



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2023

LEGISLATIVE COUNCIL

Tuesday, 29 August 2023

Legislative Council

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THE PRESIDENT (Hon Alanna Clohesy) took the chair at 1.00 pm, read prayers and acknowledged country.

LEGISLATIVE COUNCIL CHAMBER — PHOTOGRAPHER AND TELEVISION CAMERA ACCESS

Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [1.01 pm]: Before I make a statement today, I advise that I have approved the presence of a photographer and camera operator in the press gallery this afternoon for the commencement of formal business.

LEGISLATIVE COUNCIL — SOUTH METROPOLITAN REGION

Member Disqualification — Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [1.02 pm]: I have been advised by the District Court of Western Australia that on 28 August 2023, a judgement of conviction was entered against James Hayward for two offences on indictment under section 320(4) of the Criminal Code. A person convicted of these offences is subject to a penalty of up to 10 years' imprisonment. Section 32 of the Constitution Acts Amendment Act 1899 provides for the disqualification of a member of the Parliament of Western Australia in the event that the member is convicted on indictment of an offence for which the indictable penalty is or includes imprisonment for life or imprisonment for more than five years. Accordingly, I advise that James Hayward is disqualified from membership of the Legislative Council. Furthermore, section 38 of the Constitution Acts Amendment Act 1899 provides that the seat of a member disqualified for membership of a house of the Parliament of Western Australia under section 32 shall thereupon become vacant.

Vacancy — Motion

HON SUE ELLERY (South Metropolitan — Leader of the House) [1.03 pm] — without notice: I move —

That a vacancy in the membership of the Legislative Council is declared by reason of Mr James Hayward being disqualified as a member for the South West Region pursuant to sections 32 and 38 of the Constitution Acts Amendment Act 1899, following his being convicted for indictable offences in the District Court of Western Australia on Monday, 28 August 2023 for which the indictable penalty includes imprisonment for more than five years.

I advise that this motion provides a means that sets in motion a number of procedures that have to occur to fill the vacancy in the Council. The President will write to the Governor advising that a vacancy has occurred in the membership of the Legislative Council. The Electoral Commissioner will follow a re-count procedure for the filling of vacancies in the Council and advise the Governor and the President of the outcome. Following that advice, the Clerk will organise the member-elect's swearing-in and induction to the Council.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [1.04 pm]: Simply, the opposition and I, personally, support the motion moved by the Leader of the House today.

Question put and passed.

JAMES HAYWARD

Former Member's Rights and Privileges — Revocation — Motion

HON SUE ELLERY (South Metropolitan — Leader of the House) [1.05 pm]: — by leave: In order to address the ongoing concerns of the Council following a member's conviction in the District Court and the subsequent vacating of that member's seat, I move a motion without notice to revoke that individual's rights and privileges as a former member —

That the Council revokes any and all privileges granted by the Council to Mr James Hayward as a former member.

Question put and passed.

NICKEL (AGNEW) AGREEMENT AMENDMENT BILL 2023

Assent

Message from the Governor received and read notifying assent to the bill.

ABORIGINAL AFFAIRS — TRUTH-TELLING AND JUSTICE COMMISSION*Petition*

HON DR BRAD PETTITT (South Metropolitan) [1.06 pm]: I present an e-petition containing 734 signatures couched in the following terms —

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

Acknowledge the importance of truth-telling when it comes to advancing the agency of First Nations peoples. Truth-telling allows First Nations peoples' experiences to be acknowledged and is an opportunity to document the past from different perspectives. This can uncover untold and unrecognised parts of our shared history. Truth-telling also provides an opportunity for First Nations peoples to share their culture, heritage, and history with broader society. This process will help cut through the misinformation around the intergenerational trauma experienced by First Nations peoples and highlight their incredible resilience. Western Australia has a number of ongoing injustices towards First Nations peoples that haven't been responded to. We need a mechanism to hold the State Government to account when it comes to these injustices and to ensure services and systems are designed and operated in a culturally safe way. The establishment of a Truth-Telling and Justice Commission in Western Australia, similar to the Yoorrook Justice Commission in Victoria, will allow the diversity of First Nations peoples' voices in Western Australia to be heard. The Commission will be able to make broad recommendations about practical actions and reforms to address systemic racial issues. We therefore request that the Legislative Council ask the McGowan Government —

Now the Cook government —

to commit to establishing an independent state-wide Truth-Telling and Justice Commission in 2023.

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

[See paper [2463](#).]

EASTLINK HIGHWAY*Petition*

HON DR BRAD PETTITT (South Metropolitan) [1.08 pm]: I present a petition containing 484 signatures couched in the following terms —

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

We, the undersigned are opposed to the proposed construction of the EastLink Highway. We believe it will cause irreparable and irreversible harm to environment, heritage, health, local businesses and divides communities along its route (including Stratton, Jane Brook, Gidgegannup, Chidlow, Wooroloo, Wundowie, Bakers Hill, Clackline, Northam and surrounds). EastLink will destroy vast amounts of Perth's Hills biodiverse native bushland, along with its habitats of unique species, wetlands, nature corridors and heritage sites.

Furthermore, the EastLink Highway concept is outdated, inappropriate and contradicts Western Australian Climate Change policy and measures. Alternative freight transport, such as railway improvements, should be considered.

We therefore ask the Legislative Council to urgently recommend the Government to declare the EastLink Highway permanently untenable. And your petitioners as in duty bound, will ever pray.

[See paper [2464](#).]

ABORTION LEGISLATION REFORM BILL 2023*Petition*

HON KATE DOUST (South Metropolitan) [1.10 pm]: I present an e-petition containing 5 395 signatures couched in the following terms —

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

We, the undersigned —

- (1) Oppose the Abortion Legislation Reform Bill 2023.
- (2) Note the bill fails to include four key provisions recently adopted in our neighbouring state of South Australia.

- (3) Request that although we oppose the bill, if it is passed, that the Legislative Council insert those four provisions from the Termination of Pregnancy Act 2021 (SA), which mandate medical care for babies born alive after a failed abortion, a ban on sex-selective abortion, a requirement for women to receive information on counselling services, and mandatory considerations to be taken into account prior to any late-term abortion.
- (4) Appeal for the debate on this bill, whether inside or outside Parliament, to be respectful, so that no person is vilified simply because of their pro-life view, that the best interests of a child in the womb warrant as much love and compassion as that of their pregnant mother.

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

[See paper [2465](#).]

PAPERS TABLED

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

APPROPRIATION (RECURRENT 2023–24) BILL 2023 APPROPRIATION (CAPITAL 2023–24) BILL 2023

Cognate Debate — Motion

Leave granted for the Appropriation (Recurrent 2023–24) Bill 2023 and Appropriation (Capital 2023–24) Bill 2023 to be dealt with cognately.

Second Reading — Cognate Debate

Resumed from 13 June.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [1.15 pm]: I thank the President for the opportunity to make another appropriation speech. I know that members around the chamber, but particularly those opposite, very much look forward to appropriation speeches and the opportunity to reflect upon the government's economic management. It is not even Thursday, President, and it feels as though we are starting the week on too positive a note! However, I shall try to keep my exuberance down to a limited level and potentially not take the full allotment of time available to me.

A member interjected.

Hon Dr STEVE THOMAS: Would the member like me to use the full allotment of time? I am sure that is possible. Members cannot see who I was looking at at the time.

Hon Stephen Dawson: Name and shame them!

Hon Dr STEVE THOMAS: Name and shame—who do I want to get rid of from the Labor Party the most? Now, that is not the question. Hon Kyle McGinn should not invite it; that is just ridiculous!

The PRESIDENT: Order! Let us focus on the question before the house, shall we?

Hon Dr STEVE THOMAS: I thank the President. Yes, it is easy to get distracted.

Let us run through some of the baselines since the budget, and then I want to talk about a few issues of substance. In the first instance, the government, having predicted in its budget last year a \$1.6 billion surplus for 2022–23, generously raised it to \$1.8 billion in the midyear review in December last year. It then announced a \$4.2 billion surplus in the budget back in May. We have to be a little careful, because it was announced by the then Premier who was the Treasurer as well at the time, and we have new people in all those positions who have not had much opportunity to impose themselves upon the budgetary process. However, as I have said publicly, the then Premier who was the Treasurer had to announce a \$4.2 billion surplus, but, at the same time, as we are well aware in this house, hid a number of things away. I think he was actually embarrassed at having two massive budget surpluses in a row—\$5.8 billion a couple of years earlier and \$6 billion the year before—and finally having to say, “Yes; we have another massive multibillion-dollar surplus.”

As it turns out, he probably could have relaxed a bit, because Queensland broke the Western Australian records on the basis of coal exports with a \$9 billion surplus that financial year. However, I think the Premier who was the Treasurer was a little embarrassed about his plethora of wealth coming in from a range of sources and having to announce another multibillion-dollar surplus. In a year when it was not necessary, he once again held over dividends from government trading enterprises of another \$1.2 billion. If the government saves \$4.2 billion in surplus, and has to add \$1.2 billion in retained dividend earnings from GTEs, it is actually a \$5.6 billion surplus. Funnily enough, it is not significantly different from the \$6 billion budget surplus of the year before, which at that point was the largest budget surplus in the history of any state in Australia. When taking into account the government's hidden stuff, once again the Premier who was the Treasurer had a massive amount of money.

It is sad. I know members opposite will be disappointed, but I suspect the era of Scrooge McDuck budgets has passed us. I suspect that next year the same comparisons will not be able to be made, because I think corrections will slowly come into play. The average in Western Australia is a four-to-five-year period and it has been four and a half years

now. As members will know, February 2019 to now, a bit past February 2023, is just over four years. We are now four and a half years into the boom period. I suspect that the boom has another year to run; that is probably all we will get. Once again, we had a massive budget surplus based on iron ore royalties and the GST correction. We still have those discussions around the GST. I do not want to repeat much of what I said in my budget speech, but there have been a few developments.

I went and listened to the federal Treasurer, Hon Jim Chalmers, at a lunch yesterday. He once again said that the GST deal will not be changed. The federal Treasurer presents very well, but he did not say much yesterday. He came to Western Australia and effectively told us what Western Australia does. I thought most people in the room probably knew that already! He is not a bad fellow, but if he is potentially aspiring to leadership and the Prime Ministership, he might need a new speechwriter. He came along and told us that Western Australia is a mining state and how much it generates, which I think everybody kind of knew. That was a bit of free, gratuitous advice for the Treasurer of Australia. I am sure his staff will pick that up and take it on board, except for the poor old speechwriter, who might be out on his otherwise. It was probably not his best work, but he at least came back and said that the GST deal will remain. I think that is probably true. He obviously did not mention that the GST deal was put in place by the previous Liberal government—that would have been one step too far—and that various Labor governments to date had resisted doing that.

It was ultimately put in place under Mr Morrison as Prime Minister who, as Treasurer, had instigated the review. I am sure that members opposite are incredibly grateful to the former coalition government in Canberra for the work it did to deliver the GST fix, but it will be interesting to see it go forward.

Hon Kyle McGinn interjected.

Hon Dr STEVE THOMAS: Listen to this bit; this is important. Do not encourage me, says the Leader of the House!

The question is, of course, how this will go forward. Members might have read the *Intergenerational report 2023* that recently dropped. I mean, the previews are always out in the media first. Again, I do not think this document said an enormous amount considering what it cost to produce. It probably did not tell us a lot of new things, but it did demonstrate what Treasury had said previously—that is, that nobody is expecting another budget surplus, except the accidental one that Hon Jim Chalmers tripped over on his way into Parliament House last financial year. There is not supposed to be another one until the 2060s. Forty years down the track, we will be looking at 40 years' worth of budget deficits. I suspect that the GST arrangement will not change under Labor, not because it would not like to change it but because, firstly, it would not be worth the political pain in Western Australia to undo the work done by the previous federal Liberal–National government, and, secondly, the federal government will effectively have budget deficits for as long as it exists anyway. If there are going to be budget deficits, it will not be worth the cost of topping up the no-worse-off agreement with the other states, if that is extended beyond its current life span in a couple of years' time.

According to Treasury, Australia will be looking at having fairly significant budget deficits for the next 40 years. I take some comfort from that. It is probably not worth any future government significantly changing the GST deal to correct an imbalance in their own budget books because, according to the intergenerational report and last year's Treasury predictions, they are going to be so out of balance for 40 years that it will not matter. I suspect that might be the saving grace for the GST deal staying in place for Western Australia. That might become important, because I think we are coming to the end of this boom. Obviously, the GST deal underpins us when we are in a boom. I think we are towards the end of the biggest boom that Western Australia has ever seen. As we correct, the GST will correct as well, because the calculation involved is based on own revenues. If the 75 per cent floor is in place during the next boom, which it will be—it will go up from the current 70 per cent floor—that will be important for the investments of Western Australia. I think we can take some comfort from the fact that, a bit by accident, neither this Labor government nor future conservative or Labor governments are likely to undo what the previous coalition government did federally in underpinning the GST return for Western Australia because it will not be worth the political pain, especially if they have budget deficits anyway. I took a bit of comfort from that; I think that is important.

Of course, the GST deal caused some jealousy. The previous Premier who was also the Treasurer was very good at lecturing eastern states' leaders about what a good financial manager he was. We heard rumours that the Premier; Treasurer would be moving on. I thought the coverage was a bit too glowing, which is always a little bit hard to take. The media either love you or hate you. There is no need to reference where they put me, because we probably all know, but that does not matter! The highlight for me was the article in the daily newspaper written by journalist Joe Spagnolo, who I think is a very good journalist, who said that one of the issues was that the Premier; Treasurer did not think he got enough credit for his economic management. I thought that was fantastic. It is a good lesson for what we ultimately call the vomit effect. I am referring not to what the new Premier of the state referred to—dogs returning et cetera—but to what we call the vomit effect in politics, in that you have to say something long enough and frequently enough that it makes you feel nauseous to repeat yourself one more time, but the message that you are trying to get out there is just starting to get through. Politics is a long game, not a short game. The message that the financial situation of this government was more by luck than management had finally started to get through.

The then Premier, who was in retirement mode, was a bit upset that that reality was starting to be recognised. I am really pleased, because I do not think anybody ran a harder campaign than I did to point that out through those years, much to the chagrin of those opposite, who took umbrage and, in a completely unruly manner, interjected on me when I made those comments.

The reality is that there was a lot of luck involved, identified, if nothing else, by the statement made by the then Treasurer, Hon Ben Wyatt, when I asked about iron ore staying above \$US90 a tonne. Bear in mind that this was the middle of February 2019, so four and a half years ago. Treasury's scripted answer for the Treasurer was that the prospect of it staying above \$US90 a tonne was "highly unrealistic". Obviously, we have had this massive boom and good times, with cash rolling into the banks, although not just through the iron ore royalties, which I think was \$10.8 billion last financial year. We are in August now and the price is still \$US109 a tonne. The predicted budget surplus of \$4.2 billion is interesting because it uses an iron ore price that I thought was overly optimistic. My projection for my budget figures was \$US107 a tonne; the government used \$US112. I thought that was unusual, because Treasury Corporation told us that the average over the 2022–23 financial year was \$US109. My estimate might be slightly low and the government's estimate might be slightly high. That is a complete reversal of three years' worth of debate in this place about iron ore prices going forward, so that is interesting. The government predicts a \$4.2 billion surplus, bearing in mind that the hidden \$1.2 billion is not included. The \$4.2 billion baseline figure in the budget is based on \$US112 and a bit a tonne, so I think it might be a couple of billion higher. My budget prediction in my pre-budget presentation of \$4 billion might yet come pretty close. I am going to try to beat the last budget, when I was \$19 million out on a \$6 billion surplus. I want to see whether I can get close to that, because there is no little joy in beating Treasury to estimates. It takes a lot of work, but, by gee, it is fun if you can manage it! I reckon I am going to get pretty close again this year. I think we are looking at a \$4 billion surplus, but bear in mind that \$1.2 billion is hidden. The \$250 million put into special purpose accounts is not hidden in the budget, but the government trading enterprise transfer is. Even if the government is down to \$4 billion, it will still be a \$5.2 billion surplus, which will be the third-biggest surplus in the history of Western Australia. There are a couple that fit in the middle, so it will probably make the top 10 in the history of Western Australia. It is still a massive surplus; the government has done very well.

I will give everybody a bit of background on how much money this government has in its money bin, in which it has fallen over its feet to land. When talking about the appropriation bill, we really need to focus on the expenditure rather than the income side, so we are more focused on precisely what the money is being spent on. The government is probably overspending on a couple of things and dramatically underspending on a couple of things.

I could spend a lot of time talking about the blowouts around Metronet but, for the most part, I am happy to leave that debate to my good friend Hon Tjorn Sibma. I simply make the point that the budget for Metronet has gone from \$3 billion to \$11.5 billion. The headline numbers are probably enough; I do not need to go into the intimate details. It is interesting that it is the only blowout. I tried to spruik an opinion piece on other blowouts in the state, which were fiercely resisted, mostly because they are in transport. It appears to me that the transport minister, who retained that portfolio and took on the role of Treasurer, seems to lead a gilded life in the media—no criticism allowed.

The other blowout that is really interesting relates to a project down my way called the Bunbury Outer Ring Road. It was also in the budget appropriations. The original estimate for that project was about \$700 million. The government is not bad at doing business cases. It does not often say what they look like, and it never releases them, so we cannot tell whether certain business cases are any good. I am still waiting for some tier 3 business cases that this government has promised twice and never delivered over a few years. I am not holding my breath for them. The government is about to do a business case on the Greenbushes rail line. I will not hold my breath waiting to see that either. It did one for the Bunbury Outer Ring Road. A few years ago, the current minister, who is also now the Treasurer, said it would cost a bit over \$800 million, which is fine. The current budget for that project is \$1.35 billion—a blowout of half a billion dollars on the watch of the Minister for Transport, Hon Rita Saffioti. That is \$500 million. I cannot get the media interested in it. I do not know whether this works in the Labor Party, but if anyone questions the role of the Minister for Transport, maybe they are drummed out of the Labor corps. Possibly, there is that much power involved, but I did not think that it would extend to the media as well. Nobody appears to be particularly interested in a blowout of half a billion dollars. The interesting thing about this blowout—\$850 million to \$1.35 billion—is that we can argue that the scope of Metronet increased and therefore the costs increased. Others who know the project better than I do would probably suggest that the government is still gold plating things that it cannot deliver, but that is okay.

In relation to the Bunbury Outer Ring Road, the specifications went down, not up. A project costed at \$850 million that blew out to \$1.35 billion—a blowout of half a billion dollars—had its scope reduced at the same time. Where there were to be flyovers, there will now be roundabouts. Not only that, in the past 12 months, we worked out that there will be roundabouts with traffic lights because the government cannot afford to finish the project with flyovers, as originally proposed. What a great outcome! At the same time as we will have this massive disruption to traffic flow, we have a blowout of half a billion dollars in the Bunbury Outer Ring Road budget. What an astounding piece of work! Well done, Minister for Transport!

All the members who go to my lovely south west for long weekends and visit the vineyards and the beaches—it is the best part of the state, so they are all welcome—will hopefully bring their wallets and purses with them and invest in local tourism. As they go down the Bunbury Outer Ring Road, as there will be no flyover, and they find themselves on a roundabout with a truck that is trying to move around it, and a set of traffic lights, they should just remember who to thank. Next time Labor members go down south, when the road is finally open, they should remember to thank the Minister for Transport, Hon Rita Saffioti, for holding them up on a roundabout—part of a project that blew out by half a billion dollars as the scope was reduced. That is the performance of the Minister for Transport, who is now the Treasurer. Interestingly, the two roles were combined, which is probably okay. When the Treasurer looks at the Minister for Transport, who had a \$500 million blowout on a project, now it is the same person. “Oh, you blew out your project by half a billion dollars. That’s okay; I don’t really mind”, to which the Minister for Transport says, “Luckily, I don’t really mind either.” I hope the government’s Expenditure Review Committee is having a good fierce look at this, but I suspect it might just be put under general project costs and it will not go down to that level. That is the standard that the government is now setting for its expenditure.

I do not intend to take my full time, but I want to comment on a couple of other key issues. In relation to the energy portfolio, every day feels like a Thursday. I have had enormous fun in the past few weeks. For six months, I have said that the government’s current transition plan is not working. There is insufficient investment in generation, transmission and storage. All those things are massively short. The government can use its own documents to look at this and work it out.

Like most members here, I like my statements to be accurate and I like to be right, funnily enough. I really like it when government reports come back and say, “You were right, honourable member.” I love it when I read a government report and think that I said that six months ago, and now we have a government report that says the same thing. I will run through a few of those that occurred in the past six months. I will tell members what happened. I think the former Premier believed all the media statements that were put out by the government, which is very dangerous. It has a mountain of spin doctors, and they are there for a reason. It would be really useful if the government took its own media statements with a grain of salt. I think the previous Premier actually believed the press releases that said that the energy system is perfect in Western Australia, until December last year when the Australian Energy Market Operator put out a report that said that Western Australia would potentially run out of gas. I think the then Premier had a virtual heart attack and said, “Holy mackerel, I believed our energy system was perfect to date and suddenly, we have a problem. I didn’t think we had any problems in energy.” What did he do? He did a couple of things. Interestingly, he allowed a committee to look into the domestic gas reservation system in Western Australia. That was a good move. I am not confident that it will look at all the things it needs to look at. What will happen after that?

Unfortunately for the government, we then got other reports. In May this year, the government put out a document called *SWIS demand assessment 2023 to 2042: A future ready grid*. Acronyms are always difficult. If we call it SWISDA, hopefully Hansard will not have a meltdown. Maybe it is better to call it the demand assessment. What did it say? It said that we need massive increases in transmission, storage and generation, to the point at which it thought that because renewables are unreliable, it would have to generate anything up to 50 gigawatts. That is 50 000 megawatts of electricity. It currently produces fewer than 10 000 megawatts. It needed a five-fold or six-fold increase in generation. It will also need 4 000 kilometres of powerlines and massive storage investment. During its transition process, the government announced that it would do some of these things. A year or so ago, when the government announced that it would close down coal-fired generation in Collie, there was \$3.8 billion in the budget for a transition. That is a drop in the ocean that cannot deliver anything like the transmission required. We will come to a bit of detail. Funnily enough, the figure of \$3.8 billion changed. The government announced that the project would cost \$3.8 million. That figure dropped to \$3 billion in the budget. The new Premier, Hon Roger Cook, said at a “leadership matters” breakfast this week that it would cost \$2.8 million.

I do not know whether he got \$2.8 billion and \$3.8 billion confused, but the reality is that it has dropped \$800 million, and if we believe the new Premier, it has dropped \$1 billion. We have lost one-quarter of the transition funding before we start, and that \$1 billion has been dropped from a wholly inadequate budget. If the government wants to get to a transition out of coal by the end of 2029, as it says it does, it will have to invest massively, but it is not doing that.

Of course, the government has its own report. Unfortunately for the government, at the beginning of this month, the Australian Energy Market Operator came out with another report. I think the poor old Minister for Energy needs to unsubscribe; it is probably not doing his ticker any good. AEMO came out with another report that says we need massive growth because we have a potential shortfall in electricity as well as gas. The government needs to invest in—guess what—the same things that the opposition has talked about. It needs to invest in generation, transmission and storage to make the system work. The experts in the field came back and said that the government needs to invest more to make the process work. Through the demand assessment, Synergy is saying that the state needs a massive increase in investment. The government’s own departments and AEMO are saying the same thing: we are likely to run out of gas and electricity. Gosh, the government is doing well. It is fantastic. We went from a point back in December when the former Premier thought everything was perfect to “Holy mackerel! We have to push the panic button by the middle of this year!” There have been, of course, a few changes to that.

One interesting thing is that I have publicly and repeatedly said that the way to transition is to use gas as a transition from coal so we can ultimately transition to renewables. That is not uncommon. I suspect that the Minister for Energy already knows where my policy will end up because I have not been particularly quiet about it. It may come as a surprise to members, but, as I keep saying, I am not overly shy. I think it is too important a discussion not to have in the public arena. Bear in mind that, ultimately, I think we have the same transition in mind: we will get to a renewable future. I am still committed to becoming net carbon neutral by 2050. I think we need and will have a renewable future in Western Australia. It will come. As it comes, the government or governments that bring it will need to keep the lights on and the air conditioners running, and do it at a price that consumers can afford. We were talking about the vomit effect a bit earlier; get ready for that one. Scrooge McDuck is out, and that is coming in. We need an energy transition that will keep the lights on, keep the air conditioners running and be at a cost that consumers can afford. We will hear that a million times. I will tell the government that so often that we will both feel nauseous by the end of the process. It needs to be an energy transition that does that, and the current transition does not and cannot deliver that.

We had a little announcement today, which has been very nice to see. Funnily enough, I put out a media release, and it might be the very one that brings down the government—you never know. It is simply a reflection of the fact that I am pleased to see that the federal and state governments are now agreeing with me. I think that is fantastic. The federal government announced that it would put \$3 billion into transmission in Western Australia. That is great because no current budget for transmission upgrades exists in Western Australia. If we look at the budget papers, we can see that the \$3.8 billion that became \$3 billion and is now apparently \$2.8 billion does not have any money for transmission in it. It is all based simply on additional generation and storage. This is good. For six months I have been saying that the transition component does not work. The government says, “No. It’s all okay. We don’t need any extra money for that. That’s all fine.” Today, the commonwealth and state announced \$3 billion. This money is not in grants, which would have been nice. It is in low-interest loans or shared equity that is coming from the Clean Energy Finance Corporation. Interestingly, most of it will end up in the north west in the graded system, which is fine because it is likely to go directly to industry. It will go not so much to the big industries and players that can manage their own energy demands but to the smaller players that want to get in. I think that is a reasonable outcome. Bear in mind that these are loans and not free handouts. The loans come with a reasonably low interest rate, but that is a useful thing.

Obviously, the south west interconnected system will probably miss out, and the government’s own data says that the south west integrated system needs 4 000 kilometres of additional transmission. Depending on whether the government goes to lower kilovolt-amps, the cost of that 4 000 kilometres will probably be well over \$1 million a kilometre if it is at 330 kilovolt-amps but upwards of \$2 million a kilometre if it is at 500 kilovolt-amps. That 4 000 kilometres would be between \$5 billion and \$8 billion worth of investment. It would mean spending more than the state government’s total budget just on that little bit of transmission component.

Most of it will be co-investment, I suspect, with industry. The solution for this government is that industry will ride in to save us. Industry will be the white knights on the white horses. No disrespect is intended; the colour is unimportant. Industry will be the saviour of this government when it rides in. In fact, the minister has frequently said that industry will pay for much of the expansion of the transmission lines and for some of the increase in generation because industry will ultimately be the biggest part of the increase in demand. That is great. What does that look like? It looks like privatisation by stealth. I think it is great. Well done, government. The government is privatising the electricity sector in Western Australia by stealth, and I agree with the government. If the biggest benefits will go to the private sector, the private sector should invest. The really interesting part of it is that if the private sector is being asked to build the poles and wires, who will own them at the end of the day? I do not mind if the private sector builds, owns and operates it; that is fine. In those circumstances, the government will have to have a state-level access arrangement through regulation so new players in an area can get access to a privately built, owned and operated transmission line. I think that is probably the perfect solution. What will this government do? Will it let the private sector run transmission lines or will it nationalise them? If the private sector builds them, will the government take them over and then charge the private sector for their use? What is it trying to do?

It will go to one extreme or the other, which I think is fantastic. I love to see a government that puts its credentials on the table. We will see either a Labor Party that will privatise by stealth the transmission of energy and Western Power in Western Australia or a party that has swung to the left. The communists will get the private sector to build it and then nationalise it. I cannot wait to see which of those outcomes this government puts in place. Is the government’s closet Liberals or closet right-wingers looking to privatise by stealth? Just quietly, that is the path I would go down. Or, is it at the other end? Are the communists in disguise looking to nationalise private investment? It will be really interesting to watch over the next little bit to see the final point here. I suspect that common sense might reign.

Not that the Labor Party has not privatised before, of course; the Labor Party privatised wind generation. The Labor Party has privatised some components of the energy system, and I think that we will see more and more of that. It is a very sensible approach. I think the privatisation approach of the current Minister for Energy is fantastic, and I fully commend him; that should be a cruel preselection if he runs again. I think it is a good approach, and I would be doing exactly the same thing. The government has an issue with energy and energy supply. It is not being handled well. The batteries that the government has announced will not come close to managing the system.

The other really interesting thing that has come out of it is the generation component. Storage is simple; there is just not enough of it. Hon Dr Brad Pettitt is absent from the chamber on urgent parliamentary business, but during the estimates process even he suggested that to get the job done needs 10 times the government's intent for renewables—with 410 megawatts of wind capacity being the sole contribution to additional renewable generation outside what people individually put on their rooftops. Whether it is big wind farms or something else, he is right: the generation component is completely inadequate. Storage is even worse. The last government's expectation of the cost of batteries is very heroic or quite brave, but we will see. Let us say it costs between \$850 000 and \$900 000 a megawatt hour and see where that lands. It is still probably one-third to one-fifth of what will be required to get the job done.

