



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE COUNCIL

Thursday, 30 May 2024

Legislative Council

Thursday, 30 May 2024

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

CRIME AND ANTISOCIAL BEHAVIOUR — REGIONS

Petition

HON NEIL THOMSON (Mining and Pastoral) [10.02 am]: I present an e-petition containing 928 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 ...

1. Call on the State Government to take immediate and urgent steps to curb growing antisocial and criminal behaviour affecting our regional communities. 2. Share the concerns about the perceived leniency of penalties imposed by Courts on those convicted of crimes. 3. Share concerns about natural justice afforded those victims of crimes where, for example, where victims of crime are not afforded an opportunity to provide an account of the impact of those crimes during the deliberations of the Courts and/or in sentencing of criminals. 4. Ask that the Attorney General writes to the heads of Western Australian Courts (Heads of Jurisdictions) requesting appropriate measures to improve the focus on the victims of crimes in the deliberations and determinations of the Courts. 5. Ask the State Government to urgently introduce measures that provide improved redress for the victims of crime in Western Australia.

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

[See paper 3192.]

PAPERS TABLED

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

EDUCATION — SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS

Notice of Motion

Hon Shelley Payne gave notice that at the next sitting of the house she would move —

That this house commends the Cook Labor government for its investment in science, technology, engineering and mathematics in our schools, including an increased focus on encouraging more women into STEM-related careers.

NON-GOVERNMENT BUSINESS — SCHEDULE

Motion

On motion without notice by **Hon Sue Ellery (Leader of the House)**, resolved —

That pursuant to standing order 111(4), the revised schedule for non-government business tabled today by the President be adopted.

COMMUNITY SAFETY — GOVERNMENT PERFORMANCE

Motion

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [10.05 am] — without notice: I move —

That the Legislative Council calls on the Cook Labor government to act on its promises to improve community safety.

This motion is about community safety, but it will not entirely be about family and domestic violence because there are other aspects that I will talk about.

I want to express my sympathy and condolences to all those who have been affected by the tragedy that occurred in Floreat last week. I know that those words are wholly inadequate. I cannot begin to understand what those who have been affected by this tragedy are going through. I found it very confronting and challenging when I read the stories that have been written about it. When I first heard about it, it was awful. I know that I cannot express the words to capture the meaning of what happened. As a bloke, I know that I have to be part of the solution. We are told that men need to do more, and we do. I cannot understand how any man could ever contemplate the sort of acts that occur all too frequently in our community. I cannot understand why people reach the point at which they decide to take those actions.

I do not like the term “domestic violence”. In my mind, the word “violence” expresses an element of the physical—that the actions are physical. They are not always physical; we have heard many times from many members in this place that actions of domestic abuse include psychological and coercive control and all those sorts of things. We need to broaden the debate and talk about all the actions that are as insidious as the physical actions, but are less talked about and less seen, for want of a better term.

As members know as I have spoken about it many times in this place, I am a dad to five girls. I cannot imagine something like that happening to one of my girls. I only hope that as a parental role model, I can provide them with guidance and comfort so they know that no matter what, they will always have the ability to come to me to talk about anything and be kept safe. I will do my utmost to do that. However, as we have seen, sometimes there is just nothing we can do when people determine to carry out such acts. I do not know what triggers people into taking these actions.

Having navigated the Family Court system and the child support system myself, I know that they are complex systems. The child support system is invariably incredibly complicated. I am not making a judgement about fairness or equity here either. It is unbelievably complex, difficult and challenging to navigate. Maybe that is part of a trigger point for some people. I am not excusing their actions, of course. There are all sorts of things we can do better. Again, I cannot express how deeply affected I was personally by the events that occurred last week and how much I express my sympathy and condolences to all those who were also affected.

Today I moved —

That the Legislative Council calls on the Cook Labor government to act on its promises to improve community safety.

I want to start with some statistics on the rise of violent crime that we have seen in recent years. In 2017–18 in regional Western Australia, there were some 14 537 offences against a person. Those offences included homicide, sexual offences, assault, threatening behaviour, deprivation of liberty and robbery. In 2022–23 in regional WA, statistics show there were 24 672 offences against a person. That is a 70 per cent increase in violent crime in regional Western Australia since the Labor government came into power in 2017.

In 2017–18 in the metropolitan area, there were some 29 476 offences against a person. In 2022–23 in the metropolitan area, we saw 37 691 offences against a person. That is nearly a 30 per cent increase in violent crime in the metro area since this government came into power. Those are statistics from the Western Australia Police Force. Every single month since the last year to date shows an increase in crime over the previous year. We are again tracking for an overall increase in the statistics for violent crime.

We are experiencing a disturbing rise of violence in the community. Unfortunately, as we are all aware, that is also replicated in the home. In this financial year to date, family and domestic violence offences are already up 41 per cent on a five-year average for the same period. That is on top of last year’s statistics. If we look at last year’s figures for family assault and threatening behaviour, we will see they were the highest recorded over the last 10 years. This is a crisis facing the Western Australian community. According to two reports, restraining orders are being breached at a rate of one per hour. What are we going to do? What is this government going to do to act on this and how are we going to prioritise addressing these issues with immediate effect? What do we say to the people affected by these crimes, the loved ones of those who have lost their lives to domestic violence or those who are living in fear and terror in their own homes?

Last year, the Minister for Prevention of Family and Domestic Violence said —

“Across government and also within the community sector, we need to keep working together to break down the silos to better share information and data, including patterns about perpetrator behaviour ...

What is being done in that regard? We also know that housing access and crisis centres are vital to the ability of victims to escape. Why was there not more funding in the budget to address that issue?

We also need to do better to support women in reporting violence, protect their lives and enforce community safety. As I said earlier, I cannot understand how or why these acts are committed against people who are purported to be loved ones. We must do more to give those women the confidence and security to be able to report those matters safely.

Many questions have been asked in this place about the police. The Leader of the Opposition regularly asks questions on the number of police and the statistics around the retention of police officers. We know that the number of police officers is falling and that police are not being replaced by the number promised. Earlier this year, the king of spin, the Premier himself, was again called out by the WA Police Union after making celebratory comments about police resourcing. The media release of the WA Police Union states —

The WA Police Union rebuts celebratory remarks made by Premier Roger Cook yesterday in Parliament. The Premier celebrated a record number of police on the beat, an enhanced Banned Drinkers Register and Protected Entertainment Precincts that banned thugs from popular destinations across Perth.

Paul Gale, the President of the WA Police Union, expresses dissatisfaction with the Premier's remarks, considering them to be uninformed.

“With all due respect I think the Premier should check his facts before telling the public to celebrate the record number of police on the beat. In 2020, the State Labor Government promised the Western Australian community that the Police Force would be bolstered by 950 officers over and above attrition by June 2024. I ask you today, how many of those 950 are walking the beat? Our statistics show less than 200.

“WA Police has suffered an attrition rate never seen before, with nearly 1000 officers walking out the door over the past two years. This is due to the government failing to recognise and acknowledge the difficult role policing has in protecting the community. Wages have depreciated since Labor came into power, thus not keeping up with inflation and the cost of living.

“In October 2023, Commissioner of Police, Col Blanch, put a moratorium on the internal transferring of officers to specialised roles, because the frontline of policing was approximately 400 officers short across the metropolitan region.

“That moratorium is still in place and will be extended because less than half of those vacancies have been filled. Due to those vacancies, our officers are working excessive overtime thus causing burnout and fatigue.

“Our officers are also working within an unrelenting environment, being assaulted, spat on, kicked, punched, and psychologically harmed. Our members are scrutinised by the public and their own employer for every word spoken and every action taken. The government has been overpromising and underdelivering for a prolonged period now.

That is essentially the problem: the government promises the world but fails to deliver. This came hot on the heels of the Premier also claiming that Perth did not have any issues with youth crime, despite overwhelming evidence to the contrary. Again, the WA Police Union had to issue a media statement to correct the Premier. That media release states —

The WA Police Union has denounced remarks made by Premier Roger Cook today regarding youth crime. Premier Cook emphasises the importance of police presence on the streets for enhanced protection, however, this assertion is flawed, as police are already actively patrolling and are themselves impacted by youth crime.

Statistics on juvenile offences and assault rates underscore the daily challenges faced by officers. This is just one of the contributing factors to the high level of officers leaving the force, thus leaving WA Police struggling to retain officers in the long term. When the justice system fails to support them, officers feel disillusioned by the system.

This media release again highlighted that whilst the Premier might be quick to celebrate things, he probably needs to check his facts. We need to be sure that we do all we can to provide the resources that are needed within our police force.

Members will be acutely aware that, after this week, 11 scheduled sitting weeks are left in this parliamentary term before we go to an election, yet much of the legislation promised by the government has not been prioritised or even introduced. We have heard promises of programs and legislation around coercive control, but we have not seen reforms to the Restraining Orders Act. We need to ensure that we resource our court system to be able to handle the challenges it faces. I know we have another piece of legislation that we will be dealing with at some point in the next period, which will add to the work of the Family Court. We need to make sure that we resource the court system to be able to deal with that additional work as well as what is already on its plate. The government has made much about GPS monitoring devices for offenders, so we need to see those sorts of actions taken. Where is the legislation and funding to make these things a reality before this Parliament runs out of time?

We have heard much in the media this week about the firearms legislation currently before the house, and possible amendments to it. We do not know what the changes will be because we have not seen those possible amendments to make it “better”. We have not seen those amendments. We presume the government will continue with those, but we do not know. Of course, this is the opportunity to consult on those proposed amendments, which are significant. Provisions already exist in the current legislation to remove firearms from people. There is already a fit and proper person test. The legislation that is before us sadly would not have made a difference in the case that occurred last week.

Dr Alison Evans, who is the chief executive officer of the Centre for Women's Safety and Wellbeing, has provided a kind of laundry list—a recipe if you want—for what needs to be done. These are some of the legislative changes that I would like to see occur in the next 11 sitting weeks if we are to have an impact on some of the challenges that face our community's safety, particularly our women and children. We need to harmonise laws and responses to coercive control as best as possible, so let us get that happening. We must sufficiently fund family and domestic violence and sexual violence services to respond to demand, need, complexity and diversity. We need to sufficiently

fund our workforces across primary prevention, early intervention, crisis response, and recovery and healing. We need to coordinate and integrate systems and deliver services in a culturally safe and appropriate way; and make police and the justice system, including family law, evidence-based and trauma-informed. I will say there has been much criticism this week of police actions related to what happened in Floreat last week. I will not make a judgement on their actions. Obviously, I do not know all the facts, but it would appear to me that a significant program of education and change is perhaps needed to ensure that issues raised with police are taken seriously and that appropriate actions are taken. Those sorts of things take time but they need to be started. We certainly need to make sure that our police are equipped and resourced to deal with those sorts of challenges and issues. We need to fund men's behaviour change programs and perpetrator interventions that are known to be effective; fund the general services that can identify, respond and treat violence against women and children; and fund social, economic and health supports for victims and survivors. We also need to build community capability to safely respond to violence and have respectful relationships. I do not know that respect is something we often talk about at great length in this place. I was certainly raised with respect. I was raised by parents who taught me the value and importance of respect. One thing that I have observed anecdotally is the lack of respect we see so much of in our community. People do not seem to respect others as much as they should. I do not have the answer to how we can change such an ethereal thing in some respects, but I cannot understand why we do not do more as parents to teach our children to respect our families and others. We do not always agree with each other's views in this place—more often than not we do not agree—but I will always respect the views of others whether or not they align with mine because respect is deeply ingrained within me, and has been for many, many years.

We need to focus on addressing many of these issues and prioritising addressing them before this term of government ends. Everyone has seen the statement from Ariel Bombara earlier this week. After reading that statement, it is clear to me that Ariel wants action. It is incumbent on all of us to make sure we do that and see that legislation introduced into this Parliament before Parliament ends so that we can deliver some of the promise that the government made. It is not up to the opposition to set the agenda.

HON LOUISE KINGSTON (South West) [10.26 am]: I rise to support everything my colleague Hon Colin de Grussa has said. I have experience of this matter having worked on the ground as a former community resource centre manager in Manjimup, which is a low socio-economic area, and for Centrelink where I saw exactly the effects of what we are talking about today. I find it really sad to watch the government continually focus on building monuments to itself with massive cost blowouts on Metronet as we heard yesterday during the Liberal Party's motion. That is repeated over and over. Hon Colin de Grussa referred to the crime statistics, which have seen a massive increase, particularly in violent crime, as we have discussed many times over the last few weeks. Meanwhile, the community resource centres and family centres in regional areas like the one in which I live go begging for funding. I am not talking about a lot of funding. I spent most of my time at the CRC seeking funding to run new programs or even just to top-up the operating expenses, which increased significantly in the time I was there. A lot of things could have been done. Before I left, I presented a paper to the Minister for Regional Development about the collective purchasing of things like insurance and being able to have zones so that we could work collectively on applying for funding. All the grants that I wrote and received no longer had a component in them for administrative or management costs. That means that every grant that a CRC seeks costs money in order to run further programs. The CRC's hands are tied behind its back and the centre is already underfunded.

CRCs are the most wonderful organisations. They bring people together and are responsible for working with a lot of groups in our community, including the local councils, the business community, the not-for-profit sector, police, health services and all the other sectors that build community resilience. CRCs create a feeling of place and a sense of belonging. People who are connected to their communities feel valued and engage on a more meaningful level in a more worthwhile way. When someone is struggling, people notice. They reach out and offer a helping hand. But that is often really hampered by the fact that we do not have the resources or the services that we need locally.

I will tell members a story about a fellow who turned up at my community resource centre in a very dishevelled way who was obviously really struggling. I ascertained that he had recently been released from prison, that he was a recidivist offender and that he had not been given the correct assistance, once again, before he left prison. Released prisoners are meant to be provided with their first Centrelink payment and contact numbers for various organisations and other things. He had not been provided with any of that. Despite the fact that he was a recidivist offender, he did not arrive at our CRC until he was in a really distressed state. We did the best that we could do. We got him some food vouchers, sent him to Vinnies and all the normal stuff that we are able to do. But it became very apparent to me that the bigger problem was that he was choosing to go back into prison because he had a family and connections in there that were not being fostered within the community. I set about trying to have a look at ways that we could work more constructively on getting somebody like that into specific programs that would help to build that family for him outside of prison. That was a very difficult exercise. I came to the belief that we needed to come together as a community and form a community framework.

Hon Colin de Grussa talked about the lack of respect in the way that people behave these days. I found that this person and, across the board, a lot of the people I deal with in the Centrelink system had had very bad role models

and had not been brought up to understand how the world works in a positive way. He had found himself in a position in which he felt that the only thing he could do was to continue to commit crime and go back into jail to survive. When we talk about what we need to be doing—and that is why I raised the point at the beginning about building monuments to ourselves—we need to be cognisant that we build a community from the bottom up, not from the top down. All the cost blowouts that were raised yesterday take money away from these types of services. We really need to start with these types of services because if we do not have a functioning and prospering society, it does not matter how many monuments the government builds to itself. More people will be left behind and will get angry when they look at the spending on that, understanding that their needs are not being met. It is incumbent on us in this place to keep recognising this and telling these very painful stories. I was very moved by Hon Sandra Carr's story during members' statements about Simone O'Brien. I looked at her program. That is the type of program that we tried to get funding to start to look at why people continually perpetrate crime. Speaking to the local police there, we hear that it is literally a revolving door. We know we have problems in our court system, police resourcing and declining standards of behaviour, so we need to focus on how we work with perpetrators to understand how people end up in that position. Exactly as we have seen just in this recent week, how does somebody get to a position where they felt that they had no option but to do what they did.

This Manjimup story of mine ended up being a very sad story. I was working with the police. I kept alerting them to his declining behaviour. We put some things in place for other community members to keep an eye on him and notice him, but we just did not have the abilities or services to make a meaningful difference in that person's life. Sadly, he ended up perpetrating an even worse crime this time. It was a violent assault against somebody, and he has ended up back in prison for probably a considerable amount of time. He desperately wanted to do better. He has children. He has let them down. He knows that he has let them down. Violent crime is another thing we had to deal with at community resource centres, and we were often unable to get support from the police in a timely manner. A lot of people who end up at community resource centres behave in violent ways towards us. I was able to handle that. I have said before that after 30 years in a male-dominated sport like speedway, it stood me in very good stead to manage that. Others on my staff were not able to manage that, and they were very affected by some of the experiences that we encountered.

In summing up, this is probably a different way to look at these crime situations, but we really need to focus on it. I note that last week Hon Sabine Winton talked about the family and domestic violence taskforce, which now will see \$170 million. We need to do better with that money.

HON DR BRIAN WALKER (East Metropolitan) [10.36 am]: I have only a few words to say about this motion because it is absolutely clear that not a single person in this chamber or Parliament disagrees with the concept that we all need to act on our promises to improve community safety. I might take exception with the words of the motion because I would apply this to all sides of the house at all times, so I will soften this to some degree and say that it is a responsibility of every single one of us, whether in government or not.

We have a major problem in our society. Yesterday or the day before in one of my speeches—my philosophical contributions—I was saying that we have to deal with the underlying problems, not the overarching symptoms that seem to require our attention. In our recent budget, a number of financial solutions have been applied to the problems that appear present in our society, and that is the right and proper thing to do. Is it not? But as long as we are putting a fix on the overarching symptoms up top and not dealing with the underlying problems, we are actually going to be wasting money. It is like having a leaky water pipe but paying the higher bill and getting in another pipe to pump more water into the house. We need to fix the leak first of all, and that is true of many aspects of our society. As I said a few days earlier, after 30 years of legislation, are we any safer? Are we any better in our society? I put it to members that the answer is no. This affects governments of all shades and people of all persuasions.

The recent issue we have had with domestic violence is but one example of the violence within our society perpetrated by offenders but also the violence with which we treat offenders, because we are children of a previous generation. In corrective services, we are still perpetrating the same attitudes the people had when the First Fleet came over, which results in a coercive approach to managing those who have committed crimes. We could then say that they have committed the crime, so they deserve to do the time. This mindset does not actually help people to recover. The idea of rehabilitating people to find a different way is not being properly thought out. Speaking as a doctor who worked in corrective services, the amount of psychiatric illness within the prison population is immense, and the amount of treatment accessible to these people is minimal. When they are discharged—I know this from personal experience, seeing my patients leave prison and come back in again—they are at the front gate wearing the clothes they were wearing when they were arrested, with a week's worth of medication, and off they go. They are then left to their fate. What are they going to do with the previous, very difficult lifestyle that they had? They are going to go back and do what they have done before.

On a visit to Hakea Prison, I vividly recall asking a patient who was sitting in front of me what his profession was, as I always do to the people coming in—"Who are you, how old are you, where were you born and what's your profession?" He gave his profession with a straight face—absolutely true—and said, "I'm a burglar." This was his profession; that is all he knew. I would see patients in the prison who were fourth generation family members who

were unemployed. We have a societal problem, do we not? Simply applying money to the top of that for the obvious problems is an ineffective but also very costly exercise. Both sides of house would do well to realise that by doing this we are wasting money because we are not dealing with the underlying problems. Rather than being critical of this—do more, do better—we should think differently. I put this message out to all concerned without any flavour or criticism. We must learn to think differently. Why do we need to learn to think differently? Thinking in the old way is very much easier than going down a new path. We have our habits and our way of doing things. I have said this many times before and I will repeat it again and again because it is an inevitable truth: if we do not think different thoughts, we do not get different outcomes. The current outcome with last week's tragedy, which is simply one of many tragedies affecting our society, is that it will be repeated. As Hon Peter Collier has pointed out, we will see the death of more juveniles in the prison service. It will happen again, and we will beat our chests, blame other people and find ways of putting a plaster on the symptom, but the underlying problem will not be addressed.

I put the call out to all sides that rather than doing this or that and spending more money, let us sit down together as a society of those who have been actually blessed with wellness and financial subsistence levels that we can live quite well, and find together new ways of dealing with the fundamental problems. What are those fundamental problems? One the most fundamental problems is, of course, communication. How do we communicate, one with the other, because we will have difficulties? We will always have difficulties with people and misunderstandings. If our communication is at the level of “you agree with me or I beat you up”—how many people do we know who are like that? The standard approach is: “You have got to believe what I say or I will beat you.” We are seeing this now with the Palestinian and Israeli conflict: “You believe what we say or we'll attack your side.” We see this happening all through society. If someone does not like what I am saying—smack! Communication is very important, but how do we teach our four-year-olds to communicate when the teachers themselves have not learnt how to communicate properly? The whole science of psychology is about how we explain something to people in such a way that they can understand, and also how am I able to understand what is really being said.

These are the unsexy things that happen beyond the kind of “how much money have we spent?” scenario. This is a fundamental change in the way that we approach each other in society. I could talk about many more things, but the point I put out in my short contribution is that we need to think differently so that we begin to act differently so that society changes.

HON MARTIN ALDRIDGE (Agricultural) [10.43 am]: I rise to support the motion. In the spirit of Hon Dr Brian Walker's contribution, it is quite good to have these debates that challenge us to all do better. Community safety can mean different things to different people. In the time that we have had on this motion, I have already heard some quite different perspectives on what community safety means to different members and their communities. I want to remind members that the 2021 campaign slogan of the Western Australian Labor Party was “Keep WA Strong”, which has different meanings. It has economic meanings and health references, but overall it aligns with the sentiments in this motion around the safety and resilience of our community.

In 2020, a commitment was made to significantly bolster our police resources in Western Australia by an additional 950 police officers. That is something my friend Hon Peter Collier focused on quite extensively on Tuesday in his budget reply. Like other election commitments, the government has flown the white flag a year out from the election on this issue. I think it was a central plank. It was front and centre throughout the entirety of the last election campaign. I do not think I saw one candidate flyer circulated that did not have some reference to the commitment of a significant uplift in police officers.

Why is that important? Looking at the crime statistics published on the WA Police Force webpage, we are going the wrong way on just about every measure. Based on five-year averages, there has been a 20 per cent increase in offences against the person, a 41 per cent increase in family-related offences, a small reduction of 1.7 per cent in offences against property, a 10 per cent increase in offences against the person or property, and a 2.8 per cent decrease in drug offences. We should not think for one minute that drugs are not a problem in our community. I think these figures are significantly skewed because they are based on five-year averages; that is, what has happened in the last five years. We had an event called COVID-19, and the state and federal government border controls that were applied to the movement of people and other things significantly disrupted the supply of drugs into not just Western Australia, but also Australia. I suspect this figure on drug offences will change in coming years as that washes through our statistics. Certainly, I hear from my community and from police within our communities who deal with this on a daily basis that the supply of drugs has never been greater than what they are currently seeing on the ground.

On that point, remember we were told at the last election, or it may have been the election before, we were going to get a meth border force. I have not checked up on this border force recently. I do not even know whether it still exists within government or what it is doing. I heard some pertinent questions asked recently by my colleague Hon Tjorn Sibma about the application of new legislative options that give police the ability to declare precincts and search for drugs. That does not seem to be going very well. Perhaps the government spin is that there are not any drugs to detect, which of course does not relate to what I hear when I speak to people on the ground about their lived experience of the availability of drugs in communities.

