fingers to make houses appear; this will take some time. We have already seen things rolled out. The assertion by the opposition that we have failed in this space is an absolute farce.

Division

Question put and a division taken, the Acting Speaker (Ms R.S. Stephens) casting her vote with the noes, with the following result —

Ayes (4)

Ms M.J. Davies	Dr D.J. Honey	Mr R.S. Love	Mr P.J. Rundle *(Teller)*

Noes (42)

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

Pairs

Ms L. Mettam	Mrs R.M.J. Clarke
Mr V.A. Catania	Mr G. Baker

Question thus negatived.

FAMILY COURT AMENDMENT BILL 2022

Notice of Motion to Introduce

By leave, notice of motion given by **Mr D.A. Templeman (Leader of the House)** on behalf of Mr J.R. Quigley (Attorney General).

TRANSPORT LEGISLATION AMENDMENT (IDENTITY MATCHING SERVICES) BILL 2021

Second Reading

Resumed from 15 March.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [4.10 pm]: I rise to speak to the Transport Legislation Amendment (Identity Matching Services) Bill 2021. I note that even though the Minister for Transport is in this house, this bill originated in the other place. I suppose the reason for that is that it is a piece of uniform legislation and the thought was that it would probably go to the Standing Committee on Uniform Legislation and Statutes Review and be dealt with and examined by that committee. It was probably seen as more expedient to put it in there. That is my supposition, but I do not know exactly why it went there first. Many times, when dealing with this legislation, I had to explain to my colleagues in the other place that, no, we had not actually dealt with it yet and that they were in fact getting the first look at this particular legislation.

We know that it is very similar to a bill that went through this Parliament in 2020 and that that bill lapsed due to the prorogation of that Parliament. It had already been to a committee at that time, and because of that process, some changes are evident between the 2020 bill and the 2021 bill, to reflect the views of the committee that examined it.

In reading through the explanatory memorandum, I note that the bill is based on the Intergovernmental Agreement on Identity Matching Services, which was agreed to at a Council of Australian Governments meeting on counterterrorism in 2017. The bill seeks to amend the Road Traffic (Administration) Act 2008, the Road Traffic (Authorisation to Drive) Act 2008 and the Western Australian Photo Card Act 2014. It will allow the use of photographs from driver's licence and learner's permit databases and the Western Australian photo card by the National Driver Licence Facial Recognition Solution, so they can be assessed by the face-matching service. The intergovernmental agreement that underpins this national facial biometric matching capability—which all sounds a bit *1984*, I must say—provides for a central interoperability hub.

Again, when I read about the interoperability hub—it could have just been "the hub"—I went back to thinking about Kevin Rudd and his "detailed programmatic specificity". That has actually been immortalised now. You can go to the museum at Old Parliament House and buy yourself a "detailed programmatic specificity" mug! It is chrome and either black or red; if it were red, it would perhaps be appropriate for a Labor Party figure such as Kevin. I thought that piece of language was deserving of its own travel mug; perhaps we could have them displayed in this Parliament, seeing as we are enabling this to occur in the future.

It is claimed that this legislation will help to better combat crime and terrorism. Identity theft is an issue that apparently will capture one in 20 Australians each year. That is quite a remarkable figure when we think that it is actually well over a million people being subject to identity theft each year. What is being claimed to be arrived at here is a way of being able to ensure that authorities dealing with transactions et cetera have access to a more, shall we say, detailed understanding of a person and their history. Instead of historic photographs and signatures being destroyed after a period—I think it is 10 years under the existing legislation, but I could be wrong; the minister could tell me—this will enable all that information to be kept permanently.

As a child, I had a bank account with the Town and Country Building Society, as it was then. I had a small amount of money in that account. Many years later, I tried to get it out and I had a great deal of difficulty because they would not accept my signature. Finally, a very kind person showed me the signature and it was a six-year-old's scrawl! By that time, I was in my 20s and my writing style had developed a little bit, although my staff still tell me that it is impossible to read my writing! The signature was actually quite legible, but it certainly looked nothing like the signature that I was trying to submit. I think by that time it had become a bank; it might have merged with another bank. Anyway, it seemed a good idea to get the money out. This was about the same time as a couple of Western Australian credit unions and building societies were in a bit of trouble, so I thought I had better get my few dollars out, but I had a great deal of trouble. Maybe if that record had been kept somewhere else and I had been able to access it, I would have known exactly how I should have been presenting myself to the bank, but that was not the case. Signatures change over time, so a person who goes for their learner's permit at age 16, or even younger for mopeds, might well have a different signature 40 years down the track. This will enable the authorities to be able to trace, for whatever reason, an identity as it changes over time.

We know that the Department of Transport will be the Western Australian agency with responsibility for enabling this to occur. I understand that it is to retain control of Western Australian information and share it with other agencies only in certain circumstances, in line with the agreement. A lot of detail has already been gone over in the other

place and I do not really think it will help us a lot to trawl over old ground again. It was also discussed in some detail by the committee that looked at it. Again, as I said earlier, when the previous bill went to the Legislative Council, it went to a committee chaired by Hon Donna Faragher, and that committee produced an extensive report on it. I know, from reading through *Hansard*, that a lot of the issues were further ventilated during the second reading debate and in Committee of the Whole House, so I do not think there is really much point in going over them. I will have a couple of questions during consideration in detail, just to satisfy my curiosity, but I do not think this is going to take that long.

The opposition is not opposed to this legislation; it was not opposed to it in the other place, but we would like to put on the record a couple of concerns. I note that the committee had some concerns about the loss of parliamentary sovereignty and what some of the provisions of the bill would actually lead to, and concerns about the regulation powers et cetera that would be granted.

The committee made some recommendations. Recommendation 1 states —

> … amend clause 12, proposed section 11(c)(1) of the Transport Legislation Amendment (Identity Matching Services) Bill 2021 to limit the people or classes of people to whom identifying information can be disclosed.

I will talk about that a little bit, because the Corruption and Crime Commission released a fairly interesting report into the Department of Transport's handling of some of that information, and on the disclosure of that information and who was accessing that information. The report titled *A review of the Department of Transport's management of unlawful access to TRELIS* was released on 5 August 2021. Its final recommendation states —

> The Commission recommends DoT:
>
> 1. Implement TRELIS policy and procedures that:
>
> a) appropriately acknowledge the criminality of unauthorised access to TRELIS;
>
> b) clearly define the processes for recording conflicts of interest (including by external users); and
>
> c) stop the use of records (of the user or of persons known to the user) in training or testing.
>
> 2. Implement consistent triage and investigation processes for any suspected unlawful access of TRELIS for all user groups, including Federal Government agencies.

That seems appropriate when talking about information sharing with federal and state-based agencies in other jurisdictions. It continues —

> Where appropriate, this should include consideration of the suspension or cancellation of access to TRELIS.
>
> 3. Review current TRELIS activity alerts to ensure they are contemporary, focused, and effective.
>
> 4. Review current authorisations for TRELIS access and ensure memorandums of understanding (MOU's) are in place for all external users. The MOU's should define who the employing authority is and therefore, responsible for taking any disciplinary action and facilitating appropriate sanctions against users and the relevant agency.

I wonder how that will sit with some of the regulations that will be brought in to reflect federal use and use by others? Will those regulations be reflective of the sentiments of the report? The CCC report continues —

> The Commission proposes to report on the implementation of these recommendations in 12 months' …

That is interesting because we are now halfway through that period and, as we know, it will have to report in the not-too-distant future about the implementation of some of these measures.

I note that a hearing took place regarding TRELIS and into that CCC report in the committee of which I am a member— the Joint Standing Committee on the Corruption and Crime Commission. It is a public report so it is on the public record; no secrets are being disclosed here. I asked the CCC about its report. I asked —

> One in particular is the Department of Transport's TRELIS report, which you —

The CCC —

> tabled on 5 August. In reading the report, as I recall, the Department of Transport did not seem to think that the fact that unlawful activity had occurred on numerous occasions was in fact a serious matter or something which was serious misconduct. When you did the analysis of the unlawful interactions with the system, it seemed to be fairly low-level potential corruption in the sense that most of it seemed to be around people accessing it for friends and relatives.

It went on to state that nonetheless it is unlawful. I asked the CCC this question —

> … it did concern me to see the department —

The Department of Transport —

> felt that access was not important.

The commissioner ducked that one. He said —

> I will happily duck it because it was not my report.

He passed me over to Ms Brown who said —

> In respect of the Department of Transport, they have a number of internal mechanisms that trigger alerts. They have the ability to control those alerts. I think the problem in the report to which you refer is their lack of understanding about what constitutes unlawful access was a concern in the sense that if something larger was happening over here, their interpretation even for, as you call them, less serious matters was not even picked up at that early stage. It is really for the organisation to control, in this instance, the TRELIS system and the users of it. Given the high amount of information that TRELIS holds, they need to be obviously monitoring and taking their own risk mitigation from the low end risk right to the high end. You are right; we did not see a high-end accesses.

I went on to say —

> As I recall in your report, it seemed to be that, when you wrote the final conclusions, the department was still not accepting that this was a serious matter. Have you had an indication that there has been a change of view?

To which Ms Brown replied —

> No, not to date.

I think given that we are discussing today a bill that will expand the range of opportunities in which information on Western Australians will be shared, but also which contains some level of interaction with other agencies, there has to be a clear understanding that the Department of Transport, and whoever is in the Department of Transport, recognises that it is unlawful to access information inappropriately and outside of the guidelines. I wonder whether the minister will comment on that when she replies to the second reading, and perhaps we can again talk about that later during the consideration in detail stage.

I think that is fundamentally important. We know that people are concerned about their privacy. They are concerned about giving out their information and sharing information. I think some of those concerns have lessened over the years. I remember back in the Hawke era when there was talk about introducing an Australia card, I was one of those Australians who was indignant about there being some sort of identity card. I think we ended up with a Medicare card with no photo ID, and, in fact, for families, a great list of names on that card was the only outcome and a tax file number et cetera. But an identity card was never introduced.

We will now have a system in which the government will have facial recognition, which goes well beyond anything that was looked at with the Australia card. The community is concerned about others having access to that information. People want to be assured that significant safeguards are in place and also that the culture within an organisation is such that it will not accept inappropriate access at any level to any information stored on TRELIS. That is something that the department needs to tackle. It needs to ensure that the culture has changed so that compliance with the law is paramount when information on TRELIS is accessed.

I also wish to talk briefly about the Western Australian Auditor General's report titled *Information systems audit report 2022—State government entities* tabled on 31 March. I note that 36 entities were issued under general computer control findings and capability assessments and that 18 were issued under general computer control findings. One agency that the Auditor General in this report assessed and looked at is the Department of Transport. The conclusion of the report states —

> We reported 526 GCC findings to 54 audited entities this year, compared to 553 findings at 59 entities last year. These findings continue to represent a considerable risk to the confidentiality, integrity and availability of entities' information systems.
>
> It is disappointing that 49% of this year's audit findings were weaknesses unresolved from the previous year …

I have no idea what the findings on the Department of Transport were, but I am certain that the minister would know, so I would like an assurance that if the Department of Transport is one of those 49 per cent, that it is doing something about tidying up its act. The Auditor General's report goes on —

> As internal and external threats continue to evolve it is important entities promptly address audit findings to protect their information systems and IT environments.

The report continues —

> However, information security is still our biggest area of concern with no noticeable improvement from the previous year, and similar to prior years. Half of the entities failed to meet our benchmark in this area …

That refers to the 36 entities, of which the Department of Transport is one, that undertook capability assessments and did not meet the benchmark. We know, though, that the Auditor General did praise some entities and stated —

> Nine of the entities we perform a capability assessment at every year have consistently demonstrated good practices across all 6 control categories:
>
> - Department of the Premier and Cabinet …
> - Racing and Wagering …
> - Western Australian Land Information Authority …
> - Curtin University …
> - Edith Cowan University …
> - Department of Training and Workforce Development …
> - Lotteries Commission …
> - South Metropolitan TAFE …
> - Department of Finance …

I note that the Department of Transport is not one of those exemplars. Let us hope it is not amongst one of the laggards, because under this legislation some of the information that would normally have been destroyed will be retained. There will be new purposes for that information and new information will be available to persons who have access to the Department of Transport's information-sharing system under the processes in the intergovernmental agreement for facial recognition and other services. The minister needs to give an assurance that the department is onto the issue and it will do its best to keep the information appropriately in the system safe and secure. I understand that state-backed entities seek to interfere with systems like this and hack into them. I am not an expert on any of this stuff, but I am consistently told that foreign entities and foreign governments seek to interfere with information like this. This is a very rich mine of information that I am sure would very much be a target for organisations seeking to gain access to people's information, their identity et cetera.

I know there are different levels of sharing. I know some of the information might be "yes" or "no". Some of the organisations that will gain access to the information will not be government organisations at all. I assume organisations that are involved in conveyancing or banking et cetera where there is a need to provide identification will have access to some of this information. That will be of itself an interesting situation for us to move into. I am sure it does in some way prevent issues such as identity theft. I know that in times gone by people have had their land fraudulently sold from under them by someone who was not the person whom they said they were. Now when someone sells land, they have to provide ID, and if it is over a certain value, they have to get tax clearances et cetera so there is not as much opportunity for theft or for criminals to use those types of transactions for their own benefit.

Some real consequences would flow if this information were not kept safely and if the community felt that its information was not being kept safely. Some people will see this as a Big Brother-type exercise and I want to ensure that they do not have a reason for concern because we can assure them their information will be safe and secure with this government department and under this system, which has its own flaws. Its flaws have been highlighted now by both the Corruption and Crime Commission and, by inference, some of the findings by the Auditor General. Both those oversight committees have shown some concern, so I want some assurances that those concerns will be taken seriously and the minister will ensure that her department takes safeguarding this information very, very seriously.

The fundamental issues to me in all this are: Who will use the information? How will the information be used? Who will store the information? What information will need to be provided? There are provisions for things other than photo ID cards and drivers' licences. Potentially, we could see a range of other information sources such as student cards added to this database and I want an understanding from the minister at the consideration in detail stage about how that will operate and who will decide. Will the Western Australian government decide some of these matters or will it be decided at a uniform national level? I think that is important to know. Different systems probably exist in different states, so there will not be complete uniformity, but perhaps over time much more information than what we are talking about in this first iteration of the agreement will become part of it.

One of the other matters is that although this agreement will allow us to contribute to the national body, the federal government has not been able to pass the legislation. I think the current federal Parliament is coming to an end, so we will not see the legislation pass at a federal level. What does that mean for this legislation and its commencement? I know that was also an imperative so that the department could run tests on the information to see how that works. But I am at a loss to know how that works if the federal government does not have its systems in place to deal with that. Is a federal agency handling this information without legislation encasing its activities at this point? What does that mean for the security of information that is run if it is run in a live test? I believe that is envisaged as part of this bill, and it was discussed in some of the briefing material that I saw going back some time now when we first started to talk about this bill.

The bill was introduced in June 2021, in the early part of the government's legislative agenda. Part of that delay, of course, has been the fact that it went to committee, and I think the committee did a good job of exploring some of the issues. The government has made some changes since then and the minister could probably outline the changes between the bill that was introduced into the Council and the bill that came out of the Council either in her reply to the second reading debate or at the consideration in detail stage.

I do not think I will hold up the house much longer. I do not know whether there are any other speakers; there are certainly no other speakers from the opposition at this point, so, with that, I will conclude my contribution and listen intently to the government members who wish to make a contribution—and there is one.

MS R. SAFFIOTI (West Swan — Minister for Transport) [4.40 pm] — in reply: I thank the member for Moore for his contribution on the Transport Legislation Amendment (Identity Matching Services) Bill 2021. I have quite a few notes, which I might read through, to answer some of the questions or address some of the issues he raised in his second reading supply—second reading response. I have supply bills in my head; I do not know why! A number of points were raised, which I will go through.

The member for Moore asked why the bill went to the Legislative Council first. It was really just for the management of legislation in both houses. It was to make sure that we could monitor and handle the legislation in both houses, so there is no other real reason. It is in relation to the management of the legislation in both houses.

The question he raised just now was: why is the WA bill being progressed before the commonwealth bill, or what will the impact be? I will read the proposed response. Although the bill will allow the state to meet its obligation under the intergovernmental agreement, it will also introduce other enabling provisions that will provide customer service efficiencies and enhance customer choice by enabling photographs on one document to be used on another, and support the *Digital strategy for the Western Australian government 2021–2025* by providing customers the ability to consent to the sharing of their information. Further, WA's participation in the national facial biometric matching capability and use of the face-matching services requires commonwealth, state and territory legislation to have passed and for systems to be developed and completed.

The commonwealth legislation is being developed in parallel. It has not yet passed and its timing is uncertain. In the interim, it is desirable to continue to develop the computer systems so that WA is ready to connect to the National Driver Licence Facial Recognition Solution, otherwise known as "the solution", with minimal delay after the passage of the bill. The development and testing of interfaces between computer systems can typically take one year or more, so it is necessary to develop these in parallel with legislative changes.

To properly test the solution computer systems, it will be necessary to disclose real WA customer-identifying information for purposes such as determining photographic and biometric quality, as well as ensuring that the system connection works as it should. There is no legislative power currently to allow the disclosure of WA customer-identifying information for such systems testing. The proposed disclosure would be for solution systems testing only in an isolated testing environment that will be restricted to the Department of Transport and the Australian Department of Home Affairs. The only assistance that will be needed will be to troubleshoot testing issues. It is important to note that the sharing of identifying information via the solution will not commence until the commonwealth Identity-matching Services Bill has passed and legally binding governance arrangements have been signed.

The WA legislation will align with the commonwealth legislation establishing the solution under written law that can be linked to an authorised person for which identifying information can be disclosed. Specifically, it is intended that the authorised purpose for which identifying information may be disclosed to the solution is to be linked to the original identifying information, as provided for in proposed section 11C(1)(a) of the Road Traffic (Authorisation to Drive) Act 2008, which provides, amongst other matters, that an authorised purpose means the purpose of performing functions under written law or law of the commonwealth or another state or territory. That is the point in relation to the different pieces of legislation.