I think the interesting part is in generation because whether we go to the demand assessment or the Australian Energy Market Operator report, there is not enough gas and there is not enough generation. Even the Minister for Energy had to acknowledge in the estimates process that it is likely that this government will build more gas-fired generating capacity and I think he is right. I am really pleased that he has come around to my point of view. I think industry and the opposition have pushed him and I am glad the Minister for Energy has seen the light. He has come around to our point of view. Having said there would be no more generation et cetera in the estimates process, the government said although a lot more gas generation might not necessarily be needed over the year, we will need more gas capacity when we need it. The government is therefore likely to build more gas capacity. That will be really interesting. That is exactly what it should be doing. If the government is going to close coal, gas is used as a transitional tool until it gets to a renewable future, in whatever time frame that is. It will not necessarily be the time arbitrarily decided in advance because they do not know how quickly it is going to happen. The minister is right that additional gas capacity will be needed. The *SWIS demand assessment 2023 to 2042* suggests 3 900 megawatts of additional gas capacity will be built across the whole south west interconnected system. Most of that will go to the private sector and will be run by the private sector. It might go along privatised power lines, President, in the new privatisation agenda of the Labor government. I hope it does not come out with the "Save Western Power" argument ever again because it has completely walked away from that path. The government has an issue that it needs more gas. Its own reports tell it that more gas generation is needed. The minister acknowledged in estimates that more gas is needed.

The funniest thing is that this government not only imported 103 000 cubic metres of coal to Collie—that should be the punchline by itself! I should not have to add anything after that. The Labor Party imported 103 000 cubic metres of coal from Newcastle to Collie. That joke should stand by itself but it gets worse because it did not work. The government had a madcap arrangement to keep the lights on by importing coal but the coal did not blend well and did not get used well. Of the 103 000 cubic metres of coal that came in, about three quarters has finally been burnt. It was supposed to keep the lights on in January and February this year. We are in August and a quarter of it is still left, waiting to go. Was there a bigger waste of time? I have asked how much it cost. The government's answer is that it might want to do it again so they cannot tell anybody. Holy mackerel! Please, Labor Party, please import another 100 000 tonnes of coal from Newcastle because I have had more fun with that than I have had with anything else. Please, if government members think they need to keep the costs secret because they might do it again, do it again. I would love to know the cost. I might have to wait for the 25-year rule, or whatever it is, to find out. It is a punchline by itself. It is absolutely hilarious. However, it gets worse. Not only did the government import 100 000 tonnes of coal from Newcastle to Collie, it announced a couple of weeks ago—it was a Thursday so, if we were going to have fun, it was the appropriate day—that it was going to extend the life span of unit 6 at Muja power station because they could not afford to shut it down in the original time frame. Wowsers, that was fantastic! It is shifting out so it will now close officially in April 2025. Gee, I wonder why the government needed to get it to April 2025? Hang on a minute, when is the next state election? It is in March 2025! The government announced an extension of the coal generator unit 6 at Muja that it did not need any more to a month past the next election date. Wow! If I wanted cynicism in action or if the government wanted to give me the best laugh I have had this year, it has succeeded. The government has extended the life of Muja 6 at Collie by six months to just past the next state election. If members opposite think this government has its energy transition policy right, just have a look at that. The government announced the closures but has to extend its life. I am nearly done. I am going to finish on this. This is what will happen. Under the current time frame and investment, those closures will have to be extended for years to come. I suspect, unless the government actually invests the \$15 billion that will probably be required to transition, we will see coal move out to 2036 and maybe beyond because it cannot be delivered. Additional gas will be needed. By 2036, that additional gas may well be in place because the government has finally acknowledged that it needs additional gas to see it through. That is great; the government might get that bit right. Billions more dollars have to put into storage and transmission, neither of which the government is currently doing.

Looking at the appropriation of this government, it is almost a shame that I do not have unlimited time because it is so much fun. This process is a mess. Government members believed for five-and-a-half years how well they were doing. Suddenly, everybody is telling them they made a mess of it and that they better pick up their act. Guess what? They better pick up their act. If the government privatises for the solution, I have no problem with that. I probably will not give them too much of a hard time over it in the years to come—or maybe I will! Members know the dying person in the water grasping at straws. In energy policy, government members are grasping at straws because it does not work. We will just sit here and watch. I think the crisis will be in 2027 not 2025, but if we get

a massive heatwave through 2025, we might be in the position we were in 2008 when the Labor Party could not keep the lights on. I can see history repeating itself. Let us have a look at this. We will see where we get to. The reality is that the government has a mess to fix. Before government members start believing all their own press releases and positivity they say about themselves, their performance and expenditure of money has a long way to go. I think that is the message of this budget and the appropriation bills before the house.

HON NICK GOIRAN (South Metropolitan) [1.57 pm]: The consolidation of the Appropriation (Capital 2023–24) Bill 2023 and the Appropriation (Recurrent 2023–24) Bill 2023 before us authorise the expenditure of \$36 billion of taxpayers' money. From 26 June to 29 June this year, the Standing Committee on Estimates and Financial Operations facilitated the scrutiny of these requested appropriations of \$36 billion. That scrutiny has confirmed the Cook Labor government's continuation of the legacy of gold-standard secrecy. That scrutiny has exposed the Cook Labor government's arrogant aversion to accountability and has laid bare the Cook Labor government's wrong priorities. Here are some examples of this continued obsession with secrecy, aversion to accountability and disturbing misdirection of priorities that the hearings into the requested appropriations revealed. I will begin with the Department of Communities. Accurate and timely information to Parliament is not merely desirable; it is, in fact, essential. I quote some words from 17 March 2016 uttered in this place —

Accurate and timely information to Parliament and its transparent dissemination is essential. Secrecy, obfuscation, avoidance and inaccuracy, whether deliberate or not, and dishonesty, are in fact the enemies of our parliamentary democracy.

Those were the words of Hon Sue Ellery on 17 March 2016, yet on 28 June this year, there was not one episode of misinformation but a litany during a single hearing with the Department of Communities. I draw members' attention to page 25 of the transcript of Wednesday 28 June this year when the following exchange took place between the minister at the time who was representing the Department of Communities, Hon Jackie Jarvis, and I. I asked —

Minister, there are around 340 children in the care of the state at the moment who do not have a caseworker. We are going to get the updated figure on notice pursuant to the earlier undertaking. What is the number of caseworkers who currently have what I would describe as an undesirable case load—that is, greater than 15 cases?

Hon Jackie Jarvis replied on behalf of the government and said —

I have been provided with a very detailed spreadsheet which shows as at 2 June, there were zero with a case load of more than 15.

To which I said —

As at 2 June, there were no caseworkers who held a case load greater than 15.

Hon Jackie Jarvis said —

That is correct.

On 6 July this year, Hon Sabine Winton, the Minister for Child Protection, wrote to Hon Peter Collier, the Chair of the Standing Committee on Estimates and Financial Operations, and said, in part —

On page 25, in response to a question from the Hon Nick Goiran MLC and following receipt of information from the Director General, the Hon Jackie Jarvis MLC, as Minister representing the Minister for Child Protection, said, "*there were zero with a case load of more than 15.*" The answer should have been 77 caseworkers.

I repeat the words of Hon Sue Ellery on 17 March 2016 —

Accurate and timely information to Parliament and its transparent dissemination is essential. Secrecy, obfuscation, avoidance and inaccuracy, whether deliberate or not, and dishonesty, are in fact the enemies of our parliamentary democracy.

During the budget estimates, I asked about undesirable case loads. Keep in mind that these are our Western Australian workers who have responsibility for looking after children in care who cannot be in their own family of origin; they have been removed from that family by the state and given over to these caseworkers. I was trying to ascertain how many caseworkers had an undesirable case load, which is more than 15 cases. The undesirability was not being judged or determined by me but in accordance with the industrial agreement that the government has with those caseworkers. I was told by the minister, after taking advice from the director general, that the amount was zero. In actual fact, that was grossly incorrect; the answer was 77.

Although it is undesirable, at least in the case of those 77 caseworkers, a caseworker had been allocated to those children in the care of the state, but what about those without one? I will quote from the information provided in answer to a supplementary question to that particular estimates session. I asked about this issue at that time. I said —

If it is taken on notice, would we be able to be told how many did not have a case worker as of 30 June?

We are talking about the number of children in state care who do not have a caseworker. I asked whether we would be able to have that information if it was taken on notice. Hon Jackie Jarvis said —

Yes, we can. So, we can take that on notice.

Then, having taken the information on notice, the information that was provided to the committee in a supplementary answer was —

The Department of Communities advises:

The data requested is not available as at 30 June 2023.

In other words, when a minister of the Cook Labor government says, “Yes we can”, that is to be interpreted by honourable members as, “No, we cannot.” They say, “Yes, we can”, but in actual fact, no, they cannot. Frankly, that is hopeless and it is no way to fulfil the duty of a responsible government. Sadly, as I promised, this particular hearing had a litany of these types of examples of those things that Hon Sue Ellery described in 2016 as the enemies of our parliamentary democracy.

Having dealt with undesirable case loads and having dealt with children who do not even have a caseworker, what about the unlawful case loads? Those who are familiar with this will know that under the industrial agreement, caseworkers are not supposed to have more than 15 cases per person, but they can, in exceptional circumstances, have up to 18. Therefore, it is unlawful to have more than 18 and undesirable to have more than 15. Having already dealt with the undesirable number of case loads and, even worse, the amount of children who do not even have a caseworker, I was pursuing the issue of unlawful case loads.

I will again quote from the answer that was provided as a supplementary question to the hearing on Wednesday, 28 June, 2023. One of the departmental officials is quoted in the transcript as saying —

A senior caseworker can carry up to 18 cases for a short period of time if they have the capacity to do that.

I then said —

That is right, but what about more than 18? If it is more than 18, it is unlawful, and that is what I want to know. Has that happened at any stage over the past month? I accept that it is dynamic and that you are working to the best that you can during the course of the day, but at the end of the day, has somebody had more than 18 cases on a particular day?

Hon Jackie Jarvis, the representing minister, said —

Noting that the data we have with us today is only updated monthly, I would ask that we put that on notice.

The government took that on notice. The information specifically taken on notice was —

Have any caseworkers over the past month had a caseload greater than 18 cases?

The response that came back was —

Data is not available for 28th June 2023. As at 7 July 2023, there were 69 case workers with more than 15 cases and 0 case workers with more than 18 cases.

We do not need to know, or particularly care, that on 7 July there were zero caseworkers with more than 18 cases. That is great. Do members know what that means? It means that on 7 July 2023, the government was complying with the law of the land. That was not the question. The question was: at any time during the course of the month has any caseworker had more than 18 cases? It is difficult not to draw the conclusion that after all this time and all those persistent questions about undesirable and unlawful case loads, no-one in government actually knows. What is the situation today, on 29 August 2023? Does any caseworker in child protection have an unlawful case load? Would anyone in government be able to answer that question?

Based on the history, I suggest that the answer is no; no-one would have any idea whether that is the case. The alternative explanation is that someone in government does know and simply does not want to fess up and say that over the course of the last month on this many occasions they have broken the law and have had caseworkers with unlawful case loads. Which is it? Instead, we get these enemies of our parliamentary democracy, as Hon Sue Ellery refers to it. Accurate and timely information to Parliament and its transparent dissemination is essential. Hon Sue Ellery did not say it was desirable, she said it was essential. I agree with her. Secrecy, obfuscation, avoidance, dishonesty and inaccuracy, whether deliberate or not, are the enemies of our parliamentary democracy.

I have dealt with the number of undesirable case loads and with children who do not even have a caseworker, and I have tried to get to the bottom of whether the department is operating lawfully. One would think that Minister Winton would want to know whether or not her department was operating unlawfully. The Parliament certainly wants to know and I certainly want to know. When these basic accountability systems in child protection are seemingly considered a hindrance by ministers and officials, the ones who suffer are the children in care, and in the worst-case scenario they literally go missing.

I quote from the transcript of the estimates hearings of that same day, Wednesday, 28 June, when there was this litany of examples. The exchange is on page 24 of the transcript —

Hon NICK GOIRAN: Since 12 July last year, the director general and the Minister for Child Protection were supposed to be getting daily updates with regard to any missing children. Has that been occurring?

Hon JACKIE JARVIS: Yes.

Hon NICK GOIRAN: Minister, do the daily updates include more than just how many children are missing in care and, more specifically, whether any are unaccounted for?

I pause there to inform and emphasise to future readers of this transcript that the language and the distinction between “missing” and “unaccounted for” is an invention of this government. It is not my preferred choice of language to describe one child as missing and another as unaccounted for. Good luck trying to genuinely reconcile the difference between “my child has gone missing” and “my child is unaccounted for”. Nevertheless, that is the government’s choice and the arrangement it has in place. Hon Jackie Jarvis went on to say —

I will ask the director general to respond.

He said —

The daily updates that both myself and the minister get provide a status update for missing children but it also explains when a child ceases to become missing and may move into another category. To the extent that they are either found or we receive information from third parties that would suggest to us that they are no longer at risk in the same way, they still may be unaccounted for, for example. But yes, we do get a lot of detail about those individual children on a daily basis.

Those who have access to the transcript will then see, peculiarly, footnote 1 inserted here. At the bottom of the footnote it says —

A letter of clarification about this part of the transcript can be accessed on the committee webpage.

If we spend the time to look at this letter of correction, suddenly, director general Mike Rowe, on 6 July 2023 had this to say —

On page 25 of the uncorrected transcript, the Hon Nick Goiran MLC queried the information included in the daily updates on children in the care of the CEO who are missing or unaccounted for. I confirm that the daily updates include information about children in the care of the CEO who are “missing” and “unaccounted for, not in contact”.

The transcript of the hearing continues —

Hon NICK GOIRAN: For example, as at today’s date, there are seven who are unaccounted for but in contact. That information would have been provided in today’s daily update?

Mr ROWE: It does come at the end of the day but yes, we can anticipate that they will be provided.

To be clear, the government has now invented three categories. There is missing children. There is this curious term “unaccounted for children not in contact”. In other words, they are missing; they are not in contact. I would think “unaccounted for and not in contact” a fair description of a missing child, but apparently this government can understand the distinction between those two categories. The third category is “unaccounted for and in contact”. In this hearing on 28 June 2023 I specifically raised these daily updates, which I have been calling for for years, and I am grateful they are now happening, with the director general and the representing minister and asked whether they included a child who was unaccounted for but in contact. On that day, the director general, Mr Rowe, thought that was the case, because he said —

It does come at the end of the day but yes, we can anticipate that they will be provided.

Evidently, that was wrong, as per the correction. What confidence can we have when, for literally years, I have been asking the government to make sure that it is the stand-in parent responsible for these children who have been taken away from their families of origin? It is not safe for them there so the state has taken them into care. The government, as the stand-in parent, as the state, needs to know whether or not those children are missing. It needs to know whether they are unaccounted for. It needs to know whether it is in contact with them. Thankfully, about a year ago the government changed the system and made sure that the director general and the minister got daily updates about this, but there is no point in having daily updates if the director general does not even know what the daily updates do and what they contain. On 28 June, he evidently thought that they included a child being unaccounted for and in contact, but then had to correct the record. This is not some kind of technical matter that we could imagine of a director general with huge responsibility over this mega-department, with all of the expenditure and the people he is looking after, as well as children in care, not being across detail that no human could possibly be across. This is not that scenario. This is the director general and the minister getting a daily update. They get an update every single day to tell them whether a child is missing, how many are missing and how many are unaccounted

for in contact and out of contact. If they were getting the daily update, actually reading it and, dare I say it, digesting it, they would be across this information. Yet again, on a multitude of occasions in one single hearing there was this behaviour that has been described as being an enemy of our parliamentary democracy.

Over the last 20 minutes or so were dealing just with the Department of Communities. Remember, the bills presently before us deal with expenditure to the tune of \$36 billion, and, at a glance, the sum for the Department of Communities listed in the recurrent budget is something to the tune of \$2.5 billion, if we include administered grants and subsidies. More than \$2 billion is a substantial portion—let us put it that way—but this is in the context of \$36 billion of taxpayers' money being spent. That is just the Department of Communities. What about the other departments?

I now turn to an exchange that took place on the previous day, Tuesday, 27 June, at a hearing with the Department of the Premier and Cabinet. I quote from a letter to the Standing Committee on Estimates and Financial Operations that I have a copy of, which is publicly available, signed by the director general, Emily Roper, on 30 June 2023. In this letter, the director general says —

During the hearing the following exchange took place

Hon Nick Goiran: Minister, so that briefing (regarding the independent review into Western Australia's COVID-19 management and response) took place approximately sometime in the last week or so. Did it result in a briefing note or some similar document being produced?

Hon Sue Ellery: I am advised, no.

It is a pretty clear opportunity to take advice. She gets the advice, then tells the parliamentary committee, “No.” It is presumably something that cannot be confused with, “Yes.” The answer is no. Director general Emily Roper comes along later and says, “Actually, two documents were provided prior to the meeting.” Once again, not only was it inaccurate information that was provided, but certainly it was not timely. By the time we get the opportunity to deal with this matter—it is now August—we could have had the opportunity to deal with this in June. As is the culture with regard to this particular government, where are these documents? It should not be difficult to comprehend that if, in a parliamentary hearing, someone has been asked about the existence of documents and that someone says, no, they do not exist, and in actual fact they do exist, firstly there should be an apology for having done that; and, secondly, the information should be produced. Is the Cook Labor government going to voluntarily provide this late information to Parliament? Is it going to do that? If so, when is it going to do that? Is it the case that having obstructed the hearing, presumably unintentionally, through the provision of inaccurate information, the government will now sit in some form of paralysed state and not provide any information to Parliament?

Hon Sue Ellery, the Leader of the House, on 17 March 2016, said —

Accurate and timely information to Parliament and its transparent dissemination is essential. Secrecy, obfuscation, avoidance and inaccuracy, whether deliberate or not, and dishonesty, are in fact the enemies of our parliamentary democracy.

When representing the Minister for Health on 27 June, the Leader of the House tried to imply that, when it comes to the budget to deal with vaccine injuries and their investigation, it might be the responsibility of another department. Let us keep in mind that these vaccines were mandated and, in my view, in the instance of some Western Australians, coerced. The only time that I hear this government utter the word, “coercion,” is when speaking on domestic violence; specifically, the term that is used is “coercive control”. In my view, outside of that, this government demonstrates a reckless indifference to this act of bullying. What an absolute insult it was for those who suffer vaccine injuries to hear from the Leader of the House that not one cent has been appropriated to the research and investigation of vaccine injuries. That took place on 27 June, as reflected very clearly in the transcript.

The Cook Labor government's show of contempt for COVID-19 vaccine injuries is, frankly, careless governance that undermines transparency, public trust and, ultimately, public health. Remember, however, accurate and timely information to Parliament is not merely desirable, it is essential. I acknowledge that the Leader of the House is not the minister in a primary capacity, but in a representative capacity, but four weeks after this hearing the director general of Health wrote to the Standing Committee on Estimates and Financial Operations on 25 July 2023 and said —

To the following question from Hon. Nick Goiran ... “Sorry. To be clear, I am only asking for the Health budget. I am not asking for any other agencies. Not a single dollar is being spent within Health's appropriation towards the investigation or research of vaccine injuries?”

The Minister responded, “No, there is not.”

I provide the following information to correct the response:

“I would like to advise that in the case of serious adverse events following immunisation, practices undertaken by clinicians and immunisation experts as part of clinical treatment, such as assessing severity and causality, can be classified as investigations into reported vaccine injuries.”

It begs the question, that four weeks later, the director general finally decided to try to correct the misinformation given by the Leader of the House in a representative capacity. It was evidently wrong, but I still say it was misinformation, not disinformation, because I believe it was done unintentionally and not intentionally. The question then arises: how much is the appropriation towards investigation and research into vaccine injuries? We are about to pass the combination of bills that say \$36 billion of taxpayer money can be spent on various things, as detailed during parliamentary estimates, which are conducted by the committee whose responsibility it is to scrutinise these things. We specifically asked the question: how much is the health appropriation towards this? We were told, “Zero.” There is nothing; not one cent, not one dollar—nothing. Yet, the director general sent a correction to the response. If he corrected a response, it follows that the response that was provided was incorrect, which is an enemy of our democracy, according to the Leader of the House. We are left with no information as to how much the appropriation is towards investigation and research of vaccine injuries. It was all well and good for the director general to come along four weeks later and say, “Actually, what Hon Sue Ellery told the parliamentary committee was wrong, and this is the actual answer”, yet he did not even answer the question. How much is the appropriation towards investigation and research of vaccine injuries? It appears that the answer is no longer zero but some other figure. Is the government going to tell us that? Will we get that information from the responsible minister in the reply to the second reading debate? If we were to go into Committee of the Whole House, which I hasten to add I have indicated to the minister responsible that it is not my intention to do so and I intend to comply with that commitment, would we get this information? Would we be told the actual answers, and not the false responses that we got during the parliamentary hearings? Do we simply shrug our shoulders and say, “Oh, well; that’s life. That’s life in the WA Parliament”? We invest time in a parliamentary committee that has specific responsibility to scrutinise the budget and wrong information is provided to the committee on multiple occasions. Ministers and public servants then write to the committee to acknowledge the wrong that they have done—no apology, mind you. I have not found one member of the Cook Labor government who has apologised. There is a culture there—that is a point for another day.

Is there not a responsibility and duty, having acknowledged the wrong, to correct it? I would have thought so, but, again, on the history, the pattern of behaviour is arrogant contempt for this process and, instead, it will be left to members of Parliament to persist before the information is finally extracted—seemingly begrudgingly and unwillingly. Meanwhile, seemingly at first instance, not one cent of the appropriation was set aside for vaccine injuries, but during the Department of Premier and Cabinet hearing, it was revealed that two providers had been contracted at a cost of \$3.5 million to get rid of expiring RATs. At that time, we had three warehouses full of them, costing \$19 700 a week to maintain. The Auditor General had something to say about this in the *Financial audit results: State government 2021–22: Part 2: COVID-19 impacts* report, in which she states —

An initial intention by Health entities to spend \$3 million on RATs for health workers and returning travellers rapidly evolved to purchasing \$440 million worth of RATs—around twice the cost of the Bunbury Hospital redevelopment. Along with the \$140 million spent by the Department of Finance on RATs, public entities spent the equivalent of 10% of the State’s 2022 operating surplus on diagnostic plastics without demonstrable evidence of clear, considered and coordinated planning or ongoing advice as to the necessity of the expenditure.

In other words, courtesy of no planning or communication between departments, the then government spent \$580 million, and we now have tens of millions of wasting RAT kits. In that context, victims of vaccine injuries were told at a public hearing in Parliament, “We are not spending a dollar on you people. We are not going to research and investigate these vaccine injuries. Not one cent will be spent. But we will spend \$19 700 a week to maintain these three warehouses full of RATs.”

I turn to the latest debacle involving the Department of Justice, specifically Corrective Services, and its evident lack of communication with WA police on the tracking of missing fugitives. At the WA police budget estimates hearing, it was revealed that return to prison warrants are managed by the rapid apprehension squad. The committee was told that this squad executes around 300 of the 800 warrants handled by WA police, and is notified weekly by way of an email from the Department of Justice. At the time, a mystery fugitive was at large in our community and had been on the run for more than 225 days. WA police would not say who this person was. To the best of my knowledge, the WA Police Force still has not told us who this person was. I might mention to members, pleasingly, that this missing fugitive, who had been on the run for more than 225 days, has now been captured. They were captured in July, I am pleased to report, but we are not to be told who this person is and what this person’s crimes were. They were out loose as a fugitive in our community for more than 225 days. The answers that finally came back confirmed that this individual has been recaptured.

Meanwhile, during that hearing, under no circumstances did WA police want to talk about Kiernan Donnelly, a violent sex offender who was also at large. Unbelievably, of course, members may recall that in answers to some previous parliamentary questions from me, we were told that despite the fact that Mr Donnelly’s whereabouts were unknown as far back as 6 February, it took until 13 April before the Prisoners Review Board decided to cancel his parole. Senior ministers in government need to take responsibility for this. The government does not want the people of Western Australia to know who these fugitives are.

Once again, misinformation was provided to Parliament. The Department of Justice was asked during budget estimates: how many return to prison warrants are currently outstanding? The department took the question on notice, and in its reply said that, as at 29 June 2023, there were six return to prison warrants. It is pretty clear. The Department of Justice was asked how many return to prison warrants were currently outstanding and took the question on notice. After the hearing, it came back to the parliamentary committee and said that, as at 29 June, there were six, so it is pretty clear.

Members can imagine my surprise when we returned from the winter recess. I asked police earlier this month, on 8 August 2023, how many return to prison warrants were outstanding. In fairness to all concerned, remember that the Department of Justice said that as of 29 June there were six return to prison warrants. I asked the question in August, so it is understandable that there might be some variance in the information provided. It was hoped that there would be fewer return to prison warrants because fugitives had been captured. Imagine my surprise to be told that there were 63 return to prison warrants outstanding! One might think: a lot of people escaped and were on the run between 29 June and 8 August, with a mass release of fugitives into our community in July. That is a possible explanation, but it is not the explanation. The explanation is that once again we have been provided garbage answers in response to estimates questions. Of these 63 return to prison warrants, one has been outstanding for 36 years, one has been outstanding for 25 years, one has been outstanding for 18 years, and multiple have been outstanding for 17 years. Some have been outstanding for 16, 15, 14, 13, 12, 11, 10, eight or six years—the list goes on. Obviously, when the department came to us and told us that there were six return to prison warrants outstanding as of 29 June this year, that was garbage. Clearly that was not the case!

What are members supposed to do with this? If provided with an answer to a question, the reasonable person will take that as the answer and assume that the answer is verifiably correct. If every time we ask a question we get an answer and have to assume that the answer is wrong, the entire system does not work; it is unworkable at that point in time. As I say, this is no trivial matter: we are talking about confirmed offenders at large in our community. It was quite unbelievable to be told in those hearings that the Prisoners Review Board and the Department of Justice, including the director general, simply have no idea how many of these fugitives are on the run. In fact, at a later hearing, when we had the police commissioner in, to the best of my recollection, he seemed to think that there were about 20 return to prison warrants outstanding. All of that was wrong! There were 63 warrants at the time.

Pleasingly, I think what has happened here is that the intense scrutiny and focus on this has made somebody somewhere in government wake up and go, “Far out; we had better actually have a list of these fugitives that we are supposed to be trying to track. We had better prepare a list, because this is getting seriously embarrassing that we cannot even answer these questions.” Somebody has not only prepared a list, but, thankfully, seemingly decided, “We had better try to track some of these guys down”, and the numbers have decreased. Over the course of this month alone, the numbers have decreased not once, but twice, when I have asked the questions. Remember, originally there were 63 outstanding, then subsequently I was told that there were 58 outstanding. That was when we last sat. The media got hold of this and asked some further questions, and the number reduced to the tune of 54.

We have not been told this in Parliament, however, as it would be asking far too much for a government minister to come in here and correct the record. We have this thing at the start of the day called statements from ministers and parliamentary secretaries. Would it be too much to ask for the Minister for Police, Attorney General or Minister for Corrective Services to instruct their representative minister to come in here and make a statement to say, “This is the situation with regard to this fugitives fiasco. We are grateful that this has been brought to our attention and we are now on top of this and these are the steps that we are taking”? That would be what a responsible government would do. Amongst various other things, it would keep me quiet on this topic because there would be nothing further to address. There are plenty of other things that I could move on to address. Having these dangerous offenders at large in our community cannot possibly be something that any member of Parliament is comfortable with, so let us collectively do something about it. We should be told who these most-wanted fugitives are. I cannot make a case for these people who have already been convicted of an offence. They have thumbed their nose at the parole system by either escaping from jail or from early release in some form. That is the calibre of person we are talking about here. I cannot make a case for the government to keep the names and crimes of those people secret from the people of Western Australia. There should be an obvious most-wanted list and we should all be able to identify and report them to police. I am going to continue to pursue this matter until such time as that is done.

In the remaining few moments that I have, I will indicate how disappointed I am that during our parliamentary budget estimates process in which we are responsible for scrutinising the budget, we had not just one episode, but a litany of episodes of inaccurate and untimely information. I have not even had the time to get through all of them in my file this afternoon. Hon Sue Ellery has previously said, and I agree with her, that these episodes are an enemy of parliamentary democracy. We expect better.

HON NEIL THOMSON (Mining and Pastoral) [2.42 pm]: It is timely to recollect and consider the very good advice of Hon Sue Ellery about the need for accurate and timely information to the Parliament. That is not only desirable, but also, I think, essential. I want to pick up on a specific matter during the committee process that resulted in some interaction with the Department of Treasury and the treasury portfolio. It resulted in some interaction with the Under Treasurer and the minister. I want to make sure that we are clear about the actual facts of the matter.

The single biggest issues currently facing Western Australians is the cost of living. It is a massive issue right across Australia. We have seen how inflation has been running at record levels for many years. Interest rates are sitting at seven per cent for mortgages and we have seen things like fuel costs having an impact on commuters, particularly in the regions.

I want to particularly focus discussion on page 316 of budget paper No 3. It contains a table that estimates impacts on a representative household. I raised some questions about this during the committee process. I felt that I was given an unsatisfactory answer. I did some further assessment of my own to try to understand what is going on. This table looks at the impact of government fees and charges on a representative household. There has been an increase of 2.4 per cent in terms of the headline impacts. I know that the Cook Labor government was at pains to present the virtues of that very low rate. I think it needs to be reviewed and reconsidered.

I want to really focus on the issue of stamp duty, particularly on general insurance. During that interaction, I was told that there had been no change to the methodology of this particular table. That is patently untrue and incorrect. I suppose when a member is on their feet trying to ask questions about this, they may doubt the information that they have had a look at to try to work out. However, over time I have had the ability to go back and review that process. I will outline some of the points in my response to debate on the Appropriation (Recurrent 2023–24) Bill 2023 to provide some background and try to put something on the record. Maybe we will get a clarification and a more accurate and timely table in the future on the cost of living, which concerns most people in Western Australia at the moment.