I am a realist, not an idealist. Many of the problems that have been outlined in the debate today government alone cannot solve. There has been a bit of debate over the last few weeks about whether these problems should be personal responsibility, collective responsibility or the government's responsibility. Every member of the community, and particularly leaders within communities, have a greater burden of that responsibility. Who ultimately has responsibility for community safety should not necessarily be siloed to one group of people or another group of people, or government or non-government because we all have a role to play. Following the tragic events of last Friday, which I spoke of yesterday, the Western Australian Commissioner of Police held a press conference on either Monday or Tuesday. It concerned me when he said, quite strongly, that he, along with other agency leaders, was going to lead a reform or a response that would stamp out family and domestic violence. With all due respect to the Commissioner of Police, if the problem were as simple as that, it would have been stamped out before now. That may be an aspirational goal that we all have, but I think we need to be realistic about the complex challenges that have led to skyrocketing statistics for violent offences, year on year. There has been a 20 per cent increase in offences against the person and a 41 per cent increase in family-related offences.

To return to the motion, I believe that strengthening our police force is an important response. If it were not an important response, the government would not have committed to an extra 950 police officers in 2020, so I do not think the matter I am raising is particularly novel or contentious. Hon Colin de Grussa quoted the WA Police Union's critique of the government's performance in this regard. Our police force is increasingly reactive; in my view and in my experience, the days of community policing and of having police embedded in and working with our communities to address issues before they become offences are long gone. Police are simply being asked to do too much with too little. If the government—I suspect it is the government, rather than the police force—were to drop its secrecy shield for a moment and actually talk about police shortages at police stations and in police districts in Western Australia, what is being done and what is being prioritised over other things, I think we could have an informed debate about the pressures that are being placed on police.

There was a time when police worked really proactively. I remember as a kid that they often did not wear all their devices on their belts et cetera when they were doing community work, because they were sitting down with scout groups, speaking in classrooms and talking to chambers of commerce in communities and towns. I do not think that is routine business for police at the moment, because they are simply under-resourced. I do not think this issue is being served well by the current Minister for Police. Of all the government ministers, this person has a really important role to play in ensuring that we have a safe community. An effective police minister needs to be a number of things: they need to be someone who is considered and measured, and someone who pays attention to detail and has an ability to listen and reflect before speaking. We need a workhorse as Minister for Police, not a show pony. Western Australia would be well served if the Labor government were to reflect on the leadership that is being provided to the police by the Minister for Police, and consider a change, sooner rather than later.

HON SUE ELLERY (South Metropolitan — Leader of the House) [10.53 am]: I want to make some comments across the range of matters that have been raised. I want to talk about coercive control, and I thank Hon Colin de Grussa for his quite thoughtful comments on that issue, because it is an area of law reform that we, as a nation, are starting to tackle. It is actually a very difficult issue to create laws around, but we are working on it, as are other jurisdictions.

I will commence my comments by saying that crime, particularly a crime against the person or personal property, is deeply distressing when it happens to you. Whether it is something simply annoying or intrusive, like graffiti on a fence; something far more serious, such as a violent attack against a person; or something in between, such as a burglary, whenever crime happens, it is deeply frightening and concerning for those on whom it impacts.

I take up the point made by the last speaker. I have a great deal of admiration for my colleague Hon Paul Papalia, the Minister for Police. He is incredibly hardworking, deeply engaged with his agency and deeply committed to improving the community safety area of governance for which he has responsibility. I think that the comments Hon Martin Aldridge just made about him were incredibly unfair, and it is nonsensical to suggest that he should not hold that role any further.

I also take issue with the notion that police are no longer doing community work and no longer engaging in the community. I do not see that at all. I am not across the rank structure for police officers, but I particularly see the local police stations' lead police officers being actively engaged with their communities. They turn up to talk to people—including people I have spoken to, mainly seniors, for example—about scams and scam prevention. I have seen local police officers continuously and regularly engaged in doing that important community work, whether it is with schools or other local community groups. The police and community youth centres are fantastic across the state. The kind of work they do in engaging with young people who might otherwise be at risk or distracted to do something else is incredibly important.

Although we can take statistics and damn statistics, if we compare 2016 with now, it is the case that there has been a 53 per cent decrease in dwelling burglaries, a 26 per cent decrease in motor vehicle thefts, a 20 per cent decrease in property damage and a 33 per cent decrease in drug offences. Whether or not honourable members like those numbers, that is the case.

A number of matters were raised, so I will do my best to work through them all. This government is acting, whether it is introducing specific legislation on particular weapons—for example, knives or guns—or whether it is making a significant investment in police equipment and technology to make sure that police officers are on the beat and in the community rather than having to go back to the station to complete paperwork. For example, we have rolled out personal issue mobile smart devices, which have reduced the need for officers to return to the station to complete their admin tasks and allowed them to spend more time on the streets and in the community. The devices have given officers faster access to more accurate information to help them make the decisions they have to make, often in a split second and under extreme pressure, and have resulted in improved safety for the officers and the public. We are keeping police officers safe by introducing stab-proof ballistic vests to frontline police. Body-worn cameras are ensuring that the community can have confidence in the transparency of decisions made by police officers.

Commentary was made about drugs. There is no question that drug abuse is a major driver of crime, and that is why one of the first actions this government took when it was elected was to change the methamphetamine trafficking laws and imprisonment penalties. Drug use increases crime and assaults against individuals, so we continue to act to make our laws as strict as they can be and ensure that we address those issues properly. Regarding police decisions about how they deploy police officers, including the capacity and flexibility of Operation Regional Shield and Operation Heat Shield, we recognise that crime peaks during the hotter months and we need to make sure that the commissioner has the capacity to deploy officers to areas where extra assistance might be needed from time to time.

I want to get to the prevention of family and domestic violence more broadly, not just because our attention has been drawn to it given the events of last Friday in Floreat but because it has been raised in today's debate and it is one of the most insidious forms of crime we deal with. There is no excuse for violence, whatever the circumstance. Whether it was the creation of our state's first Minister for Prevention of Family and Domestic Violence, the Respectful Relationships program in schools to try to tackle how young boys think about and treat girls and then hopefully women or, at the far end, harder penalties for those who commit family and domestic violence, our government has dedicated record resources, the highest levels ever in Western Australia, to tackling family and domestic violence. That does not mean that there is not more to be done, because, quite clearly, the events of last Friday have demonstrated to us that there is much more to be done.

One thing we did in response to a call from Alison Evans and victim-survivors was to convene a summit last year, I think around August. I, the Premier, three or four other ministers, the police commissioner, other senior public sector officers and members of the community attended that summit, and we heard directly from victim-survivors. Out of that summit came a series of requests from the organisers, and one of them was for a time-limited working party to develop a plan to go forward. We agreed with that and we put it in place. The organisers were quite specific that they wanted the working party to be time limited because they did not want the procedure to drag on forever and they wanted to see real decisions in the next budget. We committed to do that, and that is exactly what happened. In this term of government, we have committed \$422 million in initiatives, including the \$96 million package of supports that we announced as part of this budget in direct response to the issues that victim-survivors and the related sector called for in that summit. A direct result of that summit was nearly \$100 million in the budget we just announced to support victim-survivors, for prevention measures to stop the violence before it starts and to keep perpetrators accountable.

One of the measures it is important to note is how we work with perpetrators to break that cycle. One of the announcements that Minister Winton made after the budget was a call for organisations to deliver men's behaviour change programs in the south west. There was a call for expressions of interest to run men's behaviour change programs for perpetrators of family and domestic violence to support accountability and behaviour change for men who use coercive, controlling and abusive behaviour in their intimate and family relationships. This is just over \$3 million over two years for three new men's behaviour change programs, including one in the south west. Men's behaviour change programs will also be established in Northam and Albany. Since that announcement was made in November, we announced the further \$96 million in the state budget. Those are important programs to work on the perpetrators.

Members will be aware that the media was at the south entrance of Parliament House today, and I was asked by a journalist as I came in whether I thought it was good that the Minister for Police had finally acknowledged yesterday—in the journalist's words—that gun law reform was not the only solution to family and domestic violence. I think that question was incredibly ill-informed and ill-considered because that has never been the Minister for Police's position. We were elected in 2017 on a package of measures that started at one end of the spectrum of response to family and domestic violence and ended at the other. At one end was the respectful relationships program in schools and at the other were harsher penalties for perpetrators—and a range of measures in between, including measures around keeping women safe, increasing the number of beds in refuges and increasing the number of programs of support for children who are victims or, at best, suffer as a result of observing violence against their parents. We were the first government in Western Australia to put in place a Minister for Prevention of Family and Domestic Violence. To suggest that any minister in this government has ever taken the view that gun law reform is the only solution to family and domestic violence is wrong. I pointed that out as kindly as I could to the journalist.

In the couple of minutes I have left, I want to touch on coercive control because the mover of the motion raised that issue and I think it is worth talking about. It is subtle and it is difficult to recognise. Patterns of controlling

behaviour create fear and deny victim-survivors their liberty and autonomy. They isolate the victims. They cut them off from friends and family and support. We as a government will take a phased approach to criminalisation. We will start with reform around the system and education and training. System reform to respond to coercive control is being informed by the work of the Family and Domestic Violence Taskforce. Reforms that are being introduced immediately include changes to the Restraining Orders Act 1997; tools to help victims collect and document evidence; improved information-sharing and risk assessment tools; training for police and justice professionals; community education to increase awareness; and training and education to support systems that can recognise and respond appropriately to people experiencing coercive control before a separate standalone offence is created.

There is a lot of work to do to put in place the laws. The sector itself is saying that we need to take the right amount of time to develop those laws because it is very difficult to legislate against the kind of behaviour that constitutes coercive control. On every measure, this government is doing an enormous amount of work, led in no small part by the Minister for Police, to ensure that communities across Western Australia stay safe. Is there more that could be done? Of course there is; there always is. However, we have committed the additional resources. We are putting in place programs across the spectrum of prevention, and then dealing with the consequences of crime to ensure that our communities stay safe.

HON NEIL THOMSON (Mining and Pastoral) [11.08 am]: I rise to support the motion moved by Hon Colin de Grussa. I hope the government reflects on some of the comments made by the Leader of the House. Of course, this side of the house supports the programs that have been implemented on family violence issues. Of course we do, and we strongly endorse those programs. A lot of good work is ongoing in the Department of Communities through roles across the public sector. The motion today looks at the overall performance of the government. We have to step back and look at its overall performance and that of the Minister for Police. This is where my views diverge considerably from those of the Leader of the House on the performance of the minister and align with those of Hon Martin Aldridge. We see from the minister a complete focus on the art of deflection, the art of blame shifting and the art of grandstanding. The Minister for Police is not a serious minister by any stretch. It is an absolute travesty and tragedy that we have a police minister who operates the way he does on serious matters.

We have to go back to the facts. Under this government, looking at high-level offences from end of financial year data, sexual offences are up 27 per cent; assault-family offences are up 44 per cent; assault-non-family offences are up 28 per cent; threatening behaviour offences are up 91 per cent; threatening behaviour non-family offences are up 27 per cent; and robbery offences are up by 30 per cent. Those are just some of the headline figures. If those figures represented the key performance indicators for someone in any other role, they would be sacked. The Premier should reflect on that in terms of what is happening across the state.

As the Leader of the House rightly pointed out, there has been a reduction in the number of dwelling burglaries, non-dwelling burglaries and motor vehicle thefts across the state. Western Australia is the violent crime capital of Australia. WA's violent crime rates are twice the rate of those in other Australian states. Some violent crime rates in parts of my region are up to 40 times the national average. These are the performance indicators that we should be considering. We have seen an increase in the number of people who are fortifying their homes with home security. As published on Statista, Western Australia has a higher rate of home security compared with Queensland, that place that is regularly on the morning news on TV because of the problems with violent and other crimes. Of the Western Australians surveyed, one-third have some form of electronic surveillance in their home. I have had to do it. We have cameras all over our home, which are remotely controlled. I had to install them for the safety of my family. The rate is 16 per cent in other states. Of course, there has been a reduction in crimes against property because improvements in technology have allowed for a better result, but we are experiencing a violent crime epidemic.

I want the government to reflect on the high-level outcomes. I agree with the Leader of the House about the ongoing programs and that we must do more, but do you know what? If we look at the issue overall, we see there that has been a failure to invest in the things that matter to the people of Western Australia. The government has to take that high-level view. There has been a failure to invest. The police minister promised extra police. Police officers continue to leave the force in droves because morale is through the floor. Hon Peter Collier has referred to the low morale amongst police officers on many occasions. As Hon Colin de Grussa outlined, when the justice system fails them, officers feel let down. We have to look at every point in the justice process—from the time someone commits a crime to the time they are arrested to the time they go before court. That was very much highlighted today when I read in a petition. Tania Parkes used to run a retail store in Kalgoorlie, but she has given up doing so because of a terrible situation. She was very brave in standing up about this issue. Appallingly, the magistrate chose to blame the victim. That is absolutely disgraceful—blame the victim for what happened to that victim. I have a very simple request. The petition lays it out in clear format. The Attorney General should write to the heads of jurisdiction in our courts. That is the only way that that victim will get any redress. The victim has no avenue of redress in the courts given that the magistrate mouthed off about them and put them in that situation.

Point of Order

Hon SUE ELLERY: It is not appropriate to reflect on the courts. There is a separation of powers for a very specific reason. I perhaps suggest that the chair point that out to the honourable member.

The ACTING PRESIDENT (Hon Steve Martin): There is no point of order. It is not a specific allegation; it is just a general point. Also, I am sitting right here, and I can hear you without you raising your voice, Hon Neil Thomson.

Debate Resumed

Hon NEIL THOMSON: I just want the government to reflect. If it can reflect in silence on this issue, then I suggest that the Attorney General gets down and writes a letter to the heads of jurisdiction requesting appropriate measures to improve the focus on victims of crime in the deliberations and determinations of the courts. That is the process that needs to occur. That could occur today. I would like to see a copy of that letter, thank you very much. I ask the state government to urgently introduce measures that provide improved redress for victims of crime in Western Australia.

This is not the only person I have spoken to who has had this situation. I know of others who have come to me who have been severely assaulted. They do not get to hear when the hearing is being held. They are not told. Members could say that that is the process, but they do not get an opportunity to put in a victim impact statement. They do not get that victim impact statement reported in the proceedings of the court. Then commentary made in the courts by the presiding officers leaves the victim feeling ashamed because they never had an opportunity.

As per this petition, I ask that the Attorney General do something about this and write to the heads of jurisdiction. It ties in with the position of the Western Australian Police Union outlined by Hon Colin de Grussa. When officers are failed by the justice system, they feel let down. I know our officers work very hard. They are under-resourced, do not have the support of the minister and are treated with absolute contempt. That is the problem. We are seeing the soft touch on crime not being addressed by the Premier, the Attorney General or the Minister for Police. We can now see that clearly demonstrated in this absolute epidemic of violent crime across Western Australia, such that we are now the absolute shame of Australia.

I am finishing.

Hon Sue Ellery: Tell you what, mate; you're the shame of the Liberal Party, and that is a fact.

Hon NEIL THOMSON: We have comments from the government. It is just not listening to the issue.

Just look at the science. We have a Leader of the House who says, "Follow the science!" but never checks the data. I never hear data come out of the mouth of the Leader of the House. She talks about "Follow the science!" Then, let us look at the science! Assaults in the Kimberley are 9 113 per 100 000 people. That is a crisis of horrific proportions. The stealing of motor vehicles is 1 000 per 100 000 people. It is of absolutely horrific proportions. These are the key performance indicators that judge the Minister for Police.

HON PETER FOSTER (Mining and Pastoral) [11.18 am]: I rise to not support this motion and to also attach myself to the comments made by the Leader of the House today. One of the reasons that I do not support this motion is that I actually think we all have a role to play in calling out violence and crime. I really did not hear a lot of those words being uttered by the opposition today. I think the police do fantastic work under very challenging circumstances. I think the Department of Communities staff also do fantastic work under challenging circumstances. Before I was elected to this place, I worked for the Department of Communities in child protection and family support for a number of years. It does fantastic work in very challenging circumstances.

Everyone in this chamber has a role to play in calling out domestic violence and family violence. That is one of the reasons I regularly get involved in White Ribbon Australia events. I always sponsor a number of White Ribbon events and get up and talk at those events. For those who are not aware, I was involved in a domestic violence relationship with my first partner, and I share that story each year when I talk at White Ribbon events. We live in a society in which a lot of violence happens in the home and people simply do not call it out. The event that happened last Friday was abhorrent, and we should absolutely call it out and condemn it, but these stories happen all the time all over Australia, not just in WA. Everyone has an obligation to call out behaviour that they hear or see that is not right, whether they are sitting in the tearoom with their work colleagues or at the pub on a Friday night. I ask the opposition to join with me in calling out that behaviour because it is not right.

A lot of good work is happening right across regional Western Australia. I connect regularly with a number of not-for-profits, such as Carnarvon Family Support Service, the Nintirri Centre and the Tom Price Youth Centre. A number of organisations are working with families to change behaviour and provide wraparound support so that this behaviour does not occur in the community. I do not join Hon Neil Thomson in talking down WA at every opportunity he gets. Great work is happening right across WA. The Leader of the House today outlined a number of investments. Let us not forget that ours was the first government to introduce a Minister for Prevention of Family and Domestic Violence. That role was not introduced by those on the other side. We have not yet heard a lot of policies from the other side on how it will tackle these issues. One really interesting thing that Hon Neil Thomson said today was that we should tell judges what to do. I am not sure whether that is an opposition policy, but I look forward to seeing how that one pans out. A number of programs are happening in schools, such as the respectful relationships program—another program that our government introduced and funds—which talks with boys in particular, but also all kids in school, about things they can do to change the way they act in the classroom.

As I said, I think we all have a role to play in calling out behaviour. I draw members' attention to the Facebook post of a member of this place that has sadly attracted a lot of negative and vile comments. On Tuesday, Hon Nick Goiran read in a petition. I cannot remember the words of the petition and I am not going to reflect on its wording, but it was basically along the lines of not having men in female bathrooms. He paid to promote this post, asking people to sign the petition, and I think about 8 800 signatures were attached to the petition. When we look at the comments on that post, we see how hurtful they are to the LGBTQIA+ community. I got up recently in this place to talk about the International Day Against Homophobia, Biphobia, Intersexism and Transphobia and to call out transphobia, homophobia, biphobia and intersexism, yet a member of this place paid to promote a Facebook post riddled with such comments. I did not have time to write them all down, but the comments referred to people as mental cases and sickos, and said that same-sex partners should not be raising children and that we should put all the fairies into fairy camps. A member of this place put a post on Facebook, paid to promote it around WA and left those comments there. I run a Facebook page, as do many members of this chamber. It is not hard to moderate such comments by deleting or hiding them, but a member of this place paid to promote this post so that it went everywhere. People were commenting from the United States and the eastern states. We need to call out this behaviour. A member of this chamber is using community hate to fuel his campaign. We should call out that behaviour.

I do not support this motion. I strongly encourage members of the opposition to talk to that member and ask him to either take down that post or get his staff to moderate the comments, because those comments are harmful and feed hate in our community. Those are the people who go out and harm our community. We are always reading about members of the LGBTQIA+ community being targeted in the streets and being punched or spat on. I have been spat on before. It is not nice. We should not be treating people in that way. Members opposite talk about behaviour in the community, but they need to call out that member for his hateful Facebook post.

HON SHELLEY PAYNE (Agricultural) [11.24 am]: With one minute left, I will respond to this motion, which basically asks the Labor government to act on its promises to improve community safety. How about asking us for an update? There are so many things that we are doing that I will not have time to talk about all of them. The firearms legislation that we are dealing with is an overhaul after 50 years, and it will improve community safety, along with our buyback scheme, which has seen 10 000 guns taken off the streets. Our protected entertainment precincts legislation that we introduced—which is fantastic—particularly makes our night areas safer. We have also recently announced new knife-scan laws, which will operate in these precincts. Hon Neil Thomson talked about how crime is increasing in some of his areas and that how alcohol is one of the things that is really contributing to crime, so we introduced the banned drinkers register, as well as capping the sale of alcohol in places like Carnarvon, Broome and Derby.

We have made a huge investment in new police stations and increasing police resourcing. We have seen our new international recruits come out; we spent a huge amount of money internationally recruiting police. We have doubled the capacity at our Joondalup Police Academy, allowing 1 000 police to be trained each year, and we have a huge amount in this year's budget for police. We have \$1.6 million for community liaison officers and \$1.7 million for Operation Regional Shield. We have \$2.1 million for body cameras for our police and road safety cameras. We have also put money into a new mobile state operations command centre, and for community safety, we have \$2.5 million for school zone crossings.

Motion lapsed, pursuant to standing orders.

SHIRE OF WILLIAMS CATS LOCAL LAW 2024 — DISALLOWANCE

Discharge of Order

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

That order of the day 1, Shire of Williams Cats Local Law 2024 — Disallowance, be discharged from the notice paper.

ESTIMATES OF REVENUE AND EXPENDITURE

Consideration of Tabled Papers

Resumed from 29 May on the following motion moved by Hon Stephen Dawson (Minister for Emergency Services) —

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

HON WILSON TUCKER (Mining and Pastoral) [11.27 am]: I begin my budget reply by covering a couple of topics. Firstly, I will focus on renters' rights. I am one of the few renters in the chamber. I believe Hon Dr Brian Walker is a fellow renter as well, but there is a very select few of us in this chamber. It is an issue that is near and dear to my heart. Rental affordability is still a very pressing issue in WA. We have the dubious title of the most restrictive market, the least number of rental homes and the smallest rental vacancy rate in the country. I think that still applies today. We also have the dubious title of the rent rise capital of the country. Both of these factors are really putting downward pressure on renters and their living situation. I highlight the inadequacy of the rental law changes that we have seen come through this place recently. I will unpack that a little bit more later in my contribution.

I made some comments on 8 May when I was talking about my rental situation. I recently got an eviction notice. I was on a fixed-term contract that came to an end. The landlord did not renew that contract and did not provide a reason. I used that as an example of a no-grounds eviction. At the time, the minister interjected, and a number of members got to their feet and expressed —

Hon Sue Ellery: Fixed-term leases are not captured.

Hon WILSON TUCKER: Minister, I will unpack this statement and my position in the fullness of time, if the minister will allow me to. If the minister would like to interject on me, I am open to interjections, but I will explain my position and then perhaps we can have a debate. I welcome interjections.

This issue is near and dear to my heart. I did some digging because I came away from this chamber with a twisted sense of reality. I had an idea of what constituted a no-grounds eviction, but I was lambasted by a few members. I did some digging on this, and now I will present the facts and outline my position. The minister is welcome to interject. I state from the beginning that I am not here to play my silver harp.

Hon Kate Doust: Don't you need to declare that you actually own a property with tenants before you talk about your own situation?

The ACTING PRESIDENT (Hon Steve Martin): Honourable member! Hon Wilson Tucker, you have invited interjections. I would caution you against that. This is not debate. This is your speech.

Hon WILSON TUCKER: I am always open to being corrected; I was on 8 May, and I am during this debate. I will outline my position. Perhaps I will not take interjections right now and members —

Hon Kate Doust: No, because you don't want to answer the question. You don't want to tell the truth, do you?

Hon WILSON TUCKER: I saw some headshaking as though members were thinking, "What is Wilson talking about?" I saw those looks, which is fine. Give me 20 minutes to explain my position and then I will welcome interjections. Hon Kate Doust raised a good point. I do own a property and have tenants, which is quite a recent occurrence, you could say. They are on a fixed-term contract that does not expire until January.