The member raised the Corruption and Crime Commission's report into the transport executive and licensing information system. The Department of Transport has acknowledged the content of the CCC's review and the recommendations that it made, and is committed to continual improvement. The department has strengthened governance around the use of TRELIS, and in 2018 commenced enhanced monitoring of system user access to identify instances in which authorised users accessed the records of persons known to them. As a result of the outcomes of the monitoring, the department has amended various policies and procedures to provide explicit guidelines and user expectations, which include not conducting licensing transactions on behalf of families and friends. The department has complied with the requirements of the Corruption, Crime and Misconduct Act by providing formal notification of detected breaches to the CCC, and since 2018 has undertaken a significant procedural review to increase user knowledge and compliance. The department is in the process of amending associated policies and procedures to meet the recommendations of the CCC and provide explicit guidelines to all system users to ensure that there is strong awareness of their roles and responsibilities in the use of restricted access computer systems such as TRELIS. The program of works associated with meeting the recommendation and enhancing the governance of TRELIS use has been oversighted by the corporate executive committee.

The next points are some general points in relation to, I think, the monitoring of the activities of individuals and mass surveillance. I am sorry, I just have to deal with my daughter. I am telling her where the house keys are so that she can get into the house. She does seem to text me and call me at the most inappropriate times, like right now. I will not tell you what I texted her, as in where the keys are to the house, just so it is not broadly understood. Sorry! I thought: You know what? I forgot to tell my daughter where my keys are.

A member interjected.

Ms R. SAFFIOTI: That text? No, because then everyone would know where I keep my keys to the front door.

Several members interjected.

Ms R. SAFFIOTI: I will not tell you where they are, but let us hope she finds them in a minute. Sorry. Talking about the protection of information and security! It is confirmed that she has found the keys, everybody, so that is fine. I will show her *Hansard* tonight, although it is uncorrected.

A member interjected.

Ms R. SAFFIOTI: I will show it to her and then I will ask her not to quote from it!

Back to the key point of monitoring the activities of individuals and mass surveillance. I think that was something else that the member for Moore raised, and I will address and provide a response to those issues. The federal member of Parliament, Hon Mark Dreyfus, QC, when he was the shadow Attorney-General, was a member of the commonwealth Parliamentary Joint Committee on Intelligence and Security that reported on the proposed Identity-matching Services Bill in 2019. He was among members who raised concerns in the report that then led to the Australian government redrafting the bill. He was quoted as being critical of a facial identification service that would allow law enforcement and anti-corruption agencies and intelligence services to identify an unknown person from a still image, and said that the service would enable authorities across Australia to use databases and so forth.

Although the Australian government has not yet publicly released the redrafted Identity-matching Services Bill, it has shared confidential drafts with the states and territories, and it has been reviewed in developing this bill. It is important to note that the architecture of the National Driver Licence Facial Recognition Solution and the structure of this bill and, in due course, corresponding commonwealth legislation will prevent the use of the National Driver Licence Facial Recognition Solution, and in particular the face identification service, as a mass surveillance tool. The system will accept only a still image as an input; it cannot be connected to a live feed from a CCTV system.

This legislation will authorise the disclosure of an image to an authorised person in an authorised agency for an authorised purpose. These purposes are linked to the purposes outlined in clause 1.2 of the intergovernmental agreement. Governance of the system will require organisations to sign documents that specify the purposes for making requests, authorisation levels, types of incidents covered, data breach response plans, and record keeping and auditing. In order to make a request for a search, it will be necessary to specify the reason that a search is required and justification that it meets the threshold requirements, with the officer seeking approval from a senior endorsing officer before that request can be lodged. For a police investigation to identify a suspected criminal, the threshold limit for the offence is three years' imprisonment. This is designed to limit the use of the service for less serious offences, noting that offences carrying two years' imprisonment are still relatively serious matters by community standards. It will not be lawful for the Department of Transport to disclose images if these requirements are not met. The system will automatically reject the request and there will be an audit of a new request. It can therefore be demonstrated that the speculative watching of an individual or group in case they do something wrong could not be achieved. This is a deliberate effort by the commonwealth, states and territories.

Although a police force could not monitor a crowd using facial recognition, it would be open to use the face identification service if offences were later committed. For example, a protest action might take place that breaches no law; however, if there was an allegation that somebody present committed a serious crime and there was the image available and the request was approved by the endorsing officer, that image could be submitted to the face identification service. Proposals to prohibit the use for any form of protests would be problematic, as this would be exploited by criminals who would seek to conflate their criminal actions with protest. The government submits that the correct approach is to protect citizens carrying out their lawful activities and to provide tools to police to assist in their duties, with the expectation that the powers will be subject to strong governance and oversight. That is in relation to the issues of mass surveillance that were raised.

The last point will be governance, which was also raised. Legislative authority must exist at the state level to disclose images from the driver registry and at the commonwealth level to manage the process for image-matching requests. The National Driver Licence Facial Recognition Solution will not be able to operate until this bill has passed and the Australian Parliament has passed identity-matching services legislation. This bill is necessary to provide legislative authority to test the connection between systems in WA and the national service using real customer data. I have actually outlined this before. We need the legislative authority to be able to start testing the system once the federal legislation is passed.

I go back to the start of this whole process. This was part of an intergovernmental agreement. We are trying to move forward to have our legislation ready for when the commonwealth bill is passed, whatever that timing is. The legislative authority will allow us to start preparing systems, but, of course, any actual real action will only occur once the federal legislation is passed.

I thank the opposition for its support and I commend this bill to the house.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

Consideration in Detail

Clause 1: Short title —

Mr R.S. LOVE: I was hoping we could get a bit of understanding through this general discussion; and, if we do that, we will probably not need to go through a lot of the line-by-line information in the clauses. I want an understanding of the situation at the moment in other states, whether other states have enacted legislation and how closely their legislation mirrors the legislation we will have in place. That would be a starting point to understand.

Ms R. SAFFIOTI: My understanding is that most other states already have power in their legislation to share images, so the changes they require are not as significant as the ones we require because we need to install the power to share images. Regarding where their legislation is up to, I think it is at varying stages. Some of the legislative changes have been passed in some states, but ours requires the greatest amount of work because, if I am correct, we do not yet have the power to share photographs and some images. In some other jurisdictions, there is the power to share images, but not to the federal agency. Every state has started in a different way. Our existing legislation and rules for sharing photographic images have been different.

Mr R.S. LOVE: The intergovernmental agreement is quite a detailed agreement. It sets out a lot of conditions around use et cetera. One of the issues that was canvassed in the other places was changes to that agreement. Can the minister explain how changes to that agreement would come about? Would they be made just by the commonwealth or would agreement be needed by other jurisdictions?

Ms R. SAFFIOTI: I am advised that any changes to the intergovernmental agreement would need to be agreed to by all the participating jurisdictions.

Mr R.S. LOVE: Given that that would be the case, the expectation is that changes would be tabled in Parliament and members would have the opportunity to look at them, but they are not disallowable.

Ms R. SAFFIOTI: This was a change that was agreed to in the other place; that is, changes to the intergovernmental agreement will be tabled to ensure that the Parliament is informed if there are any amendments to it. I understand it will not be a disallowable instrument.

Mr R.S. LOVE: Presumably, there will be regulations drawn up as a result of this bill. Are those regulations likely to be uniform with other states? Is that something we will see, or will each state be quite different because of the detail of our operating systems, cards and available information?

Ms R. SAFFIOTI: The member is correct. They would be different because our requirements for our legislative changes are different; therefore, the regulations would be different.

Mr R.S. LOVE: I refer back to the intergovernmental agreement. The state contributes its information. The commonwealth presumably contributes information as well through passports and other types of identification. At what level does this stop in terms of age? Is there any barrier on the age of a person—child or adult—who might be included in the system or is it just any available information on any person?

Ms R. SAFFIOTI: It applies only to those aged 16 years and over because it is in relation to drivers' licences. I also understand that there will be extra conditions and requirements for those under 18 in relation to access to the data.

Mr R.S. LOVE: We know that the agreement allows for the solution, as it is called, to run the system. Presumably, that is not a public document. Would all the circumstances that comprise the solution be backend and not available to people? Is there any more detailed information on that?

Ms R. SAFFIOTI: Documents published on the Department of Home Affairs website idmatch.gov.au have more information about the solution.

Clause put and passed.

Clause 2: Commencement —

Mr R.S. LOVE: I will be brief. Under clause 2, the bill will come into effect on the day on which it receives royal assent even if the commonwealth legislation has not yet passed; therefore, all the intentions, objectives and functions of the bill cannot be realised such as they are. Will the retention of information et cetera begin from that point and not from the point at which the commonwealth legislation is enacted and the solution is available?

Ms R. SAFFIOTI: Once the bill has passed, we will be able to start our in-house testing. We cannot share the information because there is no legislation to govern the receipt of that information. We can start running tests in relation to the document, but, as I say, we cannot transfer or share that information because there is no legislative power from the commonwealth to receive it. We can start running our systems to check how they will operate from our end, but we cannot actually share with the commonwealth.

Mr R.S. LOVE: Therefore, the information that the government will be testing its system with will be actual information on Western Australian databases, but the information will not actually be sent anywhere. Can the minister explain how the government can test a system that is meant to interact with another system when that other system does not yet exist? What exactly is the government testing for?

Ms R. SAFFIOTI: The information will go through to the technical people engaged in receiving the information, but it will not be used operationally. It will not be sent to who would normally be the end user of the information. I will go through some notes here. A key point about the connection of WA to the National Driver Licence Facial Recognition Solution is that before it provides operational connections it will be necessary to conduct thorough performance testing. This will confirm that data flows work as they should, with all steps working correctly. Information will be sent, but it will not be used operationally and it will not go to the proposed end user. It will be tested with only the information technology people who will be engaged in it. Any disclosure of any information from this testing will be an offence under existing legislation, because any disclosure will not be supported by any legislative power. That explains it a little bit better. We will be testing the sending of data, but we will not be using it in any operational way, and the normal end user will not receive that information until the federal legislative authority enables them to.

Clause put and passed.

Clause 3: Act amended —

Mr R.S. LOVE: Clause 3 is the start of part 2 of the bill, and it will amend the Road Traffic (Administration) Act to allow for the sharing of information and some of the other changes that have been spoken about. We will specifically amend the database that has drivers' licences, learners' permits and photo cards on it, and is the major repository of photographic identification at the moment. Would the requirement for any other information held by another organisation require another bill to do that or is that possible in some other mechanism in this bill?

Ms R. SAFFIOTI: If there were a requirement to expand to other types of identification, we would need to amend the legislation or have a new legislative authority facilitate the sending of that information.

Mr R.S. LOVE: Therefore, information such as student cards, firearms cards with photographic identification and such types will not be used. Why is that the case when we know of other repositories of information? Is it because this bill is mainly a transport bill and the transport database is seen to be the major database in our state? However, other photo ID opportunities could have been captured.

Ms R. SAFFIOTI: I think one of the reasons is that other states' requirements for other licensing might be different, whereas all states are consistent in having drivers' licences and specific requirements relating to photographs. I am advised that there are existing powers for the sharing of information about people who may hold a firearms licence and crosschecking that data with the transport database, but this is specifically for those databases that are held under the Road Traffic (Administration) Act, the Road Traffic (Authorisation to Drive) Act and the Western Australian Photo Card Act. It is those three acts.

Clause put and passed.

Clauses 4 and 5 put and passed.

Clause 6: Sections 16B and 16C inserted —

Mr R.S. LOVE: Proposed section 16B talks about information being disclosed with consent and proposed section 16C is headed "Disclosure by means of automated system". Can the minister outline why these measures are required? Presumably, it is to enable the solution to be used at a federal level, but perhaps the minister could explain exactly why they are needed at this point.

Ms R. SAFFIOTI: Is the member asking about proposed section 16B, "Disclosure of information with consent"?

Mr R.S. Love: Yes.

Ms R. SAFFIOTI: Proposed section 16B of the Road Traffic (Administration) Act will allow the CEO to disclose information about a person obtained in the administration of either the Road Traffic (Administration) Act 2008, the Road Traffic (Vehicles) Act 2012, the Road Traffic Act 1974 or the Road Traffic (Authorisation to Drive) Act 2008 to another person, with the consent of the person to whom that information relates. This will give effect to objective 4 of the bill. Similar provisions for disclosure by consent exist in proposed section 11B of the Road Traffic (Authorisation to Drive) Act 2008. However, proposed section 11B will apply only to information collected under that act and only to identifying information as defined in proposed section 11B(1), being a photograph, signature or information associated with such photograph or signature. Proposed section 16B of the Road Traffic (Administration) Act 2008 will apply to all information about a person; it is intended to be broader than identifying

information. It will also apply to information obtained in the administration of any road law. This provision will be relied upon, for example, in a situation in which a Department of Transport customer wishes for their employer or potential employer to verify that the customer is currently authorised to drive a motor vehicle of the kind required for their employment. With the customer's consent, the employer will be able to contact the Department of Transport for verification of the validity of the driver's licence already provided by the customer. Section 143A of the Road Traffic (Administration) Act currently provides that a person who has been engaged in the performance of functions under a road law must not disclose, among other things, information obtained under a road law except with the consent of the person to whom that information relates. It is considered necessary to insert an explicit power to disclose in proposed section 16B, however, as section 143A(1)(c) is a penalty provision and does not in itself provide a clear power to disclose; rather, it sets out exceptions to the prohibition and the associated penalty against disclosure.

Mr R.S. LOVE: Will the requirement for consent under proposed section 16B mean that information cannot be disclosed about the person in certain circumstances? This is when they will be voluntarily trying to identify themselves, I guess, to access a service or to some sort of entity. I am thinking about what many of us would have gone through recently in proving our identification on the ServiceWA app. It was quite an exercise, I have to say. This would be that type of situation, in that someone will be trying to identify themselves on an app. What process will be gone through to determine that it is an appropriate organisation to seek that information? For instance, we know that information will be shared to third parties, such as financial institutions and title holders. How will that be managed to know who could apply for this information? There will be many other users who could actually lead people into thinking that they need to give their consent to disclose their identity, so what safeguards will be in this process that we are developing to ensure that when a person gives their consent, they will do so to an appropriate activity? Perhaps I am not making myself clear.

Ms R. SAFFIOTI: I am trying to get to the point of the question, but I think what we are saying here is that we are giving the authority or the power for someone to give consent to information other than the photograph and other normal information being disclosed. The example was the employer. Someone may go for a job somewhere and they may give their consent to the department to disclose their driving record or the licence that they have. I think what we are saying is that the legislation currently does not have that power; in fact, it prohibits the disclosure of that information. This will give people the ability to give their consent to have that information disclosed. I think that situation of the employer is probably a good example.

Mr R.S. LOVE: If I run a scenario by the minister, I might be able to explain what I am trying to get at. For instance, we have seen the scams in which a little old lady will get a text that says that if she does not pay $5 000 to the Australian Taxation Office, she will be put in jail, so she runs off willy-nilly to the bank. A case was highlighted quite recently in which someone went through all of this—I read about it in one of the financial advice columns in *The Sunday Times* or somewhere. Someone was going to take out a substantial amount of money, but it was only because they called in to see their daughter on the way that they did not, as their daughter said that they were not going to the bank to take out $16 000 to deposit in some activity. If this is all about trying to prevent inappropriate use of identity and safeguard against identity fraud, my concern is that there will be plenty of opportunities for people to get people to provide their consent willingly, not knowing that they will be providing consent to a body that has some malicious purpose. I am trying to get to the bottom of what safeguards will be in the agreements to ensure that the private organisations that will have the ability to ask someone to give consent will be legitimate.

Ms R. SAFFIOTI: This provision is narrower than the example provided by the member because it is really just the relationship between the person and the Department of Transport. This clause will authorise the Department of Transport to provide information. It will not relate to bank accounts or other activities; it is Department of Transport–held information and that relates to whether a vehicle is licensed, a person is licensed, what licence they have and, I suspect, demerit points.

Mr R.S. LOVE: Actually, I was going to ask about that. It is interesting that the minister mentioned that because one of the issues that was disclosed is the fact that people have various drivers' licences in various states et cetera and they use techniques to get around demerit points and other matters. So, the information that could be disclosed goes to a person's driving history, not just their identity or the licence they hold; it will be some sort of analysis of their record as a driver, so to speak.

Ms R. SAFFIOTI: Can you repeat that?

Mr R.S. LOVE: I want to clarify that this is actually information other than just a person's class of driver's licence and their name, address et cetera and that the photo is actually their photo. Will this provision enable the organisation to disclose their demerit points, the vehicles registered to them et cetera so that the department can identify that that person is the owner of the Volkswagen Beetle or whatever it is that they are selling? Will that level of information also be able to be disclosed?

Ms R. SAFFIOTI: Yes.

Clause put and passed.

Clauses 7 to 11 put and passed.

Clause 12: Part 2 Division 3A replaced —

Mr R.S. LOVE: Clause 12 is one of the clauses that, I think, has been altered due to the committee's findings. Is that right?

Ms R. Saffioti: Yes.

Mr R.S. LOVE: Yes, it is. Is this the intergovernmental agreement? No, sorry; I have misinterpreted something here. Never mind. I think it is in the next clause, sorry.

The ACTING SPEAKER: The question is —

Mr R.S. LOVE: Hang on! We are still on clause 12.

Point of Order

Mr W.J. JOHNSTON: The member cannot get the call twice. He sat down and somebody else has to take the call before he can continue.

The ACTING SPEAKER (Ms A.E. Kent): Okay.

Mr R.S. LOVE: Further to the point of order, Acting Speaker, you are the chair, not the Minister for Mines and Petroleum; I will be interested to see how you rule.

The ACTING SPEAKER: Minister, are you happy to give the member for Moore some leeway to go back and ask —

Several members interjected.

Ms R. SAFFIOTI: I am happy to hear from the member again!