The reality is, if someone owns a home, they do not need to read the budget papers to realise that their insurance costs have gone through the roof. There have been massive increases right across Australia and Western Australia, particularly for people who live in the northern parts of the state. It is actually quite difficult to get insurance. For example, it is not uncommon for householders in Broome to have insurance rates around \$10 000. My insurance is over that; it is about \$12 000 and I think the stamp duty on that is about \$1 200. That is the situation. There is a lot of chatter on social media about it with people trying to find an insurer because it is often quite difficult to get insurance. This has been an issue.

Let us look at this table. I went over seven budget papers to try to ascertain whether or not my assertion that there was a change in methodology was correct. I thought I had maybe made a mistake during that interaction and I wanted to clarify whether I had. The stamp duty period for 2016–17 was estimated using 2017–18 insurance premiums. The table operated consistently throughout all the years up until 2023. I will not labour through every single year. In 2021–22, the stamp duty period was estimated using 2022–23 insurance premiums. If we work up the table, there are figures from the budget year ending in 2018 in which the representative household spent \$211.95 on stamp duty. In the following year it was \$216.72, then \$219.14, \$236.96, and \$246.11 in following years. This year, it was \$246.11. Why? That is because as is said in the footnote, the stamp duty in 2023–24 was estimated using 2022–23 insurance premiums to isolate the price impact. That is the exact wording that is used every year, but for some reason we have gone backwards. We have missed a year. We end up with no increase at all—zero—because there is no difference. Exactly the same numbers were used in the previous year. This piqued my interest, obviously, because I do not like to be wrong. I thought, “I will double-check that.” I thought I was right, but I thought I had better check to make sure. Having spent most of my career in Treasury, I know that Treasury people do not like to be wrong, either. I am sure that it is an honest mistake, so let us see whether we get some sort of clarification from the minister representing the Treasurer in the next few days.

Let us think about this because the impact on revenue is significant. If we go back and do some digging in the tables on revenue for general insurance stamp duty, it is significant. The headline figure was 2.4 per cent, but it is clearly not 2.4 per cent. The increase in the cost of living from general household charges for represented households in Western Australia is not 2.4 per cent. It cannot be because that figure is not the right figure. For some reason—either an error or an omission—the next year’s estimate has not been put in there.

That is really important because much information is out in media land at the moment about the impact of insurance costs. I refer to an article by *Choice* on 1 June 2023 headed “Nine out of ten Australians facing higher home insurance costs” that read —

Contrary to the industry code of conduct, many policyholders aren’t being told why their premiums went up.

They are not being told. Fortunately, the midyear review provided an inkling about why insurance costs are going up because that was explained. Page 7 of the last *Government mid-year financial projections statement* states —

- higher taxation revenue (up \$3 billion), —

That is over the forward estimates. The \$3 billion additional is —

mainly due to:

- payroll tax (up \$1.8 billion), with higher collections in the year to date underpinned by mining sector activity and a stronger outlook for private sector wages growth across the economy;

That is fine. We have higher wages growth. Personally, I like to see payroll tax being trimmed back because it is a tax on jobs, but it has always been part of our tax-collection system, and it is an important part. It is great to see that that is increasing. As I said, the higher collections in the year to date are underpinned by the mining sector. It also says —

- insurance duty (up \$608 million), —

That was in the midyear review of only six months ago. The \$608 million over the forward estimates had to be adjusted. It continues —

with cost pressures in the insurance market (such as from adverse weather events) flowing through to premiums;

We basically have a tax on hardship and crisis. We know the terrible impact of weather events such as that in Kalbarri—people are still going through the process of patching that up—and the challenges in the Kimberley, and these have resulted in higher insurance premiums. Obviously, weather events around the country are having an impact on us, but we see \$608 million in the midyear review alone.

While I am speaking, I add that the impact of COVID on new vehicle supply chains resulted in additional motor vehicle licence duties of \$430 million because the second-hand vehicle market went through the roof in Western Australia. People paid more for a second-hand car than a brand new car because people had to wait 18 months or longer for a new car. The midyear review says —

... with new vehicle wait times and prices remaining elevated since Budget;

I am reading this from the midyear review —

- total transfer duty (up \$192 million), reflecting stronger activity in both the residential and commercial property markets;

Some additional transfer duties were due to the housing market as well.

I go back to the table that shows the 2.4 per cent increase, which I find unbelievable. It needs to be reviewed. It would be great to get a good explanation from Treasury because the figures presented are quite low when compared with the lived experience of people and the amount of stamp duty paid on their insurance. The figure for each representative household is currently in the table as \$246.11. I did some back-of-the-envelope numbers. Please excuse me on this, but I would like some clarification. I went through multiple budget papers, and I looked at that table and forward estimates numbers for 2021–22 and 2023–24. I put a gap in there. Members can see what I was trying to do—go back in time and look at what was predicted for insurance duties. It was predicted on page 175 of the 2021–22 budget paper No 3 that \$751 449 000 in insurance duty would be collected in the forward estimates for 2023–24. That was predicted. In this year's 2023–24 budget papers, that number is \$994 715 000. That is a massive increase. In fact, the calculation is that it is a rate of about \$350 a person in insurance duty and an increase of \$85 for each person in Western Australia. That is a significant amount for each person. If we look at the number of dwellings, it is an increase of \$211 and a figure of \$864 for each dwelling.

I note and concede that some commercial numbers are probably part of these insurance costs. Probably some boffin in Treasury sits down with a spreadsheet, calculates it and tries to take it out because we are trying to look at households. There might be a figure in there. I concede that it might be lower, but there is a massive discrepancy between the figure of \$246 a household—which is actually last year's number because we do not have a new number—and the \$864 number that I came up with by taking the amount of stamp duty and dividing it by one million. I used one million to calculate it because Western Australia has about one million households.

I stand to be corrected on that particular aspect, but I do not stand to be corrected, as I was corrected by the Under Treasurer at the time, that somehow the methodology has not changed. It might have been an honest mistake and somebody just forgot to check the new number and put it in. I put it on notice that Treasury should go back and look at that and provide a bit more background about how this number is calculated so we can understand the impact of stamp duty. This stamp duty is a revenue-collecting process and a tax on the very thing people need; insurance is an essential requirement to protect people's assets and housing. It is a massive figure. As I said, it is not unusual for someone in the north of the state to pay \$1 000 in stamp duty every year on insurance. It is really not unusual. Fanciful numbers that somehow add up to a 2.4 per cent increase only in the cost of living from government charges just do not stack up to me. It is a serious issue.

We really need more accurate and timely information, please. It is not only desirable, but also essential. People are suffering right now. Going back to the *Choice* online article, there have been premium increases across the board. We are paying a lot more for insurance and people are not really being told by their insurers why costs are going up. I know it is a big issue in my region because when the Morrison government was in power federally, it set up a reinsurance pool that was supposed to result in reduced insurance costs. Sadly, we did not see that work through the system. With the way it was structured, I do not know whether it was going to do the job but we did not see insurance rates come down. People are paying huge insurances because of the impact of concerns about cyclone activity and so forth. Reinsurance arrangements are made between insurers to make sure one insurer is not

impacted by one event. It means the weight of the insurance pool is shared around the world. That was a well-intentioned measure, but while one arm of government was trying to reduce insurance rates, the other arm was making a massive revenue boon from this issue. That is my request.

I have mentioned stamp duty on motor vehicle insurance. I referred to a figure of \$400 million or so being collected in the midyear review. Again, this all adds to the cost of living. It adds up on top of people's ability to drive safe vehicles or afford reliable vehicles, for example. That is particularly the case in the regions, where road safety is a very important issue. To use the words of the shadow Treasurer, we should not be rolling in the money bin just for the sake of it. Because cost pressures from other factors have been driving up prices, there should be an opportunity for the Western Australian government to say, "Actually, the money's pouring in the door. Maybe this is an opportunity for some reform to insurance duty." The online insurance duty overview says duty is calculated at 10 per cent of the total premium paid in a general insurance policy. Those costs are going up and we are not getting a different service. People are just getting the protection of their assets to make sure they can drive their car and get it replaced if they have to. They can get their house repaired or rebuilt if something untoward happens. This is a real opportunity for the government to look at the cost-of-living factor that everybody is focused on at the moment.

I quoted the midyear review. Members can go through it. I will not bore them by going through table after table but I have been through them myself and looked at the duty figures for every line item—whether it be transfer duty, motor vehicle duty or insurance duty. It is important to note two elements in the midyear review: \$603 million of additional funding in the midyear review, which continues to go up; and \$430 million in motor vehicle insurance stamp duty. That is over \$1 billion as a result of the COVID pandemic and supply chain disruptions, and additional natural disasters across Australia. It works out at \$1 billion in additional funding and that continues to head north.

We know that the state government has been up for a considerable amount and that the commonwealth has been up for a whole lot more for repair and reconstruction in the Fitzroy Valley. It has been a significant cost and I assume the total cost for that reconstruction will eventually have a "b" in front of it—it will be something like a billion dollars. I am sure the final figure will be pushing up half a billion dollars or maybe more, who knows? The reconstruction of those houses will be a lot. It would be great to see some easing of the cost-of-living pressures and some transparency about the impact of government fees and charges on the cost of living. It would also be great to see a more thorough and comprehensive response to the natural disasters in the Kimberley, particularly for people in the East Kimberley. I have spoken to many businesses and the impact of the transport disruption has been profound, as has the uncertainty on the transport future. They do not know about the future. By all accounts, it looks like the project to rebuild the bridge is a good project. It looks like there is a big effort there. I have no doubt Main Roads Western Australia and the contractors involved, including Georgiou Group, are doing everything they can to make that happen. Despite what was said in the other place, where I believe someone made some comment that I do not support that project, what I have been disappointed in and have raised on multiple occasions is the certainty around the transport future and the alternative arrangements that will be put in for the next wet season. Here is an opportunity. With all the money that has come in, I would have thought that there would be more certainty. I refer to a question I raised on 10 August. I will raise it again because, to me, this is unacceptable. The answer provided no certainty or clarity on what the future holds for people in the East Kimberley who rely on that connectivity across our north. I quote from *Hansard* —

I refer to the upcoming wet season in the Kimberley and the failure of the state to reopen the Great Northern Highway in 2023 for up to 105 days.

For 105 days, we had no ability to traverse that river apart from with a very small barge. It was like the government was happy to slug everyone on stamp duty and take advantage of the windfall that came with the floods, taking the 10 per cent. The government was happy to take \$1 000 every time people up north had to pay for their insurance on their home. It was happy to put out a report that did not show any increase, which was wrong. That is not correct, which is my point. The government was happy to do that but it was not happy to go the extra mile to make sure it could get connectivity across the Martuwarra Fitzroy River when the water was high. The government made all the excuses in the world about having extra rain and then unseasonal rain. Go back and look at the science, folks. Go back and look at the numbers. We always get the lecture to go and look at the numbers. They will see we do get rainfall in the dry season. I said it was 105 days and then Hon Kyle McGinn interjected. I said —

Do you think it is a joke?

Hon Kyle McGinn: No, I think you're a joke.

That is the kind of attitude we get when we ask serious questions. The debate continued with —

The PRESIDENT: Order! Order, members.

We get a bit of that from time to time. I then continued —

Immature behaviour.

- (1) Has the minister developed contingency plans to ensure heavy transport between the West Kimberley and the East Kimberley is uninterrupted by coming summer rains to the greatest extent possible and reasonable?

It is a very mature and sensible question to be asking in this place, but I got a very childish response.

I also asked —

- (2) If yes, what are those contingency plans?

What are they? I advise members opposite to listen for a moment because they might learn something.

I then asked —

- (3) How should transport companies plan to maintain supplies into and out of the East Kimberley from October 2023 to April 2024?

That was the essence of the question. They are the questions that any company, business or store owner in remote communities like Mulan have if they run a store or provide fresh vegetables. Listen to the voices of the region. These are the questions people are asking. The answer from Hon Stephen Dawson was —

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

- (1)–(3) The state government is currently investigating options for maintaining some level of access, including provision for freight, over the Fitzroy River this wet season. Main Roads will continue to liaise with industry in preparation for highway closures over the upcoming wet season.

What an absolutely lame response. It provides no certainty at all. The Western Australian government got a hardship windfall due to floods, fires, disasters and the pandemic worth \$1 billion in stamp duty alone. That is not to mention anything else going into the coffers of the Western Australian government. That \$1 billion was in the midyear review, and it is going north, yet that is the best the government can do to provide certainty to the Western Australian business community. I find that response and the childish attitude also very shameful. It is beneath this Parliament and beneath the government of Western Australia to treat the people with such contempt. That is what I say today. We need to listen to people's concerns and deal with these huge challenges. I also ask the good people in Treasury who might be watching to consider providing some clarification, because that is vital for us going forward.

I will raise my last issue in closing. Members know how important government funding is for our agencies to ensure that we continue to have this vibrant democracy that we all love and cherish. Providing accurate and timely information is essential to our Parliament and our vibrant democracy. I ask members to consider checking the submissions made to Electoral Boundaries WA and the Electoral Distribution Commissioners in the most recent round of consultation that is currently underway about the boundary redistribution before the state election. If members have the time, they will see an excellent submission by Hon Neil Thomson that provides some excellent advice. In particular, I hope that when the Electoral Distribution Commissioners meet again, they give it some consideration. It is important that our agencies are properly resourced to do the job they need to do. Remote and regional Western Australia faces unique challenges that impact on it very much. I will give members a headline fact that I strongly suggest members consider. In the seat of North West Central, only 61 per cent of the adult population is enrolled. Blind Freddy could tell you that relates to the level of engagement.

A requirement of the Western Australian Electoral Commission is for the Perth-based agency to undertake to get out there and talk to people and make sure that they are enrolled and that the necessary training is done. That is based on information in the WAEC's annual report. It must get out there and talk to people. We know that costs money, unfortunately. The commission has to go out to some of the most remote parts of Western Australia to talk to people and engage with them. I will compare those remote communities with the seats of Joondalup and Cottesloe. I am being bipartisan and using them as an example because one is currently held by the Liberal Party and the other by the Labor Party. In those electorates, 89 per cent of the adult population is currently enrolled. I would like to see the analysis. I put in a challenge at the end of my excellent submission—I am willing to be corrected on this—for someone to do the work and provide the details showing why those massive discrepancies and structural differences in enrolment rates across our regions are so profound. That has a direct impact on the electoral boundaries because it is all to do with enrolment, not population. Do not be confused by the papers put out so far. It is not based on population. Population is used only for geographic information system boundaries. Enrolment forms the basis of our electoral boundaries. Under the act, it is important to maintain the electoral roll. We understand that that can be done only to the extent to which the Western Australian Electoral Commission is sufficiently resourced and is provided with the capacity to do so. It does excellent work, but we need to make sure that it has the tools to do that work. I recommend people look at that excellent submission.

That was my final point, but I am also looking forward to the correction that I am yet to receive. I asked for it in committee and am waiting for it. I refer to the table on the estimated impact of the cost of living on a representative household and I want to see an adjustment of the 2.4 per cent upwards and for some footnotes to be added to explain the massive discrepancy between the hundreds of millions of dollars raised from stamp duty and the mediocre or small number that is quoted as being the average impact stamp duty has on the average household. With that, I finish my point. I am looking forward to that feedback.

HON WILSON TUCKER (Mining and Pastoral) [3.16 pm]: I would like to take this opportunity to continue my remarks about the rental market crisis and the need for greater protection for renters in WA. This topic is near

and dear to my heart. As a renter, I certainly have been on the receiving end of some unscrupulous landlords. I have felt some of the pain that a lot of renters in WA are facing. We know that 30 per cent of the Western Australian population is renting. We heard previously from the former Premier; Treasurer, Hon Mark McGowan, who I quickly add has taken the well-trodden and well-worn path down the hill to take up a very lucrative contract in the resources sector after spending his term in office looking after his mates during his tenure. That is probably a topic for another day. The former Premier was very quick to downplay the housing crisis that we were facing in Western Australia under his watch and that we certainly are facing under this government's watch. He said that there was nothing to see here because in WA we have higher than average incomes and lower than average property prices compared with the eastern states. That is a true statement, but it is also true to say that not everyone in WA enjoys fly-in fly-out wages or can afford a mortgage or, in some circumstances, even afford to pay rent.

We know that the housing crisis is caused by a supply issue that is putting pressure on the rental market. There are fewer rental properties available, which is driving up prices. In some circumstances, it is spitting people out the other end into homelessness and onto the ever-growing social housing waitlist. There is a housing spectrum, and affordable housing is on that spectrum. When affordable housing becomes unaffordable, we have a problem. That is exactly what we are seeing in Western Australia with the ever-growing number of homelessness and the ever-growing number of people on the social housing waitlist. The statement about affordable housing becoming unaffordable is backed up by a recent report by Anglicare Australia called the 2023 *Rental affordability snapshot*. I encourage members to read the report. Its findings are quite damning. It found that zero per cent of properties were affordable for a single person on JobSeeker, and one per cent of available properties were affordable for people on other income support payments. At the time of the report, there were only 2 912 rental properties available in WA. Just under 3 000 properties available is a very small number given the size of Western Australia. I think the Perth property market right now is operating at about 0.1 per cent availability, which is the tightest in the country. Things are clearly not working as expected. The report also found that available rentals dropped 16 per cent compared with the situation in 2022. It was also very telling that the WA median rental price was \$560 a week, which is very expensive. That has put affordability of a rental property out of reach for every household on some level of income support, which I just outlined, and also anyone on the minimum wage. A large section of the population cannot afford to participate in the rental market.

Thirty per cent of Western Australians rent. I mentioned a report in the chamber in the last sitting week commissioned by the Australian Housing and Urban Research Institute. It found a split of 30 per cent, 30 per cent and 30 per cent. The report found that one-third of young Australians could not afford a property in the next five years. Another one-third did not think they could afford a mortgage to own a property in the next five to 10 years. Very alarmingly and distressingly, another one-third did not think they could ever afford a property. They could not envision a reality in which they could afford to break out of the rental spiral they found themselves in.

We know some reform will come in WA. I have said previously that I think there are some good bits in the reform that the Minister for Commerce outlined. However, one piece that renters want the most is missing. It is essentially the elephant in the room ignored by the WA government—that is, removing no-grounds evictions. I asked some questions to the minister last sitting week about the basis for the government's position of not scrapping the no-grounds evictions. The minister provided me with some very fulsome answers, and I appreciated the responses. I did not necessarily like their content, but they were fulsome nonetheless. The minister pointed to a report commissioned by Bankwest called *Housing affordability in Western Australia 2023*. It is a good report. I will read from it because the wording is important. It says —

Reforms designed to aid tenants might —

“Might” is the operative word here —

have the opposite effect if supply were to contract even further.

This report basically states the obvious. If renters are given more rights and landlords and property owners feel like they do not have ownership over their property, investors might be spooked from investing in the property market, with the end result of less supply, thus driving up prices and making the situation worse. This report is not a glowing endorsement of the government's position. It does not back the government's policy. It states the absolute obvious, saying a tighter rental market might result. The report also goes on to say —

A thorough assessment of the reforms that would deliver a private rental system equitable for both tenants and landlords is required.

So this report is not a thorough assessment; it says that a thorough assessment is required. Last sitting week, I asked a question, and I will ask it again. If the minister, the department or the government has done a thorough assessment that forms the basis of its position not to scrap no-grounds evictions, I would be very interested in it. I found a report that is a more thorough assessment, as opposed to the Bankwest report, again put out by the Australian Housing and Urban Research Institute, called *Regulation of residential tenancies and impacts on investment*. This report is peer reviewed. It looked at two jurisdictions that underwent recent rental reform, being New South Wales and Victoria.

I will not bore members with the details, as the report is publicly available, but it summarises its findings by saying —

The analysis supports the characterisation of Australian tenancy law as accommodating of landlords. While the prospect of reforms may cause some would-be investors to pause, the analysis does not support the contention that tenancy law reforms have caused landlords to disinvest.

It also says —

When investors decide to invest, prospective rental income and capital gains are the most important reasons, but tenancy laws are an important consideration too. On the other hand, tenancy laws do not figure strongly in reasons for disposing of investment properties.

In short, the report says that rental tenancy reform is absolutely a consideration for landlords, but bigger macro factors come into play. For an investor, they are capital gains, negative gearing and property growth. They are the main considerations that come into play when a landlord looks to invest and put their house into the rental market pool, as opposed to tenancy reforms that would potentially spook investors. Even more telling, no-grounds eviction is a small component of tenancy law—it is a small subset of a small consideration for investors. In reality, landlords exercise their right to use no-grounds eviction in only five per cent of cases. The majority of landlords have a legitimate reason for eviction, and they list the reason to evict someone when a fixed-term contract expires. They use no-grounds eviction in only five per cent of cases. In reality, landlords do not care about no-grounds evictions at all, but tenants care a lot. A survey was conducted by the Make Renting Fair Alliance this year, and it had some interesting findings. I will read a key finding directly from this survey. It says —

Renters feel powerless to negotiate rent increases — mostly due to the fear of no reason evictions

The threat of a “no reason” eviction hangs over negotiations between tenants and landlords about unfair rent increases. Due to the record low vacancy rate and current tenancy laws permitting evictions without grounds, real estate agents and landlords can easily replace tenants, creating a significant power imbalance and pervasive insecurity for tenants.

The survey found that in 41 per cent of cases, renters tried to negotiate their rent increase but were refused. Forty-one per cent did not even ask, with the most common reason being that they felt they were at risk of losing their lease and not being able to find another property. They did not feel like they had a reasonable seat at the negotiating table, and if they raised any concerns, if they rocked the boat, they would essentially find themselves on the street. That is the reality that a lot of renters will find given the 0.1 per cent availability rate in Perth for rental properties and the fact that hundreds of people rock up to home opens every day.

Lastly, the survey found that 17 per cent of renters were able to negotiate to a very modest rate. For 17 per cent of cases, there was a successful outcome, but just under half did not feel that they had provision to raise their concern about a rent increase because of the fear of this metaphorical axe in the form of a no-grounds eviction termination hanging over their head. That survey was conducted using a sample size of renters. If we look at the broader population, we see strong support for terminating no-grounds evictions as well, with 71 per cent of Western Australians supporting the removal of no-grounds evictions. As I said, landlords have used no-grounds evictions in only five per cent of cases. I think the only people who actually care about no-grounds evictions are real estate agents or property managers backed by the Real Estate Institute of Western Australia, which are a very strong and potentially influential lobby group. They are the only ones who want this provision retained. Landlords do not care; tenants definitely want it scrapped; and the wider public also want it removed.

There was some commentary at national cabinet around this. There was some agreement on general guidelines around protections for renters. The majority of states have supported this, except for WA when it comes to no-grounds evictions. A number of principles were put forward by national cabinet, and the majority of states and territories have signed onto these guidelines. One of them was genuine-grounds evictions, which makes total sense. WA is the only state, along with the Northern Territory, that is digging its head in the sand and backing no-grounds evictions without any evidence or data to back up its claim that removing no-grounds evictions will disincentivise investment in the market.

We also heard an announcement last week by, I believe, the Deputy Premier basically saying that one of the reasons WA was retaining no-grounds evictions was short-term stays and Airbnb. This feels like an absolute red herring. We heard from the Minister for Commerce about the Bankwest report. Then we heard from the Deputy Premier that the government did not want to spook the investment market, and it was using Airbnb and short-term rentals as its reason, saying that if it removed no-grounds evictions, landlords would potentially go off and take their property out of the rental market and make it available for short-term stay. I cannot see any evidence for that position, and I have not found any related to the Bankwest report. If the minister has a basis for the government’s position on this, I am waiting and very interested to hear more.

HON MARTIN ALDRIDGE (Agricultural) [3.32 pm]: I rise to contribute to the cognate debate on the Appropriation (Capital 2023–24) Bill 2023 and the Appropriation (Recurrent 2023–24) Bill 2023 that authorise the appropriation of some \$8.6 billion and \$27.4 billion respectively to the state of Western Australia. I want to make some contributions, as I normally do, focused around the estimates process and the opportunity that the

Legislative Council had through it. I initially put on the record my thanks to the members of the Standing Committee on Estimates and Financial Operations who week in, week out keep the wheels of this standing committee turning for the benefit of us, who are non-members, to participate in its inquiries, particularly around the consideration of budget estimates.

When I made my contribution to the budget in June, I canvassed a number of matters, from the COVID-19 response through to procurement, health and health service delivery. Towards the end of my contribution I started to touch on the portfolio that I hold as shadow Minister for Emergency Services. That area was certainly more of a focus for me during the estimates process. I will highlight a number of things that arose from that process that played out over the last few months. When we considered the noting of the budget papers back in June, a situation was unfolding in the Northern Hemisphere, particularly in Canada, with what it calls wildfires. At that point, some five million hectares had been burnt. That was double its annual average, which is some 2.1 million hectares in Canada. The previous record, which was held in 1995, were some 7.1 million hectares burnt during a fire season. Knowing that I would be contributing to this debate, earlier today I looked up the current burnt hectares in Canada, which now stands at some 15 million hectares. There has been a significant escalation in wildfires in Canada. I also want to recognise the volunteers and the career officers from Western Australia and indeed across Australia who have contributed to the Canadian wildfire response. At that point in June, it was only one month into its traditional fire season. Why is this relevant? It is because we are looking at a similar risk as we approach the Southern Hemisphere high-threat period. Some months ago, the Bureau of Meteorology placed Australia on an El Niño alert and I think it will revise that forecast next on 12 September when I suspect we will probably move into a declaration of El Niño, which is forecast to bring a warm dry winter —

Hon Stephen Dawson: Honourable member, it is El Niño and La Niña. We were told it is El Niño.

Hon MARTIN ALDRIDGE: Really? I checked the pronunciation on this earlier, because I do get the two confused.

Hon Stephen Dawson: That is what we were told at the Fire and Emergency Services meeting. They are quite similar, but obviously masculine and feminine.

Hon MARTIN ALDRIDGE: We have obviously seen a warm and dry winter and indeed that is the forecast for spring. I think the Bureau of Meteorology has forecast an 80 per cent chance of above-average spring temperatures, and an 80 per cent chance of below-average rainfall for spring. Indeed, on the last day of winter this week we will see, certainly where I come from, a forecast of 31 degrees. Parts of the wheatbelt will for the first time enter a high fire danger rating, according to the Bureau of Meteorology forecast, in winter. It is not a good sign of what is to come in spring. The bureau model is predicting a 70 per cent chance and the United States model is predicting a 90 per cent chance of El Niño being declared, and of course the issues that will flow from that will affect not just fire and emergency management, but also many other industries and other responses that are reliant on weather outcomes.

Last week, as the minister just referred to, was the press conference that came out of the emergency services ministers' meeting, I think it was.

Hon Stephen Dawson: The press conference was the AFAC that the commissioners spoke at. We did one a couple of days later. It was their one that the info came out from.

Hon MARTIN ALDRIDGE: That is when the Australasian Fire and Emergency Service Authorities Council released its seasonal outlook for spring. Unlike last year, Western Australia has not been identified—in fact, it might be the only mainland state that has not been identified—as an area of increased fire potential. The ACT being the only other mainland —

Hon Stephen Dawson: It is an interesting diagram because it shows that if you look at the Northern Territory and SA, it stops at our hard border, so I did not have great confidence in it. But it shows that we do not have a higher threat, but have a high threat normally.

Hon MARTIN ALDRIDGE: The maps within the seasonal outlook, which are largely derived from earlier Bureau of Meteorology forecasts, show the higher-than-average temperatures and the below-average rainfall expectations for spring. We can see, although Western Australia has not been identified, according to the seasonal outlook, there is an increased risk of fire in spring. The commentary that is contained in the section about Western Australia shows increasing risks towards the latter stages of spring, but also as we head into the traditional southern high threat period, particularly in the south of Western Australia.

One of the things I have taken an interest in, not only through last year's budget consideration, but also this year's, is the issue of preparedness. That window is rapidly closing, not to say there is never work to be done ahead of the southern high threat period. I think the window for some mitigation works will close earlier than expected. As I said earlier, we have a high fire danger rating for one fire weather district in the wheatbelt on the last day of winter. I think we will see the loss of burn potential. We have been engaged locally in hazard-reduction burns. Members would be surprised by the fire behaviour we are seeing in winter. Normally we would be able to execute cooler burns, but we are seeing much more intense burns, which are more difficult to manage. That is before we even get to spring, which is traditionally when the opportunity exists for burning.

One of the other areas that has continued to take my interest is a number of fleet and workforce matters. Last year, when I looked at this issue, we had almost 200 of our primary fire fleet trucks in service beyond their design life. The design life of each type of vehicle varies from five to 20 years. Last year almost 200 vehicles were identified. I am sad to report that we have not improved on that number, despite the questions I asked prior to budget estimates hearings. I asked —

... how many vehicles remain in service beyond their indicative service life by:

- (i) appliance type;

The answer was zero. Initially I thought: “Here’s something to celebrate. Last year we had nearly 200 vehicles within our primary fleet operating beyond design life, and this year we are at zero. That is remarkable recovery in 12 months.”

It was one I was preparing to congratulate the government on until I asked an additional question following budget estimates hearings. That was question 1 about the Department of Fire and Emergency Services fleet, when it was identified upon further examination that 281 vehicles were operating beyond their design life and 263 of those were in primary fire response functions. It is concerning that that number has grown by 80 vehicles, some types excessively. A light tanker, which is, effectively, a LandCruiser cab chassis with a firefighting unit on the back of it, has a design life of five years if it is in the career fire and rescue service, and 10 years in other services. We have 140 light tankers—about half of all vehicles are light tankers—operating beyond their design life. Some are twice the age of what they should be. In fact, the entire first page shows 39 light tankers that are in excess of 15 years. It goes on page after page.