Hon Sue Ellery: You didn't give them a periodic. You put a fixed-term lease in place that you can end at the end of that fixed term. You didn't give them a periodic.

Hon WILSON TUCKER: Minister, they —

The ACTING PRESIDENT: Members! To avoid this getting unruly, please refer your remarks through the chair.

Hon WILSON TUCKER: Thank you, Acting President. I will take that interjection and answer the question.

Hon Kate Doust: The chair just said you shouldn't. You should direct your comments to the chair, not to us.

Hon WILSON TUCKER: I am deviating from the wise words of the Acting President. I will quickly say on that point that the tenants wanted a fixed-term lease. That is it. I will move on. I will not take interjections right now. Several members interjected.

Hon WILSON TUCKER: I am not here to play the silver harp and talk about my situation. I have a limited amount of time. I would like to clarify the definition and my understanding of and the nuance around no-grounds evictions because I think it is important that we are all on the same page when it comes to no-grounds evictions. I will unpack this. I said on 8 May and I will say it again: my position is that no-grounds evictions should and do apply to the end of a fixed-term lease, and that that should be adopted in Western Australia; it has been adopted in other jurisdictions in Australia.

Hon Sue Ellery interjected.

Hon WILSON TUCKER: Minister, I will not take interjections at this time.

Hon Sue Ellery interjected.

The ACTING PRESIDENT: Members! Please direct your remarks through the chair. Hon Wilson Tucker has limited time for his budget reply, and I urge the honourable member to use it.

Hon WILSON TUCKER: Thank you, Acting President. I will start with the definition of "without any grounds", using the WA Residential Tenancies Act, which we just dealt with in this place. I refer to the practice of ending a tenancy without being required to provide a reason. That applies to sections 64 and 70A, which allow a landlord to do that. Section 64(1) states —

A lessor may give notice of termination of a residential tenancy agreement to the tenant without specifying any ground for the notice.

This is a fairly innocuous definition of "without grounds" and "without any grounds". It is well understood in Australia that no-grounds evictions means—this is the definition that is largely agreed upon; I will get into that—that landlords can terminate agreements but do not have to provide a genuine reason. This is where we start deviating a little bit, or at least the government starts deviating, because there is the decision regulatory impact statement and the consultation regulatory impact statement. We have the DRIS and the CRIS through DEMIRS in the

review of the Residential Tenancies Act 1987 (WA). The definition in the DRIS for “no grounds termination” is “a termination pursuant to RTA section 64”, which I mentioned previously, “which allows a lessor to terminate a periodic tenancy without having to specify any reason.” DRIS takes a more narrow and, you could say, nuanced view of no-grounds termination, which is contrary to and different from every other jurisdiction and basically every other group when they talk about no-grounds evictions. It is only applying it to a periodic lease. It is ignoring the fixed-term tenancy lease, which is confusing. There is also confusion in the DRIS because it uses another definition that applies no-grounds termination to periodic leases. The other term it uses is “without grounds termination”. A recommendation in the DRIS uses “without grounds termination”, and it references fixed-term tenancy agreements, which is what I am talking about. I am talking about no-grounds evictions applying to the end of a fixed-term tenancy agreement. I will read DRIS recommendation 2 verbatim —

That fixed term tenancy agreements of any duration continue to be permitted, but that termination of a fixed term tenancy agreement by the lessor only be permitted without reason at the end of the first fixed term.

The DRIS references without-grounds terminations and has a narrow view of no-grounds terminations. This is quite confusing. There are two terms in the DRIS —

Hon Sue Ellery: I get that the member is confused.

Hon WILSON TUCKER: Minister, I am not confused.

Hon SUE ELLERY: Yes; the member is!

Hon WILSON TUCKER: I am trying to dispel some of the confusion. I have just told the minister the two definitions in the DRIS —

Hon Sue Ellery: I know what is in the DRIS! I know!

Hon WILSON TUCKER: In the DRIS, the without-reason termination is applied to the end of a fixed-term lease. That is a recommendation that was put forward.

Hon Sue Ellery: Read it again!

Hon WILSON TUCKER: As I said, the definition of no grounds in the DRIS and the CRIS take a more shallow view of the generally accepted term “no-grounds evictions”, only focusing on the periodic lease component. This is confusing, minister, and I can see where the confusion lies. I am not confused; the state government is confused when it has a definition of what no grounds is, and it is out of line and out of lockstep with every other jurisdiction and the general meaning of what no grounds constitutes.

Hon Sue Ellery: No; it is not. No jurisdiction applies it to fixed terms.

The ACTING PRESIDENT (Hon Steve Martin): Members, please! The Leader of the House is not helping. Honourable member, please refer your remarks to me.

Hon WILSON TUCKER: The definition by the Make Renting Fair Alliance for no-grounds evictions is —

Currently in WA a tenant **can be evicted without any reason** under what is known as “no fault” or “no grounds” evictions. This happens at the end of a fixed-term lease or at any time during a periodic lease —

It mentions both “fixed term” and “periodic”. It continues —

when the tenant hasn’t breached any lease conditions, but the landlord wants them to leave the property. In this instance the landlord doesn’t need to give a reason but they do need to provide sufficient notice.

The Make Renting Fair Alliance’s definition of no-grounds evictions states both “fixed term” and “periodic”.

Hon Sue Ellery: That is what they want.

Hon WILSON TUCKER: That is exactly what they want. The Make Renting Fair Alliance has maintained that position through discussions and negotiations, with the expectation when it talks about no-grounds evictions, it is talking about the fixed-term lease and the periodic lease. It is the government that has taken a more shallow view of what no-ground evictions is. Members might be asking themselves why this is important. Firstly, it is important that we are all on the same page; and, secondly, that when we talk about no-grounds evictions, we know what other jurisdictions in Australia are doing. On 9 May, there was a debate in this place, and, potentially, this is where some of the confusion, at least from the other side, came from. The minister is welcome to take a more shallow view of what the decision regulatory impact statement constitutes. She is within her rights; that is fine. But it is not true that at the end of a fixed-term tenancy other jurisdictions have provisions to end them without a legitimate reason. I will read the *Hansard* into *Hansard*, which is obviously very meta, but bear with me, members. Context is important, so I will start from the top. On 9 May, I said —

It is potentially going to be another five years until we see any more changes to the Residential Tenancies Act. We will be living with the reality of these changes for a long time.

I think there are going to be unintended consequences of the changes to the Residential Tenancies Act, particularly to no-grounds evictions, rent bidding and rent controls.

I will get to those in the fullness of time. It continues —

Those are the three components that I think are really fundamental to WA being behind the country when it comes to renters' rights. I have spoken about no-grounds evictions. I think all members should be familiar with what that means by this stage. It is basically when a landlord does not have to renew a lease at the end of a fixed-term contract and does not have to give a reason. I was recently the recipient of a no-grounds eviction.

This is what I was talking about before. I used this example, and this is the source of the contention. It continues —

Hon Sue Ellery: Honourable member, will you take an interjection? Were you on a fixed-term lease?

Hon WILSON TUCKER: Yes.

Hon Sue Ellery: You would not have been protected by the provisions you are talking about. It was a fixed-term lease. You would not have been protected by the provisions you are seeking in respect of no-grounds evictions.

Hon WILSON TUCKER: The lease was not renewed using no grounds. They did not give a reason why.

Hon Sue Ellery: If it was a fixed-term lease, the provisions you want to remove no-grounds evictions would not have applied. They don't apply to fixed-term leases anywhere in Australia.

That statement that they do not apply to fixed-term leases anywhere in Australia is the crux of what I want to focus on. The debate went on —

Hon WILSON TUCKER: For no grounds, do they have to give a legitimate reason why they are removing the tenant?

Hon Sue Ellery: No grounds, if you were to do it, would apply to periodic leases, not the one you were on, honourable member. You signed a lease for a specified period of time. The no-grounds evictions provisions would not have assisted you at all.

I would like to focus on those two points, particularly in regard to fixed-term leases not being applied anywhere else in Australia. I have a table and it would probably be easier to table it. I seek leave to table this table.

[Leave granted. See paper [3193](#).]

Hon WILSON TUCKER: The table is from the Make Renting Fair Alliance website. It is a jurisdictional comparison of the laws around no-grounds evictions for fixed-term and periodic leases. There is a little bit of nuance here, and members are welcome to review that table. Basically, every other jurisdiction has ruled out or is ruling out no-grounds evictions related to fixed-term leases, except for the Northern Territory and Victoria, which has a caveat around these; I think that is it. Every other state either has removed or is in the process of removing no-grounds evictions. At the end of a person's fixed-term lease, landlords must provide a legitimate reason why they are not renewing that lease. That is the crux of the argument that I put forward, and why I say that the minister is wrong on this point. The minister could be taking a shallower definition of what constitutes no-grounds evictions, but the minister is entirely wrong when we talk about what other jurisdictions are doing in providing a reason at the end of a fixed-term lease. Members, please review that table.

I also note the recommendation put forward in the *Decision regulatory impact statement: A review of the Residential Tenancies Act 1987 (WA)*. Cabinet did not follow through with it, but it is wholly in line with Victorian legislation on this matter. In Victoria, a lessor does not have to provide a reason except at the end of—I will take a second to make sure that I have got this right. On the first renewal of a fixed-term tenancy agreement in Victoria, the lessor does not have to provide a reason for not renewing a lease, but on the second or third renewal of the agreement, the lessor needs to file a legitimate reason for not renewing the lease. The DRIS put forward that recommendation. It did not recommend a no-grounds termination, but a without-grounds termination; it is the same thing. The only nuance here is that this government has taken a shallower definition of what constitutes a no-grounds termination, and the DRIS is trying to distinguish between the two.

Members, why is this important? First and foremost, it is important when we talk about a no-grounds eviction to be on the same page about what that means. I think I have outlined that. I am not confused about it, but the other side certainly is. The comments of the Minister for Housing on no-grounds evictions for fixed-term tenancies highlight that this government has not consulted on it with other jurisdictions. This government has no idea about what is happening in other jurisdictions around Australia when it comes to no-grounds evictions. It has taken a narrow view of what no-grounds evictions are, and it has ignored the evidence and the recommendation put forward in the DRIS to remove no-grounds evictions at the end of a fixed-term contract. That is all I will say on the definition of no-grounds evictions.

I now want to focus on why we need to remove no-grounds evictions. Let us look at the numbers. A survey conducted by Choice in 2018 received 1 547 responses. The majority of Western Australian tenants are currently on leases that are shorter than 23 months, and 45 per cent are on longer leases. In the breakdown of those 1 547 responses,

64 per cent of tenants were on a fixed-term lease of 12 months or shorter. In WA, a person can sign a longer lease, but the majority of people opt for a six or 12-month lease, and most of the time it is the lessors or the landlords that are really pushing for those 12 months. In those responses to the survey, 26 per cent of tenants were on a rolling periodic lease and eight per cent of tenants were on leases of two or more years. That tells us that the majority of Western Australians are on fixed-term agreements. We also know that the majority of renters—this is just under 30 per cent of the population, so around 700 000 residents in WA—do not feel secure in their current living situation.

The DRIS does a really good job of summarising this. It states —

While fixed term tenancy agreements provide tenants and landlords with certainty for the period of the fixed term, some tenants want to remain in the premises for longer than the six or 12 month agreement that is usually offered to them.

A tenant can never be assured of tenure at the premises beyond the end of the fixed term period because a lessor can simply choose not to renew the tenancy agreement.

That is really the crux of that statement. Renters feel that they do not have a right of reply if a lessor is potentially using those requests against them, which is well within their right. Renters do not feel like they have that security of tenure or that they can speak up.

The DRIS goes on to say —

This can have the effect of making tenants reluctant to enforce their rights, such as asking for repairs to the premises.

That is exactly the point that I am trying to make. We also know that no-grounds evictions are used in only a very small number of cases. Most evictions that occur in WA provide a reason. The bond administrator conducted a survey of lessors and tenants in 2018 and 2019. I think the data and statistics are still relevant. If there is something more up to date, I certainly welcome it. The survey asked who ended the tenancy and why, with 22 445 responses. It found that 418 terminations were by a lessor relying on without-grounds provisions. That equates to about two per cent of terminations. It is a very small subset. It is only used by landlords in a very small number of cases, but a large number of renters are keenly aware of it and so the opposite is true. The DRIS states —

According to a survey of tenants conducted by the Make Renting Fair Alliance, —

The group I mentioned previously —

53 per cent of tenants felt “concerned” or “very concerned” that they would be evicted (or not have their lease renewed) if they were to request repairs. For this reason, the lessors’ ability to terminate due to the end of a fixed term agreement needs to be considered alongside other reforms to fixed term tenancy agreements.

This is coming out of the DRIS. Ignoring the fixed-term leases—we have spoken about that—53 per cent of tenants felt concerned or very concerned that they could potentially be evicted at the end of a fixed-term tenancy agreement if they expressed their views and spoke up because of no-grounds evictions. A landlord could not renew their lease and tenants would lose their rental.

I have outlined that given the numbers, no-grounds evictions are used in only a small number of cases and that tenants are keenly aware of it. It is a metaphorical axe that hangs over their head. Given how tight this rental market is, this adds credence to the position of why we need to get rid of no-grounds evictions for periodic and fixed-term leases. The evidence is there. It is a missed opportunity for the reform that has gone through. It is a missed opportunity and the government, first and foremost, has taken a shallow view of what constitutes no-grounds evictions and has not followed the evidence or what other jurisdictions are doing in this space to outlaw no-grounds evictions. I will move on; I have spent a large amount of time trying to clarify that. At this stage, given the time, I would not welcome interjections—we probably got them all out of our system earlier—but I am happy to be corrected on this. It is clear what other jurisdictions are doing and what the terminology is. It is clear that in WA we are putting our heads in the sand and ignoring the DRIS and the evidence inside and outside Australia when it comes to no-grounds evictions.

I will move on and talk about some of the other loopholes that could potentially arise with the changes to the Residential Tenancies Act that passed through this place very recently. While we are on the topic of no-grounds evictions, a loophole exists for no-grounds evictions. The government has changed the frequency in which someone can increase rent from six months to 12 months. That seems pretty good on paper, but with no-grounds evictions, it is a catch-all. It is a short circuit to not renew a lease agreement.

What can happen is that if a landlord increased the rent, say, six months ago and the lease is coming up for renewal, the landlord may refuse to renew the lease without having to provide any grounds or reasons. The house may then be recontracted to a new tenant, and the landlord will be free to increase the rent. That is an effective way of getting around the provision of restricting rent increases to one increase every 12 months. Once the contract is reissued to another tenant, that provision will be completely scrapped. Removing no-grounds evictions will make it much more difficult to get around that provision.

Another issue worth talking about is rent bidding. The government has said that it is outlawing rent bidding, but it is only outlawing one component of it—solicitation—rather than both solicitation and acceptance of a rent bid. That means that there could be a scenario in which a prospective tenant is having a conversation with a property manager, and under the current WA law the property manager is not allowed to solicit, or ask outright, and this is where the interpretation is up for debate. We will work out exactly what that means in the fullness of time. The property manager cannot explicitly ask for an increase in the property price, but they can still imply that, and there is nothing to prevent them from accepting a rent bid. The minister has said that if the government were to take on the Victorian model and ban acceptance as well as solicitation, it could have the detrimental effect of actually increasing the listing price.

To my mind, the whole point of getting rid of rent bidding is to ensure that the listing price is a genuine price, but we hear from the government that that is not the case. The government still expects rent bidding to occur, but it believes that if it were to legislate to ban acceptance of a rent bid, the genuine price would likely increase. That feels like a half-measure. The minister said that secret shoppers would go around home opens. There would be thousands of home opens every weekend, and thousands, if not tens of thousands, of people looking for a home, and those secret shoppers cannot be everywhere at once. This obviously will still occur, but the government could have taken the more proactive step of banning the acceptance as well as the solicitation of rent bids. That is a loophole that exists under these laws.

I turn now to price increases. The frequency of price increases is restricted to once every 12 months, but there is no cap on the amount by which the price can be increased in that period. Given how hot the market is at the moment, that restriction is not working as intended. A fair bit of fear and greed will be injected into once-a-year price increases. Landlords know how tight the rental market is, and WA is the rent-rise capital of Australia, so they are just going to forecast that price increase and probably add a little buffer. I have seen evidence of this.

A lot of testimony is coming in about people who could be included in the category of unscrupulous landlords. Their property managers say to them, “Look, you’ve got one rent increase this year; you’d better make it a good one. You should slug them with a 30 per cent increase.” I am not necessarily saying that one rent increase every 12 months is bad, but we need some protections here. If there were two increases a year, one every six months, it would provide a better gauge of where the market is going, and potentially less fear and greed would be involved in forecasting where rent prices are going. As a consequence of this, we may see a once-a-year increase that is well above and beyond the two six-month increases. This loophole could exist, and I will ask some questions about this: How is the government monitoring this? Does it have any data? This could be an unintended consequence of the changes.

They are the three loopholes that I see in the Residential Tenancies Act, which was recently modified in this place. Even after the changes, WA continues to have the weakest tenancy laws in the country. I have said this before: an opportunity existed for the government, but it missed it. Now, because of where we are in the political cycle and because we are unlikely to see a similar bill prioritised in a long time, renters will face this reality for a very long time, which is unfortunate. What we can do right now is try to monitor some of the unintended consequences and ensure that renters are not put in a worse situation. This is a live issue. It will continue, and I will certainly have more to say about it in the future.

In the remaining time, I will switch gears, and I assume this topic will be a little less contentious for members. I will talk about everyone’s favourite topic, which is, of course, daylight saving. Given the weather outside, we could all use a little bit of sunshine and happiness in our lives. The rain is certainly good for the farmers, so I think we can like it and lump it for a little while. It is pretty dark and miserable outside, so we will shed a little bit of daylight in the chamber.

Very recently, I worked in partnership with Associate Professor Thomas Sigler from the University of Queensland to conduct some research into daylight saving. Since the referendum in 2009, WA has been a bit of a ghost town on the issue of daylight saving. I have certainly done my best to try to move the needle, given the make-up of this place. We remember the infamous words of Hon Colin Barnett at the time: “Daylight saving is dead for a generation. Don’t touch it.” It has been a long time, and a growing cohort of people, certainly younger Western Australians, have not had their say on daylight saving. We have been in darkness on the issue for a long time. I conducted this research with Associate Professor Thomas Sigler from the University of Queensland, which is, as best I know, the first nationwide survey of perspectives on daylight saving. The data was derived from a questionnaire circulated in September and October 2023 and included a stratified representative sample of the Australian adult population by sex, age, state and territory. An independent survey company distributed the survey and collected the answers. A mathematician was employed at the University of Queensland to crunch the numbers, and then the report was compiled by Associate Professor Thomas Sigler. The report is undergoing a peer-review process and is publicly available. It was a stratified sample of the population, so all the information has achieved statistical significance. People can cast shade on statistics, but, basically, this is the best thing we have and the most comprehensive survey that has been conducted to date on daylight saving in Australia. What does the survey show us? The data indicates overwhelming support for daylight saving nationwide at 80 per cent, which is a massive number. This support is nationwide across groups defined by age, sex, occupation, state, income, household status, employment status and political affiliation. I think political affiliation will be of interest to members. Some of these nationwide survey

statistics indicate that supporters of daylight saving are younger than people who do not support daylight saving. Women are slightly more likely than men to support daylight saving. Foreign-born respondents are slightly more likely than Australian-born respondents to support daylight saving. People who live in states with daylight saving are more likely to show support than those in states that do not have it, which shows that people who live in a place with daylight saving are more likely to support it. Lower levels of support in Western Australia and Queensland are due to a combination of geography and other factors, and we will get into that. Higher income groups support daylight saving more than others. Support for daylight saving and a person's political party affiliations appear to be connected, but there is no clear left-right gradient, and we will get into that a little bit more. Respondents who are employed are more likely to support daylight saving. Respondents who support daylight saving sleep earlier on weekdays but later on weekends. A person's occupation plays a role in their support of daylight saving. That could be tied to work hours and time spent outdoors. Also, proximity to the equator has an impact.

I will give members a bit of a breakdown on this. I mentioned that 80 per cent of the nationwide population is in favour of daylight saving, which is massive, with 20 per cent obviously not in favour. I go to the age breakdown. The average age of respondents in favour of daylight saving was 45.5 years. The average age of respondents not in favour was 51.6 years. That again shows younger people are more supportive of daylight saving than the older generation.

I will give the breakdown on level of education. A total of 58 per cent of people educated to year 11 or below support daylight saving. Eighty-six per cent of people educated to year 12 support daylight saving, and 86 per cent of tertiary-educated people support daylight saving. That shows that the more educated someone is, the more likely they are to support daylight saving.

I turn to employment status. A total of 84 per cent of people employed full-time support daylight saving, and then the figure goes down. A total of 69 per cent of part-time workers, full-time students, people not in the workforce, retirees and unpaid workers support it. There is a clear gradient showing that the more someone works and the more educated they are, the more likely they are to support daylight saving.

As I mentioned before, a higher percentage of females support daylight saving, with 80.8 per cent of females and 79 per cent of males supporting daylight saving.

I will give a breakdown by state. The highest level of support for daylight savings is in New South Wales, with 85 per cent; Queensland, 65 per cent; South Australia, 80 per cent; Tasmania, 81 per cent; Victoria, 88 per cent; and Western Australia is down at the bottom on 64 per cent. I will get into the WA statistics very soon.

The correlation of support with the location of electorates is not surprising. A total of 84 per cent of people living in an inner metropolitan area support daylight saving. A total of 80 per cent of those living in an outer metropolitan region support it. A total of 75 per cent of people living in provincial areas and 73 per cent of people living in rural areas support it. I do not think it will come as a surprise to anyone here that daylight saving is better supported in metropolitan areas. We know that farmers in regional WA are not big supporters of daylight saving. That goes hand in hand with the main argument for daylight saving, which is about lifestyle as opposed to economics.

I turn to household type. These results are fairly similar. A total of 81 per cent of couples with kids, 78 per cent of couples without children, 77 per cent of people living alone, 79 per cent of households with one parent and 84 per cent of respondents living in shared accommodation support daylight saving. There is a bit of a much of a muchness about those results.

I turn to income. I am not sure what the exact income breakdown is in the survey. Income is categorised as lowest, lower, middle, upper middle and upper, but there is a clear trend, with support for daylight saving higher the higher someone's income is.

The following statistic is interesting. It is about a person's average weekday wake-up time. People in the no camp on average get up at 6.23 am. The average wake-up time for people in the yes camp is 6.36 am. Generally, people who get up earlier do not support daylight saving as much as those who rise later. These figures show that early risers do not want to get up in the darkness. They might be surfers or runners. The yes camp is aligned more with people who like to enjoy afternoon exercise and are more active in the afternoon hours. The average weekday wake-up time was 7.09 am for the no camp and 7.31 am for the yes camp. Again, people who wake up earlier are more likely to say no to daylight saving.

A breakdown by occupation is provided and all the figures are similar; there is nothing to glean from that. However, this point will be of interest: there is a breakdown of daylight saving supporters according to political affiliation. The Australian Greens tops the list at 87.8 per cent for and 12.2 per cent against—a clear majority; the Australian Labor Party, 80.4 per cent in the yes camp and 19.6 per cent against; teal independents, 69 per cent voted yes; the Liberal Party of Australia, 84.4 per cent in the yes camp; and the National Party of Australia, 73.2 per cent. It is not surprising that the National Party is at the bottom of that list.