Debate Resumed

Mr R.S. LOVE: Thank you. The point I was trying to get at was that there was a lot of discussion in the committee about trying to ensure that disclosure would be given to appropriate people. I think there was some talk about being able to change the class of persons in the intergovernmental agreement. The minister said that if the agreement were to change, such a change would be brought to the Parliament. One of the other matters that were discussed was changes to the definition of "authorised person" and its relationship to the purpose of the information. That was seen as a safeguard. Can the authorised purpose be altered in the intergovernmental agreement or would such a change have to be legislated under the provisions of this clause?

Ms R. SAFFIOTI: If we want to change the authorised purpose, we would have to prescribe the authorised purpose in the regulations. Alternatively, it could be done through a change in the IGA, which would then be tabled.

Mr R.S. LOVE: That is the tabling provision in proposed section 11K, which has been introduced as a result of the concern of the other committee. Proposed section 11J refers to the annual report in relation to identifying information. Is that an annual report of simply the Western Australian information that may been utilised or is it a report of the two-way interactions that might have taken place under the legislation?

Ms R. SAFFIOTI: Proposed section 11J refers to reports to the Western Australian Parliament. The federal government will undertake its own report for its Parliament.

Clause put and passed.

Clauses 13 to 23 put and passed.

Clause 24: Sections 17A to 17C inserted —

Mr R.S. LOVE: Clause 24 is roughly equivalent to clause 12 in some aspects, but it relates to the identity card or the photo card information, rather than driver's licence information. Can the minister outline what information will be held on the photo card? We have spoken about the information relating to a driver's licence and what might be disclosed. What level of information will be on the card? Is it purely about an identification program? I want an understanding of what might be disclosed.

Ms R. SAFFIOTI: It will have a person's photo, name, address and date of birth.

Mr R.S. LOVE: Historic records are kept, but there would be a point when information was no longer available. I think after 10 years or thereabouts, it would have been destroyed. Is it fair to say that this will also be a record of a person's previous addresses, not just their current address?

Ms R. SAFFIOTI: Yes, that is right. It could be.

Mr R.S. LOVE: In terms of people being able to identify themselves, what happens in a situation when a person loses that address? Do they lose the ability to use the photo card as an identifying object? I am thinking of people who have no fixed address, which is a particular problem for some people seeking services et cetera and they cannot get an invoice or have material sent to them.

Ms R. SAFFIOTI: They need to update the department with their new address, but I have been advised that they can also have a "care of", so they can have the address of someone else who would receive their mail or vouch for their identity.

Clause put and passed.

Clauses 25 and 26 put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MS R. SAFFIOTI (West Swan — Minister for Transport) [5.32 pm]: I move —

That the bill be now read a third time.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [5.32 pm]: I just want to very briefly wrap up by thanking the minister for her responses. She is one of those ministers who generally tries to accommodate people and to give reasonable and good replies when they are given. I would also like to thank the advisers for their time today. Thank you very much for assisting the Parliament. I think thanking the advisers who contribute to the debate and make the minister appear to be frightfully on top of her brief is something that should be done, because they provide very good advice. That is their job. Thank you.

MS R. SAFFIOTI (West Swan — Minister for Transport) [5.33 pm] — in reply: There is a very nice feeling here at the moment; I am not used to it—it is creepy!

Several members interjected.

Ms R. SAFFIOTI: A parallel universe!

I thank the member for Moore for his contribution to the debate and I thank the advisers as well. This is the implementation of an intergovernmental agreement, and I am very pleased that we have been able to proceed with this bill and have it supported in both houses. These types of bills are technical and detailed, and I am very happy to have had very smart advisers sitting next to me, helping me to navigate this one. The bill is really to facilitate, as I said, the implementation of the agreement. It will allow WA to now prepare itself when the federal legislation is prepared.

When we talk about facial recognition, we talk about data matching. As always, it raises concerns that it could be used for evil rather than good, but I think as we continue to try to manage the health and safety of the community, we need to have the tools in place to ensure the safety and security of our community.

I thank everyone for their contributions. I am very pleased to have got this legislation through the Parliament today. I commend this bill to the house. Thank you very much.

Question put and passed.

Bill read a third time and passed.

LEGAL PROFESSION UNIFORM LAW APPLICATION BILL 2021

Council's Amendments — Consideration in Detail

The following amendments made by the Council now considered —

No 1

Clause 2, page 2, after line 7 — To insert —

(aa) section 356B(2) —

(i) if the *Industrial Relations Legislation Amendment Act 2021* section 69 comes into operation on or before the day fixed under paragraph (b) — on the day fixed under paragraph (b); or

(ii) otherwise — immediately after the *Industrial Relations Legislation Amendment Act 2021* section 69 comes into operation;

No 2

New clause 10A, page 10, after line 12 — To insert —

10A. Tabling of amending Act taken to be publication for Standing Orders

(1) In this section —

parliamentary committee means a committee established by either or both of the Houses of Parliament.

(2) If a Standing Order of a House of Parliament provides that on the publication of an instrument under a written law the instrument is referred to a parliamentary committee for consideration, the laying of an amending Act before the House under section 8 is taken to be publication of the amending Act for the purposes of the Standing Order.

(3) This section does not apply if the Standing Orders of the House provide specifically for an amending Act to be considered by a parliamentary committee.

No 3

Clause 329, page 180, line 4 — To delete "of this" and insert —

to this

No 4

New Part 17, Division 8A, page 187, after line 27 — To insert —

Division 8A — *Industrial Relations Act 1979* amended

356A. Act amended

This Division amends the *Industrial Relations Act 1979*.

356B. Section 112A amended

(1) In section 112A(3) delete "For the purposes of section 12 of the *Legal Profession Act 2008*" and insert:

Despite the *Legal Profession Uniform Law (WA)* section 10,

(2) Delete section 112A(3B) and insert:

(3B) In subsection (3A) —

disqualified person —

(a) means —

(i) a disqualified person as defined in the *Legal Profession Uniform Law (WA)* section 6(1); or

(ii) a person whose name has been removed from an official roll of lawyers (whether admitted, practising or otherwise) kept in a foreign country (a ***foreign roll***);

but

(b) does not include —

(i) a person whose name has, for reasons unconnected with disciplinary action, been removed from a foreign roll or a Supreme Court roll as defined in the *Legal Profession Uniform Law (WA)* section 6(1); or

(ii) a person whose Australian practising certificate (as defined in the *Legal Profession Uniform Law (WA)* section 6(1)) has, for reasons unconnected with disciplinary action, been suspended or cancelled.

No 5

Clause 421, page 211, the Table item 17 the 2nd row — To delete the row and insert —

s. 5(1) def. of ***independent children's lawyer*** s. 11(3a) def. of ***legal experience*** par. (a) s. 219AK(2)(b)	an Australian legal practitioner	a legal practitioner

No 6

Clause 421, page 213, the Table item 22 — To delete "s. 112A(3)".

No 7

Clause 421, page 221, the Table after item 50 — To insert —

50A. ***Veterinary Practice Act 2021***		
s. 3	def. of ***legal practitioner***	

Mr J.R. QUIGLEY — by leave: I move —

That the amendments made by the Council be agreed to.

Ms M.J. DAVIES: I think this is only about the second time I have dealt with messages coming back from the Legislative Council in relation to amendments. I am not planning on speaking at length.

Mr J.R. Quigley interjected.

Ms M.J. DAVIES: That is right! I am not entirely sure of the process, I will be the first to admit. I do not intend to spend a great deal of the chamber's time, other than to point to the fact that there was a considerably detailed interrogation of this in the Legislative Council by the shadow Attorney General, and there were a number of concerns raised. I understand that it also went through the Standing Committee on Uniform Legislation and Statutes Review.

Mr J.R. Quigley: That's report 36.

Ms M.J. DAVIES: It is in my hand, Attorney General. From my perspective, I am very comfortable that, as a significant piece of legislation that has been in the making for some time, it has had the eyes of both the Standing Committee on Uniform Legislation and Statutes Review and the shadow Attorney General in the Legislative Council. I am very comfortable with the amendments that have come back to this place, and commend those changes and the bill to the house.

Mr J.R. QUIGLEY: I thank the Leader of the Opposition for those comments.

Question put and passed; the Council's amendments agreed to.

The Council acquainted accordingly.

PARLIAMENTARY COMMISSIONER AMENDMENT (REPORTABLE CONDUCT) BILL 2021

Second Reading

Resumed from 24 November 2021.

MR D.A.E. SCAIFE (Cockburn) [5.40 pm]: It is a great pleasure to rise and speak to the Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021. This is yet another bill in the government's agenda aimed at protecting children and particularly responding to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. I congratulate the Minister for Child Protection for bringing this bill to the house. Over the last couple of weeks, the opposition has levelled some incredibly uncharitable attacks against the Minister for Child Protection. The absurdity of those attacks and the slights against the minister, who I know personally to be one of the most decent and hardworking ministers in this government, are shown to be the farce that they are by the fact that this minister has consistently brought legislation into this chamber over the past 12 months that acts on the recommendations of the royal commission and ensures that Western Australia is keeping pace, and indeed setting the pace, on child protection in this country.

I think that the royal commission is one of the great unsung achievements of the Gillard Labor government. It was Hon Julia Gillard who announced the royal commission which was long overdue and which took over five years to complete its work. Five years after that five-year body of work was distilled into the final report, we are in 2022 still making the reforms that are needed to keep children safe and making sure that our institutions, whether religious institutions, government institutions or educational providers, are doing the right thing by children.

As I said, this bill is part of the government's efforts to improve our child protection framework. It builds on the work of the government in introducing the Children and Community Services Amendment Bill 2021. The bill will do that by establishing a reportable conduct scheme in Western Australia. I believe that WA will be the fourth jurisdiction in Australia to establish a reportable conduct scheme, so it is welcome and it is responding to one of the key recommendations of the royal commission.

Today, I want to speak to three features of the bill that highlight why this bill is so important and how it is responding to a complex issue. It is responding to it in a nuanced way and making sure that we not only keep children safe—that is the paramount concern of this legislation—but also strengthen our institutions to make sure that children's interests are put first. This is not just about using a big stick to get compliance in the community; this is about educating and empowering institutions to do the right thing and to have safeguards in place so that if institutions get it wrong, there is not only a fail safe, but also an avenue for people to report allegations of child abuse that ensures that organisations are held accountable for any failures in their systems. The three features I would like to talk about today are, firstly, how this bill will establish a system of independent oversight of reportable conduct in Western Australia; secondly, the supporting role that the WA Ombudsman will have under this legislation to ensure that organisations continuously improve their complaints handling processes for reportable conduct; and, thirdly, how this bill will ensure that when internal processes fail, people with allegations of reportable conduct have recourse to the parliamentary commissioner, otherwise known as the WA Ombudsman.

Although the need for independent oversight in any reportable conduct regime was one of the key findings of the Royal Commission into Institutional Responses to Child Sexual Abuse, that finding for a need for independent

oversight dates all the way back to the 1997 Royal Commission into the New South Wales Police Service, otherwise known as the Wood royal commission. It was 20 years before the final report was handed down by the Royal Commission into Institutional Responses to Child Sexual Abuse that the Wood royal commission, which was chaired by Justice James Wood, made the following finding in relation to the way in which institutions investigated complaints of child abuse made against their own staff or volunteers. Justice James Wood found —

> History has shown that there are problems in leaving internal investigations to the employing agency. They suffer from conflicting staff loyalties, they discourage internal informants, they run into problems of institutional bias and self-protection, and they are not perceived as open, transparent or impartial. For this reason, the Commission considers it desirable in any new system to make provision for independent investigation of this kind of allegation.

The kind of allegation that the Wood royal commission is referring to is an allegation of child abuse. There was a finding in 1997 saying that independent oversight is required when these types of complaints of reportable conduct are made. No doubt society has come a long way in its response to child abuse, particularly child sexual abuse. Huge leaps forward have been made thanks to the tireless advocacy of survivors of child abuse, and their families, supporters, and also those leaders in our community who have really shone a light on this scourge that is endemic in some of our institutions.

Unfortunately, history in this country, and indeed in countries all around world, is littered with failures of self-regulation in this space. For example, the repeated failures of the Catholic Church on allegations of child sexual abuse by members of the clergy spring to my mind. It is well documented that the church ran repeated internal investigations, but I use the term investigations in an extremely broad way, because some of those processes were plainly aimed not at investigating the allegations, but at sweeping them under the carpet. We have seen many victims of child sexual abuse who were, for example, made to sign deeds of settlement that had onerous provisions on confidentiality and non-disclosure, and they were paid paltry sums of compensation, sometimes as little as a couple of thousand dollars for the harm that they suffered, in return for those promises.

History has taught us—it is a lesson hard learnt—that self-regulation in this space is not sufficient. We need to make sure that we have independent oversight. However, it is also important to bear in mind that we cannot treat this matter solely as a responsibility of government, because child welfare and child protection is a shared community responsibility. We cannot just say it is in the hands of government and it is being taken care of. We need everybody in our community—early childhood educators, people who work as disability carers and members of the clergy—to step up and see child protection as being their responsibility in their workplace or school. This bill is very important because the reportable conduct scheme will get the balance right and will make sure that we strengthen the responses of our institutions and organisations to allegations of child abuse and reportable conduct and, at the same time, have fail safes and independent oversight. In the case of this bill, the independent oversight will be provided by the WA Ombudsman.

I want to go to some evidence that was made in a submission to the royal commission by the Commissioner for Children and Young People in Victoria. The commissioner in their evidence explained why independent oversight of employee-related child abuse allegations is necessary. The report quoted the commissioner's evidence —

> Allegations of sexual abuse are very challenging to investigate given their nature and the heightened sensitivity for all those involved. There is a need for specialist expertise in understanding not only child development and the nature of sexual abuse, both the behaviour of offenders and the impacts on the victim, but also forensic investigation techniques. The handling of allegations … therefore requires a range of skills and careful assurance that the voice of the child is privileged over the interests of the organisation and its staff. For this reason, independent oversight of the process is very important to prevent conflict of interest occurring when a … departmental agency is put in the position of investigating itself.

That is why the Ombudsman really will be the most appropriate officer to be in charge of providing that oversight under this reportable conduct scheme. The Commissioner for Children and Young People in Victoria points to the need for specialist expertise, and indeed we are very fortunate here in Western Australia to have an Ombudsman who already has existing functions and experience in relation to child welfare. For example, the Ombudsman has a child death review function. It is an absolutely tragic field of work for the Ombudsman, but an essential piece of work, and it means that the Ombudsman is already well versed in looking at the pathologies of child abuse and child fatalities. The Ombudsman also has a function to inquire into family and domestic violence–related fatalities. We know that child abuse is often a form of family and domestic violence; it does not have to be, but often perpetrators of child abuse are family members. The Ombudsman has already built capacities in dealing with the types of complicated issues that are often thrown up in child abuse cases.

Another reason that the Ombudsman is the appropriate agency is that the oversight needs to be independent, as I said. The Ombudsman is not a government agency or department. The Ombudsman is an officer of Parliament, of this place, and is independent from the government of the day. The Ombudsman is best placed to run the sort of frank and fearless investigation into, for example, a government department. We have, unfortunately, seen that over history, government departments have failed children who have been in their care.

The second feature that I want to point to is the Ombudsman's role under this bill in supporting the continuous improvement of institutions in how they handle reportable complaints of conduct. Proposed section 19M states, in part —

> (1) The Commissioner has the following functions in relation to the reportable conduct scheme —
>
> …
>
> (b) to educate and provide advice to relevant entities in order to assist them to identify and prevent reportable conduct and to notify and investigate reportable allegations and reportable convictions;
>
> (c) to support relevant entities to make continuous improvement in the identification and prevention of reportable conduct and the reporting, notification and investigation of reportable allegations and reportable convictions;

What I think is critical about those provisions is that it is not about being reactive. It is about equipping organisations to prevent child abuse and reportable conduct in the first place. It is not simply about having mandatory reporting requirements, which are important but are not sufficient on their own. It is not simply about equipping the Ombudsman to handle complaints of reportable conduct. It is about ensuring that the Ombudsman has an important educative role to strengthen our institutions to not only respond to allegations of reportable conduct, but also prevent reportable conduct.

I said earlier how complex investigations into reportable conduct can be. No doubt the royal commission showed a need to do better investigations and have a better complaints-handling processes. The royal commission really showed that a lot of our organisations, whether government departments or religious institutions, were not equipped to deal with reportable conduct. I want to read into *Hansard* an excerpt from the royal commission's final report. The royal commissioners found —

> In *Case Study 41: Institutional responses to allegations of the sexual abuse of children with disability (Disability service providers)*, we heard about an institution that did not adequately help victims of child sexual abuse to voice their complaints. For example, CIK gave evidence about her daughter, CIJ, who requires high-level special needs assistance and attended a respite home run by FSG Australia (FSG). CIJ has low muscle tone, violent seizures and little capacity for speech. On one occasion, CIJ came home from respite care and brought her lips close to her mother's and moved her face back and forth in front of her mother's in a 'slow, sincere and considered manner'. CIK thought that someone had kissed CIJ on the mouth and asked CIJ if someone had kissed her. While CIJ made some responses to CIK's questions, CIK was not confident in her understanding of what CIJ was saying and found the entire situation overwhelming and confusing. On a second occasion, CIJ returned home from school incredibly distressed. While CIK was attempting to calm her daughter, CIJ lay back on the bed, raised her genitals, craned her head forward, stuck out her tongue and cried. CIK 'had no doubt' that her daughter was trying to tell her that somebody had introduced her to unwelcome oral sex.
>
> CIK contacted FSG about what may have happened to her daughter. During a meeting with FSG, CIK believed that the staff present did not accept the possibility that CIJ had been sexually abused by a member of staff of FSG. FSG staff suggested that CIJ may have been repeating something she had seen on television or may have been sexually abused by another child at the respite home. In the process of FSG conducting their investigation of the incident, CIK felt disappointed that FSG had only considered the possibility of inappropriate behaviour by other children and not the possibility of such behaviour by staff.

[Member's time extended.]