Interestingly, looking at the vehicles that are probably the greatest offenders in terms of their overdue replacement, some are at 20 and 21 years of life. We should keep in mind that if they are in the volunteer service, they should be 10 years of age. We have vehicles operating at 21 years of age. If we consider the location of those vehicles—the Kimberley, goldfields–midlands and the Pilbara region—they are operating in the most remote parts of Western Australia, in places where we expect to rely more significantly on those vehicles or in which the maintenance and repair of those vehicles might be more challenging. I remember—I often recount the story—that the emergency services levy has significantly transformed the provision, particularly of fleet, in respect of fire and emergency services. I remember when I first started volunteering in the mid-1990s, we had vehicles that were older than I was at the time. There were vehicles that ran on petrol, not diesel, and vehicles that were unreliable. I recounted to a forum recently that luckily the front driveway of our old fire station ramped down to the road because, on more than one occasion, we had to push our vehicle out of the engine bay, bump start it on the front apron, then off we would go in our petrol LandCruiser. I worry that we are going backwards in terms of replacing our ageing fleet, particularly in remote areas of our state.

The other aspect that adds to my concern is workforce. It is not an issue that only affects the state government; it affects local government as well because local governments are responsible for maintaining the fleet that is under their control. We have a situation in which we continue to see significant vacancies in our workforce. I do not know whether there are newer figures than those from February—I will interrogate that ahead of the next southern high threat period—but in DFES in February we were short by four mechanical technicians, two radio technicians and one auto electrician. To put that into context, the total strength of mechanical technicians in DFES should be nine, so we are effectively at 50 per cent strength. At one point we were flying in mechanics from New South Wales to help us with that function. That is an issue that we have not made progress on for at least two seasons that I have been shadow minister. I hope that when I ask for further data on that later this year, it will be something we make progress on. Interestingly, from budget estimates, many of the positions that are vacant in DFES are in the fleet maintenance division. Some are into the hundreds of days. A technician position has been vacant for 594 days. That is according to answers to questions prior to hearings of this year’s budget estimates.

One of the other areas that I want to talk about relating to the budget and budget estimates process is the provision of community emergency services managers. We have a strange situation in Western Australia in which, over time, we have evolved and developed a system of paid employees embedded within local governments who are called community emergency services managers. According to budget estimates, seven of them are directly employed by the Department of Fire and Emergency Services and local governments employ a further 27. A funding arrangement or memorandum of understanding exists whereby local government and DFES share the costs of a community emergency services manager, depending upon the ability and capacity of that local government to pay. In some instances, those positions are heavily subsidised by local government and in others they are not. For some time, inequities have existed between local government and DFES-employed CESMs, which has led to considerable angst and communication with me and others about those issues. They range from simple things like pay and conditions through to professional development opportunities. Just recently, in examining the provisions of the Workers Compensation and Injury Management Bill that continues to be before the Legislative Council, it was identified that we are not even treating them the same in respect of workers compensation. That is concerning.

For some years we have had standing requests from local governments to have a CESM in their local authority. Local governments effectively have to make a funding request. We have consistently been unable to increase the number of CESMs operating in Western Australia. I think there has been at least one occasion in which a local

government did not continue with its CESM program and there was an opportunity for another local government or a group of local governments to then take that up. However, growing the funding for the CESM program has not been supported in at least the last two budgets. We know that six local governments have made a request for funding for a CESM, but according to answers to questions prior to a hearing, the CESM program is oversubscribed.

Thankfully, this issue was taken up by my colleague Hon Colin de Grussa at estimates. It resulted in some supplementary information being provided that identified the six local governments—Narrogin, Boddington, Wandering, Cuballing, Mingenew and Three Springs. It has actually now identified a seventh request coming from the Shire of Northampton. Effectively, seven local governments have indicated, some consistently, their request for a CESM. I think that those positions should be funded when local governments request them and are prepared to participate in an MOU and a funding-sharing agreement with the state. They provide enormous support, not just to the local government but to its volunteers and its administration of fire and emergency management functions. Without having a position of this type within a local authority, those types of particularly administrative and sometimes operational roles are burdened upon volunteers and volunteer functions. They provide a very good service in the context of the state budget and its operating surplus, but also in its growth.

It is important to reflect that the available budget to the Department of Fire and Emergency Services has continued to grow. I think that is a good thing. This year, some \$565 million was allocated. Compared with a decade ago when it was allocated a little over \$300 million, we have effectively seen a doubling of the DFES budget. However, we still find ourselves in a situation in which local governments are consistently requesting community emergency services managers and those requests are being denied. The view of the government is that it is not due to a lack of funding, but due to the program being oversubscribed. If funding is increased to the program, it will then be able to fund more CESMs. As of today, only seven local governments are requesting support. I would have thought that in the context of a forecast \$3.3 billion operating surplus—we would be talking about a contribution of \$1 million or thereabouts to the budget, keeping in mind that local governments also contribute.

While I am on local government, I want to talk about the local government grant scheme. I think it is now called the local government emergency services grant scheme. I wanted to raise this because demand in this area continues to increase. I am not suggesting that funding to local governments is decreasing, but it is certainly not increasing at the pace that we are seeing in other fire and emergency services management organisations such as DFES or even in the Department of Biodiversity, Conservation and Attractions or other agencies with similar functions. It is effectively a grant scheme consisting of capital grants and operating grants. The thing that probably alarms me the most is the number of capital grants. They are particularly important because they ensure that the appliances, vehicles and facilities that predominately volunteers in the local government sector work from have a high standard. That is not just for the safety of those people; we obviously have a work health and safety obligation to them because they are now encompassed under the Work Health and Safety Act. Many of those are in need of improvement.

Let us look at the capital grant funding for 2022–23 from budget estimates. The 2023–24 information was not available at the time of asking this question, so this information is from the last financial year. I asked for the quantum of funding that met the grant criteria but was not funded. When a local government puts in a request for either an operating or capital grant, it is assessed against the criteria and it is then prioritised. There is a prioritisation process that occurs based on the amount of funding that is available. As I said, the amount of funding that is available is growing, but it is growing very slowly in comparison with other budgets.

In the last financial year, there were 70 capital grant requests for bush fire brigades, totalling some \$30.6 million, that met the grant criteria but were not funded. For the State Emergency Service, there were 15 grant requests totalling some almost \$1.6 million that met the grant criteria but were not funded. There is a significant unmet need here in which governments are trying to access funding, particularly capital funding, from this grant scheme which is the primary source of funds available to them to be able to meet their emergency management functions obligations under the law in Western Australia. If members are interested, these questions are detailed in answers to additional questions post-hearings. Members can actually see the applications by local governments that met the criteria but were not funded, the scope of the works and the amount of funding that was requested. Members might be interested in having a look at the list. At quite a granular level, it identifies electorates, or emergency service organisations in members' electorates, that are trying to either improve or increase their capabilities or amenities. They have made capital requests in situations in which funding is not available, but their grant meets funding criteria. If there is an area I think we need to be increasingly cognisant of, it is the financial support we provide to the local government sector. That is particularly so given that, hopefully in this term of Parliament, we will have a bill to combine a number of emergency service acts in WA.

As I understand it, there will be a mechanism for local governments to formally transfer control of their emergency service obligations to the state. Of course, if that were to happen, the state would have to appropriately fund these services. I do not want a situation to be created in which the local government sector is starved of funding to incentivise it to transfer control to the state. I do not think that that is the state's intention; in fact, as I said earlier, I think it would add complications and costs for the state if that were to occur. We need to ensure that we adequately fund and support local governments that want to continue to deliver emergency management functions, particularly in regional communities, by supporting their requests for community emergency services managers and operating

and capital grants, especially when they meet the criteria. At this point, we are not even having an argument about the criteria; that is another whole argument in itself. However, even if we accept that the grant funding criteria is perfect, which it is not, we are well behind in providing financial resources from the emergency services levy for local governments to do their jobs effectively.

Another area that I felt that interesting information was provided about during budget estimates was the provision of aircraft. In my speech on the budget in June, I spoke about the aeromedical inquiry. I made some brief remarks then, and I will not go over those grounds today. I asked a number of questions in the budget estimates process about the provision of firefighting aircraft. I know it is an area that everybody likes to get excited about. No doubt there will be a big press conference around October, maybe November, probably in Busselton, with ministers and members of the Labor Party. They will all have a nice selfie in front of a big shiny plane, but some questions need to be asked around the provision of firefighting aircraft. I tried to extract some of this information through the budget process, and it was quite challenging. I want to draw members' attention to the contrast between the responses provided by the Department of Fire and Emergency Services and the responses provided by the Department of Biodiversity, Conservation and Attractions. As members might be aware, we effectively have two fire agencies that have responsibility separately to contract and operate firefighting aircraft in Western Australia. It is not a cheap exercise. Keep in mind that this year we saw the loss of the national large air tanker on the south coast of Western Australia that was responding to a fire down there. There are inherent risks and significant costs associated with operating these important assets.

I asked a number of questions about the utilisation of these aircraft. An area that I foreshadow that I will focus on during the spring is how prepared we are to bring on aircraft earlier this year. I am looking at the information provided, and it was not until November at the earliest that these aircraft were available last year. I think we will need them much earlier, perhaps towards the end of spring as the Australasian Fire Authorities Council seasonable outlook suggests. How prepared are we as a state to bring aircraft on early?

With respect to cost, I asked DFES: for each aircraft type and year, please identify the relevant costs associated with firefighting operations. The answer was that costs associated with the firefighting operations remain commercial-in-confidence. I asked: what costs were incurred by the state government and the deployment of the aircraft during this period? This was about the national large air tanker. The answer was that that was commercial-in-confidence.

I want members to compare that with the responses, when I asked the same questions, of the Department of Biodiversity, Conservation and Attractions. I said: for each aircraft type and year, please identify the relevant costs associated with firefighting operations. In 2021–22, the cost—I am summarising here—for rotary wing aircraft was \$867 000 and for fixed wing water bombers was \$8.38 million. In 2022–23, the cost for rotary wing aircraft was \$762 000 and for fixed wing water bombers was \$8.3 million. It is interesting that we have one state agency that says “speak to the hand” and “commercial-in-confidence” but DBCA had no issue and gave me the number to the dollar. In post-budget questions, question 21, regarding aviation firefighting resources, was asked to DFES prior to the hearings. Noting the response provided by the Department of Biodiversity, Conservation and Attractions prior to estimates, I asked: for each aircraft type and year, please identify the relevant costs associated with firefighting operations. The answer was that these costs were commercial-in-confidence. I find this amazing. I could probably understand it more if there were a consistent view between the two agencies that the information was commercial-in-confidence. One agency appears to be forthcoming with the Parliament's request to know how much of the budget is going to these types of operations, as expensive as they are, and one agency says that it will not tell us.

The other thing that I wanted to point out was the information provided by the Department of Fire and Emergency Services about the number of drops and the amount of water that was dropped by each aircraft, even though no financial information was provided. I think this will be interesting to members because when we look at the efficiency—I am not saying for one minute that there is no role for large air tankers, but they are expensive and challenging to operate, as we saw last summer—of the WA large air tanker, the Hercules C-130, last year it made 79 drops and dropped 907 000 litres of water, according to budget estimates. Last year we operated eight rotary wing helicopters that dropped water, and last fire season one of those Bell 214 helicopters dropped twice the amount of water as one large air tanker. Similarly, when I go down the list, every helicopter bar two dropped more water than the large air tanker. Therefore, it is very difficult to have an informed debate about the use and cost of aviation firefighting and its assets when, according to the Department of Fire and Emergency Services, a lot of the underpinning information, particularly the financial costs, are commercial-in-confidence. To date, I am not aware of one section 82 notice having been lodged with the Auditor General. Not one has been lodged, but I want to recognise and thank the Minister for Environment and the Department of Biodiversity, Conservation and Attractions, as difficult as the name is, for providing answers to those questions.

In concluding my contribution to the bill, one other aspect that I want to touch on that has come to light more recently is the failure of this government to adequately live up to its commitment to the recovery of the midwest and nearby regions from severe tropical cyclone Seroja. While the final numbers are still filtering through, my prediction is that less than 10 per cent of the \$104.5 million package will be spent in response to, and on recovery of, communities impacted by cyclone Seroja. I have said previously that it concerns me we have now finally admitted we are not good at recovery, we need a whole bunch more people, and we need to lift our capacity and capability in this area.

I am pretty sure all the permanent employees who will be employed to do that through this budget are going to be based in the Perth metropolitan area. I think it is a missed opportunity to decentralise these subject matter experts into the regions where we are most vulnerable to natural disasters. But no; according to advertisements I have seen, it appears we have leased an office in Como or we are office-sharing with another agency. The government does not even have space for them at the Department of Fire and Emergency Services headquarters. They are going into new offices in Como rather than building capacity to recover in the regions, which are more likely than the Perth metropolitan area to be impacted by significant natural disaster events.

One thing I want to talk about in closing is a government commitment made three days ahead of the last election, which is not usually the time to make election commitments. Mark McGowan, on his official Facebook page, shared by Hon Alannah MacTiernan, made an election commitment with a lovely little infographic. It reads, “Our plan to boost tourism to Kalbarri.” It was three days before the last election. The post says —

Kalbarri tourism has been booming and there’s a real need for additional housing for workers.

Our Government has been working with the local Shire to identify an appropriate site to develop that extra accommodation, and, if re-elected, we’ll fast track that development so local businesses can bring in the workers they need.

I think what government members sniffed three days before the last election was victory in the seat that represents Kalbarri, which is North West Central. Of course, that victory did not come for the Labor Party and I suspect that translated to its lack of commitment to delivering and fast-tracking this development. Members might have seen a media statement issued by the Minister for Lands just yesterday. It is titled “Kalbarri Workers’ Accommodation negotiations conclude”. Anyone just skipping through the plethora of media statements we get from the Cook government spin doctors each day might have taken this to have meant something positive, but no. The government has been unable to deliver on this key election commitment in Kalbarri to fast-track the development of workers’ accommodation. I remind members that this commitment was made just a few days before the election and prior to tropical cyclone Seroja. The need for a workers’ accommodation facility in Kalbarri only increased by a significant magnitude when cyclone Seroja devastated not only the town but also the broader region. The government has completely dropped the ball on the development of the 56-person capacity accommodation facility in Kalbarri and I cannot come to any conclusion from the minister’s statement other than that the government has walked away from it.

When the project was put out to market in the way it was, it was questionable whether it was ever going to be commercial. The government released an undeveloped greenfield site with no services and said, “Here you go. We’ve made a piece of land available—nothing else. You go and build a 56-person worker camp and operate it.” It was not going to work. It was questions by the opposition that I think woke up the minister who was, as early as last sitting week, denying the fact that this company was in trouble. My office went to its premises in Perth. This is a so-called Western Australian company and its forwarding address is in Malaysia. A sign on the gate says it is shut. A notice to the Australian Securities and Investments Commission says that it is in liquidation. It says to call a phone number or send an email to Malaysia and they might get back to you. The minister denied that this company had walked away from Western Australia. It was not until the media statement yesterday that it was confirmed that the project is dead.

What is important from here is how the government responds. It has a \$3.3 billion operating surplus this year and less than 10 per cent of the \$104.5 million disaster recovery funding arrangements package has been spent. The government’s record is not good. It owns a company called DevelopmentWA. It has an agency called the Mid West Development Commission. It purports to have more regional members of Parliament interested in the regions than anybody else.

Hon Darren West: That’s not purported; it’s a fact.

Hon MARTIN ALDRIDGE: They seem to be very excited at this late stage. Why is it that the government continues to fail our regions time and again? When the midwest, in particular, needed those members of Parliament to stand up for them to make sure this project was on track and to deliver for those communities, they were quiet. If there is one criticism of this budget—it is a reason there was such reluctance by the government to support a select committee inquiry into our preparedness and management of natural disasters in Western Australia—it is that the government’s record of failure is consistent.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [4.17 pm] — in reply: I thank all members who made a contribution to the debate this afternoon, including Hon Dr Steve Thomas, Hon Nick Goiran, Hon Neil Thomson, Hon Wilson Tucker and Hon Martin Aldridge. A number of the contributions related to specific ministerial portfolios outside the Treasurer’s portfolio and I will certainly bring those issues to the attention of the affected ministers’ officers. I also acknowledge and thank the honourable members who made contributions during the estimates process and as part of this second reading debate.

The 2023–24 budget highlights Western Australia’s sustained economic strength that is still the envy of the world and the nation despite economic headwinds from high inflation and rising interest rates. Our strong economy is creating opportunities and an abundance of job opportunities with a new record level of Western Australians in

work. We know that despite Western Australia's economic strength, some families out there are doing it tough. That is why we are spending about \$715 million to provide cost-of-living relief to every Western Australian household. This assistance includes a \$400 electricity credit for all Western Australian households, which they are now seeing on their power bills, or certainly the first instalment of that. This complements the Cook government's commitment to keep government fees and charges low with the rise in the basket of household fees and charges being kept to below inflation for a fourth consecutive year. Our responsible economic and financial management enables us to continue the important work of building our state for the future and supporting the essential services that our community expects and deserves. This includes, but is not limited to, a record \$2.7 billion of additional investment into our health and mental health system, \$750 million of additional investment to boost housing supply and housing choice and we are taking action on climate change with \$3 billion of investments, including to decarbonise electricity and to move towards cleaner, greener, more affordable, reliable energy and to build Perth's third desalination plant. We are also spending about \$463 million in economic infrastructure and diversification initiatives. At the same time, the government is continuing its record of managing the state's finances responsibly, with a \$3.3 billion surplus expected in 2023–24 and surpluses projected to continue over the forward estimates period. This continued commitment to responsible financial management has recently been recognised by Moody's in its upgrade of Western Australia's credit rating to AAA status, nearly a decade after we lost our AAA credit rating from both Moody's and Standard and Poor's. The upgrade means that Western Australia is now the only Australian jurisdiction—either state or territory—with a AAA credit rating from both major international ratings agencies and one of a very small number of jurisdictions globally with such a rating. Moody's stated that Western Australia's governance has strengthened considerably over the past five years, including strong expenditure controls as well as the introduction of robust and conservative budgeting protocols resulting in improvements in the state's financial metrics. We are, as a government, continuing to make investments for the future and providing the service that Western Australians care about while delivering strong economic outcomes and responsibly managing the state's finances.

Hon Neil Thomson raised the issue of insurance duty and the representative household. The honourable member is correct insofar as the wording of the footnote has changed. However, as indicated by the Under Treasurer at the hearing, I can confirm that there has been no change to the methodology that underpins the household model. I can also confirm that the overall increase in tariffs, fees and charges paid by the representative household in 2023–24 was \$154.07, or 2.4 per cent, excluding the impact of the government's household electricity credits, is both correct and unaffected by the revised wording of footnote (j). Footnote (j) relates to stamp duty payable on general insurance. The rate of stamp duty payable on general insurance has for many years remained unchanged at 10 per cent. Each year, as part of the annual household model exercise, this rate of stamp duty is applied to an estimate of average home and contents and motor vehicle insurance payments to derive an estimate of the amount of stamp duty payable by the representative household. At the time of finalising the household model calculations for inclusion in this year's budget paper No 3, Treasury did not have an estimate of insurance premiums for the coming 2023–24 financial year. Therefore, both the 2022–23 and 2023–24 estimates of stamp duty payable were calculated using the available estimate at that time of insurance premiums for 2022–23, and that is what necessitated the revised wording of footnote (j) in this year's budget paper No 3. I acknowledge that the wording of footnote (j) could have explained that more clearly. However, the key point remains that the issue raised by Hon Neil Thomson is simply an issue of timing or data availability. As indicated by the Under Treasurer, there has been no change in the underlying methodology of the household model, which is designed to isolate the impact of government policy decisions on the representative household. Further to that point, there has been no change in the rate of stamp duty and general insurance this financial year. The increase in tariffs, fees and charges reflected in table 8.7 is correct and is unaffected by the issue raised by the member. He also raised the issue of insurance in the regions, which is a concern to the government. It came up at the National Emergency Management Ministers' meeting in Brisbane last Friday and I raised it with the Insurance Commission of Western Australia. We continue to work on it with the feds to see how we might be able to support in particular those in the regions who face significant increases in their insurance levies.

With that, I commend the bills to the house.

Questions put and passed.

Bills read a second time.

[Leave granted to proceed forthwith to third reading.]

Third Reading — Cognate Debate

Bills read a third time, on motions by **Hon Stephen Dawson (Minister for Emergency Services)**, and passed.

ABORTION LEGISLATION REFORM BILL 2023

Second Reading

Resumed from 17 August.

HON LORNA HARPER (East Metropolitan) [4.25 pm]: I rise today to put on the record my full support for the Abortion Legislation Reform Bill 2023. I have only a few minutes before we break for question time so I want to be very clear that I will continue my comments after question time. I am very proud to stand in support of the

work that the Minister for Health, Amber-Jade Sanderson, has been doing on this bill for the last year or so and the consultation that has occurred between members of the public and members of the medical profession. I understand that this will potentially be an upsetting debate for some. Many of us will try to be polite and not be divisive because we all have different opinions and we should be respectful of the opinions we hold. Just because I think differently from someone else does not mean I think they are wrong. We just think differently and are entitled to be listened to with respect and care throughout this whole debate. I look forward to hearing what my honourable colleagues will say and do during this debate. I also look forward to discussing this further after question time. I am sure that my colleagues are ready to jump to their feet and speak and that my colleagues on the other side have taken the time to read the bill from cover to cover. It has been mentioned on many occasions that we on this side do not read bills from cover to cover, but we do, and this one in particular has been read with great caution and care to ensure that we are well informed about what we will discuss when we return from question time.

I think we have a minute to spare. When we resume, I will give my reasons for supporting this reform and why I believe others in the house should support the reform. Hon Peter Collier is laughing at me—thank you very much! I could talk underwater and could probably stand here and talk for the next hour about nothing in particular, but I do not want to start to debate this bill until I have some time to carry the debate through.

Debate interrupted, pursuant to standing orders.

[Continued on page 4053.]

QUESTIONS WITHOUT NOTICE

SOUTH WEST INTERCONNECTED SYSTEM — CLEAN ENERGY FINANCE CORPORATION

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

I refer to today's media release from the Premier and Minister for Energy announcing up to \$3 billion in concessional loans and equity investments to WA through the Clean Energy Finance Corporation from the federal government for transmission upgrades in WA.

- (1) What percentage of the upgrades to the south west interconnected system will be undertaken by Western Power under this scheme?
- (2) What will be the state-to-commonwealth cost mix on any upgrades to the SWIS?
- (3) Will any commonwealth expenditure on transmission upgrades to the SWIS be a concessional loan or an equity investment or some other financial mechanism, and what total debt or equity will Western Australia owe the commonwealth government?
- (4) Will all the new lines be 500 kilovolts, as indicated in the *SWIS demand assessment*, released in May?
- (5) What is the total cost of the required transmission construction for both the SWIS and the north west interconnected system?

Hon MATTHEW SWINBOURN replied:

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

- (1) The Cook government is committed to working with industrial users to explore investment approaches in the state-owned south west interconnected system. Following the release of the SWIS demand assessment in May, consultation with industry is progressing to inform the network investment approach, including mechanisms for industry contributions and third party investments.
- (2) The commonwealth and state governments, along with the Clean Energy Finance Corporation, as administrator of Rewiring the Nation, will work together to determine the cost mix and funding mechanisms for specific network projects on the SWIS and the north west interconnected system.
- (3)–(5) This information will be determined as part of the work described in (1) and (2).

NATIVE FOREST — LOGGING

906. Hon Dr STEVE THOMAS to the Minister for Forestry:

Not an answer to any of it, President!

I refer to the ABC TV news bulletin that aired on Sunday, 27 August 2023 and the ABC news story posted online on the same date regarding the government reneging on its commitment to the timber industry to honour current contractual obligations to the end of 2023, and I refer to two statements attributed to the minister in her capacity as Minister for Forestry: first, that the government is honouring log deliveries; and, second, that the deed of agreement removed volume obligations indicating no requirement to supply current contracts.

- (1) Which of these statements is correct?

- (2) Will the minister table a list specifying the quantum of sawlog for each of first grade, second grade and whole bole sawlogs, and firewood delivered to each Forest Products Commission customer since 1 January 2023?
- (3) If no to (2), why not?

Hon JACKIE JARVIS replied:

I thank the member for some notice of the question.

- (1) Following the historic decision to end native forest logging, the Cook Labor government committed to an \$80 million native forest transition plan that includes industry restructure payments of over \$22 million made to 24 individual businesses, including sawmills. All statements I have provided to the media are factually correct.
- (2) From 1 January 2023 to 18 August 2023, the Forest Products Commission delivered 5 317 tonnes of Karri first grade sawlog, 4 641 tonnes of Karri second grade sawlog, 1 591 tonnes of Jarrah whole bole sawlog and 61 730 tonnes of firewood to a total of 30 customers.
- (3) Not applicable

BUCCANEER ARCHIPELAGO — MARINE PARKS

907. Hon COLIN de GRUSSA to the parliamentary secretary representing the Minister for Environment:

I refer to the recently established marine parks within the Buccaneer Archipelago.

- (1) Have all statutory processes including those specified under section 62 of the Conservation and Land Management Act 1984 been completed?
- (2) If no to (1), why not?

Hon DARREN WEST replied:

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

- (1) No.
- (2) A range of statutory processes under section 62 of the Conservation and Land Management Act 1984 are in still in progress, including several boundary amendments and gazettal of zoning. These matters are complicated and timing is reliant on resource availability and processes across a number of government departments.

MAIN ROADS — HEAVY VEHICLE SERVICES

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

I refer to Main Roads WA's heavy vehicle services revised *Heavy lift tow truck period permit operating conditions*.

- (1) What specific vehicle telemetry equipment must heavy-lift tow truck operators fit to their fleet to satisfy the pre-permit requirement to continue operating in Western Australia?
- (2) Can the minister advise whether any other state or territory in Australia has introduced comparable permit conditions upon their heavy-lift tow truck operators, including a requirement to install telemetric and/or smart on-board mass monitoring equipment?

Hon STEPHEN DAWSON replied:

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

- (1) In-vehicle telemetry and an on-board mass management systems are not required for heavy-lift tow trucks operating within statutory mass and dimension limits or operating under a single trip permit.
- (2) Other state jurisdictions are currently considering following WA's lead in introducing such conditions.

TREASURY — INDEXATION POLICY

909. Hon DONNA FARAGHER to the minister representing the Treasurer:

I refer to the WA government's non-government human services sector indexation policy.

- (1) Can the Treasurer advise whether the Department of Finance is reviewing, or intending to review, the current indexation policy?
- (2) If yes to (1), when did the review commence?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer has been provided to me by the Treasurer.

- (1)–(2) The government continues to engage with the community services sector on the policy, including the sector's views on the indexation methodology.

POLICE — STAFF

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

- (1) How many sworn police officers are currently in the medical retirement process?
- (2) How many sworn police officers are currently on long-term sick leave?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of this question. The following information has been provided to me by the Minister for Police.

Western Australia Police Force advise that it is not possible to provide an answer within the required time frame. As this question requires extraction to be undertaken that will remove staff from operational priorities, it is requested that the honourable member place the question on notice.

ELECTORAL COMMISSION — INTERNAL AUDIT COMMITTEE

911. Hon NEIL THOMSON to the parliamentary secretary representing the Minister for Electoral Affairs:

I refer to the annual report of the Electoral Commission of Western Australia that states the internal audit committee met twice in the 2021–22 financial year.

- (1) Is the issue of regional under-enrolment on the WA Electoral Commission's risk register?
- (2) If not, why not?

Hon MATTHEW SWINBOURN replied:

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

- (1) No.
- (2) Enrolment matters are considered by the commission as part of its overall governance structure. The matters the member raised do not fall within the matters the risk register or the internal audit committee consider.

SHIRE OF HARVEY — GUIDED DEVELOPMENT SCHEME

912. Hon BEN DAWKINS to the minister representing the Minister for Planning:

I refer to town planning scheme 12, Shire of Harvey guided development scheme text, associated scheme–golf course map and a letter from the Western Australian Planning Commission dated 23 July 1997 previously tabled in the house. I also seek leave to table some transfer of land forms signed by the Shire of Harvey.

The PRESIDENT: Have these been previously tabled?

Hon BEN DAWKINS: No. These are additional.

[Leave granted. See paper [2466](#).]

Hon BEN DAWKINS: I ask —

- (1) Can the minister confirm that the seven lots listed in the transfer of land form are in fact the community open space promised by statute to the community association under section 4.2.1 of TPS 12?
- (2) In 2021, when the minister was the Minister for Local Government, PerthNow reported him as saying he aimed to improve transparency and accountability in local government. Does the minister still seek to hold local government to those values whilst in the planning portfolio?
- (3) TPS 12 is a statutory document that at 4.2.1 reads —

The title of the estate in fee simple in all Community Open Space Land shall be vested in the Community Association.

The WAPC letter previously tabled stipulates that the community open space is a condition of subdivision. Will the minister intervene under section 211 of the Planning and Development Act to ensure that land promised under statute to the community is not misappropriated by the Shire of Harvey?

Hon JACKIE JARVIS replied:

I thank the member for some notice of that very long question. Fortunately, the answer is relatively short.

- (1)–(3) As previously advised, the former Minister for Planning determined in 2021 and 2022 that the matter does not require referral to the State Administrative Tribunal under section 211 of the Planning and Development Act 2005.