I move now to the Western Australian findings. The state has had four referenda on this issue. We commenced a trial in 2006 and held a referendum in 2009. Here is a fun fact: I had a conversation with Matt Birney, who introduced the bill for the referendum. The referendum was held after a particularly hot summer. Everyone had to express their view through a vote on having more sunshine, more daylight in a sense—not adding time but

obviously just realigning the clocks. Matt Birney was of the view that if the referendum were held in winter instead of summer, it would have passed. Fifty-four per cent of people voted against it, so it was a marginal difference, but people were burnt out and a bit apathetic towards sunshine, certainly in our hot and scorching Perth summers.

I will give members some of the headline figures for WA because they are interesting and I am sure members are all riveted to hear these numbers. Daylight saving has a clear majority of support in Western Australia. Statewide, 64.2 per cent of respondents were in favour of daylight saving; inversely, 35.8 per cent of WA residents were against it. That shows a clear trend towards support for daylight saving in WA. In 2009, 54 per cent were in favour of daylight saving and in the 2023 survey, 64 per cent were in support. It is a clear majority of those in support.

Hon Martin Pritchard: I think they were the same percentages before the last referendum, roughly.

Hon WILSON TUCKER: In terms of surveying WA?

Hon Martin Pritchard: The survey beforehand, before it went to the vote.

Hon WILSON TUCKER: That is interesting. There is a bit of psychology around referendums. People are a little change apathetic at the polling booth, and that applies nationwide, including WA. Historically, referendums fall in the negative, which is unfortunate. That is good to know; I thank the member for the interjection.

The average age of respondents in favour of daylight saving was 40.8 years and the average age of those against was 57.1 years. That aligns with the national trend on daylight saving that the younger people are, the more likely they are to support daylight saving. There is a growing cohort of younger people who were too young to vote in the last referendum. Millennials now equal the boomers as the largest age demographic.

Hon Kate Doust interjected.

Hon WILSON TUCKER: I am not having a crack at boomers, member—I will save that for another day.

A member interjected: For once.

Hon WILSON TUCKER: For once, yes. There is a lot to say when we talk about this generational wealth divide, but it is a conversation for another day.

A large number of younger people who were too young to vote in the 2009 referendum are now over the age of 18 and are eligible to vote. I have crunched the numbers—I do not want to mislead the house—and I think 700 000 people have not been able to express their view on daylight saving. They should be given that opportunity.

I turn to education. Sixty per cent of students in year 11 or below, 75 per cent of students in year 12 and 71 per cent of tertiary students support daylight saving. It is a little bit mixed, but fairly aligned with the national trend. Eighty-one per cent of those in full-time employment are in favour of daylight saving while the number of retirees in favour—we have talked about the boomer generation—is 31.6 per cent, which equates to 68.4 per cent against daylight saving. The more a person works and the younger they are, the more likely they are to support daylight saving in WA. The number of females in support of daylight saving—we saw this in the national figure—is 67.2 per cent, while the number of males in support of daylight saving is 64.4 per cent. It is thirsty work reading out all these statistics.

Hon Dan Caddy: You can table them, member.

Hon WILSON TUCKER: I could, but I do not think Hon Dan Caddy would read what I table, so here we are! I will not go on for too much longer. I do not expect Hon Dan Caddy to listen to every word that I say, but hopefully some of it is seeping in. I know that I cannot influence the vote on daylight saving in this place but, hopefully, I can change hearts and minds at least a little bit.

I turn to electorate locations. Daylight saving is supported by 62.9 per cent of people who live in inner metropolitan areas and 66.7 per cent of those in outer metro areas. Whether we look at inner or outer metropolitan areas, the number of those in support is in the high 60s. Not surprisingly, 44.4 per cent of people in rural areas are in support of daylight saving. I will say that some of the sample sizes in these statistics are getting a little lower and do not have statistical significance. I will call this out—I do not want to mislead anyone—but it becomes a little fuzzy when we look at people's education levels and the rural numbers. If people look at a breakdown of the 2009 referendum, I do not think they would be surprised to see that the rural number is quite low.

The daily habits cohort is in line with the national trend. It is worth re-echoing the political affiliation statistics. Of those who are members of the Australian Greens—this has a caveat so members should take this with a pinch of salt—90.9 per cent are in favour of daylight saving. Even if that is somewhat fuzzy in terms of its significance, that is still a large number. The number of Australian Labor Party members in favour of daylight saving—there is no asterisk against this because it has significance—is 54.2 per cent. The majority of Labor Party members support daylight saving; government members can deal with that information as they will. The number of Liberal Party of Australia members in support of daylight saving—this has an asterisk, so members need to be wary—is 61.9 per cent, which is still a clear majority. In terms of the top political affiliation in order of support for daylight saving, it is the Australian Greens, the Labor Party and the Liberal Party of Australia.

Hon Dan Caddy: How many of your members are in support?

Hon WILSON TUCKER: They are all clearly supportive. I was elected to this place with 98 votes—absolutely—but a larger number of people voted for the Daylight Saving Party. The member has not factored them in. I was elected with 98 votes in the Mining and Pastoral Region where daylight saving is obviously not popular, but if we look at WA as a whole, there was much larger support for the issue of daylight saving and having it enacted, which is clearly overdue. I will leave it there; I am running out of time.

I will just quickly say that, given my background in computer science and software engineering and having spent a lot of time looking at the startup community, it is an area that I am passionate about and speak about. Given that there is a committee conducting a report into the innovation ecosystem in WA, I have decided to not put the cart before the horse and to listen to the evidence of the committee. It is obviously talking about it. I will not speak on that issue until we have the report.

I will now obviously focus on daylight saving. I think given where we are in this political cycle, I have probably taken daylight saving to a certain point. I would not say it is done and dusted. We have had media attention. The issue was on the front page of *The West Australian* and I have been through the media wringer a few times, arguing with a lot of people on talkback radio, which I think is almost Facebook for 60-year-olds.

Hon Kate Doust: What's wrong with being 60? Seriously. You should look forward to turning 60.

Hon WILSON TUCKER: There is nothing wrong with it. I just feel like it is an avenue to voice concerns for the anonymized masses.

Hon Darren West: It's a shouting match.

Hon WILSON TUCKER: It is a shouting match.

I have had a petition and a bill on daylight saving. I know what would happen if we were to bring on this bill for a second reading debate. The strategy of the other side will be to just talk it out, so it will not get to a vote. There is only one opportunity a year the bill could be advanced, so it has got to a point at which it cannot really advance any further in this term. Hopefully, the committee will have a look at the petition. We have had a response from the committee. We have now had this report as well. We have statistics now that show a clear upward trend in support for daylight saving. I do not think it is done and dusted. I certainly do not agree with the words of Colin Barnett that it is dead for a generation. However, I think given where we are in the term of this government, there are probably limited opportunities to raise it, but I will segue to the issue when I see an opportunity.

The issue of rental reform and renters' rights is a live issue. It is not going anywhere. We have dealt with the Residential Tenancies Act. Unfortunately, we know that the government is not going to look at a second tranche of reforms anytime soon—maybe not even in the next term, who knows. The continuity of delivery from one government to another is pretty spotty at best and the consultation will obviously take some time. There are a lot of missing pieces. However, given how hot the rental market is, it is still very much a live issue. I hope that leading up to the election, renters' rights get a lot of attention and, similar to what happened in Tasmania, it is debated and becomes a central issue at the election. I hope that the issue of renters' rights is not swept under the rug and that it is talked about, given attention and put in the spotlight that it deserves.

I hope that the government also looks at some of the potential loopholes in the current legislation. We know that even after these changes, we have some of the weakest laws. We now have these glaring loopholes appearing that someone could drive a semitrailer through. It is an ongoing issue. I will certainly have more to say in the fullness of time.

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

FIREARMS BILL 2024

Second Reading

Resumed from 29 May.

HON NEIL THOMSON (Mining and Pastoral) [12.23 pm]: I rise to speak on the Firearms Bill 2024. I have spoken at length on the referral motion, but I have quite a bit more to say. I hope our officers here who are going to be part of the clause-by-clause assessment take some notes, because I hope to be a little bit helpful about some of the issues that were raised. Maybe we can get those questions answered in advance of the clause-by-clause process. It is a complex piece of legislation. I will not go into any of the detail that has been raised already as I hope to bring some fresh information to the debate. There has been quite a lot of discussion in this place on a whole range of aspects. I might be able to get through to one o'clock.

I will first speak on the report of the Standing Committee on Uniform Legislation and Statutes Review, because for all the time I have watched the debate on screen or listened to it in person—I have done my best to listen to this discussion to the greatest extent possible—not much reference has been made to the report. I acknowledge the chair, Hon Donna Faragher; the deputy chair, Hon Martin Pritchard; Hon Dr Sally Talbot; and Hon Rosie Sahanna for their contributions to this report. Despite the different terms of reference that might apply to a referral to the Standing Committee on Legislation, there is still some very useful information in this report that underscores some of the concerns about the complexity of the bill. I thank those members for this very good piece of work.

I will start on page 3 of this excellent report, where it states in relation to the Law Reform Commission of Western Australia report —

- 4.6 The LRC suggested the legislation needs to be clear, concise and consistent and should articulate objectives and principles whilst ensuring a focus on public safety.
- 4.7 The LRC made 143 recommendations. They covered the clarity of legislation, including amendments to the licence renewal process, public safety and access to firearms.

Those very good comments highlight what we all aim to achieve. As I have said, and wish to put on the record, I support regulation around the control of firearms and I also support the reform of the Firearms Act. I will not go into any detail, but my now deceased father was a police officer. Some members will have been brought up in families with police officers. It is actually very formative, as it has an impact on one's psychology. Police officers live and breathe the life of a police officer and a lot of that comes home with them and is shared around the kitchen table. Children in those households do what the families of police officers do. As I have said before, my dad had a gun pulled on him. The felon pulled the trigger but, fortunately, it did not go off; however, that felon went on to kill others.

I understand the importance of this. I am not speaking just for myself; I am sure we all understand that it is a dangerous job. There are felons out there. Some people have bad intent and some just lose their minds. Some people do evil things with both firearms and other weapons, and that is something we need to manage. We need to make sure that our legislation is clear, consistent and concise because we want it to work. We want our laws to work well. Quite frankly, as I will talk about later in relation to the Auditor General's 2019 report, even the current legislation, which is less complex, has not been working well. That is important.

There is another comment on page 4 of the report. I get emails all the time from constituents about this concern. The report states at paragraph 6.1 —

The Bill leaves many matters to the regulations. It contains approximately 113 specific and 1 general regulation-making powers. This compares to approximately 47 in the 1973 Act.

Immediately, we can see that a lot more will be left to the regulations, which by definition means there will be a lot more work for the police to do to administer this law. That will be the challenge that the police will have with resourcing to meet those obligations because it is a form of red tape. Despite comments by a member opposite in this place that there is no such thing as a law-abiding firearm owner, I say on the record that there are law-abiding firearms owners. I think it is a quite disgraceful comment, but that is just my view. There are very many law-abiding firearms owners. In fact, as a young man, I was a law-abiding firearm owner in New Zealand, because it was part of our culture. Firearm owners went out and shot goats, pigs, deer and things like that. But I came to Australia and I had no need for a firearm. I did not need one in suburban Perth. I am from the regions and I love it there, but I still do not have any need for a firearm. The thing is, a lot of people there have a need for it, or they want to participate in sport or other things, which are all good for our mental health and the wellbeing of our community if they are properly managed in a controlled environment.

In fact, the sporting shooters community plays a really great role in the education and management of firearms. Anyone who met one of those sporting shooters, including some of the elite sporting shooters, would see that they care very much about safety. These are not nefarious people with this plague of guns whom people seem to want to portray them as by sensationalising issues. In fact, I am sure that when the Olympics come on and we see a few medal winners in clay shooting, target shooting or whatever, we will all be celebrating and saying, "Great stuff. Great to see Australia go well in that sport." That is something we should also consider.

This report stated that the bill contains 113 specific and one general regulation-making powers. It did say that the bill was not skeletal legislation, which would have been a very challenging point. The committee knows that skeletal legislation is not something we want to see in this place. This bipartisan committee report, and a number of community members, said that there were a number of Henry VIII clauses. I think this will be useful for the long-suffering officers who are here supporting the minister. I am sure they have a copy of the report in order to look at matters that might be raised in relation to these clauses during the Committee of the Whole stage. The Henry VIII clauses include clause 5, which contains the definition of "disqualifying offence"; clause 17(4), clause 53(4), clause 89(2), clause 402(2) and clause 419(3), which can be found on page 5 of that report. The report then goes on to comment on these Henry VIII clauses. We know that Henry VIII clauses refer to the capacity of matters of law to effectively be made outside of this chamber, which is not desirable. It is not something we should be doing. I understand, again, that some of the nuances of law and order are for the general maintenance of good order in our society, and we should not frustrate police, because they have a very difficult job.

I could go into a few stories about the fish and chips act, which was a joke of many police back in the 1960s and 1970s when I was growing up. I am sure that does not exist anymore, because the world of policing has changed and I think all sorts of things were done on the fly a little bit. People had a lot more respect for our police. People lived a different type of life back in those days in relation to community policing, with longer tenures and so forth. That was pretty much the case here in Western Australia as well, I understand.

I will turn to the issue of disqualifying orders under the heading “Broad, open-ended regulation-making powers” in the Standing Committee on Uniform Legislation and Statutes Review’s report on the Firearms Bill. We will probably at least need to ask about that during Committee of the Whole because we do not have a copy of the regulations. That is a very important point going forward. Despite all the histrionics and grandstanding of the Minister for Police that I mentioned earlier, this bill will pass in the next few sittings days. Our job is to make sure that we get on with scrutinising the detail, but the regulations will not be ready. As my colleagues aptly said, the commencement of these powers will be delayed because the regulations are yet to be finalised. There will be some issues with the bill’s implementation, which I will go into later, and that will create a considerable challenge for people in my region. I will focus somewhat on my constituents in my remote part of Western Australia. I have spoken to some of them as recently as this morning who still have not been consulted with or heard about the limits on the number of firearms, for example. I wonder how this will all work. There are still people out there in the Kimberley, despite the massive amount of reporting on it in the media, who are not aware of any of these changes. That will be a challenge for the government as well.

I thought there was a very telling comment that was dispassionately presented on page 6 of the report, which says —

- 6.14 These powers lack focus in their operation. They leave substantial details for the Executive to prescribe without any or adequate criteria or guidance about exactly what will be prescribed. This erodes parliamentary sovereignty by delegating, to the Executive, Parliament’s legislative power to deal with these matters.
- 6.15 Their open-ended nature can often negate any effective scrutiny and parliamentary oversight by the Joint Standing Committee on Delegated Legislation. This is because they are so widely drafted as to authorise regulations that will rarely, if ever, be capable of being characterised as ‘beyond power’.

The Standing Committee on Uniform Legislation and Statutes Review is a bipartisan committee. There are possibly some red flags in this report for the minister to consider. The membership of the committee included the excellent and professional members Hon Martin Pritchard, MLC, deputy chair; and Hon Rosie Sahanna, who also lives in and represents part of the region that I live in and represent. The issue of disqualifying orders under the heading “Broad, open-ended regulation-making powers” is a matter of concern. I do not think that the bill is 100 per cent ready or meets the objectives of the Law Reform Commission on the conciseness of its drafting. Quite frankly, I do not think the bill will result in the effective management of these very important laws to provide greater protection in our state against offences that might be caused by the illegal use of a firearm.

I now turn to finding 2 on page 8 of the report. This is a bit of detail for those who might be providing answers during the clause-by-clause assessment. Finding 2 states —

Clause 5, paragraphs (c) to (f) of the definition of *disqualifying offence* in the Firearms Bill 2024 have a Henry VIII effect and thereby erodes the Western Australian Parliament’s sovereignty and law-making powers.

Recommendation 1 states —

The Minister representing the Minister for Police explain to the Legislative Council why existing disqualifying offences under clause 5, paragraphs (c) to (f) of the definition of *disqualifying offence* cannot be included in a Schedule to the Firearms Bill 2024.

I made commentary in previous discussions about my view of the Minister for Police and his constant behaviour on this matter. I just wish that the minister would listen to that bipartisan committee, which comprises members opposite, and its recommendation and present that information to Parliament. I quote finding 3 of the Standing Committee on Uniform Legislation and Statutes Review —

The broad, open-ended regulation-making power in clause 5, paragraph (c) of the definition of *disqualifying order* in the Firearms Bill 2024 erodes the Western Australian Parliament’s sovereignty and law-making powers.

We are in effect taking on this legislation with the other side waving it through without serious debate. The other side had an opportunity. I am not reflecting on the vote, but the opportunity was given to members on the other side of the chamber to send the bill to the Standing Committee on Legislation for a bit more assessment. I hope that members opposite will consider asking questions during the clause-by-clause debate. That would be quite a terrific prospect, because parliamentary sovereignty issue is important. I reflect upon when a member opposite bravely stood up during debate on a bill not long ago and asked questions. It was quite an unusual circumstance because the minister had to turn and answer questions from his own side. Would that not be great? Beyond all the theatre of this place, if it were stripped away, people on all sides of this place think and consider and want to see the right outcome. All I can say is that I encourage members opposite who might have a number of questions from their constituents to participate. Members who represent my region have constituents they are concerned about and may ask some questions on behalf of those constituents during the clause-by-clause consideration. That would be terrific.

I now raise the issue of health standards in relation to firearm licence eligibility. There is a problem with health standards. I understand mental health, but I am not so sure about other health-related matters. I think that is challenging. I am providing this by means of advice for those listening and providing drafting advice to the minister. Will this bill in any way breach any standards of human rights and discrimination in relation to people's physical health standards? I am sure people will be using firearms at the Paralympics, with some excellent results that I am looking forward to. I would hate to think that someone could be judged on their physical health. It seems a very broad definition and rather odd, quite frankly. I am not sure what circumstances will apply. Maybe the minister can explain the circumstances in which those physical health aspects would likely be a problem in the risk that a licensed firearm owner might pose to the community. That explanation would be interesting. I hope that it can be explained. I am not the expert here. The minister will have expert advice.

It would have been good if the details on how that aspect will be applied had been provided to this chamber, and the other chamber, as we debate these important laws in the Parliament of Western Australia, the peak lawmaking body in Western Australia. I hope there is no breach of the Equal Opportunity Act or federal discrimination legislation with impacts relating to someone's physical health, physical standing or physical attributes. I hope there is nothing to it. We will find out.

I present these issues because they seem rather odd. The report states —

- 7.31 Meeting health standards is critical to eligibility for a firearm authority and protecting public safety. They constitute one of the Bill's most important reforms. Despite this, the health standards have not been finalised.

I do not necessarily agree with that line or know whether it is entirely accurate. Maybe the minister can explain it in his reply. What health aspects that do not involve mental health will impact on public safety issues on this matter? I can understand that in some circumstances mental health standards certainly would apply, but I am not sure about general health. The report states —

- 7.32 The Committee sought further information by asking the Minister what minimum standards apply and why these cannot be provided for in the Bill.

The committee did a really good job in the short time it had and under the limited terms of reference. It did an excellent job. The report continues —

The Minister responded:

The health assessment and process will be similar to other licence requirements, such as those that apply to persons seeking a dangerous goods (explosives) licence, recreational pilots licence, or heavy rigid vehicle licence. The firearm authority health standards remain under consideration and are being developed in conjunction with a Health Assessment Working Group ... composed of key representatives of medical practitioners and the Department of Health.

That was the minister's response. We do not have the minimum standards and we do not know what they are. Again, I am very interested about whether the health assessment working group is providing advice on the broader impacts of the access to health assessments. As I said previously, I would like to know what the mental health profession says about mental health assessments and how they might impact on people seeking assistance. If somebody owns some firearms and has a mental health concern, they might be more reluctant to seek assistance from a mental health practitioner because they fear losing their licence, particularly if we find in the future that it becomes very challenging for them to recover their licence after they have gone through the appropriate treatment, or after they have met all the standards and there is a waiting period or a delay.

I will raise an example of my family while it is fresh in my mind. I have an elderly mother who lost her driver's licence on advice from a doctor. It was in another jurisdiction, but the process to get it back took a long time. In the end, it came down to red tape, and, eventually, she was able to get her driver's licence back. These are the realities in any regulatory system in the world. It is an imperfect system and sometimes people react by being reluctant to seek advice. I would like to know what the medical profession thinks about that. I am trying to be helpful to the minister here so that he can provide these answers along in the way. Has there been consultation? The health assessment working group is composed of medical practitioners and the Department of Health. How will that work in terms of the ability to provide those services? There is that issue.

The report states on page 13 —

The Committee notes that despite the Government's current intent, the periods for which people will be disqualified from holding a firearm authority remain under consideration. This is despite the considerable consultation the Government has undertaken.

That ties in with what I am saying. The Standing Committee on Uniform Legislation and Statutes Review, which includes some government members, has done an excellent job. I hope that somehow, before we discuss this issue during Committee of the Whole, we actually get answers to some of the points raised in that report by those excellent committee members.

I want to touch on some other matters now. The times I have had the opportunity to talk on the Firearms Bill 2024, I have talked about regional challenges and the unintended consequences or potential impacts that reducing the number of firearms will have on, for example, communities in the rangelands. I saw the infographic in today's copy of *The West Australian*. People living in residential areas who are part of a gun club with proper controls clearly can be managed, but a different mindset is required for people in the regions using firearms. In my part of the world, people have more legitimate, useful and practical applications for firearms. I am not going to comment on the use of firearms in a metropolitan setting. My focus will be on their use in the regions, because, as I said, it is vital. Recreational shooters cull large numbers of feral herbivores across our crown land estate. It is a vitally important activity. The wild horses, camels and donkeys that exist across our crown land estate are problematic and cause a lot of environmental damage. Despite expanding the environmental estate, the government has not really been able to properly manage it. It relies a lot on the voluntary effort of pastoralists, recreational shooters and Aboriginal people who live in those rangelands communities to help manage some of these difficult issues.

I want to talk about Aboriginal people in particular and something that really worries me. As recently as today, I spoke to some Aboriginal people in the Kimberley who have not heard about these legislative changes. They will be affected by the change in the number of firearms that they can possess. It is not uncommon for them to have a couple of shotguns, a .22 calibre rifle, something of a higher calibre and maybe one or two rifles because they have different uses. People who live in the communities, places like Kundat Djaru, or Ringer Soak as other people call it, shoot bush turkeys. It provides them with their food and is a part of their life. Access to the internet, let alone following the firearm licensing processes that will be demanded that they use, will be considerably difficult. It will not be easy. I hope that we can all gain an understanding of that and settle this thing.

Hon Steve Martin also raised his concern around property ownership. Who will give approval for someone to shoot on crown land that comes under exclusive native title, for example? Have the police had detailed conversations with the Kimberley Land Council or all the prescribed bodies corporate that control those sites? Will they be the organisations that will issue the approvals? Who will give it in relation to Aboriginal Lands Trust land? How will people who live in Balgo who go shooting for their sustenance on ALT land get access? They could go to the pastoralists down the road to get a letter. Despite what members opposite constantly go on about, I can tell members that the vast majority of property letters from farmers and pastoralists are signed for Aboriginal people. That has been told to me, because they know it is important to them. They want to support their ability to go out and shoot and recover ongoing sustenance for their family—to hunt for their traditional foods. That is what they do. I am not sure all this red tape will allow for that process. I worry about that and I am concerned. If that issue can be discussed as we go through the Committee of the Whole process, I will be very much appreciative.