Mr D.A.E. SCAIFE: I have read into *Hansard* that excerpt from the final report of the royal commission because it really underlines how complex these investigations are, particularly in relation to people with disabilities. People with disabilities can be some of our most vulnerable people in the community. They may be, as in the case of CIJ, nonverbal or have limits to their ability to communicate. In those circumstances, it is more important than ever to make sure that investigations into the possibility of reportable conduct are administered by people who are experts in developmental psychology, child behavioural matters and the way that people with disabilities may communicate or may express themselves, because without that level of expertise, situations like what it appears happened with CIJ can be quite easily swept under the carpet, and people can be disempowered in those circumstances. That is why I really think it is important that the Ombudsman has that educative function to make sure that organisations are doing investigations that are the highest quality possible and engage with expert advice.

Sitting suspended from 6.00 to 7.00 pm

Mr D.A.E. SCAIFE: Prior to the dinner break, I had just outlined a case study that had been included in the royal commission's final report involving a mother and daughter, in which the mother suspected that the daughter had been the victim of child sexual abuse. She had a disability and for that reason, CIJ, as she is known as a pseudonym, was unable to communicate clearly what may have happened to her. I was using that case study to highlight the fact that the processes that organisations use to investigate and handle complaints in relation to reportable conduct

have to be quite sophisticated. They have to account for not only the sensitive nature of the allegations, but also the fact that the alleged victims may have disabilities. Obviously, that is particularly the case for disability service providers, which are one of the categories of people who will be subject to the reportable conduct scheme. They will be particularly likely to be dealing with people who may have difficulties reporting that they have been victims of child sexual abuse. It is important that the Ombudsman has that educative function whereby they assist organisations to make sure that their protocols are up to standard for dealing with the challenges of having a client base or a membership that has people with disabilities represented in it.

Obviously, another area of challenge in this respect that was highlighted in the royal commission's report is for multicultural communities and communities in which English is a second language. Those culturally and linguistically diverse communities have other types of barriers to reporting allegations of child sexual abuse. Those can be language related, including in Aboriginal and Torres Strait Islander communities where English is a second language. There is a need to make sure that there is an interpreter available to properly capture complaints, but also to make sure that that interpreter is a culturally appropriate person to be interpreting. That can be a particular challenge in small remote communities. The number of speakers of that particular language or dialect may be limited, so making sure they get the right person, somebody who can be trusted with that information and that the complainant is comfortable with, is also very important. It is also particularly important in those remote communities. Because they are so small, the victims will often have to continue living in those communities. It is not a simple matter of telling those victims to just go and report it to the police or something like that, because it may be that the community is so small that they may not have confidence in whether their complaint will be treated confidentially, or whether it will find its way back to the perpetrator or family members of the perpetrator. Making sure we have a culturally sensitive approach in migrant communities, CALD communities, and Aboriginal and Torres Strait Islander communities is also important and highlights how important it is that the Ombudsman has that function of enabling organisations to have really robust processes.

What I think is great about this bill is that the Ombudsman will have a function of continuous review and improvement. It is not just about setting things and forgetting them and thinking that they will be okay forever. All sorts of issues may crop up over time—for example, changes in technology that might be used to facilitate abuse. Making sure that organisations keep their policies and processes up to date is incredibly important. I certainly expect that the types of issues that I have raised today, although not written in the text of the bill itself, because it does not need to descend into that level of detail, are the types of issues that I am sure that the Ombudsman will give advice on and be able to give advice on. I am comforted that the Ombudsman will be able to do that because the Ombudsman, through its child death review function and its family and domestic violence fatalities function in the past has, I know, from reading previous reports from the Ombudsman, already encountered those issues that require cultural sensitivity and the type of nuance needed when dealing with those types of situations.

The final point of the bill that I want to reflect on is the fact that the Ombudsman will remain a body that complainants can go to as, essentially, a place of last resort if there is an unsatisfactory option available to them within their own organisation to complain about reportable conduct. As I outlined earlier, history is, unfortunately, littered with examples of reports to very senior people within organisations that have not led to adequate investigations or responses to allegations of child abuse. The bill deals with that scenario by providing for, essentially, the Ombudsman to be, as I said, a fail safe. The bill establishes that the first place that a report of reportable allegation or conduct should be made is to the head of that organisation. The head of the organisation needs to be nominated and approved as the head of the organisation for the purposes of the reportable conduct scheme. But the bill acknowledges that there might be situations in which reporting to the head of the organisation might not be appropriate. There are two examples of that. One example is when the complaint relates to the head of the organisation. Plainly, in that situation it would not be appropriate for the head of the organisation to manage the complaint so in that case, the complainant can go directly to the Ombudsman to make the complaint and ask the Ombudsman to investigate that. The second scenario is when the person has made a report to the head of the organisation and is not satisfied with the response that has been given by the head of the organisation. There will be a fail safe in place if and when those situations arise. The Ombudsman will have the power to receive a complaint and go straight into investigating it itself. As I said at the outset, the Ombudsman is an independent body: it is independent of the government of the day and independent of the organisation that the complainant may be associated with. I should also say on the issues I just discussed, if members look at the Ombudsman's website they will see that the Ombudsman goes to great effort to ensure that its services are accessible. A lot of effort goes into translating materials and encouraging young people to report complaints. The Ombudsman will become an officer that complainants can go straight to and be confident that their complaint will be taken seriously and treated sensitively.

There will also be, of course, the ability for a person to make a complaint to the Ombudsman about any other issues that affect the person in a personal capacity. For example, they could complain to the Ombudsman about the handling or investigation by the head of the organisation of a reportable allegation or reportable conviction. They could complain about a finding of reportable conduct in relation to an employee of the organisation. They could also complain about any action taken or not taken by the organisation. Quite a comprehensive framework will be open to those complainants.

In summary, this bill seeks to cover the field. It is modelled on, but not identical to, the New South Wales reportable conduct scheme, which has also been used to produce the reportable conduct schemes in the Australian Capital Territory and Victoria. As I said at the outset, we will be the fourth jurisdiction to deliver a reportable conduct scheme.

I am really proud to be part of a government that is doing that. It is a real credit to the Minister for Child Protection that at the same time as dealing with a department that has a case load that constantly requires attention and is under significant and complex demands, the minister is driving a reform agenda in this house that is delivering on the recommendations of the royal commission. This bill will ensure that we, in this place, essentially do our part in building on the work that we did last year on mandatory reporting.

MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary) [7.11 pm]: I rise to make a contribution to the second reading of the Parliamentary Commissioner Amendment (Reportable Conduct) Bill. I echo the sentiments of the member for Cockburn that once again, through the auspices of the Minister for Child Protection, the McGowan Labor government is bringing before this Parliament important legislation that is designed to protect vulnerable people. I think it is fair to say that a fundamental Labor principle is that we protect vulnerable people in our society.

This proposed reform builds on earlier reforms that the McGowan government has undertaken to deal with the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. In November 2017, in the first term of the McGowan government, we introduced the Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Bill, which raised the statute of limitations for victims of child sexual abuse in order to enable the bringing forward of claims of historical sexual abuse. In September 2018, we introduced the National Redress Scheme legislation, which enabled Western Australia to sign up to that scheme.

When regard is had to the recommendations of the royal commission, it is fair to say that this legislation is measured and proportionate, and will be implemented in a phased manner. It is important to locate this legislation in its historical context. In doing that, I want to go through the history of the royal commission. I am quoting from the royal commission website. It was 10 years ago, in fact, all the way back to November 2012, when former Prime Minister Julia Gillard announced the establishment of the Royal Commission into Institutional Responses to Child Sexual Abuse, and that royal commission got underway in March 2013 with an amendment to the Royal Commissions Act.

One of the consequences of the then federal Labor government's establishment of this royal commission was that it was imperative that hearings be held in private. If members had listened to the contribution from the member for Cockburn, they would have heard the quite traumatic and distressing circumstances that were relayed to that royal commission. I remember that in one of the debates that we had previously when we dealt with the legislation that I referred to earlier—namely, the bill to lift the statute of limitations for victims of child sex abuse—the member for Belmont made an incredibly moving and heart-rending contribution based on some of the material that had been reported to the Royal Commission into Institutional Responses to Child Sexual Abuse.

In April 2013, the public hearings commenced. In June 2013, the first issues paper was released. In April 2014, the first case study report was released. In June 2014, the interim report was released. So much work had been undertaken in the early years of the royal commission that, in fact, the royal commission's time line had to be extended, and that was done in September 2014. In August 2015, the working with children checks report was released by the royal commission. I want to highlight that, because later in my contribution I will talk about the threshold for reporting conduct, and about how the working with children checks operate and the way in which this is aligned with those reporting requirements. I highlight that the working with children checks are a legacy of the previous Gallop Labor government in 2003 when it introduced the original legislation.

In September 2015, the redress and civil litigation interim report of the royal commission was released. That interim report provided the foundation for the first-term McGowan government to bring forward the two reforms that I was talking about—on the one hand, the amendments to the Civil Liability Act that allowed plaintiffs to commence legal proceedings to seek justice through common law claims, and, on the other hand, the legislation that was passed by the previous Parliament to make Western Australia a party to the National Redress Scheme. When I talked about those two bills at the time that they were introduced, I said that they struck a balance. On the one hand, those who wanted their day in court, or those who were able to demonstrate their case to the requisite standard of proof, would be able to use the avenue that was open to them by the removal of the statute of limitations through the amendments to the Civil Liability Act; and, on the other hand, those who were not able to do that would be able to use the avenue of the National Redress Scheme.

It was an oversight of mine in making those contributions not to talk about the victims of child sex abuse right now. The third piece of the puzzle is, in fact, the legislation that is now before the Parliament for debate. Those first two acts provide compensation for those who have already been wronged. This legislation will protect those who might be victims of child sex abuse in the present. I will come back to that shortly.

The *Criminal justice report* was released by the royal commission in 2017, and its *Final report* was released in December 2017. The recommendations in the *Final report* provide the basis for the legislation that has been brought before the Parliament by the minister.

I refer to the explanatory memorandum. It states that the bill —

> … seeks to establish a legislative reportable conduct scheme in Western Australia … In doing so, the Bill implements recommendations 7.9, 7.10, 7.11 and 7.12 of the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse … recommending that:
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> > State and territory governments should establish nationally consistent legislative schemes (reportable conduct schemes), based on the approach adopted in New South Wales, which oblige heads of institutions to notify an oversight body of any reportable obligation, conduct or conviction involving any of the institution's employees.

The member for Cockburn has already mentioned that when we implement this legislation, we will join New South Wales and the Australian Capital Territory as one of the jurisdictions in which this reportable conduct scheme exists.

One of the other things that the member to Cockburn mentioned is that this is not solely the preserve of government. He talked about shared responsibility. That prompted me to go back and look at the minister's second reading speech when she introduced the bill. It states —

> An estimated 4 000 government and non-government organisations in Western Australia will be covered by the reportable conduct scheme, including accommodation and residential services; religious institutions; childcare services; child protection and out-of-home care services; disability services; education services; health services; and justice and detention services.

The comprehensive list provided in the minister's second reading speech demonstrates that the member for Cockburn was correct when he said that this is a shared responsibility. It is not just the government or the public sector who are responsible for doing what they can to prevent child sex abuse from taking place.

In that regard, it is worth noting that this legislation will empower the parliamentary commissioner, or Western Australian Ombudsman. This is not a function of the WA government. This is an entity that is separate and distinct from the government of Western Australia. The way the process will work is that the Ombudsman will take on the oversight function. The Ombudsman will still be in a position to be able to provide a report to the Parliament and to the Premier in circumstances in which there is reportable conduct or when insufficient action has been taken by the entity doing the investigation into the reportable conduct. Therefore, there will still be an avenue for the government to take action, but the entity that has the oversight will be the Ombudsman, the parliamentary commissioner. I think that is really important.

One thing the royal commission referred to was the provision of an environment in which people would be confident to bring their complaints forward. It is a great credit to the architects of the scheme that a lot of the way in which this scheme has been structured is cognisant of all those issues that were raised by the royal commission about the circumstances surrounding people being unable to bring their complaints of child sex abuse into the open. I want to go through in a bit more detail what some of those might look like.

The types of conduct that will need to be reported include sexual offences, sexual misconduct, physical assault and other prescribed offences. One great feature of this legislation, because it is quite new in the way it will operate, is that it is not all being rushed in at once. There will be mechanisms that will enable the Ombudsman to provide support, and then there will be a phased introduction of other reportable conduct such as significant neglect of a child and any behaviour that causes significant emotional or psychological harm to a child. As the understanding of how this legislation operates evolves over time, it can be expanded to capture those areas that are not there right at the outset. Some might say that behaviour that causes significant emotional or psychological harm to a child should be included up-front, but it is important that the way this legislation has been drafted and the scheme has been designed to operate is that there will be an opportunity for that to be phased in in the most sensitive and appropriate way.

A reportable allegation is any information that leads a person to form a belief on reasonable grounds that an employee of an organisation covered by the scheme has engaged in reportable conduct, regardless of whether the conduct is alleged to have occurred in the course of the employee's employment. The threshold is a belief on reasonable grounds. I want to emphasise this point, because it aligns the nature of reportable conduct under this scheme with other reportable conduct schemes, and also with other requirements under Western Australian legislation. There will be consistency in the education of and guidance for persons and organisations with multiple reporting requirements, consistency in information requirements for different reporting purposes under the WA legislation, and alignment with the definitions and reporting thresholds used in reportable conduct schemes in other states and territories to enable consistency for organisations that have a presence in multiple jurisdictions. That is one of the benefits of having a reflective scheme.

One thing we want to avoid as a community is people who report this conduct taking on, themselves, the roles, obligations and responsibilities of entities that are more appropriately placed to carry out investigations. An inquiry conducted under this scheme will not supplant or replace a criminal investigation undertaken by the Western Australia Police Force, for example. Different entities will be appropriately placed to do different types of investigations. This legislation will create a forum in which people who are concerned about reportable conduct can pursue that in a completely independent manner.

The royal commission found that confusion about reporting thresholds can act as a barrier to reporting child abuse. The scheme addresses these findings by aligning the threshold for reporting child abuse with the mandatory reporting legislation in WA. This will provide one single threshold for reporting child abuse and further ensure that educational guidance material can be consistent across both schemes. The recently passed amendments to the Children and Community Services Act expanded the mandatory reporting groups to include early childhood workers, ministers of religion, out-of-home care workers, registered psychologists, school counsellors, youth justice workers and Department of Communities staff. For people who are mandatory reporters and have reporting requirements under the scheme, this alignment in reporting thresholds will minimise confusion and increase the likelihood that suspected child abuse will be reported appropriately and acted upon by the organisation and the Ombudsman.

I refer to the question of historical conduct. I am comforted by the fact that the McGowan government has already introduced legislation for the benefit of victims of historical child sex abuse. A very delicate balancing act needs to be struck in this case. Historical conduct is reportable conduct if the employee is still a current employee of the organisation, so the organisation still has some authority and control over the employee and still has the capacity to carry out that investigation. It does not have to be conduct that is occurring immediately. That was an important finding of the royal commission.

Now that I have let the cat out of the bag, I want to talk about the other ways in which the balance is being struck. One fundamental principle of the way the system works is the requirement for procedural fairness and natural justice for those about whom reports have been made. On the one hand, we have this consideration of current employees. On the other hand, employees will have full entitlement to the Australian law of procedural fairness or natural justice—namely, the right to be heard—and the Ombudsman must be impartial and not biased. Further strengthening these common law rights, the scheme will ensure that the Ombudsman and others involved in the scheme should work in collaboration to ensure that fair process is used in the investigation of reportable allegations and reportable convictions.

Employees who are the subject of reportable allegations are entitled to be afforded natural justice in investigations into their conduct. This is tricky, because this is a very emotive subject, but it is important that the integrity of the scheme is protected by having those checks and balances in place for those who are the subject of reportable conduct. Before any adverse finding is made—this is a fundamental principle of natural justice under Australian law—the head of the organisation must inform the employee that they are the subject of an investigation and of the reportable allegation made or the reportable conviction being investigated and give them the opportunity to make submissions. After considering any submission made by the employee, they must inform the employee of any proposed adverse finding and give them an opportunity to make submissions. Before any disciplinary or other action is taken against the employee as a result of the findings of the investigation, the head of the organisation must inform the employee of the action that is proposed to be taken and give the employee an opportunity to make submissions. These employee submissions must be included when the head of the organisation gives the Ombudsman their written report on the outcome of their investigation.

A very delicately struck balance will be achieved by the scheme. Let me go back and put the point this way: the McGowan government has identified that ensuring the safety and wellbeing of children is at the heart of the reforms. A whole bunch of architecture is built around that, and some of that concerns the procedural fairness and natural justice that I have just alluded to, but an inescapable part of the architecture is ensuring that the safety and wellbeing of children is paramount.

[Member's time extended.]

Mr S.A. MILLMAN: I want to talk about shared responsibility. The member for Cockburn mentioned this before. Once again, this is a very comprehensive legislative response that has been put forward by the McGowan government. Organisations will not be left to fend for themselves once the scheme comes into effect. Firstly, we have the Ombudsman. The Western Australian Parliamentary Commissioner for Administrative Investigations was the first Ombudsman established in any jurisdiction in Australia. The position was established back in 1971—more than 50 years ago. For all the reasons the member for Cockburn articulated, the Ombudsman is exceptionally well placed to administer this scheme, with a long history of aptitude and capacity in these areas. We already have that skill and experience from the Ombudsman's existing functions. Then we will have the Ombudsman empowered to work closely and cooperatively with stakeholders in key sectors and individual organisations included in the scheme to provide education, advice and guidance to assist in building their capacity to meet their reporting obligations and comply with the scheme. Some of these will include developing tailored guidance and support materials and education programs for each sector, in collaboration with peak bodies for each sector, and providing advice and guidance to organisations to assist them in their handling of individual investigations. The provision of education, advice and assistance is set out in the functions of the Ombudsman, which include to educate and provide advice to organisations, and support organisations to make continuous improvement in the identification and prevention of reportable conduct and the reporting, notification and investigation of reportable allegations and convictions. One of the important features of the scheme is the power that is given to the Ombudsman to assist organisations in discharging their duty in order to take the necessary steps to protect children from child sex abuse.