WOODSIDE ENERGY — PREMIER

913. Hon Dr BRAD PETTITT to the Leader of the House representing the Premier:

- (1) How many times did the Premier or staff representing the Premier meet with representatives of Woodside Energy between 8 June 2023 and 29 August 2023?

- (2) What were the dates for each of those meetings referred to in (1)?
- (3) If the Premier will not provide the information requested in (1) and (2), why not?

Hon SUE ELLERY replied:

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

- (1)–(2) The Premier and his staff met with representatives of Woodside Energy on 24 July 2023. Staff members in the Premier’s office met with representatives of Woodside Energy on 21 June, 18 July, 15 August and 22 August 2023. The Premier and/or his office may have had other incidental or irregular social contact with representatives of Woodside Energy in this period.
- (3) Not applicable.

CONSUMER PROTECTION — RENTAL TENANCY COMPLAINTS

914. Hon WILSON TUCKER to the Minister for Finance:

I refer to the Consumer Protection division and the support and mediation services provided to tenants and landlords.

- (1) Does the Consumer Protection division maintain a record of rental property inquiries made through the contact centre?
- (2) If yes to (1), can the minister provide figures for yearly inquiries since 2017, including —
- (a) the number of inquiries that constituted a complaint;
 - (b) the number of complaints that were referred to another organisation;
 - (c) the number of complaints that required informal mediation by Consumer Protection; and
 - (d) the number of complaints that could not be resolved?

Hon SUE ELLERY replied:

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

- (1) Yes.
- (2) This answer is in tabular form, so I will refer to that in a minute, but there is a footnote. The note states that the information in the table does not include matters that were unable to be progressed for a number of reasons or were referred to other organisations. The number of inquiries to the contact centre (tenancy) that constituted a legitimate complaint is unknown. The rest of the information is provided in tabular form, so I seek leave to have the answer incorporated into *Hansard*.

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

Year	Total Number of Enquiries	(b)	(c)	(d) *
2017	50,128	6,837	521	44
2018	40,681	5,715	567	60
2019	33,746	4,506	660	34
2020	39,609	3,263	805	49
2021	62,491	3,228	1,228	41
2022	42,724	1,277	1,068	35
2023	26,842	256	849	30

CANNABIS — OPIOID-BASED PAIN KILLER ADDICTION

915. Hon Dr BRIAN WALKER to the Leader of the House representing the Minister for Health:

I refer the minister to the research undertaken as part of a multi-institutional study led by researchers from the University of Pittsburgh and Cornell University and published in the *Health Economics* journal that suggests that states in the United States that have legalised recreational cannabis have seen a significant reduction in pharmacy-based codeine distribution.

- (1) In light of the Penington Institute’s *Australia’s annual overdose report*, published just last week, that highlighted the large number of preventable opioid deaths each year here in Australia, will the Cook government concede that we have a clear problem that needs to be addressed?
- (2) If no to (1), how many Western Australians have died from a misuse of prescription opioids since May 2021, and will the Cook government acknowledge that the legalisation of and easier, regulated access to cannabis would be a societal good when compared with unhealthy addiction to opioid-based pain killers?

Hon SUE ELLERY replied:

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

- (1) Any death due to a drug overdose is a tragedy. To reduce further deaths, the Cook government invested \$111.9 million in 2022–23 into alcohol and other drug services and programs across the state.
- (2) Detailed data on the number of deaths in Western Australia due to the misuse of opioids is not available.

HEMP — COLLIECRETE

916. Hon SOPHIA MOERMOND to the parliamentary secretary representing the Minister for Regional Development:

I refer to the latest round of the Collie Futures small grants program, under which \$100 000 has been awarded to Murdoch University to produce a low-carbon product called Colliecrete, about which the South West Development Commission is in talks with a south west hemp business to combine hemp fibre with the geopolymer cement, quoted as likely to be a game-changing winner.

- (1) Is the minister aware that the South West Development Commission is working with hemp on this groundbreaking project?
- (2) Would the minister consider reinstating the industrial hemp grants scheme initiative that invested \$200 000 in projects that can deliver industry-wide benefits to the industrial hemp industry in Western Australia?

Hon KYLE McGINN replied:

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

- (1) The South West Development Commission is not working directly with any proponent on the use of hemp in concrete.
- (2) This program was administered under the agriculture and food portfolio and there are no plans to recommence it under the regional development portfolio.

PETRA WESTKEY — WORKERS ACCOMMODATION, KALBARRI

917. Hon MARTIN ALDRIDGE to the minister representing the Minister for Lands:

I refer to the media statement issued on 28 August 2023 titled “Kalbarri Workers’ Accommodation negotiations conclude”.

- (1) Why did the state government withdraw from negotiations with its preferred proponent, Petra Westkey (WA) Pty Ltd?
- (2) Is it still the case, as the minister told Parliament on 16 August 2023, that Petra Westkey has not ceased its operations in Western Australia?
- (3) Prior to the state government withdrawing from negotiations with Petra Westkey, on what occasion did the minister or the minister’s office last have contact with Petra Westkey, and what was the nature of that communication?
- (4) When will the state government deliver on its promise to fast-track the development of workers accommodation in Kalbarri?

Hon JACKIE JARVIS replied:

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

- (1)–(4) The state government’s commitment was to make suitable land available, and this commitment was delivered. The advice from the Department of Planning, Lands and Heritage is that Petra Westkey (WA) Pty Ltd has not ceased its operations in Western Australia; however, the state government has now withdrawn from negotiations with Petra Westkey (WA) Pty Ltd. The office of the minister does not conduct negotiations with preferred proponents.

CRIMINAL INJURIES COMPENSATION — JUDGE STAUDE’S COMMENTS

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

I refer to the appeal decision by His Honour, District Court Judge Staude, in RE AB [2023] WADC 28 on 17 March 2023, at 61, in which he said —

The assessor’s decision and the process by which it was reached is, to say the least, gravely disquieting.

On what date was Assessor Hafford requested to publish the reasons for decision that she published on 3 October 2022?

Hon MATTHEW SWINBOURN replied:

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

The Attorney General is not aware of any such request being made. Absent a request, publication of reasons was a matter for the assessor in the individual case.

FAMILY AND DOMESTIC VIOLENCE OFFENDERS — GPS TRACKING

919. Hon STEVE MARTIN to the parliamentary secretary representing the Attorney General:

I refer to the two-year trial launched in 2020 involving GPS tracking of up to 100 high-risk offenders who had breached a family violence restraining order and committed a further act of family violence.

- (1) Was the trial completed?
- (2) If yes to (1), what were the outcomes of the trial, and will the minister table the findings?
- (3) How many family and domestic violence offenders were tracked by GPS device during the trial?
- (4) Did any of the tracked offenders breach their conditions; and, if so, how many?
- (5) Was the trial extended beyond the two-year period?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. This question was redirected from the Minister for Prevention of Family and Domestic Violence to the Attorney General because the matter falls within his portfolio responsibilities. The following answer has been provided to me by the Attorney General.

- (1)–(5) The two-year trial period ended on 18 August 2022. The data from the trial is now being analysed and an evaluation report prepared for the minister.

FORESTRY — SAWLOG DELIVERY DEEDS OF AGREEMENT

920. Hon Dr STEVE THOMAS to the Minister for Forestry:

I refer to the deed of agreement signed by sawmills and harvest and haulage contractors that provides that the business payment may be used to support the recipient of the payment to transition. I also refer to the definition of “transition”, which specifically recognises that the recipient of the payment may elect to keep their production contract on foot in parallel to either transitioning or exiting the industry.

- (1) On what basis does the minister allege that the deed of agreement removed contractual obligations for sawlog deliveries, as reported in the media?
- (2) Did the minister obtain written consent from the other parties, being each and every sawmill payment recipient, before making this disclosure?

Hon JACKIE JARVIS replied:

I thank the member for some notice of the question.

- (1) Following the historic decision to end native forest logging, the Cook Labor government committed to an \$80 million native forest transition plan that included industry restructure payments of more than \$22 million to 24 individual businesses, including sawmills. All statements I have provided to the media are factually correct.
- (2) No confidential information has been disclosed.

SOUTH COAST MARINE PARK — PEW CHARITABLE TRUSTS

921. Hon COLIN de GRUSSA to the parliamentary secretary representing the Minister for Fisheries:

I refer to the proposed south coast marine park.

- (1) Has the minister or any ministerial staff met with representatives of the Pew Charitable Trusts or any organisation associated with the PCT regarding the proposed marine park?
- (2) If yes to (1), can the minister please specify —
 - (a) the participants of any meetings;
 - (b) the date on which any meetings occurred; and
 - (c) the reasons for any meetings?

Hon KYLE MCGINN replied:

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

- (1) Minister Punch has not met with Pew Charitable Trusts or any of its representatives. Ministerial staff have met with Pew Charitable Trusts’ representatives on two occasions.

- (2) On Friday, 14 May 2021, staff in the minister's office met with representatives of the Pew Charitable Trusts to discuss marine parks in Western Australia. On Monday, 12 September 2022, staff in the minister's office attended a meeting between Minister Whitby, Recfishwest and Pew Charitable Trusts' representatives to discuss the south coast marine park.

RESOURCES COMMUNITY INVESTMENT INITIATIVE — CONSULTATION

922. Hon TJORN SIBMA to the Leader of the House representing the Premier:

I note the Premier's answer to my question of 10 August concerning the resources community investment initiative.

- (1) Why were no governance mechanisms in place for the management of the RCII at the time of the scheme's announcement when the Department of Treasury and the Department of the Premier and Cabinet had earlier "provided extensive input into governance arrangements for the initiative"?
- (2) Will the Premier please provide the details—times, dates, and attendees—of the meetings the former Premier had with RCII foundation partners between late April 2022 and the public launch of the scheme on 22 November 2022?

Hon SUE ELLERY replied:

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

- (1) Governance mechanisms were in development at the time of the announcement and were formalised and in place before the resources community investment initiative commenced.
- (2) The member is requesting information over a seven-month period for eight companies, which is not able to be prepared in the limited time provided. If the member decides to put the question on notice, the Premier will endeavour to provide a response.

CHILD AND ADOLESCENT HEALTH SERVICE — APPOINTMENTS

923. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Health:

I refer to the stand-by lists for appointments with a child health nurse through the Child and Adolescent Health Service.

- (1) How many clients are currently on the stand-by list?
- (2) For those clients referred to on the list, will the minister provide a breakdown of the number of clients by child health region?

Hon SUE ELLERY replied:

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

Clients may be on a stand-by list for a variety of reasons, including a request to see a specific clinician or seeking an appointment for a specific time and date.

- (1) As at 29 August 2023, there are 79 children on stand-by for a child health check.
- (2) The information that the member requested by region and the number of children per region on stand-by is in tabular form. I seek leave to have that incorporated into *Hansard*.

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

Child Health Region	Children on standby (as at 29/08/2023)
Swan	31
Central East	10
Central West	10
Lower West	10
City	5
Serpentine	5
Peel	<5
Wanneroo North	<5
Bentley	<5
Canning	<5
Cockburn	<5
Hills	<5

BROOME REGIONAL PRISON

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

- (1) What locations are being considered for the new Broome Regional Prison?
- (2) What is the estimated cost of the new prison?
- (3) When is it anticipated that the prison will be fully operational?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Corrective Services. The Department of Justice advises as follows.

- (1) Lot 586 in Broome Road Industrial Park is the current preferred site. Consultation with the Shire of Broome, the Nyamba Buru Yawuru community and relevant stakeholders is planned or ongoing.
- (2) Costings will be determined as part of a future budget submission.
- (3) Delivery time lines will be determined following final project approval.

TRANSPORT — MEDIA CAMPAIGN

925. Hon NEIL THOMSON to the minister representing the Minister for Transport:

I refer to the advertisements that are reminiscent of the Carpenter government's promotions currently running on TV and in social media, with the tagline "Building for tomorrow".

- (1) How much will this campaign cost over the life of the campaign for —
 - (a) television;
 - (b) social media, including YouTube; and
 - (c) all other spending?
- (2) Noting commentary about delays and disruption, why did the government believe it was necessary to run this campaign?
- (3) Is the program in response to the massive disruption likely with the closure of the Armadale rail line?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer was provided to me by the Minister for Transport.

- (1)–(3) The minister is unfamiliar with the promotions the honourable member refers to.

Building for Tomorrow is an awareness and education campaign that launched in 2020, informing the community about the unprecedented level of transport infrastructure in planning, under construction or nearing completion across the state. State government infrastructure awareness campaigns are common practice. Unlike the former coalition government's Bigger Picture campaign, the Building for Tomorrow campaign provides information on real projects and has not created merchandise for projects that were not even funded.

WORKERS COMPENSATION AND INJURY MANAGEMENT BILL 2023

926. Hon BEN DAWKINS to the parliamentary secretary representing the Minister for Industrial Relations:

I refer to *Hansard* of 15 August 2023 and comments made by Hon Matthew Swinbourn that it is not the government's intention to exclude any class of workers from coverage in the Workers Compensation and Injury Management Bill 2023. The intention of the words of the amendment are clear, and it is clear and unambiguous that the government's proposed amendment at clause 12 will exclude a class of workers that we can loosely call contractors. This is confirmed by a letter dated 16 June 2023 from the Australian Lawyers Alliance. I seek leave to table the document.

[Leave granted. See paper [2467](#).]

Hon BEN DAWKINS: I ask —

- (1) Is the mistake and explanation of the effect of clause 12 a mistake made by the parliamentary secretary or is it a mistake the minister has made himself in understanding the effect of clause 12?
- (2) Given, based on barristers' opinion, that without any doubt contractors will be excluded from the coverage of "worker" in the new bill, what steps will be taken to ensure that this class of workers is made aware of their exclusion and takes steps to get their own coverage?

Point of Order

Hon MATTHEW SWINBOURN: I rise on a point of order.

The PRESIDENT: I am just consulting with the Clerk.

Hon MATTHEW SWINBOURN: I wish to raise a point of order about the question before we get any further, President.

The PRESIDENT: I give the call to the Parliamentary Secretary to the Attorney General.

Hon MATTHEW SWINBOURN: The member's question appears to seek an opinion, including a legal opinion or interpretation. It contains argument and is not concise, all of which is in breach of standing order 105. I seek a ruling on that, President.

The PRESIDENT: Given the range of issues involved in your point of order, I will take the matter under advisement and report to the chamber at a later date.

BUNBURY OUTER RING ROAD — GELORUP CORRIDOR — CLEARING

927. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Minister for Environment:

I refer to the clearing of the Gelorup corridor for the Bunbury Outer Ring Road that resumed in March 2023 and the recent installation of murals depicting critically endangered western ringtail possums as part of ongoing works by Main Roads.

- (1) How many notifications of western ringtail possums being killed or injured have been made to the Department of Biodiversity, Conservation and Attractions and/or the Department of Water and Environmental Regulation since clearing resumed?
- (2) If no to (1), can the minister account for recent eyewitness reports by residents of possums falling from trees being actively cleared on the corner of Yalinda Drive and Eucalypt Drive, Gelorup?

Hon DARREN WEST replied:

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

- (1) Since clearing resumed in March 2023, no notifications of western ringtail possums being killed or injured have been made to the Department of Biodiversity, Conservation and Attractions in relation to the Bunbury Outer Ring Road. DBCA is unaware of any notifications made to the commonwealth government's Department of Climate Change, Energy, the Environment and Water.
- (2) DBCA is unaware of and therefore cannot account for any recent reports by Gelorup residents of possums falling from trees.

RESIDENTIAL TENANCIES ACT

928. Hon WILSON TUCKER to the Minister for Commerce:

I refer to the Residential Tenancies Act 1987 and the provisions of division 2A.

- (1) As the agency responsible for the act, does the Department of Mines, Industry Regulation and Safety monitor and enforce compliance with the provisions of division 2A?
- (2) If yes, can the minister reveal —
 - (a) how many section 71AB notices have been made by a tenant;
 - (b) how many applications for review under section 71AC have been made;
 - (c) how many applications for review have been dismissed; and
 - (d) how many orders for termination have been made under section 71AE?

Hon SUE ELLERY replied:

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

- (1) No, as these applications are not made through the Department of Mines, Industry Regulation and Safety. Notices issued under division 2A are either issued directly to a landlord or property manager in the case of a notice under section 71AB or the Magistrates Court in the case of notices under sections 71AC or 71AE.
- (2) Not applicable.

PFAS — PAPER STRAWS

929. Hon Dr BRIAN WALKER to the parliamentary secretary representing the Minister for Environment:

I refer the minister to a new study published last week in the journal *Food Additives and Contaminants*, which shows that 90 per cent of paper straws contain some levels of PFAS, the most common being perfluorooctanoic acid, which was banned globally in 2020.

- (1) How will this research impact on the Cook government's staged reduction of single-use plastics across Western Australia?

- (2) Will the Cook government invest in and support our local hemp industry to provide a safe and healthy alternative to wasteful paper and plastic products that have now been shown to be less eco and human-friendly than was previously thought; and, if not, why not?

Hon DARREN WEST replied:

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

- (1) Western Australia's Plan for Plastics provides a road map towards a more sustainable, plastic-free Western Australia. The plan is consistent with the waste hierarchy and promotes actions that prioritise avoiding single-use plastics, including drinking straws. The plan recommends people refuse drinking straws. If unavoidable, use of reusable straws made from stainless steel, glass, bamboo, steel, silicone and heavier reusable plastics is suggested. Disposable drinking straws made from non-plastic materials such as paper, wheat, pasta or bamboo are only considered if no other options are available and the public is recommended to look for products that are certified as compostable to Australian Standard 4736-2006 or 5810-2010.
- (2) Innovation and new products entering the market, such as hemp-based bioplastics, are welcome if they align with the goal to reduce the use of single-use plastics. This is anticipated as part of global attention to reduce the impact plastic has on the environment.

Scientific knowledge regarding PFAS's environmental occurrence, effects of exposure —

Hon Dr Steve Thomas interjected.

Hon DARREN WEST: I thought that would get the member excited.

Scientific knowledge regarding PFAS's environmental occurrence, effects of exposure, test methods and remediation technologies is rapidly evolving worldwide. These threshold limits are in alignment with the growing scientific understanding of the extent of background levels of PFAS contamination in our surrounding environment.

HOSPITALS — BLACK MOULD

930. Hon SOPHIA MOERMOND to the Leader of the House representing the Minister for Health:

I refer to the closure of parts of the Mount Hospital in February this year and the Peel Health Campus in May this year due to the presence of black mould.

- (1) What is the reporting process when staff or patients report mould in a WA hospital?
- (2) Was testing conducted on patients and staff to determine any adverse health effects from being exposed to black mould?
- (3) If so, were any staff or patients' health impacted by the presence of black mould?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. The Minister for Health advises that an answer will be provided on the next sitting day.

WESTERN POWER — POWERLINE — FIRE RISK

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

I refer to the plan submitted by Western Power to the Director of Energy Safety in response to the Wickepin–Narrogin bushfire in February 2022 aimed at mitigating risks from power lines.

- (1) Can the minister provide an update on the scope, cost and status of Western Power's remediation program?
- (2) Will this program of works be completed ahead of the southern high threat period; and, if not, what is the anticipated time frame for completion?
- (3) Can the minister please table the plan submitted to the Director of Energy Safety?

Hon MATTHEW SWINBOURN replied:

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

- (1)–(2) Western Power identified 73 bays for remediation, at a total estimated cost of \$4 million. To date, 34 have been remediated, with the remaining bays to be upgraded by the end of this year.
- (3) Western Power has been working collaboratively with building and energy to identify the remediation plan and provide progress updates on it. Due to ongoing legal proceedings, it is not appropriate to table the plan at this time.

STATE CORONER — CASE BACKLOG

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

I refer to the parliamentary secretary's statement to the house on 8 August 2023 in which he clarified the answer to question on notice 1267 and advised that there are 28 cases of post-abortion neonatal deaths with the Coroner's Court, including one reported in May 2021.

- (1) Is the Attorney General aware that on 19 September 2018, I reported 27 deaths to the coroner after his then representative, the Leader of the House, had informed the house the previous day that pursuant to advice from the State Solicitor's Office those deaths were reportable?
- (2) Is the Attorney General aware that on 10 May 2022, the Leader of the House advised on behalf of the Minister for Health that a further four such deaths had been reported to the coroner?
- (3) In light of this prima facie discrepancy, will the Attorney clarify why there are not 31 cases presently before the Coroner's Court?
- (4) Other than 19 September 2018 and May 2021, were cases reported on any other date?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. The following answer was provided to me on 15 August by the Attorney General.

- (1)–(4) By letter on 26 April 2019, the Department of Health reported 26 matters to the State Coroner. Review of the medical records provided to the Coroner's Court by the Department of Health at that time indicated a total of 28 distinct matters, two more than reported.

Following review of the medical records associated with the 28 matters, it was determined that two were not reportable deaths within the meaning of the Coroners Act 1996. On 18 December 2019, two further matters were reported to the State Coroner. However, review of the associated medical records disclosed only a single death—the death of the child was a relevant reportable death, but records of both the child and the surviving patient who gave birth had been provided to the State Coroner. On 26 May 2021, one additional matter was reported to the State Coroner. As such, while there were 31 matters reported to the State Coroner, only 28 are reportable deaths for the purposes of the Coroners Act 1996.

FORESTRY — PINE ALTERNATIVES

933. Hon STEVE MARTIN to the Minister for Forestry:

I refer to an answer to a Forest Products Commission estimates supplementary question in which it is stated that the shortfall in pine resources is being mitigated by the supply of alternative species.

- (1) What are these alternative species?
- (2) How much of these alternative species have been supplied in each of the past five years?
- (3) How much of these alternative species will be available in future years?
- (4) If these alternative species are native forest species, will they be available for mitigation after 1 January 2024?

Hon JACKIE JARVIS replied:

I thank the member for some notice of the question. The answer is correct as of 15 August.

Following years of inaction and lack of investment under the previous Liberal–National government, there is a shortage of pine resources.

- (1) Native hardwoods and radiata pine are the alternative species.
- (2) I have been provided the volumes of alternative species supplied in tabular form.

I seek leave to have the response incorporated into *Hansard*.

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

Financial Year	Volume in Cubic Metres
2018–19	50,023
2019–20	62,129
2020–21	90,848
2021–22	100,397
2023–23	94,401

- (3)–(4) The volume of timber required into the future for specialist building products will depend on demand.

GAS CONNECTIONS*Question without Notice 902 — Answer*

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.04 pm]: I provide an answer to Hon Dr Brad Pettitt's question without notice 902 asked on 17 August. I seek leave to have the response incorporated into *Hansard*.

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

(1)–(2) The State Government is not considering banning gas connections to new homes.

PLANNING — DEVELOPMENT CONDITIONS*Questions without Notice 888 and 901 — Answer*

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [5.05 pm]: I provide respective answers to Hon Ben Dawkins' questions 888 and 901 asked on 17 August. I seek leave to have the response incorporated into *Hansard*.

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

Question without notice 888 —

(1)–(3) The conditions of subdivision are set out in the Subdivision Approval advice issued by the Western Australian Planning Commission dated 23 July 1997 of which the Honourable member has a copy, as he made two separate Section 211 requests to the former Minister for Planning on this matter.

The former Minister for Planning advised the Member that it was not appropriate to refer his representation to the SAT for further consideration as:

- Neither Planning Scheme No. 12 (TPS 12) nor Development Planning Scheme (DPS) 1 contain specific provisions requiring the development of the golf course within a specific period; for it to be maintained; or for it to remain operational. TPS 12, clause 1.6(c) states provide a framework for the progressive subdivision and development of land within the Scheme Area which simply facilitates the staging of development over time;
- the reference at clause 6.2 of TPS 12, so that the Golf Course can function effectively at least at the level of an 18-hole international standard Golf Course, relates to the developer's ability to make changes to the course design, but does not compel the development of the course, its ongoing maintenance or operation;
- the land is currently zoned Residential Development and is subject to the Binningup Beach Local Structure Plan (2014), which provides for a 9-hole golf course only. The stages of development undertaken to date are generally in accordance with the current planning framework, including the zoning provisions of TPS 12 and the Shire of Harvey's 2016 development approval; and
- the Shire's obligations to reinforce its schemes are specified in Part 13 of the Planning and Development Act 2005.

Regarding any possible future use or development of the golf course land, the local community can continue to engage with the Shire and the landowner, so that as part of the planning and consultation processes, their views can be considered.

The former Minister for Planning previously determined in 2021 and 2022 that the matter does not require referral to the State Administrative Tribunal under section 211 of the Act.

Question without notice 901 —

(1)–(4) Answers to the Honourable Member's general questions in relation to the Shire of Harvey's Town Planning Scheme No. 12 (TPS 12) and the specific issues that he has previously raised have been provided to him both as a private person and more recently as a Member of the Legislative Council by the Department of Planning, Lands and Heritage (Department) and the Western Australian Planning Commission (WAPC).

Both the Department and WAPC have repeated their position that planning approval, either to a proposed development or subdivision operates as a consent, not obligation, to undertake activities proposed. A proponent's failure to undertake a development proposal to completion is not a matter for referral under section 211 of the Planning and Development Act 2005 (Act).

The former Minister for Planning previously determined in 2021 and 2022 that the matter does not require referral to the State Administrative Tribunal under section 211 of the Act.

HOUSING DIVERSITY PIPELINE*Question without Notice 870 — Correction of Answer*

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [5.05 pm]: I provide a correction to an answer in relation to question without notice 870 asked by Hon Steve Martin on 16 August to me, the minister representing the Minister for Housing. I seek leave to have the response incorporated into *Hansard*, and I apologise to the house for the error.

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

The Housing Diversity Pipeline is still in a competitive procurement process. Final allocations of social housing are dependant on the overall site yield and include a minimum of 20 per cent social housing dwellings. The State Government received 41 expressions of interest across the nine sites released to the market, with 30 of those submissions submitted as proposals against the six shortlisted sites. Following further due diligence, 12 proposals progressed to the next stage.

ABORTION LEGISLATION REFORM BILL 2023*Second Reading*

Resumed from an earlier stage of the sitting.

HON LORNA HARPER (East Metropolitan) [5.06 pm]: I rise again to continue the remarks I started very briefly before question time. I stand here today to fully support the Abortion Legislation Reform Bill 2023. It is a bill for which the Western Australian community has provided its overwhelming support. It will remove barriers to accessing health care that solely affects biological women.

I remember 1998 very clearly and the charging of the doctors. I clearly remember when Cheryl Davenport, a Labor member of this chamber, introduced a private members' bill, the Criminal Code Amendment (Abortion) Bill. I remember it because I discovered it during the time that I was pregnant. I discovered this when the bill that was then changed to the Acts Amendment (Abortion) Bill 1998 was progressing through this house. I discovered that the choice about whether or not I terminate that pregnancy was taken out of my hands. Under the laws of the time, it would have been an illegal act. Apparently, it was my body, but I could not make that choice.

There is a great difference between what Cheryl introduced and what we ended up with. Cheryl has been campaigning tirelessly over the last 25 years for her original vision. Thank you, Cheryl, for all your hard work and the continuous campaign.

After 25 years since discovering that I did not have a choice over my own body under the law of the land at the time, the laws of nature took over. As a woman going through menopause, my childbearing days are over. So why am I then standing here talking about abortion reform? I am not here representing only me and my views, but as a representative of the people in the East Metropolitan Region. As a representative, I have been speaking with a multitude of constituents and have received their feedback on this reform. I firstly spoke with young women. Their response was very clearly: "My body; my decision." I spoke with women past childbearing age. Again, their responses were: "Their bodies; their choice." I had conversations with people who are morally opposed to abortion, yet they stated, "Who am I to judge? It is the woman's choice." I even spoke with men; overwhelmingly, they responded, "Their bodies; their choice."

I would like to speak today about one young woman who found herself pregnant. Her reasons for not wishing to continue with her pregnancy are none of our business. They really are not. This young woman went to her doctor, whom she saw on a regular basis. She informed the doctor that she thought she was pregnant, and did the test. The doctor then counselled her on not having an abortion, although she had stated that was what she would like to do. The doctor asked her to return the following week. This young woman thought, "I will follow my doctor. I will do that." When she went back the next week, that doctor informed her that they did not believe in abortion, so she had to find another doctor; another doctor whom she had not met before, whom she had no relationship with at all. That doctor referred her to the clinic in Midland. When she went to the clinic, she found out that the abortion would cost her \$600, but luckily she was still within the medical abortion time frame. She saw the doctor and was informed about mandatory counselling, and they set a date. On the day, she went into the clinic; she was given the tablet, and after a while she was sent home with another pill to take. She was given instructions to attend the emergency department if she began to bleed heavily. It was a traumatic event for this young woman, because the reasons a woman chooses to terminate a pregnancy are, again, none of our business—it is their own—but it was still a truly traumatic event. What this young woman found very traumatic was the action of the first doctor she went to, a doctor she thought she could trust, and then being forced to have somebody trying to counsel her as to why she was going for an abortion. This is a young woman. It was her choice, her body, her decision to make. Thankfully, both of these issues will be addressed by this reform, and she is very, very happy to hear it.