We see that even with the existing legislation. The Auditor General's very critical report *Firearm controls* from May 2019 is about the ability to manage the act. I hope we can get some feedback during Committee of the Whole House and the minister's response on how it is going. This report from 2019 is by the Auditor General, who has provided some excellent reports to this place. I refer to them on a regular basis. There is an excellent report on campaign advertising; members will be hearing more from me on that.

A key finding on page 7 of the eighteenth report from May 2019 is that licence assessment procedures are not sufficient or transparent. There is quite a lot of detail and it states —

Licence assessment procedures and guidance for staff are inadequate. Formal procedures were last updated in 2012 ...

This shows that there is a challenge with resourcing in policing. Police are stretched to the limit. We have talked about the massive surge of crime across Western Australia. The report continues —

... and are not used by staff to assess licence applications because they are out of date.

I worry about the quality of the bill, and the fact that people are saying at the last minute that it will get more changes with more amendments coming through. I understand the idea of continuous improvement, so I will not be critical of that. For something as important than this, if it can be improved, let us do it. These findings really highlight the root cause of the problem, because we see the breakdown in the existing systems and the consequences of that breakdown. The report continues —

Staff also lack formal guidance on key elements of the assessment process, and how Police has interpreted key legislative requirements.

We will be making the legislation more complex. We have to go back to the government's law reform. It said it should keep it concise and straightforward. Good law is straightforward, simple and able to be implemented and managed to the letter of the law. Bad law is when it is complex and cannot be implemented properly or managed, and then noncompliance is floating around and all kinds of discretionary situations occur. The overuse of too much law can end up with people being treated unfairly, with pockets of noncompliance throughout the state and the focus on one or two individuals who might have found themselves within the focus of the law—maybe for good reason.

The report from the Auditor General continues —

This increases the risk that assessments will be inefficient and inconsistent ...

Eligibility assessments were poorly documented.

Members can look at that. There was also quite a damning finding that the monitoring and compliance activities do not address risks. It comes back to the heart of this: has the minister put in the hard yards? I think we had a horse analogy from Hon Martin Aldridge earlier, about a workhorse or a show pony. The report states —

- licences are not selected for inspection based on a documented assessment of risk

Sitting suspended from 1.00 to 2.00 pm

Hon NEIL THOMSON: Before the break I was talking about points in the Auditor General's report under the heading "Monitoring and compliance activities do not address risks". I would like to go through some more of those, along with a few other things, in my limited time. The report states —

- inspection procedures and guidance are inadequate. For example, inspection procedures have not been updated since 2013 and guidance on how to assess licence holder compliance with key conditions of their licence is lacking

That was a finding. It would be great to get some feedback on how that is going, because there were some responses from the police at the time. The report continues —

- internally set inspection targets in 3 of the last 4 financial years were not met. In 2017–18, Police only inspected 788 of the target 1,050 firearm owners, and 35 of the target 50 dealers and repairers

There is obviously a resourcing issue with the police, so hopefully that has been addressed and we have more focus on that; that would be good to hear, because they will have a much bigger job. I would like to find out, during the examination of clause 1, how that is going to be dealt with. The report continues —

- Police is slow to follow up, and recover firearms from deceased estates and expired licences where necessary.

I spoke to someone this morning about this issue. They have eight guns and four of them were inherited. They are now worried, because although they have a licence for them, they do not know what they are going to do with them. Do they pass them on to the family? How will that work? It gets challenging, especially for people in remote parts of Western Australia. We should look at that. I will not go into the recommendations of the report, on page 9, but it will be good to hear back from the police, through the minister, about how that is all going because it is going to be really important to focus on getting this right.

Before I finish, I have a very long letter from a gentleman. He outlined that there are issues in relation to the property letters that are going to be cancelled at some time in the future. He claims that if a licensed firearm owner cannot get a letter within 28 days, the firearm will have to be sold or it will be confiscated by the police. I am not sure whether that is true, but there will be a transition process, and I would like to know how that transition will be dealt with; maybe that will address some of the concerns of shooters or gun owners out there. He also raised issues about the physical health checks and asked what the criteria will be to allow a licensed firearm owner to keep their firearms. He said that many older people actively and competently participate in ballistic sports—some completely independently, while others do so with assistance from family and carers. He said that shooting is one of the few sports in which people of all physical abilities and genders can compete together. I thought that was an interesting point.

A point was made about training. I do not know, and I have not had time to double-check this, but apparently something was mentioned by Minister Papalia about the requirement for TAFE-level training. Hopefully, we can get a response about the training required. I think there was some notion in the Law Reform Commission of Western Australia's report about that not being necessary or ideal.

In the limited time I have, I am trying to rush now just to get through a few of these things. I am trying to assist and help, but it is always a challenge when I use a computer, writing things as I go, because the screen goes blank. Obviously, clause 9 on disqualifications will be an important clause.

Clause 28 is about the issue of purpose. In my region, people have raised with me the use of firearms; they either carry a licensed shotgun or a side-arm when they are out doing fencing, for example, because they worry about wild dogs. I believe that people cannot license a firearm for that purpose. I checked online to see how many wild dog attacks there have been, and there has really been only one attack in Australia, although we know that dingoes also attack. We have had a few of those. There seems to be a growing concern in the goldfields in particular about the number of wild dogs, and people feel a little unsafe. They report that they have seen packs of dogs following them along the fence line. I am not sure whether that would be a valid purpose; I do not think it would be. I can only guess the opinion of the police on that matter. It would seem reasonable if people were feeling unsafe, and I know that wild dog numbers are a problem in some areas of my region.

The minimum activity requirement is at clause 32. That might have an impact on older people, for one reason or another. Is the clause necessary? Is it really necessary to have a minimum activity requirement, and how would that be reported? Who will keep track of that? It seems like quite an onerous and unnecessary requirement.

Landowner responsibilities are mentioned in clauses 39 and 57, which refer to issues about land ownership. Earlier, I mentioned Aboriginal Lands Trust land, crown land and other land. Who will be the authorising agent? I know that if it got down to the level of trying to get native title approval from eligible consent holders, for example, it could really have an impact on the number of people who could access those lands to shoot wild camels and other feral animals. I would obviously be pleased to get an understanding of how that is managed presently.

Obviously, clause 148 is about the issue of health standards and the impact of the physical examination—a point I have raised before. Another clause that struck me is a provision in clause 150 on domestic circumstances. I thought that was a bit of an unusual one. Will that be discriminatory in any way? Someone might be a perfectly reasonable person but be put in a situation in which something happened to them. Although they could potentially store the rifle or firearm properly and safely, they might have a situation with their living circumstances that prevented them from doing that for some reason. I assume that is related to whether they are homeless, for example. I guess that they would not be able to store a firearm, but maybe it could be stored at a gun club or whatever. I am not sure how that will get worked out. I am interested to know how that will be managed. What would happen if someone, for no fault of their own, could not afford the rent, had to move house and for a period of time did not have a roof over their head? Would they be able to find suitable storage for that firearm? Would that be allowable, or would they lose their firearms? People in my region rely on firearms to go hunting and have the right to shoot cattle, for example. That is normal in my part of the region. People shoot “killers”—they do—and they butcher them, and they are allowed to do that. They have permission from the landowner to do so, particularly on Aboriginal-owned stations. What would happen to those people if they were not in the so-called right domestic circumstances? That would mean that they were discriminated against.

There was something about associates and relatives, which I thought was a bit odd. I am not sure how that would apply. We all have crazy relatives at some point or other. That is a bit unfair because it does not mean that a person is not fit and proper.

I am getting mumbling from the members on the other side, but I am sure they can speak for themselves. I will not make any jokes about the Labor Party.

HON STEVE MARTIN (Agricultural) [2.10 pm]: I rise to make a contribution to the second reading debate on Firearms Bill 2024. It contains 492 clauses, 241 pages, and I get tired carrying it up and down the stairs to my office. We are dealing with a substantial piece of legislation today.

I have given this speech some thought, and I thought I would start with some personal reflections on what this legislation means to me. I am a licensed firearm owner, and I have been for decades. I am also a former farmer, and I still have the property and the firearms. I was moved to make this speech after I read the front page of *The West Australian* today. What it said has been a reasonably common thread in the months leading up to the introduction of this legislation; that is, our streets are somehow awash with firearms and community safety is enormously at threat because of the number of firearms in our society. It caused me to think about where I live. I do not know this for a fact, but I am almost certain that every single one of my neighbours is a licensed firearm owner. It is not like a suburban street where there is one house either side of me and someone behind me—I probably have 10, 11 or 12 neighbours, and they are all armed. In the parlance of *The West Australian*, my neighbourhood is awash with firearms. That made me reflect on whether we have a gun problem at east Wickiepin. We do not, for obvious reasons, but my part of the world is one of the most heavily armed parts of Western Australia. All of my next-door neighbours are armed. I do not know how many guns they have in the gun safe—one, two, three or possibly four—but on the numbers we have seen from WA police, not many people have more than the 10 proposed for primary producers in the bill. I guess that is about right; it is a small number of guns. Every single one of my neighbours almost certainly has a weapon.

I want to explain why we do not have a gun culture problem at east Wickiepin even though we are well armed. I have heard references about the fact that we do not want Australia to turn into the United States. Anyone who has lived for any period of time in the United States of America, as I have, will say that it is a very different place from Australia in all sorts of areas, but particularly when it comes to firearms. Walmart sells shelves and shelves of high-powered weapons, including handguns et cetera. That is just not Western Australia, and it is particularly not where I live, where we have guns. That is because farmers treat those weapons much like they would a chainsaw, a posthole shovel or another piece of equipment—that is, as a necessary tool or piece of equipment that they need, not in their day-to-day existence or work life, but occasionally. I will let members know what some of those uses are. For example, injured or seriously ill livestock often need euthanising, and the best way to do that is with a firearm. It can be a fairly messy task if one has the wrong firearm. Small animals need to be approached differently from larger animals. You do not want to get too close to a badly injured one and a half tonne bull with a .22 calibre rifle. That would be very dangerous to both the person and the animal. That is one of the tasks for which people need firearms. I have had a large, angry and very poisonous dugite in my house. A few approaches can be taken when

that occurs—a rake or shovel, get out of its way, or track it down and try to shoot it so it does not come back to the house. There are occasions when weapons are useful. There is also the feral pest problem. I have heard from people about their desperate need for firearms to manage feral pests. That does not apply to all feral pests. If someone tried to shoot their way out of a rabbit plague, they would be there forever; however, for certain feral pests a firearm is the best option presented to farmers.

That is the view through my lens on this issue. That is not particularly useful. The broader society in Western Australia has expectations of how we manage firearms in our community, and I completely understand that. That has never been more apparent than this week. Let us look at the intentions of this bill. It is to take guns off our streets. According to the Minister for Police and the Premier, thousands of guns will be taken off the streets, and the overall intention is to make Western Australia safer. I will come back to that. I have some views on both those outcomes after reading this bill as closely as I have been able to.

I also want to talk about the processes around this bill. Again, I will use a personal example that relates to the proposed mental health checks and physical checks. One of the tools farmers use on their properties is a truck and they need to go through a training and licensing process to operate a heavy vehicle. I have a heavy vehicle licence and every year I pay a reasonable amount of money for an audit process, and every three years, from memory, I sit a medical examination. I believe from some of the briefing correspondence we have received that that model might be shoehorned into this legislation, so I thought it would be useful to let members know what that looks like. People make an appointment, when they can get one, at their local GP, whether that is 60 kilometres or 100 kilometres away. They might get to see their regular doctor or they might not; it might be someone they have not met before. They will run through a 10-page driver health questionnaire, which I printed out this morning. It looks identical to the one I completed to be a heavy truck operator. It contains all the obvious stuff we would expect, with sections on high blood pressure; heart disease; chest pain; angina; neck, back or limb disorders; double vision; and colour blindness et cetera. They tick a box either yes or no. That is all fine. There is a box after that for the health professional's comments.

The form gets a little more interesting when it asks: "How likely are you to doze off or fall asleep in the following situations, in contrast to just feeling tired?" There are a number of boxes. This place should probably be option (i)! The list includes sitting and reading, watching TV, or sitting inactive in a public place—for example, a theatre or a meeting. There are boxes for people to tick to say that they would never doze off or they had a slight chance of dozing, a moderate chance of dozing or a high chance of dozing. Somehow from that data the medical professional will make an assessment of whether the person is fit to hold a truck driver's licence.

Section 6 of the questionnaire is on alcohol and asks how often during the past year the person has needed a first drink in the morning to get themselves going after a heavy drinking session. I guess that not many potential truck drivers who are desperate to keep their employment will tick option 4 of four or more times a week. They are probably reading the room if they have a problem and filling in option zero, which is "never". Option 1 is "monthly or less". Again, that requires a tick in a box. Next, the person's GP, who they may or may not have met prior to the appointment, will make further assessments. Section 6 of the clinical assessment, which is headed "Psychological health", provides for a mental state examination that must be filled out by the GP. The two options are normal or abnormal. The GP must assess the person's appearance and tick either "normal" or "abnormal". They then have to assess a person's attitude even though they previously have not met the person, including the person's behaviour—they are at the doctor and are nervous—the person's mood and affect; the person's thought form stream and content; the person's perception; the person's cognition; the person's insight, although I am not sure what that is; and whether the person's judgement is normal or abnormal. In my experience, this appointment lasts between six and 12 minutes. The doctor has to get through a number of other sections. They will tick the boxes as fast as they can and move on to the next patient because they have a long list of people to see. My point is that that process is looming —

Hon Peter Foster: Do you see your regular doctor?

Hon STEVE MARTIN: If I am lucky.

Hon Peter Foster: I've had the same appointment, and I can tell you now that it doesn't take six minutes. They book you in for a long appointment; it doesn't take six minutes. I also have a heavy vehicle licence.

Hon STEVE MARTIN: I am telling members exactly what has happened during my driver's health questionnaire appointment over time. It is a fairly quick appointment. Sometimes a GP has never met me.

Hon Peter Foster: I think you're embellishing a little bit there.

Hon STEVE MARTIN: The member can think whatever he likes. That is the process and, if I am lucky, I will see my regular GP. People in a small country town in regional Western Australia usually have a regular GP for between 12 to 18 months and then they get another regular GP for 12 to 18 months and so on and so forth, lessening their chances of getting the same GP more than once or twice in a row. I make the point that GPs assessing people this way is an interesting process.

The community expects us as operators of heavy pieces of equipment to have a process in place, which is appropriate. They are large, potentially very dangerous pieces of equipment, and society—members of our community—expect

that we are well-trained and meet the criteria to operate that equipment, which is absolutely appropriate. Society has a right to expect that of firearm owners. I do not have a concern about that. But I am pointing out some of the flaws in the process. It has been mentioned by other members that the people who are likely to need help, particularly for their mental health, will most likely either not want to do the test or will not do the test. Having had some experience of mental health conditions, getting someone to front-up and ask for help is often the very hardest thing to do. As I said, the community expects us to meet certain standards of ownership, storage, behaviour and training around things like heavy vehicles and certainly firearms. I appreciate the intent behind the changes set out in the Firearms Bill 2024, but we will see what happens when the provisions are rolled out. We do not know most of this because the details will be determined in the regulations, and we will not see them before we pass the bill.

The Minister for Emergency Services is away on urgent parliamentary business. There are so many clauses in the bill that I do not think there is much point in him going through them in his second reading reply. That will be done, most usefully, in the Committee of the Whole, but there is one issue I want to raise, which I did during both briefings. I thank the advisers for those briefings and the minister for supplying them. The issue is the property letter system, which is certainly ripe for reform because it is old and open to abuse. The new property letter system has good intentions, but, again, I think there might be some issues. My view on this is as a writer or signer of a property letter, not as someone who will receive a property letter to have the ability to do certain things. I still have concerns about what “property” means. Clauses in the bill refer to tying certain calibres of firearms to certain sizes or types of property. For example, farming ownership structures can be quite complicated with a variety of things from trusts, partnerships, companies to sole traders et cetera. Those individual properties might have 50, 60 or 70 individual titles on them. It is not clear to me yet what bit of a property or what calibre would be appropriate on a property if I were to sign a property letter in the future. I use my particular example of a fairly contiguous landholding with a few little bits stuck out on their own, including one paddock or title removed from the rest of the property by two roads. Will my sole property letter allow someone to shoot on that entire 80-hectare title and with what calibres? Will it be chopped up a bit at a time? The properties issue needs some investigation in Committee of the Whole. As I said, minister, an awful lot will need to be dealt with during Committee of the Whole given the many complicated clauses.

I want to touch on some other community expectations about firearm owners. The theft of firearms has been raised by the Minister for Police and the Premier. More firearms lead to more firearms theft. The response to the “more firearms” question is the arbitrary limits. Various categories of licence can have various numbers of firearms. There are 10 for primary producers, five for other people and so on. As soon as an arbitrary number is picked, that is a problem of course because it means that nine is safe and 11 is not and so on. But it got me thinking about firearm theft. If one of the problems with more guns in our society is firearm theft, what will be the impact of limiting various licences to a certain number of guns?

I discovered some great work by the Australian Institute of Criminology in its *Statistical report 24: Firearm theft in Australia 2018*. It is a little dated, but it includes some great work. I read a little into *Hansard*. It states —

Number of stolen firearms

There were 2,425 firearms reported stolen between 1 January and 31 December 2018 ...

This is Australia-wide. Of these, 584 firearms, or 24 per cent, were stolen in Queensland; 572, or 24 per cent, in Victoria, and 466, or 19 per cent, in New South Wales. It continues —

Each month an average of 202 firearms was reported stolen to police and an average of three firearms were stolen per incident ...

I am guessing that someone who has stolen a firearm has either found one lying around, which would be fairly rare, or has stolen or opened a gun safe and taken the guns inside. From my anecdotal experience, an average of three guns would be about the average contents of a gun safe. I am unsure how reducing ownership or capping it at 10 and five will reduce the number of stolen firearms in Western Australia.

This very good report provides some further data and has some interesting work on the percentage of firearms stolen per theft. A graph indicates that approximately just under 40 per cent of cases involved the theft of one firearm, 20 per cent of cases involved two firearms, about 13 per cent of cases involved three firearms and eight per cent of cases involved four firearms. By the time we get to 10, which will be the cap on the number of guns a person will be able to own under this legislation, the percentage is very hard to read. After 10—from 11 to the rest—it is negligible. There are almost no thefts, or only a very small number, of more than 10 guns. As I said, it is difficult to see how these changes will reduce the number of guns in our society. We have heard from countless speakers that a very small percentage of people have more than those arbitrary limits now. We will not be saying to too many firearm owners, “You’ve got 23 guns now; you’ll have to have 10 when this bill becomes law.” The Premier and Minister for Police have promised and guaranteed that this bill will make the streets of Western Australia safer and take thousands of guns off our streets, but I do not think that will stand up to scrutiny.

I want to make some brief remarks on the events of this week—not the tragic circumstances surrounding the deaths of those two women but the response of the minister and Premier. Linking the passage of this bill with somehow making us safer next week was a display of the worst kind of political cynicism. Either the minister got carried

away in the moment when he was called upon to respond to that tragic set of circumstances—that is the best of the two excuses—or he saw a political opportunity to put pressure on the opposition to get this bill through. To suggest that the bill had to be passed this week was simply inexcusable. In the second briefing that we received, Hon Peter Collier asked the advisers about the expected timeline and we were assured that the minister expected this bill to be passed in August. That is what we were told. Quite frankly, that is appropriate for a bill that has 492 clauses and 241 pages. For the language to turn around after that horrendous event was appalling.

Of course, that was not the only thing the minister and the Premier said after that event. The other thing they said was that they might have to make the legislation tougher. The bill is not perfect; therefore, there will possibly be some amendments to it. It is now half past two on Thursday afternoon. I could sit down straightaway, there might not be any more contributions to the second reading debate, the minister might reply and we could be into the committee phase in 45 minutes. I have not seen or heard about any amendments. Again, there is the possibility that the minister got caught up in the dreadful circumstances of late last week and said something off the cuff. Given the discussions since the circumstances of last Friday, I hope that is the case. If there are amendments to come, where are they? I would be keen to hear from the minister in his reply to the second reading debate whether he is expecting any amendments and whether we will see them. I will not go over a possible referral of the bill because that decision has been made, but we could not find a better reason to refer it than the expectation of changes to this lengthy bill.

I will conclude by giving voice to the genuine concerns that I have received, as a regional member, from hundreds of people about this bill. A significant issue has been raised. Sadly, on too many occasions, I have not been able to explain the intent of the bill because we do not have the regulations. I will use storage as an example. I probably agree that the storage and handling of firearms needs to be beefed up, but I have no idea what that will look like. Reading the clause tells me that there is an intent to do something, but at this stage we do not know what that means.

I touch on the fit-and-proper-person clause. The police commissioner has vast powers under the Firearms Act now. I think this will be an extension of those vast powers, and it makes me a little nervous, after undergoing something similar with my driver health questionnaire. A firearms owner could get it 100 per cent right—tick, tick, tick—all “yes” and “no” answers where it is appropriate, and get a glowing bill of health from a medical professional. The doctor might give Hon Peter Foster 45 minutes’ worth of time and give me only 15 minutes, but it will all be ticked and all will be fine; there will be nothing to see here. The police commissioner could then ignore that advice entirely and seek advice, I assume, from elsewhere, or perhaps make up their own mind. It talks about someone’s views or attitudes possibly being taken into account. I have just found the relevant section in the second reading speech, which states —

The commissioner, in forming an opinion on an applicant’s fit and proper status, may have regard to a wide range of matters to ensure that a person is suitable to safely and responsibly possess firearms and related things. Although not limited in what this may include, —

So, it is pretty much anything —

the commissioner may consider the person’s conduct, behaviour, physical and mental health, views, opinions, attitudes, character, —

I would be very keen to know how character actually will be assessed —

domestic circumstances, honesty and integrity, as well as who their close associates are.

That is as open-ended as a clause or interpretation can be. That will give enormous power to our very hardworking police officers, and particularly the police commissioner. I think that is a risky part of this legislation. Getting back to the genuine concerns that have been raised, we have heard that 32 000-odd people signed that petition to send the bill off to the Standing Committee on Legislation. They were seeking more information. I am sure members have received countless correspondence from people who are concerned. That is real. We have a responsibility to the broader Western Australian community to make firearm ownership and operation as safe as possible. I think some of the extraordinary claims made by the Premier and the Minister for Police, particularly recently but also over the entirety of this debate, will not be met. *The West Australian* thinks our streets are awash with firearms now, but I am reasonably certain, after the passage of this legislation and the arrival of the regulations, not much will change. There will be some reasonable outcomes from this bill around storage and the ability of police to remove firearms from people who should have them removed. I look forward to the Committee of the Whole stage; it will be extensive. There will be a lot of clauses to get through and I hope the government is prepared for a serious consideration of the vast bit of work we have in front of us. I appreciate the opportunity. Thank you.