The other feature of the scheme that I thought was very important is the protections for the people who report. The member for Cockburn already touched on the difficulties of conducting internal investigations given the positions of power often held by people who are the subject of these investigations and the seniority that they may hold within organisations. The royal commission identified that there had been some reluctance to report and in some organisations there was a culture of covering up. It is important that the scheme carries protections for those who do report. In fact, there are protections under the act for providing information under the scheme, including the protection from liability for giving identification, the prohibition from victimisation and a prohibition on publishing information that identifies or is likely to identify a person who has made a report under the scheme. Those protections for people who make reports pick up more of the information that was provided in the royal commission and more of the findings that were made by the royal commission.

I wanted to touch on what happens in certain circumstances. The scheme will empower organisations to deal with these investigations in the first instance, but it is important that there is a backstop mechanism so that if those organisations do not conduct their investigations in an appropriate way, the Ombudsman is empowered to conduct his own investigations. In certain circumstances, the Ombudsman may consider it is in the public interest to conduct his own investigation. The circumstances in which this may be desirable include if the matter relates to the head of an organisation, there is a significant conflict of interest that cannot be managed, or the size or nature of the organisation means it is unwilling or unable to undertake a proper investigation itself. The Ombudsman's monitoring function also gives rise to the need for the Ombudsman to undertake his own investigations to identify any practice improvements required.

If an organisation is the subject of an investigation and does not implement a recommendation from the Ombudsman, there will be consequences. This applies to both non-government and public sector entities. It is exactly the same as under the Ombudsman's legislation now and will apply equally to public and private entities. The Ombudsman may request that the head of the organisation notify the Ombudsman of the steps that have been or are proposed to be taken to give effect to the recommendations; and, if not, to provide reasons why not. When it appears to the Ombudsman that no reasonable steps have been taken within a reasonable time, the Ombudsman, after considering the comments made by the organisation, may send to the Premier a copy of the report and recommendations together with any such comments. When a copy of any report, recommendations or comments have been sent to the Premier, the Ombudsman may lay before each house of Parliament a report on the matters to which they relate. The Ombudsman shall not in any report make any comment defamatory of or adverse to any person unless that person has been given the opportunity of being heard in the matter and having his defence fairly set forth in the report. Again, one of the salient features of the scheme in its entirety is that it is not the government sitting over people; it is the Parliament through the office of the Parliamentary Commissioner for Administrative Investigations. That really gives life to some of those recommendations coming out of the royal commission.

Once again, we have sensible legislation that has been brought forward by the McGowan government to implement the recommendations of a royal commission that was started by Prime Minister Gillard more than 10 years ago. This is the latest piece of the puzzle, as I said earlier. We have the lifting of the statute of limitations for plaintiffs to bring claims relating to historical child sex abuse and we have the National Redress Scheme for those who are unable to bring forward those claims or who do not desire to bring forward those claims, again consistent with the recommendations of the royal commission that there will be people for whom court proceedings are not possible, too daunting, too traumatic or for whom the prospect will exacerbate the oftentimes psychological issues that they are suffering as a result of historical child sex abuse. In addition to those two avenues for seeking compensation or restitution, we have this protective scheme, which is designed to get in on the ground floor.

In the time that I have left, I wanted to mention two terrific organisations that operate in the electorate that I am fortunate to represent, Mount Lawley. One of them has been going for a number of years. It is a non-government organisation that carries out terrific work—terrific advocacy and counselling. That is the Phoenix Support and Advocacy Service Inc. The story of Phoenix began nearly 40 years ago when an idea was born out of the ashes of women who needed to tell their story. That was in 1984. The evolution of Phoenix represents the empowering journey survivors take to rise and reclaim their identity, find unknown strength and become victorious in embracing a freer version of themselves. Through this transition, they begin to heal and recover from past exploitations and injustices and work towards changing the future direction of their lives. The Phoenix Support and Advocacy Service helps victims of sexual abuse. It provides counselling, support, information and referral services, and generally assists those who have been through these incredibly traumatic experiences.

In the context of this legislation when we are talking about preventing child sex abuse or tackling child sex abuse at an early stage, I wanted to recognise the work that Louise Lamont and the people at Phoenix do. It is an incredibly diligent and hardworking organisation. It serves not only the community of Mount Lawley, but also the broader community of Western Australia. It is an asset to our local community and it does wonderful work. In the context of these reforms and this Parliament tackling the scourge of child sex abuse, it cannot be praised highly enough.

The other organisation that I wanted to reference is a law firm that I have spoken about previously—Rightside Legal. It has offices in Melbourne and Perth. Its Perth office is in the same building as my electorate office, my constituency

office. One of its first cases was shortly after the passage of the legislation lifting the statute of limitations for historical victims of child sex abuse in Western Australia. Its practitioners and the practitioners associated with another organisation called No More—the solicitors who were retained to assist the royal commission—were unequivocal in their endorsement of the legislation that was previously passed by the Parliament to lift the statute of limitations for victims of child sex abuse. Since that legislation passed, we have seen a number of instances in which plaintiffs have been successful in bringing claims for historical sex abuse, most often against the Catholic Church.

I want to make special mention of my good friend Michael Magazanik who is a principal lawyer at Rightside Legal. He has always been a terrific campaigner for justice and a fierce advocate for the people who have suffered at the hands of organisations like the Catholic Church. I also want to commend all the people who work at Rightside. They go in, day after day, to do their jobs and are confronted by some of the most harrowing and traumatic stories that you could imagine. Day after day, they turn up and listen to those stories. They are empathetic and compassionate. They make these applications to the court and bring forward these claims. Frequently, they are able to obtain justice on behalf of their clients, justice on behalf of victims.

I am confident that this legislation will act in the way that it was precisely envisioned by the royal commission in trying to prevent child sex abuse. It is another important piece of the puzzle and for that I commend the Minister for Child Protection for her outstanding work in this field. I commend the legislation.

DR K. STRATTON (Nedlands) [7.41 pm]: I rise to speak in strong support of the Parliamentary Commissioner Amendment (Reportable Conduct) Bill and the mechanisms for child safety that it will provide. I stand here as both a mother and a social worker to say that it is vital that we ensure that the organisations that look after our children and their various needs are child safe and put children's interests first and at the centre of all their decision-making and actions. As a mother, of course I want to know that my children are safe in the organisations that support them and meet their various needs. I want to know that those organisations are themselves child safe, and that at every level of the organisations they are doing everything they can to ensure my children's safety, to protect them from harm and to have trauma-informed and responsive strategies to address any allegations or any issues of risk that they might face. Of course, most of our organisations that work with children are working consistently and working hard to uphold children's safety, and the adults working inside those organisations are motivated to ensure their safety and wellbeing. However, when issues and incidents of risk and safety are experienced and identified, it is essential that we have structures to report, investigate and manage those issues carefully.

The purpose of the reportable conduct bill is to keep children safe. It will support organisations and their staff to make children's lives safer, to ensure their voices are heard and acted upon, and that those organisations have appropriate channels and processes in place to effectively manage complaints and concerns. The bill, as we have heard and as we know, has its origins in the Royal Commission into Institutional Responses to Child Sexual Abuse, which was conducted over five years with its final recommendations being published in 2017. The McGowan government acted swiftly to examine and implement those recommendations, including in this place in 2018 when the Premier Mark McGowan delivered an apology to Western Australians who had been sexually abused in institutional care. I have noted before that I was here in the public gallery when that apology was delivered. I was here with survivors who access services through Tuart Place. That apology was very, very powerful for them. It was an acknowledgement of their experience and of their survival.

This bill is part of our ongoing progress and sustained efforts to implement those recommendations and to keep our children safe. I particularly want to acknowledge the leadership of the Minister for Child Protection in pursuing this very hard and complex work. Child sexual abuse or child abuse is what we in social work would call a wicked problem and it is only the brave who step into that place. The royal commission was informed by listening to the very difficult stories of many individuals who had been impacted over their lifetime by sexual abuse that had been perpetrated against them as a child in an institutional context such as a care home or an orphanage. It focused on systemic and institutional practices, and how and where institutions could and should have responded better. I want to say thank you to all the survivors who gave evidence to the royal commission. I note the importance of them being heard and believed, often for the very first time, in that royal commission process. We cannot underestimate the power of being heard and being believed because this was an experience that many of them were denied as children. The reasons that they provided evidence were not for their own purposes but to protect children into the future.

I want to particularly acknowledge a WA-based organisation that I have just mentioned—Tuart Place. It is actually located in the Minister for Child Protection's electorate and I know that she is a great supporter of and advocate for Tuart Place as well. It is a peer-led organisation that provides a counselling support and advocacy service for people who have been placed in any form of out-of-home care during their childhood, including church-run orphanages and other institutions located in Western Australia. It had its origins in providing services to child migrants and forgotten Australians. Its average participant is over 51 years old and a significant number of participants are aged over 70 years. When the royal commission was announced, for many of them, one of their greatest fears was that they would die before they knew the outcomes or saw the impact of the royal commission. Tuart Place made a number of submissions as an organisation about the structure and the terms of reference of the royal commission, its reporting structure and on particular findings, including being a fierce advocate for a just redress scheme. Perhaps

more importantly, it supported many individuals who were re-traumatised by the need and their desire to give evidence. That desire came at a sacrifice to them. Tuart Place provided counselling and helped people to prepare their submissions. It was through the organisation's hard work and commitment that many of those survivors were able to make a submission. I want to thank again all those survivors who gave evidence to the royal commission. It is because of their bravery that we stand here today introducing this bill.

Although the royal commission focused on historical experiences, in its final report it was clearly identified, and clearly we know, that child sex abuse in organisations is a problem that is not just in the past. It is current and something that needs to be addressed at a multitude of levels for the benefit of not only our children, but also our families and our communities. The bill before us tonight addresses organisational practices. The royal commission found that many institutions were remiss in their organisational culture, which, in some cases, allowed and even encouraged abuse to occur. Cultural factors included organisational and leadership norms, beliefs, assumptions and values. These included how the safety of children was implemented and what was normalised as appropriate or inappropriate behaviour. Many of those assumptions also led to children not being believed or being told that they were imagining what happened to them, that the particular person they were accusing could not possibly be responsible for such heinous crimes—outright denial and silencing of their experiences. Other cultural risk factors for institutional child abuse included instances in which the reputation of an organisation was being prioritised. This often meant that its reputation was protected at the expense of the child rather than listening to and acting on the disclosures made by the children whom it was responsible to and responsible for. This would often result in ineffective, inappropriate and superficial investigative and reporting procedures, or even non-existent investigative and reporting procedures. The oversight function that this bill will put into place addresses those significant fault lines.

Another major factor in organisations that leads to increased risk for children is the structure of and approach to the recruitment, screening and training of new staff. From the many findings of the royal commission, several recommendations were made to improve how organisations respond when a disclosure of sexual abuse is made by a child. This bill goes towards enacting recommendations 7.9 to 7.12 of the final report.

One key aspect that emerged from the commission was the need for child safe organisations. Child safe organisations make cultural changes in their institutions and community to ensure that child abuse is better reported and responded to, as well as ensuring that children's rights are respected and enshrined. Child safe organisations adopt the 10 child safe standards, incorporating them throughout their organisations to ensure that children are safe in their care. I am going to outline these 10 principles briefly here, as I think that they demonstrate how complex it is to create and sustain a child safe organisation and why an oversight mechanism is very important. These standards include that, firstly, child safety is embedded in the organisation's culture and reinforced by leadership and governance so that child safety is the responsibility at every level of the organisation—that is, frontline workers, reception staff, the CEO and the board—and that people always hold children at the centre of their decision-making.

Secondly, children are active participants in decisions that impact them. This means that children are given the opportunity to express their views and that those opportunities are explicitly created and structured into how the organisation operates. But, most importantly, those views are listened to, taken seriously and acted on, and if there are concerns from a child, they are supported in an age-appropriate way to communicate those concerns. This gives children the opportunity to feel more included and connected with the organisation caring for them, and encourages children to speak up and share their experiences as an ordinary occurrence. When speaking up is an ordinary experience, children are also able to speak out when something extraordinary and shocking happens to them.

Thirdly, as well as children, families and the community are included and are actively encouraged to be involved in the decisions that affect their child and children, also getting a say in the institution's policies and procedures and other ways of operating.

The fourth principle recognises that every child is different and is treated equitably with their diverse needs respected and celebrated, and communication opportunities are offered that reflect that diversity and enable the participation of all children.

The fifth principle is that the individuals who work with children are appropriate for the job, with screening, training and ongoing support with an emphasis on the safety of children they work with throughout their entire engagement with an organisation. This principle begins with the recruitment process, including ensuring that pre-employee screening, job advertising and referee checks have child wellbeing and safety at their core. At Wanslea, where I was involved in recruiting staff, a standard interview question would ask people to demonstrate what they understood a child safe organisation to be and how they would contribute from their position to Wanslea being child safe. This was a standard question for all positions in the organisation—the receptionist, the childcare workers, the social workers, the researchers and the leadership. This very question being included as a standard was a key indicator that everybody was responsible within that organisation for the safety of children.

This is an important principle when considering the bill before us, as the oversight mechanism will also provide feedback and learning for the organisation about when practices such as screening at recruitment and throughout a person's employment might need attention. Given the scheme is about preventing child abuse, it is important that

as many employees, or those engaged in the work of the organisation, are included. It includes people over 18 years of age who are paid employees, volunteers, contractors, ministers of religion, certain types of carers, including foster carers; and family day care educators. The definition of employee is consistent with all other jurisdictions with reportable conduct schemes, while the inclusion of contractors and volunteers, as well as paid employees, is consistent with the recommendations of the royal commission.

The sixth principle of a child safe organisation is that if there are complaints of child abuse, and child sex abuse in particular, they are responded to in a child-focused manner and that there is an appropriate complaint handling system that all staff and families understand. Complaints are to be responded to seriously, while reporting also considers the privacy and confidentiality of the child. In a child safe organisation, once the complaint is resolved, it is used as a learning mechanism so that systemic improvements are implemented—learning from past mistakes. This principle, when implemented appropriately in an organisation, would see a complaint handling policy that is child-focused and outlines responsibilities for responding to different types of complaints, again, at all levels of the organisation, from upper management to staff and volunteers. Everybody in the organisation should know what they should do if they receive a complaint of child abuse. Staff should have thorough knowledge of their roles and how children could disclose to them or express their concerns. They would be empowered by the organisation to report breaches of their code of conduct and be supportive when reporting or challenging unwanted or unsafe behaviours. This goes back to that issue of the reputation of an organisation being protected over the safety of a child.

For families, this process would be culturally safe, fair and accessible with its use encouraged for not just staff, but also families, communities, children and young people. It will allow children and families to know who they should approach in an organisation should they have any concerns or are feeling unsafe, and will give timely feedback to anyone who raises a complaint. We want people to feel listened to and heard, encouraging a working environment that is open and transparent for all. This principle also means that when complaints do happen, there will be policies and procedures in place to report them to the appropriate authorities, regardless of whether they are mandated to do so. All reports within the organisation will be analysed and recorded with respect to current practices, and where systemic issues are identified, they are addressed in a timely manner.

Responding to where things have gone wrong in the past and implementing new safeguards going forward allows organisations to continually develop and improve their child safe practices. Again, this child safe principle is enshrined in the bill before us tonight, but it takes responsibility and accountability beyond an individual organisation and makes child safety in an organisation more reliable and robust by this increased accountability. It makes this principle of appropriate, inclusive and just responses and complaint mechanisms embedded in external as well as internal systems.

The remaining child safe principles deal with ongoing training, safe online environments and the requirements for regular review and organisational policies and procedures to document how the organisation remains child safe.

These 10 child safe standards demonstrate that child safety is a significant responsibility across all levels and operations of an organisations; many, though, are internally focused and driven. This bill will ensure that that responsibility now includes an external accountability, external oversight and an external learning mechanism.

The reportable conduct bill is specifically acting on the royal commission recommendations regarding oversight of complaint handling and, therefore, implements standards 5 and 6 of child safe organisations. As we have heard, it will require organisations to notify an impartial and independent oversight body of any reportable allegations, conduct or convictions of any of their employees, as defined.

The independent oversight body will be the Ombudsman, an impartial officer who serves Parliament and is independent of the government of the day. The Ombudsman is governed by the Parliamentary Commissioner Act 1971, which provides for the independence and impartiality of the Ombudsman and the capacity to undertake investigations of complaints as well as own-motion investigations, with all the powers of a standing royal commission. Further, we have heard the office of the Ombudsman has existing and specific expertise in investigating matters involving the safety and welfare of children, including its longstanding child death review practices and family and domestic violence review functions.

The scheme will ensure that child abuse in organisations is fully investigated and by providing oversight on how organisations handle and respond to those complaints and convictions will ensure that children are protected from abuse within institutions. It is estimated that around 4 000 organisations in this state will be covered by the scheme, including childcare services, child protection and out-of-home care services, disability services and religious institutions amongst others. There will be a graduated introduction so that organisations already used to regulation and oversight such as child care and out-of-home care organisations will be the first to enter this new scheme.

[Member's time extended.]

Dr K. STRATTON: Likewise, the type of conduct will be phased in—sexual offences and physical offences to begin with, and other types of conduct after the first 12 months of scheme.

The royal commission also found that confusion about reporting thresholds can act as a barrier to reporting child abuse. The scheme before us therefore addresses these findings by aligning the threshold for reporting child abuse with mandatory reporting legislation in Western Australia. This will provide one single threshold for reporting child abuse and further ensure that education and other guidance material regarding thresholds will be consistent across both schemes. It will remove, therefore, another barrier to reporting.