I am aware that some people in the community oppose the Abortion Legislation Reform Bill. They have raised concerns about the gestational age of the fetus, lack of mandatory counselling and the ability of mature minors to make decisions for themselves. I disagree with these concerns, not because I am an expert in this area, but because medical experts have been consulted and these are their recommendations. I believe that medical practitioners have the skills, knowledge, and expertise to guide us in this. I believe that members of the public of Western Australia have been consulted extensively around this. They have the knowledge about their own bodies and needs, and the ability to guide us as their representatives in Parliament. I wonder, however, if biological men were the ones in charge of procreation, whether they would have restrictions placed on them. Would they allow others to make the decision whether they could have a vasectomy, or even donate their sperm? Like abortion, both of these actions are legal. I do not see a rush to create a contraceptive pill for biological males, though. However, we do have Viagra, but that talks about society. At the end of the day, my feelings and belief are that by not supporting these reforms, we would be taking away the decision-making rights of biological women. It is their bodies; it is their choice. It is up to them to make a decision whether they wish to have an abortion and terminate their pregnancy. It is not for us to judge them about why they do it. We are here to ensure that we have laws of the land that cater to the majority and the many, with safeguards for others. I commend this bill to the house, and I thank Hon Amber-Jade Sanderson for the delicacy and intent she has taken in bringing this reform bill to us.

HON DAN CADDY (North Metropolitan) [5.14 pm]: I rise to speak on the Abortion Legislation Reform Bill 2023. I say at the outset that I do not intend to talk for long. However, I wanted to ensure—as I am sure many in this chamber do—that my thoughts are on the record for this very important piece of legislation. I will not partake in any sort of intellectual dissection of the bill and why all of its constituent parts are necessary. The bill was very well explained in the second reading speech by the Leader of the House. Unlike some other members, I do not have a personal story to share as part of my contribution, although, like the member for Burns Beach, many years ago I found myself walking past a clinic—it was in Belmont, I think—and people were picketing outside it. There were some pretty vulgar and horrible signs, obviously directed mainly at young women. The signs were calling them murderers, with the words “baby killer” on one of the signs. Quite interestingly, I remember these being next to a sign that said, “God loves you and your baby.” I found this very paradoxical.

That was a slight personal story, but where I was going with that introduction was that although I do not have a specific story to share, I wanted to recognise or reflect on the contributions of three of my colleagues in the other place, who shared some personal stories of their own and others. I will come back to that shortly. I want to put my view of this firmly on the record. I was recently in a meeting—it had nothing to do with this legislation—and in the closing conversations, I was asked how I intended to vote and how I came to that position. I answered very quickly, saying, at the simplest level, that I will take my lead on this from my female colleagues. That was a satisfactory answer for such a forum. However, for the sake of today’s contribution, I note that I have also taken on board all that I have heard from medical professionals, both those who I know personally and those who I have been fortunate enough to hear from and interact with during the formation of this bill, and during the extensive consultation leading up to this bill. Fundamentally, my belief can be summed up this way: abortion and issues around it are a discussion that should take place between a woman and her medical practitioner. There is no role for a third party, especially the state, in the conversation at that table. This is my firm belief, and it is important for me to put this on the record today.

As I stated, many members have told personal stories, and I want to pick out three of them because I want to use each of these to demonstrate a specific component of the bill and why it is important. People have expressed concern about the minimum age and the mechanisms of abortion access without parental consent. I implore anyone with any concerns in that regard to watch the video or read *Hansard* for the contribution from the member for Burns Beach in the other place. He recounted the tragic details during his former life when he was a police officer with the Western Australia Police Force, of attending the suicide of a young woman who thought the only option left to her was to take her own life. To use his words, based on his investigation, I quote —

... the behaviour of the males in her home, her father and uncles, had terrified her to such an extent that she felt it would be safer to be with her god than to be with her family.

Hopefully, if it does nothing else, this bill will go some way to mitigating any recurrence of that tragic circumstance. My good friend and colleague Dr Katrina Stratton, member for Nedlands, told the story of her friend and her friend’s baby, Pippa. For anyone concerned about or asking why we are removing some of the constraints on obtaining late-term abortions, I implore you to watch the video or read *Hansard* for her contribution. It is both incredibly moving and incredibly pertinent to this debate. It is acknowledged that late-term abortions are very rare and are often the result of the detection of fetal abnormality in what is usually a wanted pregnancy, and this can be incredibly traumatic in the very best of circumstances. The state should have no role in adding to this trauma once the difficult decision to terminate such a pregnancy has been made.

The third contribution I found compelling was that of my friend the member for Riverton, Dr Jags Krishnan. Jags is a doctor of medicine and a politician. He is also a father and a husband. He told his story, which is very similar to the circumstances I outlined above and why I mention this. As a physician, father and husband, he acknowledges that the added trauma that current legislation would have forced him and his wife to endure, had they been here at the time, would have been unbearable. From the consultation that has been done, it appears that Jags is not alone.

Reading the public consultation summary report, I note that two-thirds of people voted to remove the provision for two medical practitioners to sign off on an abortion. In an answer to a separate question, referred to on a separate page, two-thirds of people voted to remove the requirement for a ministerial panel. As I have said before, the people of Western Australia recognise that the state and government have no place around the table when women are making these decisions and having these discussions with their doctors.

I will finish shortly. I said I would not speak for long, but I wanted to finish by showing my appreciation and admiration for the Minister for Health. Legislation of this nature—by that I mean legislation that is likely to evoke emotional responses by its very subject matter—is not always and, in fact, is very rarely the easiest legislation to navigate through Parliament. The Abortion Legislation Reform Bill 2023 is just such a bill. It seeks to update, improve and modernise Western Australia’s current yet outdated abortion legislation. Legislation of this nature requires a minister or a sponsoring member of strength and principle. Minister Sanderson understands how important this legislation is for the women of Western Australia. I refer back to the community consultation on this; unsurprisingly, over 80 per cent of respondents to the community consultation were women. Such is her character that Minister Sanderson has chosen to do what is important, not necessarily what is easy. I thank her for

her unwavering commitment to doing what is needed to make Western Australia a better place, and I also commend her for the way this has been done. Throughout the entire process, the consultation on this bill has been extraordinary and far-reaching.

I will probably miss some here, but for the benefit of the chamber, I note that briefings were provided for government caucus members and for the opposition joint party room. When I use the words “government” and “opposition”, I note that the bill will be decided on a conscience vote when it comes before the house; there are those for and against it. Opposition members and the crossbench were all individually offered briefings. There was extensive community consultation and two clinical round tables with clinicians from across the state, including a wide range of clinicians drawn from the public and private sectors, and from general and specialist practitioners. The Australian Medical Association was represented. The Royal Australian College of General Practitioners was also represented. I particularly thank the practitioners who made themselves available in Parliament House to all members to speak to. Those practitioners included a maternal fetal medicine specialist, a regional obstetrician and gynaecologist, and a metropolitan-based GP, I think. The briefing they gave was one of the best briefings I have attended in my short tenure in this place. It was certainly the most powerful, and it was well attended by members from across this house. I say thank you to them. I say thank you again to the highly active minister and her staff.

This legislation is a significant step forward for the women of Western Australia. Consider this: if it can make the abortion process less traumatic for even one woman or family and if it results in one fewer illegal abortion being performed anywhere in Western Australia, it has served its purpose. I commend the bill to the house.

HON KLARA ANDRIC (South Metropolitan) [5.24 pm]: I rise today to make a contribution on the Abortion Legislation Reform Bill 2023. As my colleague Hon Dan Caddy has done, I want to put on record my position on abortion reform because it is something that I feel very strongly about. I will list my reasons as I talk through this today.

I start by thanking the many brave women who spoke about their personal stories in the other house. Abortion is incredibly terrifying to have to go through, and I thank them for having the bravery to stand up in a very public place and put on record what is probably one of their most terrifying experiences.

I thank Hon Amber-Jade Sanderson, our Minister for Health. I congratulate her for introducing the bill and for her carriage of the legislation through the Legislative Assembly. I believe that this bill will modernise Western Australia’s abortion legislation, and it will fully decriminalise abortion for the first time in our state’s history.

It might have been a while ago for most of us, but some members might recall that WA was the first Australian jurisdiction to decriminalise abortion in 1998. I remember 1998 because it was the year I graduated from high school. When I think about that year, I do not feel that it was that long ago. It makes me think about the many women and the struggle, fear, anxiety and terror they had to go through under the laws that existed prior to 1998. In 1998, Cheryl Davenport introduced a bill in this house in response to two doctors being charged under the Criminal Code for performing an abortion. I feel that 1998 was not that long ago, and I am thankful for women like Cheryl Davenport, who made this health service available for women, like my daughters and me, so that generations of women since 1998 have been able to have safe abortions in our state. Unfortunately, our state’s lead on many of these reforms in the late 1990s did not hold, and we simply did not keep up. I believe that abortion laws here in WA are outdated and not in line with many other jurisdictions across Australia.

I believe these legislative reforms will be a massive milestone for women in our state because women face so many barriers to accessing this healthcare service. As a woman and a mother of two girls, I want to make sure that my girls have access to a safe and compassionate healthcare system that does not have barriers and is in line with other jurisdictions across our country. I want them to have access to a modern healthcare system. I honestly and truly believe that no woman makes the decision to have an abortion easily. Some of the circumstances that many women choose to have an abortion are quite harrowing. This is probably not something that I will go through today, but I am sure that many members have heard the stories and know friends and family members who have had to make that very difficult decision.

Hon Dan Caddy spoke about the consultation. I, too, have read the consultation that was done on abortion reform. From what I understand, it was a four-week consultation period that began in November 2022 and was finalised and tabled in April 2023. Some of the key outcomes of that consultation are that of the 17 500 survey respondents, 91 per cent were Western Australian residents and 81 per cent, as Hon Dan Caddy mentioned, were women. I noticed from the consultation that the greatest number of respondents were between the ages of 25 and 34 years old. That age bracket represented 36.4 per cent of the respondents. I will list a few of the results of the consultation. Sixty-nine per cent of respondents were in favour of reducing the number of health practitioners required to be involved in care from two to one; 67 per cent were in favour of abolishing the ministerial panel requirement for later term abortions; 72 per cent were in favour of allowing health practitioners to conscientiously object but be required to refer patients to a clinician who is willing to provide care; 63 per cent were in favour of removing mandatory counselling provisions; and 65 per cent of those surveyed were in favour of removing the requirement under the current legislation for ministerial approval for a health service provider to perform late abortions. Under the current legislation, abortions after 20 weeks’ gestation are authorised only when two medical practitioners who are members

of the statutory panel of at least six medical practitioners appointed by the Minister for Health agree that either the pregnant person or the unborn baby has a severe medical condition that, in their clinical opinion, warrants the procedure. That is complicated just to say, let alone to have to go through that process. I believe that is incredibly outdated, which is why these reforms to the legislation are important. The feedback also supported the proposal to increase the gestational age at which additional requirements apply to better align with the gestational age across other jurisdictions. Sixty per cent of the respondents of reproductive age—I apologise; I have trouble with that word—were in favour. There was also very strong support by all stakeholders to remove the requirement of ministerial approval for a health service to perform late abortions. A significant amount of consultation was conducted on this bill. As I said earlier, 17 500 people were consulted in that process.

The minister stated in her second reading speech that the Western Australian community provided its overwhelming support for this government to make important reforms to abortion laws in circumstances that result in unwanted pregnancy and when an assault has occurred.

I will address a term that I have great difficulty with and I believe is somewhat misleading, which is the term “failed abortions”. I refer to *Hansard* and my parliamentary colleague in the other house the member for Riverton’s comments. I will outline a few things that Dr Jags stated in the other house. He said —

I want to clarify a few things. There have been reports in the media relating to “failed abortions”. As a clinician, I do not understand what a failed abortion means. Some groups are advocating for care of a baby who was born alive. Let me make it very simple.

I will not go into detail about Dr Jag’s comments, a medical doctor and member of Parliament, but, essentially, he advises that at 23 weeks, there is a zero per cent chance of survival. I quote Dr Jags —

The clinician knows that; the entire world knows that. What are the people talking about, advocating and asking us to do—to care for the baby?

I say this because Dr Jags, as a doctor, a GP and a clinician, explained very clearly exactly how the process works. We have seen some comments in the media and I want to reiterate what Dr Jags said about the 23 weeks’ gestation, which is that there is no chance—zero per cent, as quoted by Dr Jags—of survival.

I will refer to another comment made by the member for Forrestfield, Stephen Price, MLA. He spoke about his background. He said —

... I am a Catholic. I was brought up a Catholic and went to a Catholic school.

I same have some similarities with Hon Stephen Price in that I, too, am a Catholic. I was brought up a Catholic and I, too, went to a Catholic school. Much to my father’s disappointment, I would not necessarily say that I still sit in the Catholic box. Certainly I am more in line with being a Christian; however, I will probably leave it there. Today I want to mention something Hon Stephen Price said because it plays a role in where I stand as someone who can be said is religious. I have very strong views that religion does not really have any relevance to these issues or abortion. Religion has a role in society. People have different religious views and they act on their religious views differently. I again quote Stephen Price —

What is being debated today is a sensible piece of legislation. It is a sensible reform bill that will benefit the lives of ... young women into the future.

I think he summarised that very well. I will conclude my remarks on the Abortion Legislation Reform Bill. I once again thank all members in the other house who made very personal contributions and I again thank the Minister for Health, Hon Amber-Jade Sanderson, for her tireless work in ensuring that women will have access to safe health care in our state.

HON MARTIN PRITCHARD (North Metropolitan) [5.39 pm]: I will just make a brief statement on the Abortion Legislation Reform Bill 2023, as I understand other people wish to speak. For many in our community, abortion is a black and white issue. In some respects, I envy that simplicity. I find myself in that grey area in between, and maybe many in the community sit in that same space. I find myself in the illogical position of equating the degree of my concerns with the length of gestation, but that is not really the issue. I think that almost all would agree that it is a sad event, no matter the merits of the decision that is ultimately made. The truth is that there are many sad events in this world. As a man, I struggle with being in a position of having a say on this legislation, as men have always been held to a lower level of account for any unplanned or unwanted pregnancy. They can, and often do, just walk away. A woman has a much harder road to tread no matter what decision she makes, and I cannot find it in my heart to find issue with whatever decision she makes. For that reason, I will support the bill before us; however, that does not mean that I will not be listening to the debate and that leads to any reasonable amendments that might improve the legislation.

HON SANDRA CARR (Agricultural) [5.40 pm]: I rise to give my unequivocal support for the Abortion Legislation Reform Bill 2023 in all its current wording and form. I also take a moment to thank Hon Martin Pritchard for his contribution. I have great respect for his view and the way he shared it, so I thank him very much for that.

I note from the outset that the intention of this bill is to provide improved pathways for abortion care by removing unnecessary legislative barriers and aligning with other jurisdictions in the country, all focusing on the best interest of what Western Australians choose to do. In my earliest days in this place we passed the safe access zones legislation, and I felt particularly proud of that. It was particularly important legislation in terms of what should be underpinning all of our values—that is, what is in the best interests of Western Australians and allowing them to feel safe.

I imagine one of the unexpected benefits of legislation like this is removing some of the shame and indignity that some people feel when they access the right to care and make choices about their own body. I find myself in the unfortunate position of not wanting to share—but I will—my personal story. I fell pregnant when I was in an unsafe relationship. I did not want to be pregnant. I felt profoundly ashamed and scared. I did not know what to do. I was at university. I felt completely lost. I was isolated from my family on the other side of the country. I did not tell anybody. I went to a medical practitioner and a facility to, in my mind at the time, make the problem go away. I already had a daughter at the time. I did not have any time because my partner would not allow me much time to be out. If I was out of the house beyond a set time, the consequences for me were unbearable. So I did not tell anyone. I did not tell my partner at the time. I would not let myself be sedated or anything because I had to be lucid and get myself to and from that facility on my own and there was no-one to help me. It was highly traumatic. I am re-traumatising myself here, but I really want to share that story so people understand the situations people find themselves in and the decisions they make, and also to let people know that they do not need to be ashamed and there are people out there willing to provide safe spaces for them. They will care for them and understand the complex situations they find themselves in. The situations do not need to be as complex as the one I described, or they may be significantly worse, and I know there are such cases.

I really want to emphasise the importance of autonomy over body. I was really pleased to hear Hon Martin Pritchard talk about how we do not talk about male responsibility for pregnancy, and the role they have to play. Right or wrong, it is easier for men to extirpate themselves from responsibility. They can walk away from responsibility. They can avoid fiscal responsibility for children. I can tell members that that has been my experience in life as well. I still feel proud of myself that I solely supported my children throughout the majority of their lives, got them through to university and did all the things I needed to do. It is an interesting conundrum that men have full control over whether or not they cause a pregnancy. They choose when and where they ejaculate. They can decide where their sperm will go. It is a choice for them, so it is interesting that we do not talk about male responsibility in this situation and ways that men may be better provided opportunities to avoid pregnancies, or not think that they have proprietary rights or that they are the decision-makers or they do not need to be educated. I am not talking about responsibility in the sense of blame, I am talking about it in the sense of a social and cultural shift, in an educative form, by which we teach our young men to respect, talk about and appreciate people's rights, and really understand that the decision to engage in sex and the choice of where and when to ejaculate must be made with full consent and collaboratively between both parties. It is a really important consideration.

Another important consideration is that human bodies are unpredictable at times. A woman going through perimenopause or early menopause often finds that her cycles are irregular. Things become very unpredictable for them. Their contraceptive might not work. Other medications that they are taking might mean that contraception does not work. Pregnancies are not necessarily anybody's fault in some situations. It is really important to understand that pregnancies arise out of a whole range of human complexities. A world that makes it far more complex and emotionally burdensome for someone to access an abortion in a reasonable, sensible and practical way is not one I want to be part of. That is not the way I want us to progress so I am really pleased to see this legislation before us.

I will talk quite specifically to some of the things this legislation does. It enables two types of abortion—medical and surgical. Those things already exist. I will assume that most people know what those things mean. It is important to note that late-term abortions, those that occur after 20 weeks' gestation, account for less than one per cent of all procedures. They are often done in quite specific circumstances. It is also really important to note that this legislation did not emerge in a vacuum but as part of some really detailed and comprehensive consultation in which over 17 500 people participated, over 81 per cent of which were women. Sixty-nine per cent of respondents identified their support for reducing the number of health practitioners required to be involved in care from two to one. Sixty-seven per cent of respondents were in favour of the abolition of the requirement for a ministerial panel for later term abortions. Seventy-two per cent of respondents supported allowing health practitioners to conscientiously object but be required to refer patients to a clinician willing to provide care. Sixty-three per cent favoured removing mandatory counselling provisions. Feedback also supported the proposal to increase the gestational age at which additional requirements apply to better align with other jurisdictions. Sixty per cent of people of reproductive age were in favour of those changes. There is overwhelming community support and social licence showing that this legislation reflects the values of the community and that it wants to see our legislative procedures proceed in a way that enables people to make decisions about their bodies that are refined and less complex. From my perspective, the more complex requirements are, the more traumatising and significant the adverse emotional impact.

I briefly want to talk about a study done in the United States called the Turnaway study. Some members may have heard about it. It was conducted over about three years. It looked at 1 132 women from around 31 states in the US who were in the waiting rooms of abortion clinics.

Some of those women would go on to have abortions and others would be turned away because they missed the fetal gestation time limit set by the clinics. This study compared those women. It followed them for five years and met with them twice a year to determine the outcome on their lives—a bit of a *Sliding Doors* experiment, if members are fans of that film or concept. One might assume that the women who were turned away had messier, more complex lives and were perhaps less competent, less capable women, but most of the women were in similar places in their lives and often the ones who did access an abortion had just caught the deadline. The ones who missed the deadline were often from lower socio-economic backgrounds. For them, it was a case of trying to scratch together the resources to enable them to access that service and the possibility of an abortion. In general, the two groups—those who did access an abortion and those who did not—were remarkably similar. However, their lives were shown to diverge in ways that were directly attributable to whether they had received an abortion. In the short-term, the women who were denied abortions had worse mental health, higher anxiety and lower self-esteem. Those sorts of things were shown to level out in the end; however, there were some significant short-term impacts on their mental health and wellbeing. Most of the respondents who accessed an abortion reported that the emotion they felt was relief, which persisted but gradually dissipated over time. Despite the complexity of the story I related earlier, I can definitely concur with that emotion; it was a massive sense of relief from an issue that I was quite terrified of. Even though I did it in a way that was really complex and I look at it now and wonder how I managed to get through it, the overwhelming emotion I felt was relief because I had felt trapped and that I was in significant trouble. It removed what I saw as a big iron ball on my ankle.

Women in the study who had received abortions were later discovered to be more likely to be in healthy relationships or to report that their relationships were very good. They were also more likely to have had a baby within the next few years. The women who were turned away were more likely to be stuck in situations and to report less relationship satisfaction. The women who had been able to seek abortions were often able to report happier relationships because they had been able to escape physically abusive relationships because they did not have an ongoing connection to the perpetrator—it enabled them to extract themselves and reduce contact with that person. As I mentioned, women who got an abortion were more likely to become pregnant earlier, within five years; were less likely to receive public assistance; and were less likely to report that they did not have enough money to pay for food, housing and transportation, compared with the women who were not able to access abortion. When they had children at home already, those children were also less likely to be living in poverty. The study showed some really important outcomes for not just the individual person but also relationships and other children in those family situations.

I would like to touch on a couple of other things identified in the study that Hon Klara Andric perhaps touched on in her speech just a moment ago. I will talk about some of the misconceptions—this is perhaps a quick myth-busting moment. As Hon Klara Andric pointed out, there is no such thing as a failed abortion. That is a misuse of language. Clinicians will confirm that there is no evidence of babies being left to die—a term that people who refer to failed abortions like to use. Clinicians report that there is no evidence of that. As I mentioned earlier, fewer than one per cent of abortions occur after 20 weeks and generally involve pregnancies in which there has been an adverse fetal diagnosis or mental health condition. Families in those situations need compassionate and appropriate support and care. They do not need judgement. They do not need legislation that prevents them from accessing the care that they need. Abortions after 20 weeks are carefully planned medical procedures that are performed in a hospital setting by a trained medical practitioner. The process is similar to an induction, with medication provided to induce contractions. In almost all cases, medication is first administered to the fetus. This means that there can be no signs of life after the procedure. The procedure does not fail; it is an ultrasound-guided injection that ensures that the medical practitioner can be certain of the outcome. Although the vast majority of women prefer this, a small number opt out of the injection. This may be for cultural or religious reasons. That is their right. Those women and their families are counselled about the possible outcomes. When this occurs, medical practitioners may provide palliative or comfort care if required, and the baby is held by the parents until it passes naturally. That is the family's decision and right. Medical practitioners should not be required to provide futile medical care, especially when those interventions would mean separating parents from their child in its final moments.

There is also some misconception about sex selection. As already noted, the vast majority of abortions occur in early pregnancy—over 99 per cent—when it is too early to determine the sex of the child. It becomes a bit of a nonsense argument to make. Amendments like that would have no practical application and just be a further barrier to access. Clinicians are telling us that there is no evidence to suggest that this is a concern in Western Australia. No argument is being made for this in Western Australia and there is no evidence of it occurring.

Mandating something like counselling has the potential to undermine patient autonomy and individual decision-making. Practitioners are trained to assess their patients' decision-making capacity and can recommend referrals and other providers, including pregnancy option counselling or social workers when appropriate. We have faith in our medical practitioners across a whole range of endeavours and health care, and this is another situation in which we are providing health care. Community and stakeholder consultation strongly supports the removal of mandatory counselling.

I will just turn to an organisation with which I have had some engagement over the last few years; I have sat on the board for quite some years. Desert Blue Connect in Geraldton provides care for women in situations of family

and domestic violence or sexual assault. It also provides some support for men in the community through primary prevention programs. This organisation does some fantastic work across the midwest. Recently, to coincide with International Women's Day, Desert Blue Connect opened its women's wellness centre. I had the great pleasure of opening that centre with the member for Geraldton, Lara Dalton. It is an absolutely beautiful, warm, very supportive and safe space for women. The work this organisation is doing and the great care it provides to women in the community is to be highly commended. The centre is highly oversubscribed, which suggests the sheer volume of people who are seeking support in an environment that feels directly targeted to women, that feels safe and supportive, and where a whole suite of services is offered. It provides reproductive health care services, counselling, general health care and mums and babies programs—a whole suite of opportunities to support the wellbeing of women in a really safe, supportive and judgement-free environment. I am incredibly proud of Desert Blue Connect and the service it provides for women, as well as the way in which it is growing to provide increasing support for women right across the midwest. It also makes appointments available for women seeking guidance and support with unwanted pregnancies to ensure that they can access those things in a timely way.

Another crucial aspect of this legislation is the removal of the requirement to consult two medical practitioners. Regional, rural and remote women do not necessarily have those services available to them or the time frame in which to get to the next practitioner, if they are available at all. It is crucial for our regional, rural and remote women that we provide this change in this legislation to ensure that we are providing for them in a timely and respectful way. For that reason, I thank Cheryl Davenport for originating this process many years ago, and the Minister for Health, Amber-Jade Sanderson, for her amazing work.

Sitting suspended from 6.00 to 7.00 pm

Distinguished Visitor — Hon Cheryl Davenport

The DEPUTY PRESIDENT: We return to order of the day 14, the Abortion Legislation Reform Bill 2023. Before I give the call, I want to recognise Hon Cheryl Davenport, former member of this place, in the President's gallery this evening. Welcome.

Debate Resumed

Hon SANDRA CARR: My comments were almost wound up. I wanted to say only a couple of things. I got one of them out but it probably bears repeating given that we have the woman herself in the chamber. I was thanking Cheryl Davenport for all her wonderful work on the early abortion legislation reform. I also wanted to take the opportunity to thank our Minister for Health, Amber-Jade Sanderson, for all her work in modernising and improving our legislation and helping it reach its true form—the form it should have appeared in at the time. I want to express my personal gratitude for her amazing work in this space.

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [7.01 pm]: I rise to support the Abortion Legislation Reform Bill 2023 for a number of reasons. Like many women in this place, I had an abortion in the early 1990s. It was an unwanted pregnancy but, more than unwanted, it was as a result of what we called “date rape” back in the day. These days, we would call it sexual assault. At the time, I did not report it for all the reasons women before me and women after me do not report these things. I did not report it because I had been out drinking. I did not report it because of what I was wearing; I had been at a nightclub. I did not report it because I had invited the perpetrator into my home. For all those reasons, I did not report it, but I did become pregnant. As I said, this was in the early 1990s. The morning-after pill was not a thing or, if it was a thing, it was certainly not readily available in Australia. I realised I was pregnant pretty early on. Within four weeks of conception, I realised I was pregnant after doing a home pregnancy test. I did not hesitate to seek an abortion. It was not even a consideration that I would not seek an abortion. I went to the doctor. Like many people in their early 20s, I did not have a regular GP. I went to the local medical practice and saw whichever doctor was on duty. I did not have a regular, trusted GP but I am forever grateful for the care and compassion I received from the male doctor I saw. He was understanding and pragmatic. He said, “Yes, we can refer you.” There was no judgement; he was absolutely wonderful. However, I did not realise at the time that it was illegal to procure an abortion. I did not realise back then that it would take until 1998, when I was already a mother, for abortion to be decriminalised. I did not know and, as I said, I was entrusted to the care of a wonderful doctor who then referred me to a clinic. I went to the clinic and my experience was not overly traumatic. I had made a very clear decision in my mind. There were no protesters outside. I cannot even remember what suburb it was in. I had a trusted friend who was there to pick me up and look after me afterwards. When I look back now, I understand what I did not know then, which is that I needed to have a surgical abortion because that was all that was available; I did not know that medical abortion was a thing. For a medical abortion, I could have been given a prescription, taken it home, and had the abortion at home. Remember, I said that I was six weeks pregnant. It was four weeks from conception, but we count pregnancy from the last period, so I was classed as being six weeks pregnant. I could have naturally had a miscarriage and not needed any medical treatment. I could have naturally had a miscarriage and not even realised I had miscarried. Plenty of women have miscarriages. They think they have had a particularly heavy period and do not even realise they have miscarried, yet to have an abortion I had to go to a surgery and have what is called a surgical abortion. That is because the widely available drug in other countries, RU-486, which has other medical names, had been

blocked in Australia for decades. It has been approved for use in France since 1988. If it had been permitted to be used in Australia, I could simply have got a prescription from my doctor and would not have had as much time off work and I would not have required medical surgery. The use of the drug RU-486 was not available in Australia until decades after my experience, despite that it had been used safely and its availability was widespread across the world.

One of the things that I am particularly keen on in this incarnation of the reform bill in front of us is that it will introduce proposed section 202MD into the Public Health Act that will allow other registered health practitioners to perform a medical abortion. That means prescribing, supplying or administering an abortion drug to the patient. That is consistent with recent changes at the commonwealth level that will allow nurse practitioners and endorsed midwives to prescribe the medication. That would have made my journey a whole lot easier.

As I said, my decision was clear and I did not need counselling. I find the idea that we should have mandatory counselling insulting to women, quite frankly. I remember being given brochures about pregnancy support services. Presumably, that was part of the requirement for counselling. I neither wanted nor needed counselling. I was an intelligent young woman in my 20s who had made a decision. I have never regretted that decision and I have never felt guilty about the decision I made. I know that decision is not for everyone. I absolutely recognise that. I have three daughters and if one of them found themselves in the same situation and said they wanted to keep that baby, I would absolutely support them 100 per cent. It was my personal decision. I did not require counselling and the idea that any woman should be forced to have counselling other than by a medical professional to outlay her options is, quite frankly, insulting.

I now move to some of the other provisions in the bill. I want to talk about my experience. I have three daughters. My first daughter was born in January 1998. I was a busy young mum when I first heard about the case of two doctors who were charged under the Criminal Code for conducting an abortion. I also want to recognise Cheryl Davenport, AM, for the hard work that she did. For those who have never read the debate in *Hansard*, I urge them to read what Cheryl Davenport did. It is amazing. She introduced a private member's bill from opposition and had to sit there and deal with members from both sides of the chamber in a very, I guess, unsavoury and unedifying display that showed a lack of respect for her position. I urge all members to get out *Hansard* and read what happened when she finally got that legislation through. If the bill that Cheryl Davenport put through in 1998 was not perfect, I know it is because she had to make concessions to get it through. But on behalf of all women of Western Australia, I certainly thank her.