HON TJORN SIBMA (North Metropolitan) [2.39 pm]: I intend to make only a brief contribution to the second reading debate on this very extensive Firearms Bill 2024, but I have chosen to do so to do a number of things. I will give serious attention to a bill that needs to be treated seriously. As much as individual members, particularly government members, might disagree with the tone and content of a number of the contributors to the debate thus far, it would be a mistake for them to assume that opposition members, crossbenchers or any member is taking the debate on this bill flippantly. The reverse is absolutely true. I have said on a number of occasions in the course of speaking to bills that purport to be some transformative reform that on occasion we need to take seriously the

words, intent and rhetoric of the government. When the government comes into Parliament with a bill that intends to transform or reform a particular aspect of the statute book, that is when we should more or less clear our in-tray and dedicate ourselves to appreciate precisely what is being proposed, why it is being proposed and what its implications might be. With that approach, I will make my contribution. I will also make my contribution from a number of perspectives: a pre-political professional perspective, some personal reflections and, of course, some political observations that reflect on the purpose of this parliamentary chamber.

I had some broad early professional experience in weapons control or firearms management from two particular aspects, the first of which was as part of the Australian government's policy to assist in the transformation of the then Falintil guerilla group in East Timor into something approximating a standing light infantry brigade that had a more or less sophisticated understanding of civil and military relations and could operate under the direction of an executive government and, frankly, not undertake a coup. In order to do that, the Australian government, with some international partners, decided to assist in the formation of a new military organisation. Tensions were exceptionally heightened on the border between East Timor and West Timor, as members can imagine. This was after the vote for autonomy had occurred and during the United Nations intervention but before independence was fully reached. One of the tasks I was required to do as part of a team—I emphasise that I was the most junior member of that team—was to effectively arm those people and traipse the world looking for weapons to provide them with and also ensure that the necessary probity and accountability was in place and that the weapons were purchased from the right source, complied with the appropriate international regulations and were used by the right people. That was not an easy undertaking.

On the one hand, I have contributed to arming in bulk more than 1 500 people with military rifles and other weapons so that they could undertake their tasks. On the other hand, not long after that, I was a civilian ceasefire monitor seconded to an island in the South Pacific called Bougainville. Bougainville had seen the ravages of civil conflict and civil war where all the worst animal spirits were unleashed on the civilian population. Two camps of armed thugs threw their weight around with all manner of powerful firearms. One of the jobs I had—it was not a job peculiar to me; it was part of an ongoing process—was effectively to go on village patrols and encourage people to hand in their guns as part of a process that was overseen by the United Nations. That required the establishment of a lot of trust with people who, frankly, in the past had proven themselves to be quite untrustworthy. I recall an incident when there was a milestone to reach in terms of a proposal for at least 10 or 15 high-powered firearms to be turned in by an ex-combatant. That meeting took place in that individual's front garden. One of the parties remarked, "You have such a beautiful garden, Thomas"—I will not use his full name. He smiled briefly and said, "Yes; there is a lot of blood and bone in that soil." He was not joking. It was a difficult task. It required an enormous amount of trust for people to willingly give up their arms because that was the source of their power and their authority in what was then a broken society, but one that had committed itself to repair and recovery.

A little closer to home, I reflect somewhat on one of the intended purposes of this bill. One of the intended purposes of this bill—I do not necessarily suggest that it is not—is the upholding of community safety. Of course, we should all be committed to that. Again, I seek some indulgence. I apologise somewhat, but I want to emphasise, particularly in the case of this bill, that I am going into this debate with my eyes wide open and I am prepared to do a thorough job. Members might recall the terrible tragedy of a multiple murder-suicide at Osmington near Margaret River in 2018. As chance would have it, about nine months prior to that horrendous outcome, I had unintentionally and inadvertently met one of the victims, or soon to be victims, of that tragedy. She was a young 13-year-old called Taye. Ever since that massacre occurred, on occasion, her young face has flashed into my mind. It is hard, when reflecting on bills like this and in particular the tragedy of last Friday, to not have that young innocent face come back to me and to see in her eyes my own children or, indeed, the victims of last Friday. I do not think there is a member in this place who has not had a friend or a loved one suffer, or has not themselves suffered, some violent action or seen innocence trammelled and taken away. I am foremost cognisant of the question of whether this bill can indeed live up to the stated claims and the claims of the minister and others on its behalf that it will keep the community safer.

With all that foregrounded, I hope adequately, it is our obligation to shift gears and focus on whether this is indeed a sound bill. One of my individual tests of whether a bill is sound or, indeed, necessary lies in this question: will it make good or tie up some loophole or gap in existing legislation that is open to abuse? Another way of putting the question is: will it improve firearms management and community safety? That, to me, is the fundamental question.

The public comments of the last few days bear reflecting upon. I want to be very specific and underscore my support for the Western Australia Police Force and every serving officer. They do things that many of us would be unwilling to do or are incapable of doing. Indeed, they are human beings, subject to the same human frailties as us. I generally think it unwise, with the benefit of 20/20 hindsight, to say that in any particular scenario the police should have done this or should have done that. It is very easy to speculate from the comfort of one's own living room. However, what I believe is subject to scrutiny are public comments made by senior leaders, regardless of whether those senior leaders were voted in, as was the case with the Minister for Police, Hon Paul Papalia. I am an equal opportunity employer here—members can refer to the end of my budget reply speech about the senior executive service in the public sector. I also address my remarks to the leadership, the apex, of the Western Australia Police Force, being Commissioner of Police, Col Blanch, who is a person I have respect and regard for.

Yesterday, I asked two questions in question time that related directly to statements made by the commissioner and the minister in their response to Friday's tragedy and the very eloquent, articulate public statement made by Ariel Bombara. The questions were twofold. I will address the minister first because I think it is appropriate to do so. The minister suggested, upon advice that he received from police, that apparently the repeated requests for a temporary police protection order did not meet the threshold for that protection being extended to Ariel Bombara and her mother. I asked yesterday what I thought was the obvious question. Sometimes the most ungainly question is the best one. I asked what was the threshold. The threshold I was referred to exists under section 30A of the Restraining Orders Act 1997, and it is one of those sections in an act that, largely, provides broad capacity for an officer on the scene to make a personal and professional determination. Nowhere in the other act to which I was referred was a threshold articulated in a granular or linear way. My interpretation, then, is that the utilisation of there being a threshold problem in extending protection in this instance was not referring to any actual statutory, regulatory or policy impediment. I think it is, with all due respect, a rhetorical device to hide behind while attempting to discern precisely what happened. I think, largely, the issue of threshold is a distraction and a red herring.

The second matter I inquired about concerns an observation that the Commissioner of Police himself has made on a couple of occasions. It concerns the fact that the perpetrator of Friday's crime was known by police to possess firearms—obviously, now in retrospect, 13 firearms. I think a question from a journalist went along the lines of this: "What impeded the police from seizing those weapons under the powers already available to them in the Firearms Act?" The answer from the commissioner was, "Well, it is our experience that when we do that, the State Administrative Tribunal overturns our decision and the individual gets their firearms back", and I thought okay. What I have found during the course of public debate in Western Australia—I do not think it is any penetrating insight that I alone share—is a tendency to throw statements out there and not verify them. I thought that this was the kind of statement that should be verified, because it would indicate perhaps a strange, an untoward or an unsettling disconnect between the operation of law and the exercise of actions designed to improve or protect our community. I appreciate that yesterday, the Minister for Police and his office were beset by a number of questions. Frankly speaking, that should have been anticipated. I expect now that there can be justification for that because it has become the practice that the Western Australia Police Force is not always able to provide an answer through the minister on the day the question is put. I am not going to get on my high horse about it, but I would have thought that if the Commissioner of Police was prepared to make a statement on the Monday or Tuesday—I think it was the Tuesday—and say that one reason his officers do not move in to seize firearms is because the State Administrative Tribunal will only overturn the decision and hand them back, he would have been able to provide evidence on the Wednesday as to the most recent occurrence of that fact. Yesterday, I asked a broad question about when this had occurred in the last 12 months. I was told that I would have to wait until today for an answer. I look forward to that answer. I am not being precious here but I want to underscore again that the minister representing the Minister for Police did not answer my question when I put it in. But that is not what this is about; it is that one of the most respected, non-political individuals in the state, the Commissioner of Police, made a statement, and when there was a request for substantiation, none could be provided on either the very next day or the day after that. Before I rushed in this morning, I think I read a story by Dylan Caporn in *The West Australian* that suggested that, on occasion, SAT has upheld the decision by police to seize a weapon, so what is the truth?

There is no doubt that a segment of the Western Australian community has taken a very keen interest in the Firearms Bill because it will affect them directly. I speak to firearms owners. Obviously, they can be possessors of firearms for an occupational purpose, as a primary producer or as a recreational shooter. I believe everybody in Western Australia deserves respect and should expect to be free of vilification.

There is a disturbing facet to this conversation that preys upon the general community attitude, which I think is a widespread attitude, that maintains a fear and loathing of firearms. That is one thing, and I completely understand it, but it is quite another to perpetuate or inflame sentiments of fear and loathing for all firearms owners. That is a quite a different order of problem, and it is a problem. The more enlightened and aware firearms owners out there appreciate, largely speaking, that community sentiment is for the government's bill entirely. That is not necessarily because the community at a broad level has read, comprehends and supports the bill as it is presented, because I think only a small minority of people in this state have read each page of this bill and explanatory memorandum and might have some understanding of how this will play out in regulation, but the sentiment of Western Australians generally put is that they do not like guns and they do not think people should have them. Indeed, when I outlined what the bill is about and what it purports to do by placing certain limits, a fair proportion of people close to me told me that zero is the ultimate number. I think some of the wiser shooters out there appreciate that fact, but not all of them.

Previously, I warned about wading through bills on the vibe of the thing. My friend Hon Nick Goiran spoke about certain hazard factors embedded in bills. I thought some of his warnings were very well made. I have a slightly different interpretation of it. I see bills that this chamber is encouraged to pass some bills without delay, because somebody thinks it is a good idea, a minister's office has given an exclusive drop to a journalist or it meets with the editorial flavour at the time. I do not think that is an illegitimate practice, but it does not necessarily promote good, orderly, considered lawmaking. I believe that as late as Monday morning there were the vestiges of that "get the upper house to get that out of the way" kind of narrative building around this bill, aided and abetted somewhat by the

Minister for Police who, after 15 years in Parliament, still does not seem to grasp the process of a bill going through both chambers. It is a fundamental failure for him not to have grasped that in that time. In no way can it be suggested that opposition members, whether Liberal or National Party members, are obstructing the bill or getting in the way of it. We will be doing our job of scrutinising the bill; it is one of those bills that demands that attention.

I surmise this not by providing gratuitous advice to the government, because I try not to do that even when I am tempted to, but by suggesting that the government hastens slowly to consider the detail. It is clear to me, as it is clear to everyone, that the minister—I do not mean this to be pejorative or insulting—is not confident in his own bill, because he is considering a range of amendments at this time, which we have not seen. That is not indicative of considered, orderly lawmaking; it is indicative of panic and confusion, and that is not the way to legislate. It is absolutely appropriate to reform the Firearms Act 1973 and there are some sensible measures in the Firearms Bill 2024, but there are also a number of disturbing aspects of it, and I am alert to them primarily because of the way in which the government has managed the narrative around it.

Hon Steve Martin spoke about the government’s narrative of the state being awash with guns. To some degree, that expression is an accurate one. However, Western Australia is awash with a lot of other pernicious things that did not necessarily make the front page today. One of those things is methamphetamine. This is the genuine scourge in our community, although I am not seeking to displace the inability of individual members of our society to properly regulate their emotions or act in constructive ways without recourse to despicable and cowardly violence. There are a number of maladies afflicting this state, including firearms, but I take this opportunity to underscore that methamphetamine is a greater, more dangerous and more corrosive scourge. The government’s attempts to deal with meth, as well-intentioned as they may have been, have ended in failure. The government introduced border search areas nearly 18 months ago and they were meant to be meth traffickers’ worst nightmare. Instead, they have been a dismal failure—a dismal failure in objective terms, a dismal failure as evidenced through the testing of wastewater contaminants and a dismal failure in terms of the amount and types of drugs actually intercepted at Western Australia’s borders. For all the government’s talk, we have intercepted only a couple of cannabis joints at Albany port.

I do not mean to be derisive in a nasty and unproductive way; I only wish to underscore that sometimes when we attempt to remedy the sins and problems in our community, we cannot necessarily rely on the introduction of brash new laws that promise to change or improve things; it is in the day-to-day that these issues are addressed. With regard to this bill, and more so with regard to the act that this bill purports to reform, a lot more attention needs to be put into making the current act work and having the standard operating procedures well understood at the level of street policing, rather than rewriting the legislation to try to make the minister or the government appear to be heroes. We all deserve a lot better than that. We all deserve to understand precisely what these laws will and will not do, and, as a matter of extreme urgency, we all deserve to see what amendments the minister proposes to make to this very same bill.

HON MARTIN ALDRIDGE (Agricultural) [3.08 pm]: I rise to contribute to the second reading debate on the Firearms Bill 2024. I recognise that I have already made a contribution to the debate on the now-failed motion to refer the bill to the Standing Committee on Legislation, so I am not going to cover exactly the same ground that I covered in my referral debate contribution, but I will re-emphasise some points and raise some additional ones. I will start in a similar way to Hon Steve Martin. I grew up around firearms, and we learned from a very young age to use them safely and to have immense respect for them. In a similar way, there were other risks, and firearms were effectively a tool of agriculture. We did not really consider the risk from firearms any differently from the risks posed by our silos, front-end loaders, farm vehicles and the like.

As I said in my referral contribution, I agree with the government that community safety is the paramount consideration for the regulation of firearms; however, I want to be convinced that the many measures in this bill will lead to increased community safety and achieve the government’s stated policy intentions. In a number of respects, I am concerned that the government acting in the way it is on a number of matters contained in the bill could have some perverse outcomes.

The government’s rhetoric—in particular, the minister’s rhetoric—needs to be judged by its actions. The Minister for Police has charge of this bill, and I remind members that not all that long ago the minister closed the Royal Australian Air Force Base in Pearce, which is not easily done. He conducted what can only be described as a media stunt that closed RAAF Base Pearce. I quote from an article in *The West Australian* of 14 March 2023, so not all that long ago, entitled “Airspace restricted for ‘stunt’” —

The Australian Defence Force was forced to restrict airspace at RAAF Base Pearce as a high-powered 0.50 calibre sniper rifle was fired during a demonstration to promote new gun laws.

Premier Mark McGowan, then-police commissioner Chris Dawson and Police Minister Paul Papalia attended the media event at a firing range in Pinjar in March last year to show why the weapons needed to be taken off the streets.

An urgent Notice to Airmen was issued for danger to a height of 18,000ft as the media event went ahead, media reported.

Obviously, very poor judgement was exercised by not only the minister but also the Premier and Commissioner of Police for the planned media event, notwithstanding the warnings that were made by the Australian Defence Force. The same minister released to the media a map of firearm storage locations in Western Australia. I am sure members will recall that, at the time, the government refuted claims and suggestions that it had endangered community safety, saying that was a complete and utter nonsense. However, it is interesting to reflect on the decision of Western Australia's Information Commissioner that was published on 27 October 2023, which I will read from. In this case, "the agency" is the Western Australia Police Force. The decision says —

The agency claimed that there is a real risk that individuals could use the disputed documents to identify particular addresses at which firearms are registered and that this would present a threat to the life and physical safety of persons and the security of property. The Commissioner accepted the agency's submissions and considered that disclosure of the disputed documents could pose a significant concern to public safety and property security.

After examining the disputed documents and considering all of the material before her, including the agency's decision, the submissions made by both parties during the external review, and her officer's assessment, the Commissioner was satisfied that disclosure of the disputed documents could reasonably be expected —

I repeat, reasonably be expected —

to endanger both the life or physical safety of a person and the security of property.

That was not just the view of the Information Commissioner, it was also the view of the WA Police Force, which begs the question: why on earth did the WA Police Force provide such information to the police minister in the first place, and why did the police minister, or his office, deem it fit and appropriate to release it to the media when in the view of the police force and the Information Commissioner it could be reasonably expected to endanger both the life or physical safety of a person and the security of property? I think we would make some progress on this issue of considering the paramountcy of community safety if someone, anyone, from the government could address this matter.

Then there is the issue I have raised before of the increasing number of times that this minister misspeaks about firearms reform. Every media interview he does raises more questions than it answers. When launching the reforms late last year, he was on ABC radio and was asked a question about what this bill would mean for pastoralists. He answered that pastoralists would have a business licence and have access to an unlimited number of firearms. I asked a question in Parliament about whether that was actually the case—whether it was true. The answer was that the minister told me to read the consultation paper and tabled that paper. Of course, it is not true, it never was true, but let us see when we get to the Committee of the Whole House stage and we will test some of the things that the Minister for Police has said throughout the course of this reform.

In the debate on the referral motion I spoke about the tension between numerical limits and the application of a genuine reason test. As other members have noted, the Law Reform Commission recommended against arbitrary limits and, interestingly, in the report the WA Police Force agreed. That was on the basis of a submission that the WA Police Force provided to the Law Reform Commission, which, again, I have asked for in question time. I was told that the WA Police Force could not find one document in the filing cabinet and that it needed a month, because I was asked to put the question on notice, so I have. We will probably still be dealing with this bill in a month, so it will be interesting to see whether that document, a submission from the WA Police Force to the Law Reform Commission that expressed its views about this issue, will be made available to the Parliament of Western Australia. I wonder whether the Western Australia Police Force provided the document to the police minister on the day I asked that question, but the government and the minister declined to provide it. I wonder whether that is what happened.

We know from documents that we do have from the government that its target through these reforms is to remove 130 000 firearms in Western Australia. That is its target—it is roughly one-third of existing firearms. How many firearms there actually are will probably be a matter for debate on clause 1. I have heard that the number is 360 000-odd, but according to today's *The West Australian* it seems to be 320 000, and that is not including the 10 000 that have already been surrendered through the buyback. We cannot be clear about the number of firearms we have because there are so many different figures provided by the government, but we know from modelling provided to the police minister by the WA Police Force, based on the efficacy of policy measures in this bill, that the target is to remove 130 000 firearms, which is roughly one-third of all firearms in Western Australia. I do not think many of those will be coming from the limits applied to individual licences. I referred to this earlier in the debate when Hon Peter Collier asked a question about the number of licence holders and firearms. There will be some who will be impacted, but generally they will be in the minority rather than the majority of firearm licence holders. The advice provided by the Western Australia Police Force to the Minister for Police on the modelling estimates that the potential impact of these reforms would be 250 firearms as a result of prohibitions, 40 000 as a result of numerical limits, 76 000 as a result of property letters, 3 440 as a result of mandatory disqualifications, 2 000 as a result of citizenship/whistleblower training, and 6 000 to 8 000 based on health assessments. That brings the total to around 129 690 firearms. The advice contains other information about the impact of health assessments and the like that I will come to.

The health assessment is a new requirement. I understand that the state is leading the way in requiring that assessment, as this is not an approach taken in other jurisdictions. It is purportedly informed by the health assessment working group, which was formed in February 2023. I understand that it consists of representatives of WA police, the Mental Health Commission, the Royal Australian College of General Practitioners and other stakeholders. It is not clear exactly who the other key stakeholders are, but according to a media statement attributed to Minister Papalia in February 2022 —

If mental illness is identified during the application process, we want it to be an opportunity and a pathway for the individual to receive the support they need.

I will pay particular attention to this claim when we get to Committee of the Whole because I would like to know exactly how that will work. When mental illness is identified during the application process, how will the government use it as an opportunity and a pathway for the individual to receive the support they need. Obviously, it may be a mechanism to deny a firearms licence or, indeed, to revoke an existing firearms licence, but I would like some understanding of how this will be a positive in respect of the mental health of the applicant.

Part 4 in division 2 of the bill sets out the fit-and-proper person requirement. Clause 148 sets out that a person must meet firearm authority health standards, which I understand will be subject to regulation. Subclause (4) requires a period of not less than 28 days to provide that assessment. One of my concerns, which I articulated in my contribution to the debate on referral of the bill is the availability of health practitioners in parts of Western Australia to satisfy that requirement. Members should keep in mind that someone may have an initial assessment, but the bill contains provisions that allow the commissioner to require further assessment. It might be that the person sees their local GP in their local community, but if they are asked to see another health practitioner nominated by the Commissioner of Police or, indeed, a health practitioner engaged by the police force, consideration may need to be given around the ability to do that, depending on where they live, and also the timeframe; the timeframe is important. I heard other members speak about the burden that this may place on some people. I think I heard Hon Louise Kingston talk about the cost and that it will not be claimable via Medicare, which I had not contemplated in my consideration of the Firearms Bill 2024. It is quite often the case that when people see a GP—I know this from workers compensation matters—they apply a special rate to fill in forms. I had a workers compensation-related matter just recently. It cost a \$185 for the doctor to fill in the assessment form for workers compensation at the initial consult. I suspect something similar will occur, with no rebate available.

My primary concern with the health assessments is the ability of the Western Australia Police Force to process them. Keep in mind, the Minister for Police was given a range of options by WA police in applying the health assessments and he chose to apply them retrospectively. The modelling I have seen, and the advice to the police minister, is that that will require 1 500 assessments a month to be undertaken by existing firearm licence holders for five years. That does not factor in new applications but deals only with the existing cohort of licence holders in Western Australia. It might be one thing for individuals to navigate access and the cost of getting a health assessment done, but I have little confidence that, with all the other measures contained in the bill, the Western Australia Police Force will be in a position to process 1 500 health assessments a month for five years. Keep in mind, some of them may be very complex and not just a tick and flick. People may need second assessments that may be very complex indeed in terms of ultimately making a recommendation as to whether or not somebody should retain their firearm licence based on that health assessment. I will be very interested to know what resourcing will be given to WA police to deal with this task, let alone the transition of existing firearm licence holders to the new regime.

Another thing I want re-emphasise is the hypocrisy that exists with police officers and health assessments. I made the point earlier that police officers are exempt from the Firearms Act 1973, and under the provisions of this bill. They do a very difficult job in very difficult circumstances in the interests of community safety. They probably carry a firearm more regularly than any other regular firearm licence holder. They certainly do not carry one for recreational or sporting purposes; they do it for a particular occupational purpose. I refer to question on notice 1227 of 14 March 2023, which reads —

- (g) are WA Police officers and Police Auxiliary Officers subject to regular mental health assessments;
- (h) if yes to (g), how frequent are these assessments and who conducts such assessments; and
- (i) if yes to (g), how many officers have not passed a mental health assessment in 2022?

The answer was as follows —

- (g)–(h) Officers deployed into high-risk work area where risk and trauma exposure is deemed to be at a higher frequency and/or intensity compared with the baseline inherent risk within policing are subject to a 'Pre-Deployment (psychological) Assessment' as part of the application process for the position. In addition to pre-deployment (psychological) assessments and wellbeing reviews for high risk work areas, additional mental health assessments may be provided for police officers and PAOs in response to critical incidents, large and complex operations, workplace dynamics, or at the request of a workplace.

Further, all recruit applicants undergo an initial ‘Pre-Deployment (psychological) Assessment’ to determine suitability to the role of police officer. Applicants are also required to declare any mental health (previous and current) during the recruitment process, which is reviewed by a medical practitioner and the WA Police force physicians/psychiatrist. Any psychological risk factors identified during the recruitment process are reviewed further.

Wellbeing reviews occur annually however, the additional mental health assessments outlined may result in police officers receiving mental health assessments, a number of times in the year.