The recently passed amendments to the Children and Community Services Act 2004 expanded the mandatory reporter groups to include early childhood workers, ministers of religion, out-of-home care workers, registered psychologists, school counsellors, youth justice workers and Department of Communities staff. For persons who are mandatory reporters and who have reporting requirements under the scheme, this alignment in reporting thresholds will minimise confusion and increase the likelihood that suspected child abuse will be reported appropriately and acted upon by both the organisation and the Ombudsman.

This reflects another key focus of the scheme—that the best interests of the child are the paramount consideration. The bill will therefore ensure that there is minimal duplication of interviews of children and investigations. This will work, of course, to reduce children's trauma, avoid or mitigate re-traumatisation, and cause minimal disruption to the child and their family. The scheme will have mechanisms to avoid this duplication, including providing for consultation and sharing of information between the Ombudsman and other investigatory or oversight bodies, such as the Western Australia Police Force. It will also include the capacity for the Ombudsman to exempt a matter or an organisation from an investigation when considered appropriate, including that it is being investigated by another appropriate person or body. This will mean that, when telling their story, children will not have to repeat it to adults in order to have it acted upon. It will mean that when a child finds the courage to speak up, they will be listened to. A child who discloses will not just be acting on their own behalf. With an oversight body, there will also be the opportunity to develop a bigger picture of the patterns and issues in organisations, institutions and our sector and for them to learn from and rectify any gaps. A child who discloses will be making an organisation safe for not only them, but also all children.

As a social worker, I have seen the impact on children and their families who have not had their stories recognised or responded to appropriately, and I know the positive difference that truly listening to someone and taking action can make. Every child deserves the respect and care that this bill will bring to the organisations that they interact with—the respect and care of being kept safe.

I finish by noting once again that we would not be standing here today speaking on this bill if it were not for the people and organisations that provided evidence to the Royal Commission into Institutional Responses to Child Sexual Abuse. It is indeed on their shoulders that we stand. I acknowledge all those witnesses. I acknowledge their pain and their bravery. Again, as a mother and a social worker, I thank them. They are the reason that this bill is before this house and, in their honour, I recommend this bill to the house.

The ACTING SPEAKER (Ms M.M. Quirk): Member for Mirrabooka, it is throwing me that you are not in the right place!

MS M.J. HAMMAT (Mirrabooka) [8.02 pm]: I know. It is a good opportunity to try on some different personalities—freelancing around the house wherever we want!

I rise to support the Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021. I also want to acknowledge the work that the Minister for Child Protection has done in bringing this bill to the house as part of a suite of reforms and measures to ensure that we respond to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. This bill deals with the specific recommendation from the royal commission to have a nationally consistent reportable conduct scheme and that schemes be established right around Australia. This bill will introduce a number of measures to address the issues raised during the royal commission and recommendations that were made about improving how children are protected. As others before me have said, the scheme that this bill will introduce will make our children safer. It will prevent them from harm and, for that reason, absolutely it should be supported.

Others before me have spoken about the royal commission and I also want to do that in my comments tonight because it was an important moment in Australian public policy. The royal commission was established by Julia Gillard in 2012. I do not think we should forget how momentous it was at the time. Indeed, it was not easy to call the royal commission and it certainly had its detractors, yet she understood that it was the right thing to do, that it was important to do it and that regardless of what the royal commission might find—whether it might make us feel uncomfortable—it was very important to have a process to shine a light on what had gone on in institutions around Australia over some time.

Like others before me have also done this evening, I want to acknowledge the work of the royal commission and its staff in grappling with what we now know was a series of very confronting and complex issues. It is difficult to imagine how it must have been to be part of that royal commission over five years and to deal with some of the material that they considered, some of the very difficult case studies that they inquired into and the stories that they heard. It would have been incredibly difficult and confronting work. Like the member for Nedlands, I also want

to acknowledge the victims, who had an even more difficult task in coming forward to share their stories and give evidence and, as we have heard, effectively, relive trauma and events that were no doubt very difficult for them. I also acknowledge the victims who told their stories to the royal commission. We are indebted to them. We have the opportunity to do something good and positive as a result of their courage in speaking out—that is, to honour their commitment and evidence by implementing the kinds of recommendations that will assist in making our institutions safer for the children in their care.

We have a duty to honour those contributions, make sure that we learn the lessons of the past, take seriously the recommendations of the royal commission and set about legislating for the recommendations of the royal commission to ensure that our children have an opportunity for a safe future when they are in institutions. As others have also acknowledged, our families, communities and society at large will benefit when those things are put in place. This is a very important bill and is part of the long history of both the royal commission and the steps that this government is taking to honour the commitments from the royal commission.

The royal commission highlighted many times and in numerous ways that children who had been in institutions had reported abuse and had not been believed or that no action was taken as a result of speaking out. There were a number of case studies and incidents. I encourage anyone who does not understand the compelling case for this legislation and other legislative change to consider looking at that report, because it is indeed very sobering reading. I think the member for Cockburn shared one of those case studies in his contribution. I urge people who perhaps need to understand more of the context for this to familiarise themselves with some of the contents of the royal commission report.

The objective of the reportable conduct bill is to protect children from harm by implementing a scheme that will ensure that we report and investigate allegations of and convictions for child abuse involving employees in certain organisations by taking appropriate action to respond to findings of child abuse.

There are three main types of obligatory reporting in Australia. The first is mandatory reporting to child protection authorities. That means that designated individuals must, in certain circumstances, report to child protection authorities suspected and known cases of child abuse and neglect, including child sexual abuse. The second deals with the failure to report offences. That means that individuals face penalties if they fail to report to the police certain criminal offences committed, or believed to have been committed, by others. The third is reportable conduct schemes, which is the subject matter of this bill. These schemes ensure that heads of certain institutions that provide services to or engage with children report to an oversight body any allegations or instances of reportable conduct by their employees and volunteers. With the first two matters, mandatory reporting laws and the failure to report offences, the responsibility to report is placed on an individual, but reportable conduct schemes are different in that they place the responsibility to report on an institution, and this is discharged by a nominated office holder within that organisation. These kinds of schemes are important in ensuring that we have a balance of different ways that reporting can occur. One of the royal commission's findings was that a variety of different reporting models were operating in Australian jurisdictions and there was no consistent framework, with three different ways in which child sexual abuse could be reported operating in different ways in different states. We operate in a federated system and so the complexity and differences between states is familiar to us.

A recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse was to ensure that we have a nationally consistent reportable conduct scheme so that we will at least have consistent standards for organisations to apply to their duties and responsibilities. Reportable conduct includes a number of different forms of conduct, including sexual offences and sexual misconduct with or in the presence of a child. It includes other behaviours as well, such as physical assault, any behaviour that causes significant emotional or psychological harm to a child and any other offence that Parliament might decide is reportable conduct. Reportable conduct casts a net around a range of behaviours, again based on the findings of the royal commission, that we know can be damaging and traumatic for young people in institutions.

The scheme will cover organisations where children are being cared for or supervised by someone other than their parent or guardian. It will cover a wide range of different organisations, including schools, religious institutions, childcare centres, hospitals, disability services, detention centres and residential care facilities. As other members have said, it is important to recognise that this bill not only captures employees as part of the definition of reportable conduct, but also recognises that volunteers, contractors and subcontractors are often involved in providing services to children as well, and it is quite right that they also be captured under the terms of the bill. Indeed, we recognise that religious bodies, including ministers of religion or religious leaders, should be included under the terms of the bill.

This scheme at its heart will ensure that if an employee, a child or their parent or guardian speaks up about abuse or suspected abuse by someone in an organisation, that organisation must act. The head of the organisation must tell the Ombudsman, who will ensure the matter is being properly investigated. If organisations do not do the right thing, there is an opportunity for penalties to apply. The scheme will not replace the organisation's existing complaints handling or disciplinary processes, but will build on its existing procedures and, importantly, introduce independent oversight into the steps that it takes.

The royal commission reported that it is often very difficult for individuals to report suspected or alleged child abuse, and there are a number of reasons for that. Others before me have commented on this, but people confront a range of barriers. Some are institutional barriers that go to the organisation's culture—I will talk a little bit more about those—and some are personal barriers, when people are perhaps uncertain about what to do. It is worth considering those barriers because they are at the heart of why many people choose not to act. We are creating a scheme that seeks to overcome those barriers, to normalise action and reporting, and that will make sure the wellbeing of children is at the centre of all decision-making.

When we think about institutions and the great deal we have learnt from the work of the royal commission—I again acknowledge the work it has done—we see that there are a number of barriers embedded in institutions where child abuse is taking place. Clearly, leadership, governance and culture lie at the heart of much of that and strongly affect how organisations respond if allegations are made. I think the evidence of the royal commission underlined that too often leaders in organisations prioritise the needs of their institution over the needs of the child and that they are concerned about protecting their public reputation and mindful of their legal liability rather than at the heart of their decision-making considering the impact on the child at the centre of the allegations.

Many organisations also lacked appropriate governance structures. They did not have proper policies, and if they had them, they had not explained them adequately to their staff or their volunteers, meaning that people did not understand what steps they needed to take in the event that they had concerns about the treatment of children in care. Culture, of course, is at the heart of so much of how organisations respond and adapt, and was itself found to be a really strong barrier for adequate reporting happening, either because that culture contributed to the perception that reporting child abuse was unimportant or because that culture actively discouraged it. In some cases, the culture normalised behaviour that we now would consider to be abusive.

Power structures were, unsurprisingly, identified as being institutional barriers to reporting. That is not surprising when we think about people in senior positions who have the structural power in an organisation to simply dismiss allegations as being wrong or fanciful, or in some cases actively intimidate subordinates into not taking action on their concerns. The royal commission also found that informal power structures in organisations were important and could influence how an organisation responded. If people at the centre of an allegation were considered to have skills that were in short supply or were maybe well liked and popular, it often protected them from reports being made about their behaviour.

The royal commission talked about how the culture some organisations have is perhaps due to the nature of the work that they do. I think it called them total institutions, ones that have a capacity not just to influence how people behave, but also how they live because they are in a residential caring arrangement. Military academies, immigration detention centres and boarding schools are all examples of institutions where people do not interact in an occasional way but live together. The power structures in those organisations were often more acute because individuals had little or no authority over decisions that could be made about their lives. When we think about institutional barriers and questions of culture, governance and power in institutions, I think the royal commission shone a strong light on how powerfully those things have worked as barriers to people reporting.

We also know that there are individual or personal issues that impact on a person's willingness to report abuse when they were aware of or suspected it. Often that is because people are concerned. They are either unaware and, as I said earlier, do not understand the organisational policies in place because they had not been properly explained to them, or they are confused about their legislative requirements to speak about abuse; for example, what level of evidence might be required to support the allegation. People are often concerned about the consequences for themselves of reporting suspected abuse. I think it is really important to remember that and hold that at the centre of our consideration of this bill.

Having gone through the royal commission, we have a clarity that has not always been there on the appropriate steps to take and why they are so important. We are told again and again through the work of the royal commission about the entrenched barriers that people encounter. I think it is important to bear in mind that for individuals, the decision to report may be difficult for a range of reasons, but there is no question that it is necessary and the right thing to do. The reportable conduct scheme is about ensuring that our systems overcome those barriers and that reluctance, ensuring that people act.

As others have reflected, at the time of the commencement of the royal commission, New South Wales was the only jurisdiction with a reportable conduct scheme. It was established in 1999 in response to the Wood royal commission. During the life of the royal commission, schemes were introduced in Victoria and the Australian Capital Territory, and now we have this scheme for Western Australia. The experience with the New South Wales scheme very much informed the recommendation in the royal commission's report on how the scheme should be implemented in a nationally consistent way. At the heart of it is recognising that the success of the scheme lies in ensuring that we do not rely on only internal investigation, but also the concept of independent oversight so that we overcome those barriers and make sure that organisations properly conduct investigations when allegations are made.

[Member's time extended.]

Ms M.J. HAMMAT: Independent oversight is critical in helping organisations manage and identify risks to children, and that it removes, as we heard through the royal commission, some of the reasons why steps were not taken. It overcomes that and encourages organisations to take proactive steps. If there is no reporting to an external authority, there is, in effect, no accountability for the organisation. It is really interesting that one of the findings of the royal commission, that it shone a light on, is that many organisations did not report allegations to external authorities. Even when they were required to do so, or when it might have been beneficial to do it, they did not do it. This scheme will remove any ambiguity about that and ensure that in all cases there is reporting to an external authority. It will also stop the mishandling of complaints by internal organisations. We see again and again in the report of the royal commission that organisations cannot be relied on to get their internal investigations right. There are lots of reasons why complaints are mishandled when they are made, so it is important that there is that oversight.

This scheme will also help organisations that experience inadequate support or advice, particularly small or under-resourced organisations, or organisations in new or emerging sectors, so that they can access the learnings, if you will, from the independent oversight that this bill will put in place. Importantly, hopefully, in the passage of time, we will have a consistent system around Australia so that all organisations, particularly those that operate nationally, will understand their obligations and that they cannot avoid reporting on the basis that they were confused about or misunderstood the structure. We will have a system of oversight that is consistent across different sectors. It will be consistent across states, which will make it clear to all what needs to happen when allegations are made. It will ensure that it comes to the attention of the regulatory system and, if necessary, ensure it comes to the attention of the criminal system.

In closing, one of the significant things about a reportable conduct scheme is that it will allow us to better understand patterns and trends over time. It will allow for the collection of data that will hopefully give us insight into both how organisations can effectively respond and which organisations are successfully addressing the issues in their organisation and sector, and it will hopefully also allow us to identify where we need to assist organisations to develop their capacity to respond. Early detection and prevention strategies are at the heart of what we would all hope is the answer to institutional child sexual abuse. If we can prevent it by detecting it early, identifying high-risk situations and putting in place strategies, I think we can all agree that that is the best possible outcome. That is one of the really important aspects of this bill that will allow us to better understand and respond to improve our ability to prevent child sexual abuse.

I conclude my comments by saying that this is an important bill. It is an important piece of work in a large body of work that will reform how we care for children and our expectations about how institutions should respond to allegations of child sexual abuse when they are made. As I said at the outset, it is one of a number of pieces of legislation being introduced by this government to give effect to the recommendations of the royal commission. That royal commission undertook important work that will have a long-lasting legacy not just on legislation and work in this Parliament, but, I hope and I know others join me in this, also a profound impact on children and their safety when in institutions and away from the care of their parents. With that, I commend the legislation to the house.

MS J.J. SHAW (Swan Hills — Parliamentary Secretary) [8.24 pm]: I rise to make a brief contribution to this Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021 second reading debate. I do so in my newly appointed role as Parliamentary Secretary to the Minister for Child Protection. I begin by saying that it is a great privilege to work in support of the minister. I have the great privilege to see on a daily basis her care for the interests of children who are in state care and indeed children right across Western Australia. I think that one of the sad things in the debates we have been having most recently is the opposition's lack of understanding of just what a proactive, engaged minister she is. I have sat in briefings when she has had a daily update on the status of children around this state, and there are those opposite who would seek to besmirch that and belittle it, and they have absolutely no idea of the care and dedication that she gives to the child protection portfolio. Her prosecution of these issues and for the implementation of the royal commission's findings is testament to that. I want to give my full-throated support for the work that the minister does and put on the record my admiration for her work in this portfolio.

As I mentioned, this bill is intended to implement the recommendations of the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse. Many of my colleagues and I were the beneficiaries of a very comprehensive briefing provided by the Ombudsman. I would like to put on the public record my thanks for that briefing. This is a very complex, very sensitive issue, and quite an emotional one. I am quite sure that the Ombudsman staff have turned over in their minds as well the ways they intend to go about implementing this legislation. Indeed, they gave us a great briefing. I have every confidence in the Ombudsman's ability to administer the proposed scheme, and I would like to also thank staff for providing us with such a great briefing.

For those who may not be familiar, on 12 November 2012, then Prime Minister Julia Gillard announced that she would recommend to the Governor-General that a royal commission be appointed to inquire into institutional responses to child abuse. In fact, *The Guardian* Australia has done an absolutely fantastic piece on the genesis and conduct of that inquiry, and in it the commission was called —

> … something survivors and their advocates had been seeking for years after allegations in Australia and in other countries, notably the US and Ireland.

It was calling for a royal commission into institutional child sexual abuse. At the time, Prime Minister Gillard recognised, and I think we now know absolutely to be true —

> "There has been a systemic failure to respond to it," … "The allegations that have come to light recently about child sexual abuse have been heartbreaking.

I would add that those allegations were not recent; they had been ongoing for decades —

> These are insidious, evil acts to which no child should be subject. There have been too many revelations of adults who have averted their eyes from this evil."

Successive Prime Ministers had resisted the calls for royal commissions. They said that state inquiries and investigations had been held. I think it is fairly well acknowledged again, now, that in the main, those state inquiries had not been adequately resourced, the terms of reference were not quite right, or they had not been put together in such a way or resourced appropriately to truly get to the heart of the matter to unearth and shed light on so much absolutely despicable conduct. Prime Minister Gillard ordered the commission after some really explosive allegations by detective chief inspector Peter Fox from New South Wales police. He had written an article in the *Newcastle Herald* and he said —

> … that victims of historical abuse were coming forward in increasing numbers.
>
> "Often the church knows —

He was talking about the Catholic Church —

> but does nothing other than protect the pedophile and its own reputation," … "I can testify from my own experience that the church covers up, silences victims, hinders police investigations, alerts offenders, destroys evidence and moves priests to protect the good name of the church."

Prime Minister Gillard four days later held a press conference to announce a royal commission that would examine all religious organisations, state care providers, not-for-profit bodies and other child service agencies, including how those organisations responded to abuse allegations. Indeed, that is the subject of the legislation before us today. Justice Peter McClellan was appointed to head the royal commission, leading a team of six commissioners.

It is interesting when these inquiries are undertaken to look at the ways in which they both uncover the scale of the abuse and the failures to address it, and then how they go about developing mechanisms and recommendations to address improvements in the way that abuse is both uncovered and responded to. In the case of the royal commission, it held private sessions that led survivors to speak directly to one of the six commissioners about their experiences. The commission held public hearings in which it heard from witnesses and gathered evidence from them after investigation, research and preparation. It undertook a comprehensive policy and research program that included round tables throughout Australia and papers that examined prevention, identification, response and justice for victims. It held 8 000 private sessions. That is quite remarkable. It held 444 days of public hearings. The budget for the inquiry was $372 million. I do not know that there has ever been such an extensive royal commission as that one.