I know there is some concern around the provision of abortions past 20 weeks. I want to talk to members about it from a regional experience. Clinically, we know that doctors like to perform an ultrasound at 20 weeks. They do not like doing it too much earlier than that because they cannot see everything they need to see. I am not a medical professional. I am sure Hon Dr Brian Walker can provide more details about that. But I know that 20 weeks is the optimum time. I also know from a regional experience that a radiographer is not always in town when a woman needs the 20-week scan. Sometimes women need to travel to a radiographer. During my first pregnancy, the radiographer came to town on a certain day of the week and I would try to get an appointment on that day, otherwise I would have to travel. I live in Margaret River, so it is not too onerous to travel to Busselton or Bunbury, but in other places women would certainly have to travel much further to get an ultrasound. The idea that someone would not get an ultrasound in the twentieth week is not unusual in regional WA. It is also certainly not unusual if someone is a working mother or has more than one child. I remember that by the time I was pregnant with my third child, I had one child in full-time school and another child in half-day kindy. My husband worked full-time, and we had a farm as well. Trying to coordinate all of that to have an ultrasound right on 20 weeks, in that one-week period, was incredibly difficult. Yes, women have ultrasounds later than 20 weeks; sometimes, it is at 21 weeks, and sometimes it is at 22 weeks for a whole range of reasons.

As we heard Hon Sandra Carr mention, when people choose to have late-term abortions, which account for less than one per cent of abortions, it is usually a highly difficult decision to do with their medical care or the medical care of a fetus or baby who may not be viable past birth. It is an incredibly difficult decision. Hon Sandra Carr went through all the reasons it is important that we still have access to late-term abortions.

Over the last few weeks, we have had questions in this place about the survival rate of premature babies. I have not had a premature baby, but I have been at risk of having a premature baby. When I was pregnant with my second child, I started having contractions at about 26 weeks, and I was put into the Royal Flying Doctor Service and flown from Margaret River to Perth. Fortunately, that pregnancy was able to proceed right through to about 38 weeks, but I had a troubled pregnancy and was at risk of having a premature baby. People have premature babies who are much loved and much wanted; parents really want those babies to fight for survival. I have a friend in similar circumstances. She went to Perth to have an ultrasound at 20 weeks and did not come back to Margaret River for 10 months. When she went to Perth, an issue with her pregnancy was found. She was put into hospital and kept flat on her back for many, many months to try to get that pregnancy to last as long as possible. She had a premature baby and then had another six months in Perth with that premature baby. I know that when babies are born early, parents and families fight really hard to keep those babies alive.

That is an entirely different circumstance from a termination that happens for a range of reasons. It is usually a highly heart-wrenching decision to have a late-term abortion. I have another friend who had to make that really terrible decision about a late-term abortion due to a severe abnormality. She was pregnant with twins, and she had to have a selective termination of a single twin for medical reasons. It broke her heart and the hearts of her family, but she had to do it. As a result, the surviving twin is a healthy child, and she has since had another child. Babies being born prematurely is very different from someone needing to have a medical or surgical late-term abortion. I will not go over the reasons again because Hon Sandra Carr raised them all.

Very quickly, I will talk about the concerns about medical minors. I have three daughters. They are no longer minors; the youngest is 19 and the eldest is 25, so I do not have to face this decision. I can tell members that as the mother of teenagers, I actively encouraged them to have their own doctor with whom they felt comfortable. I remember from the time that they were about 14 or 15 years old, I would offer to stay in the waiting room when they had a medical appointment, saying, “You go see the doctor. You need to have a doctor you trust and know, and with whom you can have these discussions.”

In medicine, the idea of a mature minor is well accepted and well practised throughout Western Australia, Australia and the world. It is the idea that if a person under 18 years can comprehend the nature, consequences and risks of proposed actions, they can do so without parental consent. I know that it is a bone of contention for some people. In this state, we have young people under the age of 16 years who live independently of their families. We have young people under the age of 16 years who live in really troubling circumstances in which revealing a pregnancy could put them at risk of physical harm. In this state, we have young people who are mature enough to make lots of medical decisions about lots of medical things, and we have doctors and medical practitioners who are really adept at ensuring that these young people are considered mature minors and can make such decisions under law. The idea that a woman who is aged 15 years and 10 months would have to apply to the Children’s Court to have an abortion if she did not want to tell her parents is simply appalling. I really am thrilled that the Abortion Legislation Reform Bill 2023 will actually change that and recognise that young people make medical decisions all the time, in consultation with their trusted medical practitioner, and that the law should not stop that.

I do not have much more to say; I think my colleagues have said a lot about why the government is supporting this bill. I want to again acknowledge the great work of the women who have gone before us, all the amazing speakers we heard in the Legislative Assembly and the speakers we have heard in this chamber tonight. With that, I commend the bill to the house.

HON DR BRIAN WALKER (East Metropolitan) [7.15 pm]: I was earlier sitting in the chair but left it early because I was surprised that so few people had spoken to this debate initially. There was no great enthusiasm from this side of the chamber for speaking to the Abortion Legislation Reform Bill 2023, and I wondered whether that might have something to do with the fact that there are not many uteruses present on this side. I would assume so.

I thank the Minister for Health for bringing this legislation forward, because it is entirely timely, appropriate and right. Tonight I will be speaking as not only a politician but also a practical doctor—someone who has actually dealt with this issue at the sharp end. I thank those who have given searing testimony of their own experiences and what they have gone through. I feel humbled that, despite all that, we males are not despised for all that we have done to make life worse for a good half of our population and, in some cases, continue to do. I thank you for your mercy.

I must say that I have a vested interest in this conversation because, apart from not having a uterus, I am an active GP who deals with women who come to me with quite serious problems—amongst them, of course, the question of coming in and saying, in a gentle voice, “I have missed my period”, and there is a pause and a silence. In that moment I have to divine whether it is a planned or unplanned pregnancy or whether it is a wanted or unwanted pregnancy. It is very difficult for someone coming in to broach this subject with a strange man. I may have been her doctor for some considerable time, but I am not her partner and I am not a relation. The relationship I have is as someone who gives health advice and counselling, but I do not share a house with them. The personal insights I have from my own life and my own experiences, my practical experiences, actually count for little at that very moment, when they are basically asking themselves, “Can I trust this man to help me?” I find it sad that that is still the case in this day and age. I want to reassure members that I am speaking from my practical experience. This is not theory; this is what I deal with on a regular basis, even now.

Abortion is legal, and I thank Hon Cheryl Davenport for what has been done, and express my respect for all who have campaigned on this vital issue. I recall in my early days as a young doctor the distress involved in getting an abortion because at that time it was illegal. There were women who had terrible troubles; I recall from when I was in obstetrics and gynaecology that there were women who had actually tried to procure their own abortion and the terrible troubles they had just in staying alive.

Abortion is legal now, but is it also equitable? Do we have a situation in which women can walk in and feel comfortable at all times in dealing with a doctor, male or female? We need to recognise that it is not as easy as we would have hoped. I have, of course, worked in remote and rural communities where we do not have anything much in the way of specialist support and where it may require a long flight to get someone who can actually help

in such cases. The conditions at remote sites where there are cultural issues, religious issues and moral and personal judgements make it difficult for women to board a Royal Flying Doctor Service flight to go and get the help they need. Every hurdle that we put in their way is a slap in the face of all female existence. In my experience, I cannot count how many women I have dealt with who have been in this situation. I can probably count on the fingers of one hand the number of women who have come in and not cared that they were pregnant and just wanted an abortion because that was their alternative to contraception. Over 40 years, almost every woman I have dealt with has seen this as a major problem or concern. It is not undertaken lightly at all, ever.

Hurdles are in place and that is totally unacceptable. These could be self-imposed hurdles. I feel somehow that a woman might say it is her fault because people who are oppressed often try to blame themselves for things that are happening because of an outside source. This is again unacceptable. It might be imposed by society. One thing I find particularly difficult to deal with is the idea that someone's moral values could be applied to someone else. Your moral values apply to you and to no-one else but you. For example, the idea that she has been engaged in premarital sex and therefore this is her punishment from God is an intolerable thing to hear in this day and age, but that might be applied in certain conditions in our society. It is totally unacceptable. My view is that this is a woman's choice and a woman's choice alone—but not alone. It should be happening with a good partner.

One of the problems is they may not have a good partner. A woman may have someone who has been abusing them, violating them and oppressing them. Domestic violence and terrible things could be happening at home about which they have not yet communicated because they are trying to keep things together, trying to protect themselves, trying to keep safe and trying not to rock the boat. They cannot tell the doctor in case he tells their partner. Yes, I have experienced that. They need a good partner to support them. This is vital because being alone and going through this, difficult as it is, alone and unsupported is really hard. They need a good general practitioner who listens and cares. I am desperately sad to say that not every GP is of that calibre. Of course, they need a good specialist to help them through the final stages of accessing an abortion.

Apart from their partner, their GP and their specialist, nobody else ought to be involved, and that goes for every aspect of government. Government has no place in your bedroom or in a consultation with your doctor. The government has no place at all in describing what someone may or may not do when consulting with a health professional. It is not your business, government. It is not your business, other people. It is not your business, neighbours. It is no-one's business but the woman's, and she takes that step in coordination with, hopefully, a good partner; hopefully, a good general practitioner; and, certainly, with a good specialist. These self-imposed hurdles can be addressed. We need to discuss early pregnancy and what happens at that moment when a woman comes in and says, "I have missed my period."

It is true that one in 10 pregnancies fail to progress. There may be a missed abortion or a miscarriage. I vividly recall the Leader of the House asking where haven't I worked. I have worked in an early pregnancy loss unit. We might think that is fairly okay. It is just an early pregnancy loss unit. I had a woman coming in who had hoped for and desired a much loved pregnancy but now had vaginal bleeding and was at risk of losing that dearly loved pregnancy. When they had to go to a surgical completion of a miscarriage, the utter devastation they experienced was a bereavement. They had lost someone in their lives. It was the equivalent of losing a partner or a parent. That sense of bereavement and grief was just as vivid and just as valid as if we had lost someone close to us or a close family member. The only problem was that nobody else understood that, not even a partner, because for us seeing our partner, our loved one, going through that, we think, "Okay. We will fix you through this. It is all sorted; there is no bleeding. There's no retained products of conception. You're all good now. Let's go home now and rest and take it easy." We do not appreciate bereavement, the experience of grief. This is how important it is when a woman comes to me saying that she needs to have a termination. She might well experience that grief or she might not, but it is important that she be allowed to express it and have the appropriate treatment. Losing a baby is hard. Choosing to lose a baby is hard, no matter what someone is going through, and I admire those who can manage that without needing help. I have not seen a lady yet who takes that step easily, and there is nothing we can do about the small number who do. It is a very, very small number. Like I said, over 40 years I can count them on the fingers of one hand.

Complicating this, of course, are personal religious views. This has to be taken seriously. We cannot say that someone's views are not valid. When someone comes to me, as a doctor, they can say the most outrageous things. They can criticise me by saying I am not a believer and that therefore I will go to hell. I have had people try to proselytise in the practice, telling me how to turn to Jesus to save my eternal soul as I am trying to get their blood pressure sorted because they firmly believe that any soul unclaimed by their brand of Christianity is doomed to a horrible eternity. I understand and respect that. My personal opinion is that a god who does that to other people is not a loving god, so when people talk about a loving god, I beg to differ. Their idea is not my idea. I will not criticise them; I will keep my mouth shut because I will not impose my views on them even if they impose their views on me. The same thing should be true of every woman who comes to me asking for help, whatever that help may be. I do not impose my moral views. I have heard of doctors, colleagues of mine—this is some years back, mind you—who, when, let us say, a 14-year-old girl comes and says she needs contraception, the doctor says, "My dear, you should not be having sex at 14 years old. I've got to tell your parents. It's all wrong. You can't have contraception."

How dare they. How dare they condemn a sexually active young woman to the possibility of pregnancy because of their own moral views they are imposing on someone else. They do not belong in that practice; they should get out. They are not fit to be a practitioner. It is not their job to proselytise, it is their job to care for this human being. We have enough of that in this country. I have seen enough of that. Yes, I hate it. It is unacceptable. Any evidence of that should be called out and the perpetrator removed. I hope this law will give power to those who wish to stand up for the rights of women to have the treatment they need without hurdles being imposed by me or government.

We have societal, religious, moral and ethical hurdles. They apply to the individual, not to anybody else. If somebody has a religious view that says they cannot have an abortion, I will work with that. There is plenty we can do to help them through that difficult time. If on the other hand they say it is despite that, and they will be hated by their community but they still need to have an abortion, I will help them, and so should every conscientious doctor, because it is not about the others, it is about the individual. My advice should be for the individual, not for their community. This is true of every doctor. We should be caring for the individual, no matter their backgrounds or personal views—or my personal views. My job is to give the best medical advice I can, not to impose my beliefs. That is the first port of call for someone coming to see me. I need to help them, not impose my views.

I confess right now that my personal view is that I do not like abortion; I do not know of any doctors who do like abortion. It is just not something I am comfortable doing. But it is not my life. I would far prefer to have the option of having a child and bringing it into a caring, loving family. That is the ideal, but the ideal is not always possible. The last death I saw was of a young mother of 14 years of age who bled to death at an airport in the remote regions here. That breaks my heart. This should not happen. We do not need more hurdles.

An abortion might be sought due to failed contraception. There are plenty of ways for contraception to fail. One is to forget to take the pill. Antibiotics is a very good way of preventing contraception from working. Other medications can also be taken that reduce the uptake of the pill.

It could be due to a failed relationship. A woman might have had a loving relationship, but when their partner discovers that they are pregnant, all of a sudden a tidal wave of responsibility might come upon the man, who might say, “I can’t take this. I’m out of here. I’m going to leave you.” She is then alone; unsupported; abandoned. The woman is left bereft; what should she do? She has lost not only her partner but also her future. She will have the child to care for, but with no job and no prospects. She might think, “What am I going to do?” She might feel panic, fear and also guilt.

It could be due to an assault. That is very, very common. Something that we men fail to recognise is how often women are assaulted—physically and mentally. It happens all the time. Most often, it is not mentioned—they keep their heads down, pretend it has not happened and carry on. I do not know of a single woman who has not been assaulted in some way or another.

Then, of course, it could be due to an unplanned pregnancy. Having a child is a huge responsibility. I do not know of a single parent in this world who has not at one time or another wanted to kill their child. Children are very difficult to raise. Doing that in very difficult social circumstances, with an unwanted, unplanned pregnancy, is asking a lot. Can we give support in the community? Yes, we can. Is that the only option? No. If a young woman carries on with an unwanted pregnancy, it may put her relationship at risk. It will put her personal health at risk. It is never easy to carry on with a pregnancy, even if it is desperately wanted. But people do, because it is desperately wanted.

The abortion procedure is either medical or surgical. The medical one, as described, is actually very simple. What irritates me boundlessly is the facility with which a government can prevent a healthy treatment from being given—for how many decades? Why were we not following the example of France? We see this with not just abortion but also a lot of other medicines. I will divert to cannabis. How is it that we are unable to see the science of the United States, Canada or Germany? We have to ask the same questions again and again. We are deferring our ability to allow a medicine into our society because we need to be certain about it, so we will not take on board someone else’s experience. This happened with mifepristone—a very safe, healthy approach to terminating a pregnancy. Why did we forbid it? Why did we prevent it? Why did women allow it? I will digress to look at the United States, where we are now seeing a social catastrophe from the reversal of *Roe v Wade* and the assault on women. What irritates me boundlessly and makes me amazed is how women—a large part of that society—allow it to happen. I thank the women of Australia that it is not allowed here. Show the way!

As pointed out before, in certain places in the USA, abortion cannot occur after six weeks. I have yet to find a woman who knew she was pregnant before six weeks. Women need that much time to find out that their period has stopped. It might be just abnormal changes in their menstrual cycle. All of a sudden, their period has gone and there is a bit of tenderness in their breasts and a bit of nausea—“Oh, I might be pregnant.” The pregnancy test comes back and it is positive. Six weeks have usually long gone by then. Nine weeks is probably a good time to safely use mifepristone for an early termination. I have forgotten the number for it; I do not use that number. It should be more easily available. It will be more easily available. This is what the legislation is going to allow. “Health practitioner” includes not just doctors, but also nurse practitioners and midwives. The bill will assist in making this easier for all women to access. That can only be good.

With the surgical approach, it could be a suction termination in early pregnancy, but for later pregnancies, it is going to be an induction of delivery. Let us get into a bit of graphic detail about this. An abortion at 23 weeks will produce something that looks like a baby. It is formed. After 24 weeks, we might begin to consider that the pregnancy is viable outside the womb, but in my experience, and again I am speaking just as a general practitioner, those children born very, very preterm, if they do survive, very often have significant health issues that persist with them throughout their lives. For a dearly loved pregnancy, that would be acceptable, if they are prepared to look after their child. At 23 weeks, that is not a viable child. It simply is not.

I give members an example of a child who was born from an embryo that was 23 years old. If we took a 23-week-old pregnancy and froze that, as we would an embryo, that would die, because we cannot survive, but an embryo can. We are looking at the difference between an early pregnancy and a later pregnancy and understanding that there is a kind of grey zone in which there may be the possibility of a very disturbed life, and that is after 24 to 25 weeks. I think 26 weeks is where I would place that. That is a lot of effort. I think the concept of 23 weeks is very appropriate. We could even say 24 weeks, but 23 weeks has been agreed as a sensible time. We are now going to be delivering what looks like a baby. That child, if it is not given that injection beforehand, will be born, possibly alive, but not able to live.

I, like members, have had numerous emails from people who have demanded that we then give all help to that 23-week-old recently born child who cannot survive. The implication is that I or my medical colleagues are somehow going to happily let a human life expire without treating it. Seldom have I been so insulted by the public. Seldom have I been accused of not caring for human life. That can only come from a place of ignorance. Those who choose not to have the injection to actually terminate that child before it is passed then have the opportunity of caring for that possibly dearly loved, possibly malformed child. A person would only want to terminate at 23 weeks if there is a major problem, like, for example anencephaly, absent kidneys or major malformations that would make it incompatible with life, and is probably the only reason why they would want to terminate that child. It is not because they want to choose the sex. It is not because they have decided they are not going to have this child anymore. It is because there is a problem with that pregnancy. Forcing women to then carry that child to term is an assault against their very humanity. Maybe I am being too graphic for members, but this they have to hear from the doctors who do this type of procedure. That is an assault on humanity and should not be tolerated. What I see happening in the United States of America shall not happen here. Members can maybe sense my anger. The anger that I experience because we have women being subjected to non-uterine decisions—I have just coined that word have I not—that determine how they are going to manage their body is an insult to all women and should be rejected immediately. I am sure that this bill will be very helpful in allowing women to plan and manage their own wellness. I support every single aspect of this bill.

I could talk for a long time about this. Termination of pregnancy remains a huge stress for all. The plea I would make is: do not make it worse. The decision should always remain between a woman and her specialists and medical practitioners, whether it be a doctor, midwife or nurse practitioner. It is their business and no-one else's.

We have heard the example of conscientious objectors. I have already spoken about this. The idea that I could determine what someone else should do based on my morals and my ideas is wrong. What I need to do if I disagree with something is say, "I'm terribly sorry. I'm unable to help you, but I know someone who can." That is the way to do this. That is what we have just seen. I gave the same example about the oral contraceptive pill. If someone is not prepared to prescribe, they should tell the girl but then send her to someone who does. It is not their business what someone does with their life. The medical practitioner must help or pass on to the relevant person who can help. At the same time, we also have legislation so that someone cannot be forced to do something with which they disagree. This is entirely right and proper. There is freedom on both sides.

A question was made in this place about maturity. Again, I get very angry about this. The concept that someone may not be mature enough to make a decision about termination but they are mature enough to carry a child to pregnancy is stupid. Who is going to say that an 11-year-old does not need to carry the baby to pregnancy because she is not mature enough to accept the termination? On what planet do people with those views exist? How dare we assume that a child can give birth, become a mother and then go back to grade 7 because they were not mature enough to have a termination after her parents decided that she would have the baby and suffer the consequences of having unplanned sex, and therefore she is going to become a mother. That is very irresponsible.

That leads me to another problem I have—the last one I wish to mention. The idea of sexual activity seems to be a major problem for those who have some moral ideas. I will tell members a story about a pastor in a church many years ago. The pastor was caught having illicit sex with one of his parishioners. There was a debate about whether we should sack the pastor and send him home—send him packing—because he had illicit sex. All those conversations were had. I asked each member of the male congregation to look once to the left and once to the right. They did that. I said to them, "Each one of you has seen at least one person who has had the same sin. Would you rather have someone who is a sinner and can lead you on the path of righteousness or not?" They would rather have had a murderer as a pastor than someone who had illicit sex with a parishioner. I found that so mind-boggling that it caused me to reframe entirely how I looked at that community. I still bear that thought—that those who stand with

moral ideals really are the ones who have the most problems. I can think of all these pictures of drag queens who are said to have assaulted our children. Actually, we ought to be more careful about the pastors, the scoutmasters and the ones who seek to be the most moral.

The whole idea of us judging other people's activity in their bedrooms and what happens after that really has no place in anybody's consideration; it is just the people with the health practitioners. For that, this bill absolutely fits the needs of the community. I cannot support it more, and I will do so. If anyone wishes to discuss it with me in private over a gin, I will happily say why I am so thankful that the bill has been brought forward. My apologies to all womanhood that this has come this far. I wish the bill well and thank all who helped create it.

HON NICK GOIRAN (South Metropolitan) [7.43 pm]: One character said to another in one of C.S. Lewis's books, "You can lean on me all the way. I can't absolutely carry you, but you need have almost no weight on your own feet: it will hurt less at every step." This beautifully sets out the aspiration that I wish we had in our state when a woman has an unexpected pregnancy. It strikes me, as an observer of these types of debates for a very long time, that all of the focus has been and continues to be on the state of the law, with next to no focus on the state of our support and our care. To make it very plain at the beginning of this contribution, my aspiration is that in Western Australia a woman who finds herself in an unexpected pregnancy is surrounded by so much support that the idea of an abortion is unthinkable for her.

Choice is the dominant theme in these debates, but what really emerges are the important principles that distinguish between a generic choice and real choice—important principles like informed consent, but there cannot be informed consent if no information has been provided; capacity; and the absence of duress or undue influence. How many women are placed in a situation in which they are left to make an agonising decision on their own without support? How many are left to make an agonising decision under duress? How many make a decision coerced? How many make a decision because nobody said to them, "You can lean on me all the way"?

I would encourage members to get a copy of a book by Australian Melinda Tankard Reist entitled *Defiant Birth: Women Who Resist Medical Eugenics*. It is a very raw and powerful collection of short stories—real stories—of women and their pregnancy experiences. I will quote briefly from the author's own words —

This is a book about women who have resisted the ideology of quality control and the paradigm of perfection ...

Defiant Birth confronts the widespread medical, and often-times social, aversion to less-than-perfect pregnancies or genetically different babies. Some women who contacted me were confronted with extraordinary objections to their desire to proceed with their pregnancies. One ... woman, pregnant at 46 with triplets, was rejected for care by twelve doctors. Others were abandoned by medical practitioners when they declined 'the standard of care' on offer: termination. Still more were disparaged and treated as pariahs for departing from accepted medical wisdom about becoming pregnant at all.

A disturbing number of women in this book (and others whose stories don't appear here) were given grave diagnoses for their babies—regaled with a litany of abnormalities and 'life-threatening' conditions. But their babies were born without the predicted problems or with lesser difficulties. This raises questions about the accuracy of screening procedures and the clearly ill-placed faith in their veracity. How many women are being forced to make agonising decisions on the basis of inadequate—even inaccurate—information?

I want to honour the women who tell their stories, while acknowledging those who are not yet ready to do so. One thing that stands out in this book is how each woman's experience was very dependent on the type of prenatal care, compassion and understanding they received. The quality of care and the agency these women felt they had was in no way equal. Some were made to feel that they had no choice by practitioners and partners. Melinda Tankard Reist highlights in this book the coercive power of testing and how some would have made a different decision had they been given the entire picture, not one viewed through someone else's lens. Abortion laws undermine the inherent right to life and pose a moral dilemma that challenges the very fabric of who we are as a society. These laws send a message that life is disposable and that we can pick and choose who deserves to live and who does not. Even a poor student of history would know of the consequences that occur when people in power start deciding who is worthy of life and who is not. In this book *Defiant Birth: Women Who Resist Medical Eugenics*, Melinda Tankard Reist writes —

Diversity is upheld as a value, yet great efforts are made to ensure that certain mothers don't have children, and that certain children are never to be allowed to contribute to this diversity. In a sense, at least, humanity is becoming increasingly homogenous. Babies born outside a standard view of what is normative are viewed as muddying the gene pool and costing the 'normal' citizens of society too much money ...

Kathy Evans, who won an award for 'Tuesday's child', a magazine article about her third child who was born with Down syndrome, reflects:

Perhaps mine are the misshapen memories of youth, but as a child I saw more people with Down syndrome than I do today. I worry that by the time Caoimhe emerges into adulthood children like her will be gone forever ...

For this reason, I think it is worthwhile us looking back at the intention of our state's abortion regime by revisiting the parliamentary debates in 1998. It struck me when reading *Hansard* from that time how considered the debate was. There was plainly a genuine struggle amongst the members who sincerely grappled with the very weighty decision placed before them. Having scanned the debate of the bill from the other place, I only wish the struggle would have been evident. In 1998, there was certainly no headline boasting "WA abortion laws sail through Legislative Assembly unopposed".

In 1998, the record reflects that in February it was announced that two Perth doctors were to be prosecuted under our state's laws that make abortion a crime. These were the first charges laid against medical practitioners under those laws in over 30 years. The political events that followed that decision ultimately culminated in the passage by the Parliament of legislation introducing what was in many respects the most permissive abortion law in Australia at the time. The legislation originated as a private member's bill introduced in this place, as remarked by some of the previous speakers today. The legislation passed with some amendments on 20 May 1998. There were members from both parties who supported the Acts Amendment Abortion Bill. There were also members from major parties who opposed the bill.

My predecessor Hon Barbara Scott, who I consider it a great honour to follow in her footsteps, said this during the committee stage on 1 April 1998 —

It is important to see the abortion debate in 1998 in the context of our historical place in western civilisation. The language in this debate in depersonalising the foetus has been heard many times in many historical settings which we look back on as the darkest moments of our heritage. The human, or non-person, or more of a person or less of a person distinction is a rhetorical feature of the political processes we associated with slavery, with repression, with the genocide of our Aborigines, with the oppression of workers, with the subjugation of women, with Nazism and with Pol Pot. I, for one, cannot stand by and see two classes of humans being declared in this legislation - one, the oppressed; the other, the oppressor.

To me, the unborn child is a child. This debate is about human rights. The child does have rights. We are here to defend human rights and the dignity and the sanctity of life.

During the third reading speech on the bill on 7 May 1998, Hon John Kobelke, a Labor MLA, said —

This Bill will not directly destroy our society, but it is both a signal of the direction in which we are going and a mechanism to speed up the process of creating disregard for the value of human life, starting with the life of the unborn child, and from there growing to a total disrespect for the value of all human life.

I imagine that members would, through Robert Bolt's play *A Man for all Seasons*, and perhaps their knowledge of history, have heard of Sir Thomas More, who was the Chancellor of England, which is perhaps equivalent to today's Prime Minister. Sir Thomas More stated in that famous and very meaningful play that "when statesman forsake their own private conscience for the sake of public duties, they lead their country by a short route to chaos."

The most recent state in the country to debate and legislate on abortion was South Australia. I note that Hon Kate Doust has placed amendments on the supplementary notice paper to bring this legislation somewhat in line with South Australia and its reforms of abortion law. These amendments uphold the most modern standard of practice. I should add and draw to the attention of members that at the present time, there is one amendment on the supplementary notice paper standing in my name. It is identical to the amendment that the Leader of the Liberal Party, Libby Mettam, MLA, moved in the other place, which has the support of the Australian Medical Association.

Earlier this month, the Minister for Health, Amber-Jade Sanderson, was reported as saying —

"There's no such thing as babies born alive after an abortion.

Ironically, at this time she described this information as "misinformation". In a different context, as members would know, my approach to unpacking this ironic description of misinformation would be far more robust. However, this evening I have chosen a different approach. I ask members just to test what they hear from me and the health minister. Her statement was, "There's no such thing as babies born alive after an abortion." Well, perhaps members may take the word of former Labor MLC Hon Ed Dermer or former Liberal MLC Hon Helen Morton.

In 2011, those two former members had an exchange during question time. The question that was provided by Hon Ed Dermer was in respect of the number of instances of a live child having been born as a result of an abortion procedure since the enactment of the legislation in 1998, to which we referred earlier. The answer provided was that there had been 14 instances. Were Hon Ed Dermer and Hon Helen Morton wrong? The current health minister said that there is no such thing as babies born alive after an abortion, and yet Hon Helen Morton told Hon Ed Dermer in 2011 that there had been 14 such cases.

I very vividly recall that particular exchange, because no sooner than it happened, I approached Hon Ed Dermer and said to him, "I am very troubled to hear of the answer, because not only did the answer indicate that there had been 14 of these instances, but that there had also been no medical care provided in those instances." At the time,

he indicated to me behind the chair that he was retiring and this was a matter that somebody else would have to take up. It is an issue I have taken up every year since, partly in order to fulfil the undertaking I gave him when I said I would take it up, but also because I passionately believe it is the right thing to do.