The answer to (i) was approximately five per cent, which is how many did not pass a mental health assessment in 2022.

Let us actually consider the words “high-risk work area”. I do not know what proportion of sworn officers in the Western Australia Police Force work in a high-risk area. I suspect it is a minority rather than a majority, but I might be wrong. Of course, during onboarding and recruitment there is a psychological assessment. People may say that I am clutching at straws here and that there is really no issue, but I will remind members that it was not that long ago that a police officer in New South Wales used his service firearm to murder two people. I would have thought that if the government was going down this path that it would consider a very similar system for police officers who are exempt from the Firearms Act. I am not sure about the exemptions. I know they are changing, but they are probably the biggest cohort of exemption that is provided for in the Firearms Act.

Another area that I wanted to talk about is the form. As I understand it, the form was tabled in the Legislative Assembly on 20 March 2024. It is tabled paper 2709. It is under “Appendix A—Mandatory Health Assessment”. As I also understand it, it is the form that an applicant is to fill out and then take to their general practitioner. It is not known what happens next. We do not have the form that the health practitioner then uses because we are told that the form is confidential between the patient and the health practitioner. The form will not be released by WA police, but it will form the basis of whatever is then communicated between the health practitioner and WA police. I do not know what that form looks like, but we have a form between the patient and practitioner. At the beginning, it states —

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

That is in the explanatory information under the heading “Information on Completing the Form”. That is the premise that a person answers the questions under. It relates to medical conditions over the last five years. Yet when we turn to part 3 of the form, it asks —

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

It lists heart disease, physical injuries, nervous system disorders, diabetes and double vision. There seems to be an inconsistency here. At the start, it says that only the last five years of medical history is relevant, and then the question asks, “Have you ever had ...?” I think a little bit more thought needs to go into this form. I must say, the form itself is pretty ordinary. I think it was something that someone got not-too-creative with on Microsoft Word.

There is another issue when it comes to drug use. Part 5 of the form asks, “Do you use illicit drugs or recreational?”

Again, to pick up Hon Steve Martin’s point, I am not sure that someone ticking the yes box, even if they do use illicit drugs, will necessarily achieve the outcome the government is after. I am interested in knowing the difference between illicit drugs and recreational drugs. Is there a difference? Are some recreational drugs not illicit? This is a reasonable question; I honestly do not know. I think this form is a bit clumsy.

I will be interested to know what will happen next. The form will be confidential between the patient and the health practitioner. I assume that the health practitioner will assess the applicant against the health standard, whatever that will be. It will be interesting to know, first, what the health standard will be and, second, what form the communication will take between the health practitioner and the WA police on the assessment. Will it be a standard form, a letter or something else? Will they have to navigate an online system? I would like to understand the next part, because all we know is the bit leading up to someone making an appointment with a health practitioner.

I want to talk about safety. Hon Stephen Dawson, who has carriage of this bill, has had carriage of more than one firearms amendment bill. Indeed, the last one was the Firearms Amendment Bill 2021. When we were debating that bill, I set the minister, the government and, particularly, the WA Police Force a challenge of looking at ways to improve firearms safety that were not necessarily legislative. Hon Neil Thomson spoke in his contribution today about the important role that sporting clubs and even organisations like the Sporting Shooters’ Association of Australia have in terms of educating people about and improving firearms safety. Anyone who has been to a country show has probably seen the SSAA trailer, where people can shoot an air pistol in its little portable target range. The SSAA is very much focused on firearms safety. It can provide a lot of resources and information to existing firearm licence holders or even potential firearm licence holders.

When we were considering the Firearms Amendment Bill 2021, I set the WA Police Force a challenge to lift its game on this issue. If members have not done this already, I encourage them to jump onto the firearms licensing section of the WA Police Force website and have a look. There is a lot of information on there now about firearms reform, but there is actually very little information about firearms safety. Probably the extent of the information is

on how to safely and legally store a firearm in an approved firearms safe. During the consideration of that previous bill, I said that there could be some things the police could do in terms of some short instructional videos, short FAQs or other guidance material on applying or understanding this very significant and complex act and the accompanying regulations. It is of interest that during the course of the reform process that led to the Firearms Bill 2024, reference was often made to commercial drivers' licences and, indeed, recreational skippers' tickets. If we want to make a comparison, we can look at the work the Department of Transport does in producing a number of very useful reference guides and handbooks, which I am sure members will be familiar with. It produces one for driving. The department produces one for people learning to drive and even people who have an existing driver's licence. There is one for motorbike riders called *Ride Safe* and there is one for people who are applying for or have a recreational skipper's ticket. The guides go through everything from how the law applies to them to how to safely maintain a vessel, what to do in an emergency and the safety equipment that is needed. They are really important reference guides. I have always wondered why the Western Australia Police Force has not produced a handbook for gun safety. Have other states? The theme of this bill is to do something that the other states are not doing, so maybe we could lead in this area of using education as a way to increase community safety. There is a questionnaire or quiz that an applicant goes through to get their firearms licence, but if they have held their firearms licence for 20 years, they probably do not even remember what those quiz questions were. I think it would really not cost much, and I argued at the time that it could be done now. We do not need Parliament. We do not even need a big budget. It can be done now to improve firearms safety in Western Australia.

I again raise the issue of storage. At our first briefing a specific question was asked about firearms storage; I am certain it was Hon Steve Martin, but it might have been another one of my colleagues. We got a bit of a flavour of where the government was going with this, in that there would be reforms, but it was going to be a tiered approach. Firearms licence holders with higher-risk firearms, perhaps both in calibre and number, would have a greater requirement than somebody who has one or two low-powered firearms. That was kind of the sense of where we were heading. An adviser at that briefing made a commitment that where the government was landing on storage requirements would be known before debate commenced in the Legislative Assembly. That commitment has not been honoured, to my knowledge. I certainly do not have any detail, standing here today, about where we have landed, and we are not far off entering the Committee of the Whole stage. The government said it was consulting, finalising its views, and would be able to tell members more prior to the commencement of the debate. I do not think that happened. The government's concern is that licensed firearms have fallen into the hands of unlicensed people and criminals, and that is when storage becomes an important issue. We are told that this bill will improve and modernise storage requirements, but we are yet to understand what that looks like.

The other issue that I wanted to know about storage—this is something that the Western Australia Police Force can do right now—is how frequently the police randomly inspect firearm safes in Western Australia. I asked a question in March 2023 —

... for the following years, how many firearm storage inspections did WA Police conduct?

Part of the answer was that, in 2022, it conducted 9 334 firearm storage inspections. That is impressive. If we assume that every licence holder has one safe—which might not necessarily be the case—that is effectively 10 per cent a year. I think that is pretty reasonable. However, I do not think that answer told the whole story because I then asked —

(d) ... how many licensed firearm holders, amended the storage location of firearms with WA Police

Funnily enough, it was 9 334. I also asked —

(e) of those identified in (d), how many were subsequently inspected by WA Police to ensure compliance with storage requirements

The answer was 9 334. I have a suspicion that the answer might be zero because 9 334 was the same number of people who amended their storage location. As part of that process, they had to fill in a form and also verify how they installed their safe. They had to provide a photograph of how they installed the safe and photograph a ruler to ensure that the washers and bolts going into the floor and the wall were the right size. I suspect that in answer to my question, a desktop assessment of the photographs that were emailed to WA police was included, if not entirely included, in the list of firearms safe inspections.

This week, I asked the Minister for Police via his representative here how many physical in-person inspections were conducted. I know that the minister is working hard on that answer. I am honestly interested to know the answer because that can play a role in improving firearms safety and goes to the very issue that the government is concerned about. The position the government is advancing is that unlicensed firearms holders are responsible for the majority of firearm-related crime and so we have to stop these licensed firearms falling into the wrong hands. Surely, storage is a key part of that. Inspecting the storage even once every 10 years would be a pretty good target. If I were the minister, I would think that a target of inspecting 10 per cent a year would be a pretty good target. I think we would see some behavioural change as a result. I have held a firearms licence for probably the best part of 20 years or more and have shifted the storage location on at least three occasions. Apart from the very first time that I applied for my firearms licence, I have never been inspected. I think that is probably a similar experience to many others.

I raised some issues about the second reading speech. I suspect there are some inaccuracies concerning some of the amendments that were made in the Legislative Assembly. I set those out in my debate on the referral motion. I hope the advisers captured that, otherwise it will be a question to ask at clause 1.

Another issue is with the property letters. I first raised this issue with the minister back in 2018 when it was Minister Roberts. I said —

I refer to the requirement for a recreation shooter under Section 11A(2)(c) of the *Firearms Act 1973* to obtain written permission of a property owner in order to satisfy the genuine reason for an applicant to use a firearm for hunting and recreational shooting, and I ask:

...

(c) does the Minister or Western Australia Police have concern for this practice

The answer was —

The Western Australia Police Force advise that this issue was reviewed by Law Reform (LRC) in their review of the *Firearms Act 1973*. The issue of providing property letters for a fee was not one that the LRCWA review considered the need to prevent. A landowner who provides written permission to shoot on the landowners land must keep a register and submit it to the licensing authority on request.

I asked that question because a constituent came to me who was concerned about the practice at the time of people selling property letters on Gumtree. I am not sure whether Gumtree exists now. It would appear from the answer in 2018 that neither the minister nor the Western Australia Police Force had an issue with the practice because it has taken until 2024 for the practice to be corrupt, according to the government. I draw members' attention to an issue raised on page 2 of the second reading speech—

This was suitable when it was introduced in 1973 when the intent was to give a farmer's friend a firearm to shoot on the property, but has since been exploited.

This is another inaccuracy in the second reading speech because there was no such thing as a written property letter in 1973; it was a creature of the Labor government created in 2004. Who was the minister? It was the then Minister for Police Michelle Roberts. She moved to amend the Firearms Amendment Act in 2004, not in 1973. That was the first time that a written authorisation, otherwise known as a property letter, existed. *Hansard* of 4 March 2004 reads —

Mr M.J. BIRNEY: This clause deals with the need to obtain permission before one can fire a firearm on an individual's property. It basically includes the word "written" so that someone now needs written permission. Can people acquire blanket written permission in order to use a firearm on an individual's property or do they require permission on each and every occasion that they intend to use the firearm?

Mrs M.H. ROBERTS: The provision is for first-time applicants. They would need to list that when they made the application the first time. Beyond that they would need permission but not written permission.

Mr M.J. Birney: Would they need permission every time?

Mrs M.H. ROBERTS: Every time they shoot they would need permission, but the first time they would need written permission.

Clause put and passed.

Members, always remember to fact check second reading speeches because property letters were not a creature of 1973; they are a creature of the Labor Minister for Police in 2004 and according to this Labor government are now corrupt. Funnily enough, it was the same minister in 2018 with whom I raised concerns on use of the property letter system, and the Western Australia Police Force purportedly had no issue with it, but it is now corrupt.

Another thing that needs to be tested are the claims made by the Premier and the Minister for Police that —

"Some property owners abused the system for financial gain and then off-loaded the problem to an unsuspecting new landowner.

"The State Government's historic reform of WA's archaic firearm laws will stop people abusing the system and give power back to current property owners.

The Minister for Police went on to say —

"Primary producers asked us to rebuild the system, to give control back to landowners and leaseholders.

The claim is that a property letter issued by a previous owner of a property many years, if not decades, before gives them some legal right to continuing access to somebody's property years after and even multiple owners after the fact. I think this assertion needs to be tested when we get to clause 1. I suspect that there is no legal basis for this view. It might be a good story, and it might suit the government's rhetoric, but I suspect that there is no legal basis for the concerns that they have expressed in this media statement. There will be some time. Reform of the property letter system was needed. There will be issues with the way the government has responded to the issue, which

I think will be fleshed out in the debate on the clauses of this bill. Above all, I encourage the government to be better and do better with respect to the answers that are provided to the Parliament. If we cannot get an understanding of how many storage safes were inspected last year by WA police, we are not off to a good start.

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [3.53 pm]: I, too, rise to make some remarks on the second reading of the Firearms Bill 2024. I do not intend to range over all the issues that other members have already raised. With a bill as comprehensive and large as this, there will be significant consideration in the committee stage. I look forward indeed to hopefully getting some answers to some of the questions we have during that stage.

I want to reflect on something Hon Martin Aldridge talked about. It is important and is something that I was going to raise as well. It is the issue of storage. I am no longer a licensed firearms holder. I used to be one, but I do not have a need for one, so I no longer have a firearms licence. We installed a firearms safe on our farm the moment they became mandatory—in fact, slightly before then. That would have easily been 30 years ago, I would have thought. At no stage was that safe ever physically inspected by anyone. Yes, at one stage, we had to supply photos of it, but it was a simple phone call to tell the officer in charge that we had installed it. He said, “Okay, you have installed it? Great. Thanks.”

We have existing legislation that requires certain things to be done that are not being done. I am not having a crack at police here. This is a resourcing issue. Other members have talked about the fact that resources need to be appropriately applied, which is one of the challenges here. In this legislation we will be creating a far more complex system than currently exists, and it is already not being adequately policed because the resources simply do not exist. Therefore, there are huge questions around how all this will be resourced and how we can have any sense of confidence that the measures to be implemented, should this legislation pass unamended, will be policed. This is a significant concern.

I have also heard concerns directly from people about those safe checks not occurring, and, in fact, people are sharing photos of their gun safes among themselves to send in. Clearly, there is a need for police to inspect gun safes because, obviously, people find a way around these things if those checks are not done. These provisions exist under the current legislation, so there is no reason that cannot be done. The government has adopted rhetoric throughout this debate that the streets are awash with guns. The narrative is that firearms are everywhere. Frankly, that is ridiculous because the current legislation does not allow for that to be the case. The streets are not awash with guns. Guns are required to be licensed and stored in cabinets, and those cabinets are required to be installed in a certain way, and should be inspected. But if they are not being inspected, these provisions exist under the current legislation, so what is being done to ensure that those things are already checked?

One of the concerns I have was raised by the Law Reform Commission of Western Australia in its *Review of the Firearms Act 1973 (WA): Project 105 final report*. I will quote from it —

Notwithstanding the tragic events highlighted in the media, the Commission has taken great care not to overreact. An often repeated theme of the submissions made to the Commission was that the Firearms Legislation is for the administration and regulation of the lawfully held firearms whereas many of the news reports concern unlawfully held firearms. The Commission agrees; the vast majority of firearms users in Western Australia are law-abiding and the Commission certainly has no intention of recommending legislative change that could make it more difficult for firearms users to abide by the law while having no practical purpose to meet the objects of the Firearms Act.

It is also made clear that creating a narrative of fear in the community can have a perverse effect, whereas the firearms laws that we have are very, very good. Can they be made better? Improvements can certainly be made to the licensing system and the administration of that system, but that is not a legislative change. That is a resourcing issue. Yes, the licensing system can be improved. I have the view that some of these changes are good, but, overall, we are going way too far in this legislation.

The Law Reform Commission’s report makes it clear —

It has been said many times before, and remains true, that the process of law reform is dependent on the willingness of people who are affected by the laws to make their voices heard and I can certainly attest to the fact that for this reference the voices were many and loud.

That comment was made in reference to the people who had made submissions to the commission’s inquiry into a review of the Firearms Act 1973. That being the case, some 1 200-odd submissions were made to that inquiry. In this place, I tabled a petition signed by some 12 672 people. Another 32 234 people signed a petition that Hon Nick Goiran tabled in this place. It is very clear that those people who are concerned about this legislation are making their voices heard and, as a consequence, we are obliged to make sure that we understand and listen to their concerns.

The Firearms Bill 2024 is a comprehensive 241-page rewrite of the 1973 act. It is a big piece of legislation. Our job as legislators is to properly scrutinise the legislation. It is not a tick-and-flick exercise. For the minister to suggest, as he did, that he wants this bill to be passed as soon as possible, even by the end of this week, is absolutely and utterly ridiculous. It is ridiculous to imagine that we, as lawmakers or legislators, when debating legislation around

firearms, of all things, could simply tick and flick a piece of legislation this comprehensive and this big without properly doing our job of scrutinising it. We will be doing that. I know that members on this side will certainly be asking many, many questions about the clauses of this legislation when we get into the Committee of the Whole. Some questions have been asked during the second reading contributions of members, but a significant number of questions will be asked during the committee stage to ascertain whether this legislation will do as the government has pledged it will do, or whether there are indeed problems in it. We have already seen the government's amendments on the notice paper. How many other things have been missed that we will need to find? We know it is a common thread in this place for the government to amend its legislation before it is passed.

The 147th report of the Standing Committee on Uniform Legislation and Statutes Review reviewed the Firearms Bill 2024. This bill is uniform legislation; therefore, it is automatically referred to that committee. That committee does a fantastic and very, very good job, but its scrutiny is limited by its terms of reference. Nevertheless, it made a number of concerning findings about this bill that I would like the minister to address, hopefully in his second reading reply; and, if not, then certainly when he is asked questions during the relevant debate about the regulation-making powers in this bill. The committee's report states that they are significant, broad and open-ended regulation-making powers. It states —

6.14 These powers lack focus in their operation. They leave substantial details for the Executive to prescribe without any or adequate criteria or guidance about exactly what will be prescribed. This erodes parliamentary sovereignty by delegating, to the Executive, Parliament's legislative power to deal with these matters.

...

6.16 The EM fails to justify why these regulation-making powers are open-ended.

It states that a number of clauses effectively create Henry VIII clauses that erode the Western Australian Parliament's sovereignty. We need to understand exactly why those things need to be done in that way. I am sure that we will get to that as we approach those various clauses during the committee stage of the bill.

As I said from the outset, I do not intend to speak for very long on this bill because many members have made their commentary known and have asked many questions. When we get to the committee stage, I expect and I hope that the minister with carriage of the bill in this place will have all the resources that he can have available to him, because a significant number of questions will be proposed by members on this side as we begin to debate some of the various proposed amendments and gain an understanding of what effect this legislation will have.

Regarding the way this bill has been managed, it is once again very disappointing that the government has seen fit to politicise it so blatantly and create a fear in the community that did not previously exist: that guns are everywhere and people are under imminent threat. That is not the case. The vast majority of firearms owners, in fact nearly all, are law-abiding citizens who have not done anything wrong, yet they are being persecuted by the government for political advantage. That is the reason we are dealing with this legislation. We could have had sensible reform if the government had simply listened to the Law Reform Commission and implemented the changes recommended in its October 2016 report.

I attended the very first meeting in April 2023 of what became the Western Australian Firearms Community Alliance, a group of firearm owners and businesses involved in the industry. It was very unusual for them to get together in the same room, but one of the guests who spoke at that meeting was Professor Augusto Zimmerman, who happened to be one of the authors of the *Review of the Firearms Act 1973 (WA): Project 105 final report*. He spoke at length about the submissions, level of detail, engagement and process that the commission went through when considering that reform and producing that report. It is an astounding piece of work that provides a very good road map for how to reform firearms legislation in this state. This report was released in October 2016, not long before the 2017 election, so not much happened in that space, but had this government really been serious about reforming firearms legislation, it could have done it the day after it was elected, if it had simply followed the road map presented to it. That road map would have provided very good reform to firearms laws in this state and certainly would have been implemented and supported by those in the firearms community who have said many, many times that they support the reforms in the project 105 report. Had they been implemented, this legislation could have been done many years ago.

There are many, many recommendations throughout the report, the vast majority of which the government has not been able to tell us whether they are being implemented in the bill. There are some 143 recommendations. The government makes much of the fact that it is implementing recommendations from the Law Reform Commission's report, but we do not know which recommendations it is implementing.

Hon Martin Aldridge: It is 90 per cent of them.

Hon COLIN de GRUSSA: It is 90 per cent? What does that mean? Perhaps before we get to the committee stage the minister can prepare a table that explains to us exactly where those recommendations are being implemented in the bill. I would like to see that. It would assist greatly in expediting the committee stage of the bill, because at least at that point we would be able to understand how the government is implementing those recommendations.

I look forward to hearing from the minister in reply to the second reading debate, and I look forward to the Committee of the Whole House, because that is where we will get answers to many of our questions, as we progress through what will be a very, very lengthy—but necessarily lengthy—scrutiny of the Firearms Bill 2024.

HON WILSON TUCKER (Mining and Pastoral) [4.09 pm]: I rise to speak to the Firearms Bill 2024, and I understand that I will be the last member to speak before the minister gives the government reply.

Hon Martin Aldridge: There might be some government members!

Hon WILSON TUCKER: There might be? Okay. I welcome their contributions.

I think one of the benefits of being one of the last members to speak to a very complex bill that a lot of members feel very passionately about and on which they have voiced their concerns and opinions is that I can absorb those opinions and they might hopefully inform my own opinions. I have listened at length to the debate so far. However, one of the cons is that, because a lot of members have voiced a lot of different thoughts and opinions, there is the potential for overlap with my thoughts, and I will be repeating what has already been said. I think the latter is probably true with the Firearms Bill, because a lot of members have spoken at great length about their concerns. Consideration of this legislation is probably best served in Committee of the Whole House. I certainly have a lot of questions that I will raise during the committee process, as opposed to speaking to the blank wall that is a second reading debate.

I will share some of my thoughts and concerns about this bill. Firstly, my personal experience with firearms is pretty limited. My old man had a farm down in the Vasse region when I was growing up, and on weekends and school holidays I would spend time on the farm. We did use firearms down there; I cannot say that I shot often, and I certainly did not enjoy shooting rabbits or kangaroos. It was not something I took a lot of pleasure in, but it was a necessary, day-to-day activity on the farm, from a pest control perspective. But I certainly learnt to respect and fear firearms; I was filled with a fair bit of trepidation for them. They are very noisy, very powerful and very destructive instruments.

We have heard from members who certainly have a lot more experience with firearms than I do, but I take the view that that does not necessarily mean that I cannot form an opinion on something with which I do not have a lot of firsthand experience. I have listened to a lot of the concerns that have been raised. I am sure a lot of members have received truckloads of correspondence, mostly emails, from people who have a lot more experience with firearms. In particular, as I am a member for the Mining and Pastoral Region, there are a lot of firearms owners in my region who have significant experience with firearms, and they have shared their concerns with me. I will go into those very shortly.

I will not rehash a lot of the arguments that have already been made, but I have two big concerns. Firstly, the arbitrary limit on firearms. A lot of members have already spoken about this. I take the view that the government should not mandate a limit, but if it is going to, there should be considerable justification for where this magic number has appeared from. That is a software term for when we have a number that sort of appears out of thin air and we do not quite know where it came from, but it is fixed in place. That is what we are dealing with here: a number that is baked in, without any flexibility to change it. Considering that WA's population is over two million and that it is a geographically very diverse place, there has to be a considerable level of justification for enforcing this number—this arbitrary limit on the number of firearms that Western Australians will need to adhere to.

I am concerned with one other really main point. I will say from the outset that I support the bill's intention of trying to make Western Australia a safer place. I think that is a noble pursuit. I do not have any concerns with what the Minister for Police has said about trying to make WA more secure or safe; that is perfectly fine. However, the minister has failed to show me evidence connecting gun-related crime and violence with legitimate, licensed firearms. Members have asked questions about this, and it is something that we can prosecute in a little bit greater detail during Committee of the Whole House stage.