The commission heard from 1 200 witnesses during the public hearings. It examined 1.2 million documents and generated more than 45 400 pages of transcripts. It also incrementally released findings from more than 100 studies it had commissioned, as well as findings from investigations into various institutions. It found what so many have known or suspected for decades; that is, tens of thousands of children have been sexually abused in many Australian institutions. More than 4 000 individual Australian institutions were reported to the commission as places at which abuse had occurred. In many cases, these institutions had harboured several abusers. Some of the most common themes to emerge from the inquiry were the catastrophic failure of leadership within institutions to take the concerns of children, parents and staff seriously; the failure to follow up and investigate complaints; and the failure to take disciplinary action against alleged and known perpetrators, or to report alleged or known perpetrators to police. The commission also found that some leaders felt that their primary responsibility was to protect the institution's reputation and the accused person. The impact of this was absolutely devastating, allowing perpetrators to continue to abuse in some cases dozens of victims over decades.

More than 15 000 survivors of institutional abuse or their relatives contacted the royal commission. They are the people who were brave enough to step forward. There would be so many others who might not have felt the ability to do so or who, unfortunately, tragically, took their own lives, or who did not report the abuse, or, if they did, were not believed. A significant portion of the people who contacted the royal commission made allegations of child sexual abuse that had occurred in Catholic Church institutions. Of all the people who attended a private session with the commissioner, 37 per cent reported abuse that had occurred in institutions managed by the Catholic Church. The royal commission's scale, complexity and quality was absolutely unprecedented. Its work has been widely acknowledged as being absolutely world leading. It is a model of best practice. As I say, it led to dozens of findings and recommendations aimed at improving the way that we protect our children across the nation.

I want to acknowledge that the Western Australian Parliament also instated a parliamentary inquiry. That was the inquiry by the Joint Standing Committee on the Commissioner for Children and Young People into the monitoring

and enforcing of child safe standards. I believe the report of that inquiry was tabled in August 2020. That inquiry examined the scope and direction of the work being undertaken by government agencies, regulatory bodies and non-government organisations to improve the monitoring of child safe standards and the role of the Commissioner for Children and Young People in ensuring that Western Australia's independent oversight mechanisms operate in a way that make the interests of children and young people the paramount consideration.

I have read the report produced by that inquiry. It is titled *From words to action: Fulfilling the obligation to be child safe*. I would like to acknowledge the work of Hon Dr Sally Talbot, MLC, in the other place in her chairpersonship of that inquiry, and the other committee members, particularly my colleague the member for Kingsley, who I also share an office with. She and I have discussed this inquiry and I know that she was incredibly personally invested in it. I imagine she had some really harrowing accounts provided to her. Again, we have incredibly deeply committed people in this Parliament—I will acknowledge on both the government and the opposition side—to child protection. There are some who, unfortunately, would prefer to protect the institutions that have perpetrated this sort of abuse, and that has been very topical and incredibly disappointing, but, nonetheless, in many instances, there are members on both sides of Parliament who are very committed to these matters and I want to acknowledge their work.

The report of the joint standing committee found two common factors that led to the creation of an unsafe environment for children and young people. The first was a failure by institutions to put the interests of children above all other considerations. The second was a failure by governing bodies to assess and monitor the capacity of institutions to give primacy to the interests of children. The committee also held a series of hearings in Western Australia, and in interstate and overseas jurisdictions, to see how governments and organisations have responded to the growing demand for these failures to be rectified.

The basic premises of the report are straightforward. They are that the institutional failure to put the interests of children first will be rectified once organisations embed the national child safe principles in the heart of their operations. The failure to effectively assess and monitor the capacity of institutions to put the interests of children first will be addressed when independent oversight renders systems transparent. The report made 19 recommendations and 65 findings, which have been taken up by the state government. This legislation seeks to implement and institute the independent oversight systems recommended by both the royal commission and the joint standing committee.

The royal commission highlighted the number of times and ways in which children reported abuse and either were not believed or no action was taken. It recommended that the states and territories establish reportable conduct schemes to prevent harm to children by holding organisations accountable for the conduct of their staff. The reportable conduct scheme that will be introduced by this legislation will support people to speak up about concerning behaviours, help prevent child abuse, and improve an organisation's systems and processes for preventing abuse and dealing with complaints and reports of abuse about their staff. If an employee, or a child or their parent or guardian, speaks up about abuse or suspected abuse by someone in an organisation covered by the scheme, the organisation must act. The head of the organisation must tell the Ombudsman, who will ensure that the matter is being investigated properly. If organisations do not do the right thing, penalties will apply. The scheme will cover organisations in which children are being cared for or supervised by someone other than their parent or guardian. Organisations covered by the scheme include schools, religious institutions, childcare centres, hospitals, disability services, detention centres and residential care facilities. Anyone who speak up in good faith will be protected from liability for giving information and from victimisation when they do. In essence, children will be heard, believed and supported, and reporters will be protected. The scheme will put the interests of children first, which is exactly what has been recommended in those reports. If a concern is raised, the organisation must assess the risk to the child and take action before commencing the investigation. It is important that children not be subject to multiple interviews and investigations; therefore, information can be shared between investigative bodies.

The scheme will not replace an organisation's existing complaints handling and disciplinary processes. Organisations can build on their existing procedures and reporting requirements to integrate the requirements of the scheme. In fact, when we discussed this with the Ombudsman's office, one of the comments that they made was that there is a process of continual improvement and feedback about what other organisations are doing, which is aimed at improving the schemes of organisations. That will, no doubt, be a good consequence of the institution of this process. A finding of reportable conduct may trigger a reassessment of a person's working with children check. The government intends to introduce that as part of separate reforms. The scheme will not replace existing requirements to report child abuse to the Department of Communities and to the WA Police Force. If WA police decides to investigate, the criminal investigation will always take priority.

The scheme will be rolled out over two years. Organisations that exercise a high degree of responsibility for children, and where there is a heightened risk of child abuse, will be phased in first. The Ombudsman will help organisations to prepare for the commencement of the scheme and provide guidance and support once the scheme is operational. Once the scheme commences, WA will be one of four states with a reportable conduct scheme, so parents and carers who move to WA from these states can be assured that organisations responsible for their children are subject to similar scrutiny.

The introduction of this bill forms part of the McGowan government's broad program of work to safeguard children, protect victims and heal survivors, including the recently passed Children and Community Services Amendment Bill, which implements recommendations of the royal commission to require ministers of religion to report child sexual abuse. The protection of children and their safety and wellbeing is at the heart of these important reforms.

I conclude by acknowledging all the victims who have come forward over the years in both the state and territory inquiries that were held prior to the royal commission—all those brave people who, despite these complaints mechanisms or investigation processes not being in place, nonetheless very bravely came forward and shared their experiences. It is so important to honour and acknowledge what they did. Many years ago—I think it was my second job out of university—I worked for the Senate Joint Standing Committee on Foreign Affairs, Defence and Trade on its military justice inquiry. As part of that process, we had submissions from and private hearings with people who were genuinely psychologically damaged from things that had happened to them when they chose to step forward and report misconduct and allegations of bullying. They felt that people in the system had turned their backs, refused to hear, protected themselves and essentially protected hierarchies. Their experiences are real, but I would argue they pale into insignificance against a child's experience in trying to come forward, or an adult who chooses to come forward and revisit those experiences, even though they happened years ago and they suspect they may not be believed. We have to honour that. We have to recognise the impact on families and individuals. These people have had to share deeply personal stories. I am sure that some of them have done that because they wanted to share their stories. Some of them will have come forward because they want to make a difference. They want to see the systems changed. So many inquiries have talked about the devastating lifelong impacts of child sexual abuse and the devastating consequences of not responding to abuse appropriately. I want to honour the bravery and resilience of the survivors and commemorate those who have struggled under the burden and have unfortunately lost their lives.

I thank those who have been champions for change. I particularly acknowledge the member for Bassendean, who has been unrelenting in his pursuit of protections for victims of child sexual abuse. Again, we have to acknowledge the champions of people who have come into this place and taken up this issue. On that note, I commend the bill to the house.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [8.42 pm]: I rise to make a contribution on behalf of the opposition on this important bill, the Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021. In doing so, I point out that the shadow minister, Hon Nick Goiran, is in the other place, but I am indebted to him for the provision of some notes and information about the bill. He has conducted investigations and attended briefings et cetera that have been provided by the minister's office and the Ombudsman, so that is a good bit of instruction for me.

Certainly, the opposition will be supporting this bill; there is no issue about that. Any endeavour to effectively ensure the reporting and appropriate handling of child abuse when it occurs in the community is important. Such abuse and neglect happens for a range of reasons across a variety of demographics, and all members of the community can play a role in helping to keep children safe. Due to the nature of child abuse, there can be variations in the number of reported and actual cases of abuse. As many as one in seven boys and one in three girls will experience some form of sexual abuse in their lives. Of these, many are abused by someone they know. One in three Australians would not believe children if they disclosed that they were being so abused.

This bill will introduce a legislated reportable conduct scheme in Western Australia. It will implement findings of the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse, which made 409 recommendations, of which 310 were for the WA government to action. This bill was released as a green bill in November 2020 for stakeholder feedback at the end of January 2021. It relates to various other bills, including the Children and Community Services Amendment Bill 2021, and is focused on implementing the recommendations of the royal commission. It is not uniform legislation, but I believe it was agreed by the Council of Australian Governments. Similar schemes are in place in the Australian Capital Territory, New South Wales and Victoria, and these schemes were considered in the creation of this bill.

The briefing attended by members of the opposition had representatives including the Ombudsman, the Deputy Ombudsman and staff. Those attending were told that the legislation will implement a reportable conduct scheme that will require mandatory notice to the Ombudsman, and that failure to do so will result in penalties. The Ombudsman will monitor any internal investigations. If the Ombudsman is not satisfied that the investigation is proceeding well, they can launch their own investigation. I should point out that the Ombudsman referred to here is the parliamentary commissioner.

Significant information was presented relating to the sharing of information to prevent duplication between the Ombudsman and other groups such as the coroner and the Corruption and Crime Commission. If an allegation is made, the regulatory burden will then fall on the applicable organisation. Organisations will want to establish the veracity of the allegations—a fact assessment—and that will potentially provide evidence for further inquiry. Consultation had been taking place at that point with 132 authorities, including six unions and the Department of Communities. The best interests of the child are paramount in the considerations of the legislation. The legislation seeks to reinforce that, specifically by minimising multiple investigations, with police investigations taking

priority. The Ombudsman has a memorandum of understanding with the coroner and strong relationships with the police, and it is rare that information would not be shared. The Ombudsman will provide key differences between Western Australia and other jurisdictions. I assume that information was provided to Hon Nick Goiran consequent to those briefings. Penalties in the bill are based on other jurisdictions and existing legislation. That is what we know about the raw facts of the matter.

As I said, the bill seeks to implement findings of the Royal Commission into Institutional Responses to Child Sexual Abuse, which recommended that state and territory governments should establish a nationally consistent legislative reportable conduct scheme based on the approach adopted by New South Wales that obliges heads of institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees. In opposition, we support the fact that this bill is an effort to achieve this endeavour. It will establish a reportable conduct scheme for Western Australia through the amendment of the Parliamentary Commissioner Act to confer oversight duties onto the Ombudsman. The bill will compel heads of government and non-government organisations to notify the commissioner of reportable conduct abuse involving children within their organisation such as employees, volunteers and contractors, so the commissioner can then review the investigation findings or undertake investigations of their own.

The explanatory memorandum tells us that an estimated 4 000 organisations in Western Australia will be covered by this reportable conduct scheme, including accommodation and residential services; religious institutions; childcare services; child protection and out-of-home care services; and disability, education, health and justice and detention services. The scheme will be phased in with childcare services, child protection and out-of-home care services, and education, health and justice and detention services covered in the first year, and then the remaining services after 12 months of operation of the scheme. The type of conduct will also be phased in, with sexual offences, sexual misconduct, physical assault and other prescribed offences covered by the scheme in the first year and the remaining types of conduct after 12 months of operation of the scheme. It will apply to organisations that exercise a higher degree of responsibility for children when there is a heightened risk of child abuse. These organisations need to notify the Ombudsman of allegations and convictions of child abuse involving their employees. It also provides mechanisms to minimise duplication of interviews and investigation when there has already been an investigation by another person or a body. An appreciation of how difficult it can be for victims to retell and provide evidence over and again is reflected in that. The shadow Minister for Child Protection flagged a number of issues in relation to this. One related to resourcing. Although the Ombudsman stated that he was satisfied with the amount of resourcing covered in the budget, Hon Nick Goiran is aware that there may be concerns, particularly from the not-for-profit sector, regarding the extra workload required to ensure that the obligation to report can be properly supported and communicated.

There are also concerns around long-term training and resourcing. Also, the Western Australian Local Government Association and other organisations have raised concerns about what they consider to be an unrealistic time frame for how they intend to proceed with matters within the seven working day time frame; that is, seven days of having been notified of the reportable allegation or conviction. This time frame will make it difficult to obtain industrial or legal advice.

The definition of "investigator" is very broad. There are concerns about the level of expertise and capacity to adequately and appropriately investigate allegations or convictions of child abuse. The bill provides that under proposed section 19W(1)(a)(i) of the Parliamentary Commissioner Act an employee of a relevant entity must investigate the reportable allegation or reportable conviction or permit the engagement of an independent investigator. This raises the question of what skills and qualifications are required by the employee to undertake the investigation, given the potential nature of the allegations. The definition of "investigator" in clause 5 is broad. It states —

> ***investigator***, conducting an investigation under Part III Division 3B, means a person or body conducting the investigation under that Division on behalf of the head of a relevant entity for the purposes of the reportable conduct scheme;

That is quite a broad definition.

There are also concerns around the issues of notification and disclosure. Under proposed section 19ZH(3), it seems that the head of an organisation has a significant role in making the call, without any oversight in determining, amongst other things, that the child has sufficient maturity and understanding to consent to the disclosure and that the child does not consent to the disclosure. This raises the question about whether the head of the relevant entity is the best person to determine the maturity and understanding of the child, particularly when a conflict of interest may exist. Proposed section 19T(2)(b) raises the question of what protection is given under that proposed section to a person making a report to the commissioner about a head of an entity, with the protection of whistleblowers being particularly important. To that end, protections in place for the entity are also important.

Although we certainly support efforts to undertake these reports and to bring about this legislation, it is fair to say that, in the eyes of the opposition, the current minister and the McGowan government have been seen to have failed in key areas of child protection in Western Australia. The minister knows full well of those concerns from debates that took place in this Parliament in the last month, culminating in calls for her resignation. We hold that the creation

of the mega-department of Communities is somewhat responsible for that and, in the face of the evidence, it is not a good outcome for some of our most vulnerable children. Revelations in 2006 about the death of an 11-month-old child, Wade Scale, led to an Ombudsman report and review that led to a primary recommendation that a standalone department, being the Department for Child Protection, be created. That was adopted by Premier Carpenter in 2007, implemented by his successor, Premier Colin Barnett, in 2008 and then reversed by Premier McGowan in 2017 with the machinery-of-government changes.

Reference has been made to the Commissioner for Children and Young People and a report that was released. I want to talk about another report that was commented on by Hamish Hastie in September last year in a WAtoday article headed "WA opposition calls for 'full time' Child Protection Minister in wake of damning report". This report focused on the story of Macie who in 2017 was sexually assaulted at the age of 13 and placed in residential care with a teenage boy who was a known sexual offender. Both children's pleas to the department to be removed from the home fell on deaf ears. The minister could not state how many times reportable offenders had been placed in department care homes with other vulnerable children since 2017. That issue was also raised in the Standing Committee on Estimates and Financial Operations by Hon Nick Goiran. The then Commissioner for Children and Young People, Colin Pettit, said in his report that the young girl's placement in a residential care home with another child with a history of sexual assaults was not a unique event or even an isolated practice in Western Australia. The article went on to say —

> "Case records, department policies and the experiences of department and [community sector organisation] staff demonstrated that other children and young people with harmful sexual behaviours have resided in out-of-home care settings with other children," he said.

Mr P. Papalia interjected.

The ACTING SPEAKER: Minister for Police, did you want to say something? Thank you.

Mr R.S. LOVE: It continues —

> Mr Pettit found the management systems of the department were not fit for purpose and impeded —

The ACTING SPEAKER: Sorry?

Mr R.S. LOVE: This is Colin Pettit saying this, not me. It continues —

> decision-making for children and young people and organisational accountability.
>
> The report urged the state government to implement all recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse.

We know there have been instances in the past of children in the care of the department going missing. This was raised during discussions in the estimates hearings in the Legislative Council on 18 October 2021. I will cut to the chase. There is quite a bit of commentary. The relevant section relates to an exchange between Mr Mace and Hon Nick Goiran, which states –

> **Hon NICK GOIRAN**: Parliamentary secretary, my question related to the 82 children in care whose whereabouts were identified by the minister as unknown in the last financial year. My question was: have they been found?
>
> **Hon SAMANTHA ROWE**: Mr Mace.
>
> **Mr MACE**: Of the 80 children that are referred to —
>
> **Hon NICK GOIRAN**: Eighty-two.
>
> **Mr MACE**: Of the 82, there are two children we have not been able to contact.

That is another example of problems within the organisation that have been highlighted by the shadow Minister for Child Protection and brought to the fore in this Parliament.

I turn to a report on 6PR radio on 28 January this year. Liam Bartlett was talking to Katie, who, with her husband, has been a foster carer for more than 15 years. This relates to foster parents being threatened with jail over Facebook posts and their reports to the media.

Ms S.F. McGurk: You have no idea what you're talking about. You know that, don't you?