Perhaps members may not wish to provide too much weight to the response by Hon Helen Morton to Hon Ed Dermer. Then maybe they might provide greater weight to an answer provided by the current President of the Legislative Council, Hon Alanna Clohesy. In 2017, in response to a question I asked, she indicated there had been 27 of these cases. The current Minister for Health says there is no such thing as babies born alive after an abortion. Why did Hon Helen Morton say there were 14 and why did Hon Alanna Clohesy, in her capacity at the time as a representative of government with the information at her disposal, six years later, say the number had increased to 27? Again, if members are not sufficiently persuaded by those facts on the parliamentary record rather than a line provided to the media that there is no such thing as babies born alive after an abortion, I ask them to consider the information provided by Hon Roger Cook in 2018. He was the health minister at the time. He was responding to the Standing Committee on Environment and Public Affairs, which was inquiring into a petition I had tabled. This is what Hon Roger Cook said at the time. He was asked by Hon Matthew Swinbourn, who was the chair of that committee, how many late-term abortions resulted in live births since 2013? The response from Hon Roger Cook was —

From 2013 to 2017 (inclusive) there were 8 abortions at 20 weeks gestation or greater that resulted in a live birth.

But the current health minister says there is no such thing as babies born alive after an abortion. Who is right? I give great weight to the response that was provided by Hon Helen Morton. I give great weight to the response provided by Hon Alanna Clohesy and I give great weight to the response provided by Hon Roger Cook to the Parliament of Western Australia where there are sanctions if you mislead the Parliament. Yet, the current health minister says there is no such thing as babies born alive after an abortion. I know that fair-minded members of this chamber will concede that there is such a thing as babies born alive after an abortion because the evidence is clear. However, one of the other things that is said is, “Well, when it happens that a Western Australian baby is born alive after an abortion, it’s for only a few minutes.” It deeply troubles me that that response has been provided, as if a few minutes would make it okay to treat them as was once done in the days of the Roman Empire, when a baby was left at the city wall. It is not okay. It has never been okay. More to the point, it is plainly false to say this happens for only a few minutes. This is what Hon Roger Cook said to Hon Matthew Swinbourn in that same inquiry. The committee asks —

What is the range of survival duration for live births following late term abortions since 2013?

Hon Roger Cook replies —

The range of survival duration is 9 minutes to 2 hours and 10 minutes.

But the current Minister for Health says that there is no such thing as babies being born alive after an abortion. On 18 September 2018, it was revealed in this chamber that advice from the State Solicitor’s Office had stated that these deaths—that is, the death of a baby born alive after an abortion—were reportable deaths and that they had not been reported to the Western Australian State Coroner. I remember it vividly because I was asking questions of the Leader of the House in her representative capacity for the Attorney General at the time on the Coroners Amendment Bill. The outcome of that was it became clear that it was possible for any Western Australian to report those deaths to the coroner, and I did so the next day. Those cases currently remain to be investigated by the coroner. If there is no such thing, why did Hon Helen Morton say that there were 14? Why did Hon Alanna Clohesy say there were 27? Why did Hon Roger Cook indicate that the duration of life was somewhere between nine minutes and two hours? Why has the coroner taken on 27 cases, or, as Hon Matthew Swinbourn has more recently informed the house, 28 cases, that have been reportable deaths to the coroner in these circumstances?

If members are yet to be convinced that there is indeed such a thing as babies being born alive after an abortion, I ask them to consider the 2018 peer-reviewed study in the *Australian and New Zealand journal of obstetrics and gynaecology*, which reviewed 241 abortions without feticide on babies between 20 weeks and 24 weeks’ gestation. Some 50.6 per cent of babies were born alive. That is the fetal survival rate between 20 weeks and 24 weeks. The median survival time for the babies was 32 minutes. One baby survived for four hours. Sadly, in Western Australia, feticide was introduced into our Western Australian hospital system in 2017. Perhaps the result of my persistence in asking questions about these matters and about how many cases there were of babies being born alive tragically led to the introduction of feticide in 2017.

I also think it is important to hear some stories on this matter about what else has happened around Australia. I want to thank the Northern Territory and the New South Wales coroners in these cases. I will start by saying that I wish there were more coroners and deputy coroners who value life and investigate with a thoroughness that brings dignity and respect to the individual no matter the babies’ age or how wanted they were. I will begin with the case of Jessica Jane. I have spoken about baby Jessica Jane in this chamber for years. She was delivered alive on 14 July 1998 at Darwin Private Hospital following an attempted abortion between 20 to 23 weeks’ gestation. Remember, we have been told—I have heard it already in the debate over the course of today—that apparently at 23 weeks’ gestation

the survival rate is zero. That is what we have been told. It is on the record today. Yet baby Jessica Jane was left to lie dying in a cold kidney dish. She survived for 80 minutes. Obviously, the survival rate is not zero. But I suppose if you are left in a cold kidney dish, it would be. Her death was reported to and investigated by the coroner, with the findings released on 10 April 2000. These were the final comments of the coroner, Mr Greg Cavanagh. He said —

In my view, the fact that her birth was unexpected and not the desired outcome of the medical procedure, should not result in her, and babies like her, being perceived as anything less than a complete human being. Similarly, the fact that her death was inevitable should also not have the same result. The old, the infirm, the sick, the terminally ill are all entitled to proper medical and palliative care and attention. In my view, newly born unwanted and premature babies should have the same rights. The fact that her death was inevitable should not effect her entitlement to such care and attention.

The Northern Territory Coroner provided three recommendations: firstly, that protocols be put in place to ensure that children who survive termination procedures are assessed for gestation age and viability by a medical practitioner or paediatrician; secondly, that the management and staff of all hospitals and clinics in the Northern Territory and medical practitioners should be made aware of their legal obligations to report the deaths of such children to the coroner; and, thirdly, that the protocols should apply to all hospitals and clinics.

The next case I bring to members' attention is of a rescued aborted baby who was zipped in a medical bag while still alive and breathing at Sydney's Westmead Hospital. The New South Wales Deputy State Coroner, Janet Stevenson, produced a chambers report into the death, and her words are damning. She said —

There is a serious issue which arose as to the way in which the ... —

The child —

was treated after signs of life were detected. Not the least of these being the non-acceptance by medical staff that they had a duty to treat the situation in a manner different than they did ... There appears to have been a total abrogation of responsibility, let alone common humanity, on the part of those who should have born the burden of dealing with the child.

I hear Hon Dr Brian Walker when earlier he said that he felt offended when people raise these cases with him. I have absolute confidence that, if he were the practitioner, he would provide care and attention, but this has plainly not been the case in every instance.

I turn now to baby Xanthe in Queensland. This is a story from just this month, exposed by *The Courier Mail* in Queensland. Immediately after the birth, Mr Morris's wife spent 10 months as a private mental health patient, and she has been in and out of hospital since. Why might that be the case? This story states —

It was Christmas 2020 when the tragic sequence of events began.

When the couple found out that their unborn daughter had Down syndrome, they were referred to the RBWH's maternal foetal medicine unit.

The article quotes them as saying —

"We sought out second opinions, carried out tests and ultrasounds and did everything to make sure we were making the right medical decision and, at 19 weeks, we decided on a medical termination," he said.

However, baby Xanthe was born alive—but Mr Morris claims they were not told. He said they only found out via an offhand comment made by a staff member.

"We would have been with her when she passed, if we had known," Mr Morris said.

"The procedure was already difficult, but this made it deeply devastating and traumatic. Why weren't we informed?"

"Then I was told that I would have to get a birth certificate and we wouldn't be able to go with our original funeral plan to bury Xanthe's ashes with other babies in the Royal Garden of Peace at the hospital."

Xanthe is now in a family' grave in a Brisbane cemetery.

This is about giving Western Australian babies the legal right to health care that any other baby born in Western Australia would receive. Although I believe that life should be protected from conception to natural death, if abortions are to occur in our state, I support them being made procedurally safer for women. In my view, this could be done, through the Australian Medical Association's recommendation, with both the primary practitioner and the consulting practitioner being from Western Australia. This could be done in accordance with the AMA's recommendation that at least one specialist obstetrician and gynaecologist be involved in a late-term abortion. This could be done in accordance with the AMA's position that the gestational limit should be 22 weeks, not 23 weeks.

On that note, I draw to members' attention that over the course of this month I have asked the Minister for Health a number of questions on the survival rate at different gestational ages. I heard what the honourable member said earlier. We were told that the member for Riverton had indicated that the survival rate at 23 weeks is zero. I understand

that that is what the member said in the other place, but just because he said it does not make it true. Earlier this month during question time I asked the Minister for Health, through her representative in this place, whether any Western Australian baby had survived at 25 weeks. The answer was yes. Had any survived at 24 weeks? Yes. Had any survived at 23 weeks? Yes. Had any survived at 22 weeks? Yes. Had any survived at 21 weeks? No. As I say, I do not agree with that at all, but if there is going to be a limit for late-term abortion, it needs to be objectively measurable. If the Australian Medical Association is saying it should be 22 weeks and the Minister for Health's own response to me during question time is that they survive at 22 weeks, can someone please explain to me why we are making it 23 weeks?

I also support best practice in data collection. Currently, South Australia is an example of best practice in data collection, being the only Australian state to collect fulsome data about abortion procedures. The Royal Australian and New Zealand College of Obstetricians and Gynaecologists recommends the collection of data on pregnancy termination. It has stated, with regard to monitoring and research —

In order to better understand the individual and public health impacts of termination of pregnancy, the College supports the monitoring and collection of statistics relating to termination of pregnancy, including the occurrence of complications of these procedures.

Make no mistake: the data that needs to be collected need not be identifiable. I know of no person who thinks it should be identifiable data, but we need to apply a high standard of data collection.

I will bring my remarks to a close, but not without first mentioning that I believe we should be protecting babies with Down syndrome from disability discrimination. Earlier this month I had the honour of tabling a petition on behalf of a courageous Western Australian mother—Lisa is her name—who not only, in her words, considers it a great privilege and honour to be the mum of a daughter with Down syndrome, but also will tell you her story about all the so-called expert medical advice she was given at the time about what she should do.

I must say, it was quite difficult this year at the annual Rally For Life—the largest and most peaceful annual rally held on the steps of Parliament every year, in May or June—to have Lisa telling her story to a very quiet and peaceful group of more than 1 000 people in attendance, while there was chanting going on from others who held very different views on this matter. That is a view that they are entitled to, of course, because we believe in freedom of speech, but how sad it was for this mum, who was telling her story of care and compassion for her daughter with Down syndrome, to have abuse hurled at her while she told her testimony.

I hope that one day we will move on from abortion in our society to a state where abortion is unthinkable. I hope that, but it can only possibly be done if we are prepared to do the work to help every woman with an unexpected pregnancy and to say to them, in the words of a character in a book by C.S. Lewis —

You can lean on me all the way. I can't absolutely carry you, but you need have almost no weight on your own feet: and it will hurt less at every step.

HON SOPHIA MOERMOND (South West) [8.20 pm]: I rise to make a contribution to the Abortion Legislation Reform Bill 2023. I very much appreciate everyone's contribution here today and also the effort to which the Minister for Health, Amber-Jade Sanderson, has gone to make sure that we are well informed around this. The legislation before us today is probably one of the most important pieces of legislation affecting the human rights of women and girls during this parliamentary term. The right to self-determination, the ability to decide the path of our lives and to live our lives as we wish should be seen as normal. For a pregnancy to be carried on without the consent of the woman or girl is a violation of her body autonomy.

This debate is always divisive and emotive and I understand that. I have certainly received many emails from my constituents and from people outside of my constituency as well. I appreciate the engagement that I have had and it has all been very respectful, which I also appreciate.

I noticed that, specifically, the controversy around this bill is late-term abortions. My understanding is that these are fairly rare and mostly related to genetic issues. When that is not the case, a lack of understanding of one's own physiology can be a contributing factor. Menstruation is still a taboo for young girls and girls are being teased about this at school, for instance. I think it would be great to see education around women's fertility and bodily functions to be the norm in schools and go into much more depth about what it means for someone's body when they are fertile. We need to reduce the stigma, increase awareness and teach young women and girls to know when they are fertile. I think that would be really useful and empower us all to make good decisions in regard to our sex life and reproductive life. We also need to normalise conversations between consenting sexual partners to ensure that both are clear that if there is a pregnancy as a result of sexual intercourse, it is a wanted pregnancy and not an unwanted one. The responsibility lies with both people.

One of the fallacies around abortion is that it is a traumatising experience for all women. It is not. Many women are simply relieved that they have the option to have an abortion. I know I was. I was too young. I have too many health problems. I do not want to pass any of those things onto a child whom I may have. Many of my friends felt the same and felt relieved after their abortion to be given back their body autonomy and choice about how they

want to live their life. The GP that I saw initially for referral around the abortion judged me, made me feel very uncomfortable and did not want to refer me. It was later when I was more mature that I could say it was not his place to do so. It was not his life. It was not his body and how I wanted to live my life or whether I wanted to be pregnant simply was not his business.

I have been assured by the health minister that the bill will give healthcare practitioners the freedom to use best practice strategies, including analgesia if indicated. I know most doctors come to this issue with compassion, and would certainly want to avoid making anyone suffer on purpose. They would want to avoid any suffering.

In the end, I would like to see zero abortions, not because I am against abortion but because it would indicate true reproductive empowerment and parity for women.

HON AYOR MAKUR CHUOT (North Metropolitan) [8.25 pm]: We have had great contributions to the debate on the Abortion Legislation Reform Bill 2023 from the other side. I particularly acknowledge Hon Dr Brian Walker for his great contribution earlier. I also acknowledge the two women who spoke. I just listened to my honourable colleague and earlier I listened to Minister Jarvis.

As a woman and a mother, I think the Abortion Legislation Reform Bill is very important for women. I am a Christian; who am I to judge another woman? It is a question I have been asking all week, since I have been getting a lot of emails from my constituents—who am I to judge another woman?

I do not think I have been as emotional since I have been in this chamber, but I listened to Hon Nick Goiran and he sounded like a woman—as if he had been a woman before. You have gone through it and it was the worst decision you made in your life. The reason I made that remark is that some women have no choice. Some of the women who have gone through what they have gone through did not have a choice. They were not in their right mind. They had their own struggles in their own homes. As a mother of three kids, I know that having abortion is not an easy decision. For a woman to sit down and say she wants to have an abortion is not a decision she takes lightly. As a Christian, as a multicultural member, I know it is not easy for that woman to make that decision.

I acknowledge the famous Cheryl May Davenport for being a door-opener and standing up for women by starting this legislative process many years ago. I also acknowledge my dear friend Minister Amber-Jade Sanderson for bringing this legislation to life.

I will talk about my position as a woman of culturally and linguistically diverse background, as a migrant woman, and some of the challenges that were touched on by Hon Dr Brian Walker. We have a lot of issues in our communities whereby a woman does not have a choice, even in Australia. A woman may not have a choice to have private access to medical consultation if her husband does not allow her to have an abortion. Their home might be a broken home and she has to stay there for that reason. As a multicultural woman, I feel there should be safety for women in the community, and this legislation will provide that for them if we pass it. They will be able to have that one consultation; they will not have to tell their partners. If they go for two medical appointments, there will not be a question about why they are going for two appointments.

There is also the need for them to have privacy when they go to a clinic or hospital, so that they do not have someone there trying to preach the word of God to them. They have made that decision. That is what they want at that particular time, and they should be supported. I am a very open member of Parliament and so I asked Minister Sanderson whether there are many places around where people can get consultations. Actually, there are services where women can ask for advice before they decide to have an abortion. They can ask for that, if they want someone to give them that support. It is already there, but we can improve on that.

I agree with what the honourable member on the other side said earlier about having ways for women to protect themselves from getting pregnant. For example, within the culturally and linguistically diverse community in which I was brought up, we were not taught about contraception. In my community, you have to be a virgin to get married to a man. Contraception is not acceptable in our community. Coming here as a young person from a multicultural background, I had not been exposed to the good health system that we have here or an environment where I could be educated about how to prevent getting pregnant. We did not have that. Where is that information? It was not at the airport. I do not think that we learnt it at school when I studied English as a second language; we were not told how to prevent pregnancy and protect ourselves. I got pregnant when I was really young. It was an unplanned pregnancy. I did not tell my mum, because if I had told my mum that I was pregnant, I do not know what decision she would have made for me, but it was a disaster in my own community. If I had been another person in that moment and I had made the decision not to have my son at that time, I do not think I would have blamed myself, because it is a struggle to be a teenage mum. Not everybody is born to be a mother at that early age. For me, I had the privilege of being an African. I was able to step up because I was brought up in a home in which I had to look after my siblings. Imagine if my 16-year-old son had a child now; he would not be able to look after that child. I was very privileged; I had my mother and my family.

After I had the baby, they forgave me and supported me. I am telling members this because I am a strong person, but it is a taboo to get pregnant in some of our communities even now. It is a big problem. Imagine a young person who is not mentally strong enough to handle that pressure of the community; they will not feel supported. If

a young person sat down with me now who had made the decision to have an abortion, I would not stop them, because they will have made that decision for themselves. That decision might be right for them because they are not capable of being a parent at that point in their life. I made the decision to look after my son, but bringing up my son as a teenager was not easy.

Another issue for teenagers within the CALD community is that I do not think many community members would allow their children, especially teenagers, to go and have an abortion. It would be very difficult for them. That is the truth. I know that many community members would not like what I am doing today, but the reason I am standing here is for me to be honest as a Christian. When a prostitute came and held the legs of the son of God, did he kick her away and say, “You are a prostitute; do not hold my leg”? No. The point I am trying to make is this: we humans are all sinners in our own way. Nobody is perfect in this world.

A woman could say to herself in whatever situation she is in, “This is the issue I am going through; I am going to have a broken home.” We do not know her reasons. We are describing and talking on her behalf, yet we do not know her reasons. We heard from Minister Jarvis who told us her reason. We do not know another woman’s reason. The fact that we do not know her reason means that we should not be here trying to make ourselves superior, because we do not know what that woman is going through. Especially tonight, someone might be thinking, “This is the situation that I am in and I am going to have an abortion.” I would not say to someone, “Go and have an abortion”, but I will not judge someone who wants to have a safe space to do so.

We are the government and of course we have the opposition and the backbenchers. I can see that many members are supporting this bill. I am really pleased with that. Most people are supporting this bill. I appreciate that because we are the government and our job is to be a voice for the voiceless. A lot of consultation was done by Minister Sanderson. She did not decide to come here and say, “I am making up legislation based on my personal needs.” She is a mother. She is giving women in the community who do not have a voice legislation that will protect them. For us to come here and point fingers at the Premier or at Minister Sanderson is not fair. It is not fair on us as mothers to sit down and read those horrible emails. To be honest, they are horrible emails.

Like Hon Nick Goiran said earlier, maybe an organisation could be established first for people who are ready. He is saying that children under 23 weeks can be born alive; yes, I have been hearing it all week. Of course, other members are saying that. Maybe he could have an organisation that could advise that it is not easy to bring up a premature baby. As was mentioned earlier, it is not easy to bring up a premature baby.

I know this bill will go through. My question to the member is: Do you have the capacity? Would she have the capacity to look after those kids? Will the member give up his job to go support them, because that particular parent might not have the capacity to actually look after that child? I think it would be very difficult for those doctors. Are they going to adopt the kids and nurture them? Yes, we have the hospital system to do that, but will those kids have a parent who will give them the love they need? We already have so many problems with our youth who are coming from homes, but imagine what would happen to them. I do not know what you guys already have in place, if that was the case.

I have said a lot and I think I have upset people, and that is fine, but I feel like it is important for women to be given their own choice about how they can live their life and not be made to feel bad as parents. I have two beautiful kids at home. I made a choice. I get asked every day, “How do you manage being a mum in Parliament?” It is my choice. I chose to have my children and I am taking care of them, and my family is taking care of them. If a woman made a choice and they are not able to look after children, I cannot judge them in any way.

Once again, thank you, Cheryl and Minister Sanderson for bringing this wonderful legislation to give women their own freedom of choice.

HON WILSON TUCKER (Mining and Pastoral) [8.38 pm]: I have to admit that I have been caught rather flat-footed and surprised by the passage of the Abortion Legislation Reform Bill 2023 in this Parliament. The workers compensation legislation, which we dealt with prior to the abortion bill, took around two weeks to reach its near conclusion. It looks like we will probably head into Committee of the Whole in the space of a couple of hours on that very important piece of legislation on a very divisive topic that will likely affect more people—just over 50 per cent of the population—as opposed to the workers compensation bill, which will affect a smaller subset of the population.

With the first conscience vote that we will have since I have been a member in this place, I thought we would hear some more divisive opinions and more fulsome contributions on the topic of abortion. I get the sense that perhaps when we are talking about a conscience vote for this bill, it is a conscience vote in name only. Perhaps we will tease it out in subsequent phases of the bill.

I will state from the outset that I am pro-choice. I also feel a level of embarrassment as a man. I stand here without any experience on the topic of abortion, speaking on a bill that will affect decisions that women can make related to their own bodies. I feel it is only appropriate that there is a level of self-determination for women in the personal decisions they can make about their body autonomy and the process in which they can make those decisions, which is what we are debating here tonight. That being said, I am here, and members could certainly question the potentially

questionable mandate that afforded me a seat at the table, but nonetheless I do feel a sense of responsibility to speak on this bill, probably more so than most bills before this place because members will have a conscience vote. Hopefully, it is not necessarily a foregone conclusion when we talk about the passage of this bill relative to other pieces of legislation in this place.

I have decided to take a representative approach to this bill. I am really trying to reflect the will of the majority of women in Western Australia, and certainly the majority of the women in the electorate that I represent in the Mining and Pastoral Region. That is a responsibility that I certainly take seriously. I have also tried to take a lens of interrogating the date-driven approach and the evidence-based approach that has informed the legislation that we are dealing with today. That is a methodology that I certainly fall back on from time to time.

In saying all that, I support the bill. I certainly support the intention of this legislation. However, I have some concerns and reservations about some of the outcomes and the decisions that are contained within the clauses of this bill. I think these concerns are best left for Committee of the Whole. I certainly look forward to Committee of the Whole when we can really examine this important piece of legislation. In saying all that, I conclude my remarks. I look forward to the committee stage of this bill.

Debate adjourned, pursuant to standing orders.

WORKERS COMPENSATION AND INJURY MANAGEMENT BILL 2023

Point of Order — Question without Notice 926 — Ruling by President

THE PRESIDENT (Hon Alanna Clohesy) [8.43 pm]: Members, during today's questions without notice, a point of order was raised by the Parliamentary Secretary to the Minister for Industrial Relations in relation to a question asked by Hon Ben Dawkins regarding the Workers Compensation and Injury Management Bill 2023. The question sought the minister's response to matters contained in a legal opinion dated 16 June 2023 from the Australian Lawyers Alliance, which the member tabled at the time of asking the question. The legal opinion considered aspects of the bill. The parliamentary secretary objected to the question on the basis that, firstly, it seeks an opinion, including a legal interpretation or opinion, standing order 105(1)(b); secondly, it is not concise, standing order 105(1)(a); and, thirdly, it contains argument. The third objection is not a ground for objection under standing orders, so that particular objection is not sustained. The first two objections are upheld due to the length of the question and the fact that the question expressly asks the minister to respond to conclusions reached in a legal opinion. I therefore rule the question out of order.

I also make the observation that the question relates to a bill that is currently before this house and that the member can avail himself of the opportunity at the committee stage of that bill to further explore aspects of the matter that he seeks information on.

SKILLSWEST CAREERS AND EMPLOYMENT EXPO

Statement

HON PIERRE YANG (North Metropolitan — Parliamentary Secretary) [8.45 pm]: President, thank you for the opportunity to make a contribution today. I wish to report to the house that a few weeks ago, I represented the Minister for Training, Hon Simone McGurk, at the SkillsWest Careers and Employment Expo at the Perth Convention and Exhibition Centre. I was accompanied by the director general of the Department of Training and Workforce Development, Ms Karen Ho. We went to a number of stalls and met with people in the training industry. It was very well attended indeed. The expo is owned and operated by Kym Jones Exhibitions and Events. This event is free to the public and has been supported by the state government since its inception in 2010. It was promoted via a website, television and radio commercials, advertisements, billboards and a social media strategy. The event was held on Thursday, Friday and Saturday, 27 to 29 July. It was changed from the previous practice of holding it on Friday, Saturday and Sunday to facilitate more school students being able to attend on school days. There were 189 exhibitors at the event, 89 of which were employers, and 102 school groups attended the first two days of the event, comprising 6 035 school students and 407 school staff members. The total number of visitors over the three-day expo was nearly 12 000 people.

TAFE and Jobs and Skills WA also had a large booth at the entrance to the expo. I was very impressed by the showcase of the expo and congratulate the department for its amazing work.

I also wish to take this opportunity to correct the record. On 13 June 2023, Hon Peter Collier said —

We opened five Aboriginal workforce development centres in Geraldton, Kalgoorlie, Broome, Bunbury and the city centre. We provided avenues of employment for Aboriginal people and the big miners and employment companies throughout Western Australia. You guys shut them. That is a real shame, because tens of thousands of Aboriginal people accessed those Aboriginal workforce development centres. That was such a bad call. I did not do it because I thought it was a good idea. Aboriginal people asked for it. That is why I opened them. They were working well, and I hear that from a lot of people I am still in communication with in the education sector.

I wish to advise that the Aboriginal workforce development centres continue to exist as part of the jobs and skills centres, with no diminishment in funding, and the services have not been closed. Jobs and skills centres have brought together a wide range of existing employment services, including Aboriginal workforce development services that had previously been operating in silos. Former staff are now working in jobs and skills centres and provide the same, if not better, services to Aboriginal people. In fact, the Aboriginal jobs and skills centre services have been significantly expanded across Western Australia. There are now 19 jobs and skills centres across the state that offer specialist support for Aboriginal people. The centres employ Aboriginal people to deliver Aboriginal support services. The government expanded Aboriginal workforce development services into places like Kununurra, Midland, Armadale and South Hedland. The jobs and skills centres have assisted more than 1 450 individual Aboriginal clients, and many more thousands of Aboriginal clients have been assisted over the past three years. I wish to conclude by advising that more than 2 200 Aboriginal apprenticeship and traineeship commencements occurred in the 12 months to 31 December last year—up 40 per cent from pre-pandemic levels. I wish to provide these in order to correct the record.

CORRIGIN–BRUCE ROCK BUSHFIRE — FEBRUARY FIRESTORM: VOICES FROM THE SMOKE

Statement

HON STEVE MARTIN (Agricultural) [8.50 pm]: I rise to make a brief contribution about an event I attended last Friday in Corrigin. It has been little over 18 months since the 6 February fire that ripped through the Corrigin and Bruce Rock shires. A wonderful group of women, led by the amazing Val Downing, have put together a picture storybook of the experiences and stories from that horrible day. The Corrigin community gathered last Friday to launch the book. There were some nervous people around in the room before the event because they had ordered 300 books and they were nervous that they would not get through half of them. There was a queue 30 metres long after the book was launched, and by half past eight that night, all 300 books were gone. It was a really important event for that community to continue the healing process that is ongoing in Corrigin, and there was a bit of raw emotion that night, I have to say, from the shire president, Des Hickey, who saw his entire farm burn as those two fires that approached Corrigin ripped through his entire property. He was faced with: do I look after my own farm and do what I can or do I do what I have to do and try to keep the community safe? He was just one of literally hundreds of people who were put in that position.

I spoke to Val about the task, and I should mention the other members of her team. Sue Courboules, Val Downing, Jackie Jones, Jenny Pitman and Kellie Bell were the drivers behind this project. I have to say that it is often a group of women in a country town who do projects like this. They knocked on doors and twisted arms and reached out to people and said, “You have to tell us the story now while it’s still fresh”, and they got it down. There were a few members of the community who said that it was just too raw at the moment and maybe down the track, but at the moment they could not. However, the memories they collected will be a wonderful resource for that community in decades to come as they look back at the most significant day in Corrigin’s history.

One of the stories mentioned that night got a bit of media attention at the time with a wonderful line I think from Stephen Bell, but I am not sure. It told how someone who was about to watch their house and sheds burn describe a group of “mad bastards” coming out of the smoke on the back of a ute who put the place out, and then charged off to do the next one. That was just one of a number of those sorts of stories that occurred on that awful day.

It was great to see the Corrigin community come together. It is a very strong, resilient community. It has needed to be. Significant work still needs to be done to put those farms, properties and that community back together. Led by people like Des Hickey and Natalie Manton, who is the CEO, and the other volunteers and community members who have rallied to the cause, I am sure they will get there. It was a real privilege to attend that event. The book is called *February Firestorm: Voices from the Smoke*. It is a very apt name for that publication. Congratulations to the Corrigin community.

House adjourned at 8.54 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

YOUTH DETENTION — STAFF**1473. Hon Steve Martin to the minister representing the Minister for Corrective Services:**

I refer to Banksia Hill Detention Centre and Unit, and I ask:

- (a) what was the average wage of custodial staff at these facilities over the previous 12 months; and
- (b) did any staff receive a salary last financial year, that was:
 - (i) more than 50 per cent of their base salary and, if so, how many; and
 - (ii) more than double their base salary and, if so, how many?

Hon Stephen Dawson replied:

The Department of Justice advises:

- (a) \$105,098.39
 - (b) (i) 100 (between 50 per cent and 100 per cent above base salary)
 - (ii) 30
-