Mr R.S. LOVE: I am reporting the concerns that have been outlined by Hon Nick Goiran. These transcripts are public. They have been aired in public. The minister could dispute them but they are people's views and they have been reported in other places. The report reads —

> Katie was pushed to the brink when two children in her care—aged one and 18 months old—since birth, raised concerns that potential a foster home for these kids had drugs and domestic abuse attached to them.
>
> "We were told we were too emotionally attached to these children," Katie said when asked what Communities said in response to her concerns.
>
> "It got to the point where we were at complete breaking point. We went through all our case workers all the way up to the director-general, and constantly told we were too attached or don't understand Aboriginal culture.

They felt bullied and they are people who have given their time to try to provide for other people and children in their care. There are questions around case load numbers. I have been here when questions have been asked of the minister around case load numbers. We know that there are situations in which case loads can be way above those that should be put in place. That has been highlighted in this place. That has been denied by the minister or we have been told that it is not an issue, but we know that is not the case. Of course, then we had the extraordinary situation, as reported by *The West Australian* of 25 February, of the police raid on a Western Australian Department of Communities' worker who happened to have a different viewpoint about the culture of the organisation and made allegations of widescale racism within the organisation. That led to debates in this place. They are on record. It is not something new to the minister, I am sure, that we feel that there are still questions that need to be answered around that whole episode, including what led to it and where the department is with rectifying the situation there. It also includes determining whether there is, as reported by psychologist Dr Tracy Westerman, widescale racism in the department. What is being done to address that? Will any of the recommendations that the report made ever see any action in the department?

In closing, I wish to go back to what I said at the beginning, which was that the opposition will support the legislation. We will be asking some questions in the consideration in detail stage, which I understand will take place tomorrow. I look forward to the progress of the bill through the house, which will have our support.

MS S.F. McGURK (Fremantle — Minister for Child Protection) [9.02 pm] — in reply: I will just calm down for a minute because in some of the things that the previous speaker just raised, he decided to roll a whole lot of issues into this matter before us, a very important matter. The previous speakers, all from the government, until the last speaker, acknowledged victims of child sex abuse who very bravely came forward and told their stories, particularly to the royal commission. Of course, it was a federal Labor government and Prime Minister Gillard that called the royal commission to which, as a country, we are very indebted. We are indebted to the people who called the royal commission, we are indebted to the people who conducted the royal commission, but mostly, we are indebted to those who came forward and told their stories. It was the power of their bravery and the truth that they told that has brought the focus of the country on ensuring that we learn the lessons from that abuse and put in place structures to ensure that that abuse does not take place again. As distinct from that honouring of past victims, the last contribution we heard was in stark contrast. It mixed up a whole lot of issues about child protection and matters before my portfolio—a very varied number of issues—which I think only highlighted the lack of understanding that that particular member has of the issues before us. That is all that the member demonstrated. It is a little embarrassing. As one of my colleagues just pointed out to me, it is worth making the point that a former member of the National Party, who is still sitting in the other house, is currently facing child sex abuse charges himself. He has still not had the grace to stand down.

Point of Order

Mr R.S. LOVE: That is clearly a matter of sub judice and I do not think that should actually be aired here.

The DEPUTY SPEAKER: Thank you, member. I will not be upholding the point of order. Carry on, minister.

Debate Resumed

Ms S.F. McGURK: I will make the point that he has not had the good grace to stand aside from his parliamentary duties while those charges are being heard. I think that would be the decent thing to do. I think most people would acknowledge that that would be the decent thing, but a former member of the National Party has chosen not to do that. I notice the member did not bother to talk about that.

I thank the members who spoke in the second reading debate. This is an important matter before Parliament—the introduction of a reportable conduct scheme in Western Australia to deliver on our commitment as a government to implement all the relevant recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. I have no doubt that this scheme will make Western Australian children safer. Members have pointed out the architecture of the scheme and the way that the scheme will operate. I will not go over all of that detail again in my response to the second reading contributions, but I think it is important that we understand that the scheme will not replace an organisation's existing complaints handling or disciplinary processes. Organisations will be able to build on their existing procedures and reporting requirements to integrate them into this scheme. It is intended to build on existing structures in organisations that will be covered by the scheme. The scheme will not replace the existing requirements of mandatory reporting—that is, those professions that are required to report child abuse to the Department of Communities and the Western Australia Police Force. If WA police decide to investigate, a criminal investigation will always take priority. As previous speakers have pointed out in this debate, this bill forms part of our program of work to improve child safety, protect victims and heal survivors, including the recently passed Children and Community Services Amendment Bill, which extended mandatory reporting requirements to ministers of religion and a number of other professions and occupations to report child sex abuse.

I want to make a few points in response to issues that were raised but, first of all, I want to acknowledge the sensitivity in which a number of the speakers addressed this important matter. One of the challenges with having a new scheme like the reportable conduct scheme for a number of institutions that have a lot of dealings with children is that this

is a new concept for this state, so it will take some time to build a knowledge base, not only for those organisations that will be subject to the scheme but also the community on the whole. We are trying to build a knowledge base of child sexual abuse and child abuse more generally and the responsibility that we have is to keep our eyes open to that abuse, report it, build our own knowledge base generally in the community, and also to have a particular focus on organisations or circumstances in which children might be at risk. That is what this scheme does.

Again, we are very grateful to the work of the royal commission that gave us a framework—a very robust road map to do this work. In fact, we have reported annually, as a government, on implementation of the relevant royal commission recommendations. We made a commitment to implement all those recommendations that applied to Western Australia.

The government has released three different annual reports—in 2018, 2019 and 2020—and we will shortly release the report on what we did in 2021 to implement the recommendations of the royal commission.

Member for Moore, perhaps when you make these speeches, you might listen to the responses. You said that the Commissioner for Children and Young People called on us to implement the royal commission recommendations. That is exactly what we are doing with this bill and what we have been doing since 2017 with a program of work implementing the royal commission's recommendations. You might decide to throw around all sorts of claims and accusations, but we are actually implementing those recommendations. There is no question about that.

Several members interjected.

The DEPUTY SPEAKER: Members!

Mr S.A. Millman interjected.

The DEPUTY SPEAKER: Member for Mount Lawley!

Mr R.S. Love interjected.

The DEPUTY SPEAKER: Deputy Leader of the Opposition, the minister is responding.

Ms S.F. McGURK: I am proud that the government is on track to implement the royal commission's recommendations over a 10-year time frame. Our approach to implementing those recommendations is to heal past hurts. A number of members mentioned the removal of the statute of limitations for child sex abuse, our participation in the National Redress Scheme and, importantly, our support for organisations such as those that were mentioned in the second reading contributions, including Tuart Place in my electorate, which is a very good group of people who support victim survivors of child sex abuse and abuse more generally, and other organisations that are part of the child sex abuse therapy services in Western Australia, including, for instance, Phoenix Support and Advocacy Services. Healing past hurts is part of our approach, and protecting children now with the implementation of this reportable conduct scheme. Ensuring that we have a robust system for implementing and overseeing this scheme is part of not only protecting children now, but also preventing further harm in the future. This will go to building up the capacity of our whole society to understand the vulnerabilities of children and ensure that we do everything we can to make sure children are safe.

I want to make a brief comment about building our understanding in the twenty-first century about child sex abuse and what occurs. One of the areas in which society has to build up its knowledge is about harmful sexual behaviours in children: Why do those behaviours start to emerge? How do we understand them? How do we build capacity, not just in a specialist field, but also across a range of organisations in our community, to understand harmful sexual behaviours and deal with them in a mature and evidence-based fashion? I have asked the Department of Communities to start working on that to build a framework for partnerships with some very good organisations that we have in our state and also that we work collaboratively with organisations in other states. Members will be aware of child advocacy centres in Western Australia such as Parkerville and the multidisciplinary approach taken by a number of government agencies. They are best practice in understanding that children are at the centre of their efforts. They only have to tell their stories once and then we wrap around them all the different supports that they, and if it is non-familial, their family need to get through this difficult time. A number of people who are working in that field have now gone on to work in PERCAN WA, the Pursuit of Excellence in Responding to Child Abuse and Neglect in WA, or the centre for excellence as it is otherwise known. They have been looking at how we understand trauma. I also acknowledge the Australian Centre for Child Protection and Professor Leah Bromfield, from the University of South Australia, with whom we do a lot of work. How do we build up our understanding of these difficult issues and the effect they have on children, and how do we ensure a good therapeutic response as well?

All those organisations are doing good work now and the Department of Communities and the government are working to partner with them to support that work. A number of members talked about understanding the cultural sensitivities or environment in which some of this abuse takes place. I am not referring to institutions but to culturally and linguistically diverse communities and Aboriginal communities. If we do not properly understand how to talk about these issues sensitively, we will drive that abuse further underground. We do not want to do that. We want to expose it and talk about it in a way that people feel comfortable and that is effective. That is the work we have in front of us.

Tonight we are talking about the reportable conduct scheme. As I said, I will not go into the mechanics of the bill. I want to particularly thank the Ombudsman and his very capable staff who have done very good consultation, through the Department of Communities initially. It was then decided that the Ombudsman's office was the correct body to have independent oversight of this scheme. They have done a lot of good work in helping put the bill together, and I thank them for that. We will start to see robust professionalism in applying this reportable conduct scheme and in building up the capacity of the organisations that are likely to be affected by it.

In his very ham-fisted way, the member for Moore, in reading out some notes that were given to him by the shadow minister, raised a whole lot of issues. I guess I feel entitled to be a little insulting about that, because of the way that the member for Moore managed to roll out a whole lot of child protection issues in his contribution to the second reading debate, some of which were valid issues. For instance, the concern from Western Australian Local Government Association about the time frames by which organisations will have to report to the Ombudsman's office if they have concerns. Those sorts of things are considered under this bill to ensure that extensions can be given if organisations are not sure about what has been reported to them. Also, the time frame for implementation has ensured that there will be capacity building and there will be time to go out there and make sure that education is provided and information given to those organisations, and also requests for exemption for providing certain information and notification.

Importantly, the issue the member for Moore raised about the challenges of getting reliable information from children is important and not one that has been glossed over in this bill. It is crucial that the way we deal with children at the centre of not just sex abuse but any sort of abuse is age appropriate and does not re-traumatise them or contaminate any evidence that might come before us in those disclosures. There is a lot of sensitivity about that and a lot of thought has been given to the way this bill manages that. Some of them were good points. The member will find that is the case in the examination of this bill in this house. But I fully expect that members in the other place will have the opportunity to examine that in detail so that people will get some assurance that we are embarking on best practice in regard to some of these issues.

The good questions the member for Moore asked about sensitivity and consideration were in stark contrast to some of the other points the member raised, saying that the government had failed in key areas of child protection and calling for my resignation. Really, the member for Moore had no idea what he was talking about. All he heard was that there had been a call for my resignation as Minister for Child Protection, there were concerns about child protection and there was a mega-department—whatever that is. About 5 500 or 6 000 people work in that department; that is not a mega-department. It is a department that deals with public housing, child protection and a number of social issues. It is not a mega-department. It is a department that is working to ensure that it has the capacity to deal with some of the most complex issues in our society. It is actually doing some good work. If the member had listened to the debate last week, he would have heard that the child protection staff in our state deal with some very, very complex issues and they do an excellent job. They have been resourced well under our government, although we understand that there are challenges and there are vacancies, and we are always looking at how we can improve the resourcing and support for those staff within either the Department of Communities or the community sector organisations that we work with—in fact, all the actors in child protection work who provide important support to children, particularly those in care, including foster care.

Again, the member picked out one quote from one carer. I am very familiar with the case that he referred to. A former carer had concerns about a child and whether the Department of Communities and the police had taken her concerns of abuse seriously. I can assure him that they took those concerns seriously and they were thoroughly investigated. The former carer in question was not threatened for speaking out. It was pointed out to them that if they disclose publicly information that can reveal the identity of a child in care, there are penalties under the act. That is all that occurred with that particular carer.

As I said, the member rolled in a whole lot of different issues, including the case that this government asked the Commissioner for Children and Young People to investigate—that is, the case of a young girl who met someone who was a reportable offender in a residential group home and later on was sexually abused by that young person. That was a terrible situation, and this government asked the Commissioner for Children and Young People to investigate how we could improve our systems. We adopted a number of the recommendations made by the children's commissioner, including that we would ensure that no reportable offenders were placed in residential group homes. I want to make one point, because some fairly hysterical claims were made by members of the opposition that this government had placed a teenage girl in a group home with a young person who was a reportable offender—that is, someone who is held by the police to a higher standard of offence. It is important to note that we came to office in March 2017. That young man who was a reportable offender was placed in a group home under the previous government. He had already been placed in a residential group home by the previous government. I have not heard the shadow opposition spokesperson say that very often. I doubt that the member for Moore had any comprehension of half the issues that he was talking about. These are complex issues. It is a challenge. Is the opposition saying that any young person who has harmful sexual behaviours or displays any sort of difficult behaviours should be placed alone and never with any other young people? It is a challenge for our jurisdiction and jurisdictions around Australia and the world to manage complex behaviours but not completely isolate those young people and cause

further damage to them. Of course, our primary consideration is to ensure the safety of the young people in residential group homes and out-of-home care more broadly, and that is what we intend to do. This reportable conduct scheme will apply to the out-of-home care system and to government and community sector organisations that run any sort of institution, whether it is a disability group home, a child protection group home and the like.

I want to clarify for the record a few things that the member referred to. I have been child protection minister for just over five years. The nature of child protection is to deal with very high risk, difficult situations, and our management of the system is not exempt from that. That is the reality of the child protection system. I am very proud of some of the reforms, investment and attention to detail that this government has applied to child protection, and I urge the member to pay attention to some of that detail instead of just picking up a speech and giving a spray. To that end, he said that he would never hear whether we had implemented any of the recommendations of Indigenous Psychological Services or the Westerman report. In fact, last week I was at a symposium hosted by the Family Inclusion Network of Western Australia, which represents the families of parents who have children in child protection. It was a very positive symposium. We heard presentations from a number of Aboriginal organisations that are working in child protection. It was incredibly heartening to hear about the work that this government has contracted and empowered these organisations to do and some of the innovation that we are seeing in child protection.

I digress. On the matters before us today, it is a positive development to have this bill debated in the Western Australian Parliament. It is a sign that this government takes implementing the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse seriously and will build the state's capacity to make sure that children in the state are as safe as possible.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

TREASURER'S ADVANCE AUTHORISATION BILL 2022

Returned

Bill returned from the Council without amendment.

House adjourned at 9.29 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

MINISTERIAL OFFICES — TRAVEL EXPENSES

356. Ms M.J. Davies to the parliamentary secretary representing the Minister for Education and Training:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr T.J. Healy replied:

Refer to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

357. Ms M.J. Davies to the minister representing the Minister for Medical Research:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Ms A. Sanderson replied:

Please refer to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

358. Ms M.J. Davies to the Premier representing the Minister for Regional Development:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr M. McGowan replied:

Please refer to Legislative Assembly Question On Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

359. Ms M.J. Davies to the Premier; Treasurer; Minister for Public Sector Management; Federal–State Relations:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr M. McGowan replied:

(a)–(b) [See tabled paper no 1074.]

MINISTERIAL OFFICES — TRAVEL EXPENSES

360. Ms M.J. Davies to the minister representing the Minister for Emergency Services; Innovation and ICT; Volunteering:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr R.R. Whitby replied:

Please refer to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

361. Ms M.J. Davies to the minister representing the Minister for Agriculture and Food; Hydrogen Industry:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr D.A. Templeman replied:

Please refer to Legislative Assembly Question On Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

362. Ms M.J. Davies to the Minister for Culture and the Arts; Sport and Recreation; International Education; Heritage:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr D.A. Templeman replied:

(a)–(b) Please refer to Legislative Assembly question on notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

363. Ms M.J. Davies to the Attorney General; Minister for Electoral Affairs:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr J.R. Quigley replied:

(a)–(b) Please refer to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

364. Ms M.J. Davies to the Minister for Police; Road Safety; Defence Industry; Veterans Issues:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr P. Papalia replied:

I refer the Honourable Member to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

365. Ms M.J. Davies to the Minister for Mines and Petroleum; Energy; Corrective Services; Industrial Relations:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr W.J. Johnston replied:

Please refer to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

366. Ms M.J. Davies to the Minister for Transport; Planning; Ports:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Ms R. Saffioti replied:

Refer to Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

367. Ms M.J. Davies to the Minister for Finance; Aboriginal Affairs; Racing and Gaming; Citizenship and Multicultural Interests:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Dr A.D. Buti replied:

Please refer to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

368. Ms M.J. Davies to the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Ms S.F. McGurk replied:

Please refer to Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

369. Ms M.J. Davies to the Minister for Water; Forestry; Youth:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr D.J. Kelly replied:

Please refer to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

370. Ms M.J. Davies to the Minister for Health; Mental Health:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Ms A. Sanderson replied:

I refer the Honourable Member to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

371. Ms M.J. Davies to the Minister for Housing; Lands; Homelessness; Local Government:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr J.N. Carey replied:

I refer the Honourable Member to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

372. Ms M.J. Davies to the Minister for Disability Services; Small Business; Fisheries; Seniors and Ageing:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

(i) Intrastate travel; and

(ii) Interstate travel?

Mr D.T. Punch replied:

Please refer to Legislative Assembly Question on Notice 359.

MINISTERIAL OFFICES — TRAVEL EXPENSES

373. Ms M.J. Davies to the Minister for Environment; Climate Action:

I refer to flights undertaken by the Minister's office for the 2017–18, 2018–19, 2019–20, and 2020–21 financial years and given the non-specific answers provided to previous Questions on Notice, and I ask again:

(a) For each financial year, please specify the amount of money expended on regular passenger transport flights by you or your ministerial office only for:

  (i) Intrastate travel; and

  (ii) Interstate travel; and

(b) For each financial year, please specify the amount of money expended on charter transport flights by you or your ministerial office only for:

  (i) Intrastate travel; and

  (ii) Interstate travel?

Mr R.R. Whitby replied:

Please refer to Legislative Council Question on Notice 359.