I will also be asking questions about the number of firearms in the community. I saw a number in *The West Australian* today, and it was 326 000 weapons. The Minister for Police and the Premier previously said that there are 360 000 weapons in the state. The Sporting Shooters' Association of Australia takes the view that there are 360 000 weapons, but there is a bit more nuance to that number. Its opinion has not been proven to the letter of the law, but it is quite confident that about 80 000 weapons are considered collectables or antiques, and another 80 000 weapons are in gun stores. Those weapons are not on the streets but are locked up inside stores. If we subtract 80 000 plus 80 000, or 160 000, from the 360 000, we are left with 200 000 weapons, and that number is significantly less than the number previously stated by the Premier and the police minister. The Sporting Shooters' Association of Australia takes the view that some of these weapons were potentially double counted. If a gun is licensed to multiple firearm owners, it has potentially been counted twice, and the 200 000 goes down even further. I will certainly pursue that line of questioning during the committee stage.

It feels like, and members have certainly said that, an element of fear and loathing has been generated as part of the debate. The number 360 000 sounds like a lot of guns, but when we start subtracting and getting to the nuance of those weapon numbers, considerably fewer guns could be on the streets and used in firearm-related crimes in WA. They are the two big concerns I personally have.

As a regional member, I have certainly received a lot of correspondence about this, and it has overwhelmingly been negative. Two big concerns have been raised, aside from the arbitrary limits and whether these weapons are actually involved in gun-related violence in the state. The first concern is the inadequacy of the buyback scheme. I understand that the bill is not dealing directly with the buyback scheme; however, the buyback scheme is creating a devalued marketplace for these weapons. It is not adequately compensating firearm owners for their firearms. As a consequence, some firearm owners see that store owners are buying weapons for significantly reduced amounts. If the state government is offering \$200 for a shotgun as part of the buyback, some stores are offering \$250, but the gun is actually worth \$2 000. Considerable costs are associated with trying to get a weapon out of WA to sell it on the east-coast market, so the buyback scheme is significantly devaluing weapons and not adequately compensating firearm owners for their weapons. That is a big concern of a lot of firearm owners.

The second concern is, as has been stated, the level of confusion in the gun community about the regulations. It is a massive bill and, as has been said previously, only a handful of people have actually taken the time to scrutinise it in any great detail. The gun community has a lot of fear and confusion about the bill. The government has failed to adequately explain it, and we are waiting for the regulations.

I spoke about the numbers. I am waiting for Committee of the Whole to get into that. My main concerns are around whether this bill will work in practice, whether the intention will match up to the practical effects and that it is too onerous for legitimate licensed gun owners. They are the big concerns I have. As a regional member, I have received overwhelming correspondence in the negative and I have listened to people who have more firsthand experience with weapons than I. It has helped to reinforce my position and I have decided to use that as ammunition, forgive the pun, to help inform my opinion, which is to oppose the passage of this bill. In saying that, I still look forward to the committee stage. This bill will obviously pass. One of the benefits of being a member in this place when the odds are stacked against you is that you can vote against something with the expectation that it will still pass, but it does not devalue the scrutiny of the legislation going forward. I take the view that I will oppose this bill and I look forward to Committee of the Whole so we can really try to unpack whether this legislation will do what it says and make Western Australia a safer place, and so we can look at some of the implications of the legislation and dispel some of the fear and loathing that is being perpetrated by the government on this bill.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [4.20 pm] — in reply: I thank all members who have contributed thus far to debate on the Firearms Bill 2024. I acknowledge the contribution of the honourable Leader of the Opposition, who indicated that the opposition will not oppose this legislation, although a number of opposition members have said quite clearly that they will vote against the bill.

I take this opportunity to acknowledge the recent firearms tragedy that took place in Floreat, resulting in the loss of three lives. My thoughts and sincere condolences go out to the families and friends, and communities, of the victims of this tragedy. Although I know that reforming the firearms legislation may bring little comfort in their time of grief, it is my hope that the change we make in this place can help prevent further tragedies like this from occurring.

Following that event, the government in consultation with the Western Australia Police Force is giving further consideration to the bill to determine whether it requires strengthening to prevent perpetrators of family violence from accessing firearms. Although the bill makes great strides in this space, we can always do more to make the legislation abundantly clear that this behaviour is not tolerated. As such, the government is considering putting forward additional amendments to clarify fit-and-proper-person matters, as well as other matters it may identify as relating to family violence risk factors. However, one honourable member asked me about further amendments. All I can say is that at this stage any amendments I have are on the supplementary notice paper.

Debate over this bill and, indeed, the years of consultation preceding its coming to this place has brought to the fore the emotion felt over firearms in the community. Firearms are recognised as a necessary tool for primary producers and for animal control within Western Australia, as well as a way for people to engage in competition shooting. The bill also recognises myriad other lawful ways in which firearms may be possessed and used in the state through the reformed purpose-made licences and authorities. Firearms when misused or used unlawfully can cause significant harm to the person using them, to others or to the public. Perpetrators of violence often choose the weapon that has the greatest brute force capabilities to efficiently kill their victims, has the least amount of personal risk, and has the least likely chance of being involved in close contact with their victims. Firearms facilitate this and it has been painfully illustrated in recent times. Like other dangerous things in the state, Parliament regulates the circumstances in which such things can be accessed. We legislate for dangerous goods, explosives, driving all types of vehicles used on the roads, all waters of this state and many other things. Accordingly, the bill is a significant improvement on the 1973 act in providing considerable detail on the licence types, licence obligations, fit and proper assessments and firearm offending and storage. Largely these areas formalise what the WA Police Force already conducts by way of policy or has identified as lacking clarity in the current legislation while better incorporating the recommendations and principles of the Law Reform Commission review of the Firearms Act 1973 and the National Firearms Agreement.

Following the Port Arthur massacre in the late 1990s, the then government under Prime Minister John Howard, National Party leader Tim Fischer and Labor Party leader Kim Beazley, united to reform firearms laws in this country.

The National Firearms Agreement was established, and WA signed up to it. WA signed up to it again when it was amended in 2017. What has not happened is a complete rewrite of WA's firearm legislation so that it is better aligned with the NFA, which every other Australian jurisdiction has done. The NFA sets out the minimum principles for which every jurisdiction should regulate firearms, with a clear focus on public safety. It also focuses on the genuine circumstances in which firearms may be possessed and used in the hands of a fit-and-proper person. The NFA sets out that the possession and use of firearms is absolutely a privilege; it is neither a civil liberty nor is it a right. That is not just the view of the Minister for Police, as some members in this place have claimed. I raise this because honourable members repeated the concerns of people in the firearms community that they are being targeted. Although they will be affected by these reforms, they are not being targeted in the way put across by those members who have spoken for them.

As has already been raised in the other place and here, a wide net of genuine, good-faith consultation with firearms groups, gun control organisations and the community on how the firearms legislation should be reformed began in 2014 with the Law Reform Commission of Western Australia review of the Firearms Act 1973. Consultation on the regulations continues now even as the bill is before this place. The government and the Western Australia Police Force have made every effort to engage the community to discuss how firearms should be regulated in this state, but always with a mind towards the principles of the NFA and the clear need to reform the 1973 act.

The Law Reform Commission released a discussion paper and made a report of its findings. The then government created a working group to look into the Law Reform Commission's recommendations, with some of these implemented into the 1973 Act or WA police policy. Public consultations were held around the state and public surveys were undertaken. Firearms organisations, including associations, clubs and dealers, as well as the Western Australian Arms and Armour Society and primary production groups, were directly engaged, and they continue to be consulted. Advice from leading gun control groups has been consistently sought. Health group stakeholders continue to meet to provide input and meetings have been held with affected government agencies. Each of these instances has been listed in answers to questions in this place. Throughout the reform process, the Western Australia Police Force has provided a consultation paper calling for submissions. It has frequently asked questions on its website. It has answers and continues to answer direct emails and calls from people concerned about the impact of this bill. It is unclear how much wider, as implied by some, the consultation net could have been cast to discuss this reform.

Reference has been made to the 143 recommendations in the Law Reform Commission report, noting that the bill will implement a large majority of these recommendations. The bill does not contain the recommendations that have been deemed unsuitable since the report was delivered. This was based generally on advice from WA police after risks to public safety were identified. For example, the bill does not implement the recommendation to enable farmers access to semiautomatic or militaristic firearms or sound suppressors, nor does it provide for the possession of gel blaster firearms. It implements a numerical limit on firearms for particular licences.

One of the many other things the bill focuses on is cleaning up and increasing the penalties for those who commit firearm offences to deter such activities from occurring as per the Law Reform Commission recommendations. It will also remove firearms from the hands of serious offenders or those against whom there is a family violence restraining order or a violence restraining order, disqualifying them from holding or continuing to hold an authority for a firearm.

The Domestic Abuse Resource and Training group reports that women with partners who have access to firearms are far more likely to be murdered. This increased risk is supported by a host of academic research. Beyond this, research in the United States shows that prohibiting persons with family violence-related orders from having access to firearms significantly reduces the likelihood of intimate partner homicide between nine and 25 per cent. This bill will provide the Western Australia Police Force with the means to mitigate these risks and better ensure that firearms licences are granted to those who are fit and proper, in line with community expectations.

A number of honourable members raised concerns about the health assessment aspect of the fit-and-proper process and the bill's allegedly overly onerous obligations on legitimate law-abiding firearm owners.

Debate interrupted, pursuant to standing orders.

[Continued on page 2653.]

QUESTIONS WITHOUT NOTICE

POLICE — PROTECTIVE ORDERS AND POLICE ESCORTS

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

- (1) What are the threshold requirements for a 72-hour temporary protective order to be issued?
- (2) What are the threshold requirements for a police escort to be provided to accompany an individual involved in a family dispute or a family and domestic violence issue?
- (3) What is the difference between the threshold requirements referred to in (1) and (2)?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) When making an application for a police order, the Western Australia Police Force apply section 30A of the Restraining Orders Act 1997. Consideration for a police escort will be given upon request to the Western Australia Police Force depending on individual circumstances if the caller and/or collector of the property expresses a concern regarding their wellbeing. The threshold requirements of a police order are derived through legislation, and a police escort is standard operating procedure of the WA Police Force.

POLICE — PROTECTIVE ORDERS AND POLICE ESCORTS

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

- (1) How many 72-hour temporary protective orders were issued in —
- (a) 2023; and
- (b) 2024 to date?
- (2) How many police escorts were provided to accompany an individual involved in a family dispute or a family and domestic violence issue in —
- (a) 2023; and
- (b) 2024 to date?

Hon STEPHEN DAWSON replied:

Again, I thank the Leader of the Opposition for some notice of the question. The Western Australia Police Force has advised me of the following.

- (1) (a) There were 24 888.
- (b) There were 12 360 as at 29 May 2024.
- (2) The Western Australia Police Force cannot provide a response to this question, as there is no specific incident type to capture police escorts to accompany an individual involved in a family dispute or a family violence issue in the police dispatch system.

FARM BUSINESS RESILIENCE PROGRAM

613. Hon COLIN de GRUSSA to the Minister for Agriculture and Food:

I refer to the farm business resilience program expression of interest released by the Department of Primary Industries and Regional Development.

- (1) Does the minister believe that the closing date of 10 June 2024 provides sufficient time for respondents to submit an expression of interest?
- (2) Can the minister please confirm whether DPIRD provided information regarding the EOI to any other parties, inclusive of industry organisations, consultancy organisations or individuals external to DPIRD or relevant state government agencies, prior to its release?
- (3) If yes to (2), what parties were provided with information and for what purpose?

Hon JACKIE JARVIS replied:

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

- (1) Yes. DPIRD is using a two-stage EOI process to shortlist and identify suitable industry partners to deliver the farm business resilience program. The first stage will gather high-level information regarding proponents' capacity and industry experience to co-design and deliver a training program for specific industry sectors. Shortlisted proponents will then be invited to submit a full proposal.
- (2)–(3) As part of planning for the program, DPIRD held discussions with relevant industry bodies on the most efficient way to deliver the current phase of the FBR and advised that a government procurement process would be initiated. These bodies were the Bee Industry Council of WA, the Aquaculture Council of WA, the Kimberley Pilbara Cattlemen's Association, the Grower Group Alliance, the Ord River District Co-operative and vegetablesWA.

AUSTRALIAN MARINE COMPLEX

614. Hon TJORN SIBMA to the minister representing the Minister for Defence Industry:

I refer to the Australian Marine Complex at Henderson.

- (1) Has a strategic infrastructure and land use plan for the AMC been drafted?
- (2) If yes, when was the document prepared and for whose consideration was it drafted?
- (3) Has the minister read the document; and, if so, will the minister table the document?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) The *AMC strategic infrastructure & land use plan: Final strategic infrastructure & land use plan* was finalised in 2020. The document is publicly available on the WA government website. To assist the honourable member, I will table the document.

[See paper [3194](#).]

FORMER SWAN DISTRICT HOSPITAL SITE

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

I refer to the answer provided to question without notice 503 asked on 15 May 2024, which states —

The Department of Planning, Lands and Heritage has constant onsite security at the former Swan District Hospital ...

- (1) Can the minister advise the measures undertaken as part of this constant onsite security?
 (2) Will the minister provide —
 (a) the name of the company contracted to provide security at the site;
 (b) the total length of the contract; and
 (c) the total cost of the contract?

Hon JACKIE JARVIS replied:

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

- (1) Measures undertaken include having an onsite security presence as well as installing and maintaining fencing and managing vegetation.
 (2) The Department of Planning, Lands and Heritage has engaged EON Protection Pty Ltd for the period 1 January 2024 to 18 January 2025 at a cost of \$682 124.01.

PERTH SEAWATER DESALINATION PLANT

616. Hon Dr STEVE THOMAS to the parliamentary secretary representing the Minister for Water:

I refer to the minister's answer to my question without notice 457 asked on 14 May 2024, in which he admitted that no renewable energy was used in the Perth seawater desalination plant in the six years from 2017–18 to 2022–23 inclusive. The answer to part (2) of the question on what carbon offset credits had been purchased each year was “not applicable”.

- (1) Why did the minister's answer to my follow-up question without notice 585 asked yesterday, 29 May 2024, therefore advise —
 Water Corporation satisfied its ministerial conditions for the Perth seawater desalination plant from 2017 onwards by purchasing carbon credits.
 (2) For each financial year from 2017–18 to 2022–23 inclusive —
 (a) how many carbon credits did the Water Corporation purchase for the PSDP; and
 (b) what was the total cost of those purchased credits?
 (3) Why did the answer to question without notice 457 not provide this information?

The PRESIDENT: I give the call to the minister—I mean, Parliamentary Secretary to the Minister for Water.

Hon MATTHEW SWINBOURN replied:

Thank you, President. I forgive you because I tried to call you “Premier” several times earlier this week.

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

- (1)–(3) A condition of ministerial statement 655 on the Perth seawater desalination plant requires the Water Corporation to —

... take all reasonable and practicable steps to obtain an electricity contract for the plant which will specify that the electricity will be sourced from gas-fired generating units at least 95% of the time.

For the period 2007 to 2016, compliance was achieved through a contract with Western Power linked with the Emu Downs wind farm. For the period 2017–18 to 2022–23, compliance was achieved by purchasing Australian carbon credit units to offset the difference between the south west interconnected system grid emissions factor and that of an open cycle gas turbine for electricity.

Part (2) of question without notice 457 asked —

Were carbon offset credits from accredited third parties required to be purchased to meet any shortfall; and, if so, for each year, how many credits were purchased?

This was interpreted to be asking what was the shortfall from the renewable energy purchased that required carbon credits to be purchased during the period 2017–18 to 2022–23. As no renewable energy was purchased in this period, the response to part (1) was “nil” and to part (2) was “not applicable”. The carbon credits procured for the period 2017–18 to 2022–23 are provided in tabular form, and I seek leave to have that incorporated into *Hansard*.

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

Financial Year	Carbon Credits Purchased
2017–18	11,487
2018–19	9,908
2019–20	10,072
2020–21	8,213
2021–22	7,498
2022–23	0

- (2) The costs are commercial-in-confidence.

ELECTION CAMPAIGN ADVERTISING — AUDITOR GENERAL’S REPORT

617. Hon NEIL THOMSON to the Minister for Finance:

I refer to the Auditor General’s report on government campaign advertising of 15 May 2024, noting that the Auditor General said that \$205 million had been spent on campaign advertising, and to the answer to my question of 29 May 2024 in which the minister incorrectly indicated that I could identify it in the annual reports.

Noting that we are less than 10 months out from the next election and the government has been found by the Auditor General to not be apolitical in its previous campaign spending —

- (a) what is the budget for campaign advertising in 2024–25 across government agencies, by government agency; and
- (b) given the minister’s responses to the Auditor General so far, does that mean that the Cook Labor government intends to use advertising campaigns to further advance the fortunes of the WA Labor Party in the lead-up to 8 March 2025?

Hon SUE ELLERY replied:

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

I do not accept the premise of the question. Please refer to Legislative Council questions without notice 586 and 598.

CARBON EMISSIONS — WESTERN AUSTRALIA

618. Hon WILSON TUCKER to the parliamentary secretary representing the Minister for Environment:

I refer to an article published by ABC online news titled “WA has no hope of achieving net zero emissions targets by 2050 without radical change, secret government report finds”.

- (1) Will the minister release the October 2023 modelling, given that its contents have already been shared in media reports; and, if not, why not?
- (2) Is the modelling available through other public channels?
- (3) Is it acceptable to delay publishing the projections for two years?
- (4) Did the modelling results inform the government’s decision not to release a 2030 emissions reduction target?

Hon DARREN WEST replied:

- (1)–(4) I have sighted that question, but it is not in my folder. When it comes in, I will provide the answer at the end of question time.

POLICE — ROADSIDE DRUG TESTING

619. Hon Dr BRIAN WALKER to the minister representing the Minister for Police:

I refer the minister to the WA Police Force guidelines as they relate to roadside drug testing.

- (1) Is there a requirement for officers undertaking an RDT to wear gloves so as to avoid any suggestion of cross-contamination?

- (2) If no to (1), why not; and is the minister aware of the lack of gloves having been raised in court as a defence, either here or elsewhere in Australia?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) The Western Australia Police Force advises that police undertaking drug testing procedures are required to wear gloves to reduce the risk of exposure to biological hazards or oral fluids.

EMERGENCY SERVICES — MARINE RESCUE GERALDTON

620. Hon MARTIN ALDRIDGE to the Minister for Emergency Services:

I refer to the volunteer Marine Rescue Geraldton building at Point Moore, and reports that it is being evacuated due to high tides and swell likely to impact the building.

- (1) Does the state government have any responsibility or control of the building?
 (2) Has the state government contributed any funding toward its protection from coastal impacts?
 (3) What arrangements are in place to relocate VMR Geraldton to an alternative site?
 (4) Noting that VMR Geraldton is seeking assistance to protect the building whilst an alternative location is identified and constructed, is the state government considering this request?

Hon STEPHEN DAWSON replied:

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

- (1) No.
 (2) Yes.
 (3) Marine Rescue Geraldton relocated from the Point Moore building in August 2023 and is now located at the Geraldton multipurpose facility on the Geraldton foreshore.
 (4) The Point Moore location is managed by the City of Greater Geraldton coastal hazard risk management and adaptation plan, which states that any buildings within 20 metres of the high-water mark must be vacated. I am advised that the City of Geraldton intends to begin the demolition process for this building and has opted against enhanced remediation works around Point Moore. The Department of Fire and Emergency Services, the Department of Transport, and Marine Rescue Geraldton are actively engaged in identifying a future building site within the Batavia Marina.

POLICE — FIREARMS — LICENCES

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

I refer to the minister's comments that over 360 000 firearms are currently licensed in Western Australia.

- (1) What is the exact number of firearms licensed in Western Australia?
 (2) Of that number, how many are paintball markers?
 (3) Of that number, how many are held by dealer licences and stores?
 (4) Are firearms held by collector's licences included in the total number of firearms in Western Australia?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. I just make the point that this is at a point in time, so this changes daily. The Western Australia Police Force advises the following.

- (1) The number is 336 047 as at 30 May 2024.
 (2) It is 4 699 as at 30 May 2024.
 (3) There are 37 172 held under dealer, repairer and manufacturer licences as at 30 May 2024.
 (4) Yes.

VIOLENT SEX OFFENDERS — PAROLE

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

I refer to the answer to my question without notice 56 that informed the house that, as at 27 February 2024, 40 return to prison warrants were outstanding.

- (1) How many of those 40 warrants have now been executed?
 (2) What is the total number of return to prison warrants currently outstanding?
 (3) How many have been outstanding for more than 12 months?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The Western Australia Police Force advises the following.

- (1) Of those 40 warrants outstanding, there were six as at 27 February 2024.
- (2) As at 27 May 2024, there were 42.
- (3) As at 27 May 2024, of those 42, there were 33.

PUBLIC HOUSING — WAITLIST

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

I refer to the public housing waitlist.

- (1) How many applications are on the public housing waitlist, representing how many individuals?
- (2) How many applications are on the priority public housing waitlist, representing how many individuals?
- (3) How many houses were added to the public housing stock last month?
- (4) How many houses were removed from the public housing stock last month?

Hon JACKIE JARVIS replied:

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

- (1)–(2) As at 30 April 2024, there were 20 203 applications on the public housing waitlist statewide. That includes 5 431 priority applications.
- (3) On average, around 125 social homes are being added or returned to the system through refurbishments every month in Western Australia.
- (4) As at 30 April 2024, there were five public housing disposals. Our government inherited an ageing social housing portfolio consisting of several dilapidated buildings that were unsafe, expensive to maintain and not fit for purpose due to the underspend on maintenance and refurbishments. These properties were deemed either no longer fit for purpose—for example, due to fire damage—or earmarked for redevelopment.

CONSULTANTS

624. Hon PETER COLLIER to the Leader of the House representing the Premier:

I refer to the Labor government's commitment to the tabling of the *Report on consultants engaged by government*.

- (1) Why have no reports on consultants engaged by government been tabled since 30 June 2022?
- (2) Will the Premier commit to tabling all the reports not tabled since 30 June 2022?
- (3) If yes to (2), when will they be tabled; and, if no to (2), why not?

Hon SUE ELLERY replied:

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

- (1)–(3) The premise of the question is incorrect. The *Report on consultants engaged by government* has been tabled since 30 June 2022. Reports will continue to be published regularly as part of the Cook Labor government's ongoing commitment to transparency.

KNIFE CRIME — STOP-AND-SEARCH LAWS

625. Hon COLIN de GRUSSA to the minister representing the Minister for Police:

I refer to the state government's proposed anywhere, anytime knife-scan laws.

Can the minister provide the research data that was used to formulate the proposed laws; and, if not, why not?

Hon STEPHEN DAWSON replied:

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

The Cook Labor government is tackling the threat of knife crime to better protect Western Australians. Knife-wandering areas and the associated powers will ensure that our police officers will be far better equipped to detect, deter and reduce the illegal use of knives in Western Australia. The drafting of bills for introduction is a decision of cabinet and is cabinet-in-confidence.

STUDENT ASSISTANCE PAYMENT

626. Hon TJORN SIBMA to the Leader of the House representing the Minister for Education:

I refer again to the WA student assistance payment.

- (1) Have government members been advised of the number of applications made for the payment on a school-by-school basis?

- (2) If yes to (1), by whom have they been advised?
- (3) Have government members been encouraged to contact school principals directly to inform them of the number of assistance payment applications yet to be made?
- (4) If yes to (3), by whom have they been encouraged?

Hon SUE ELLERY replied:

The answer I have is dated as of yesterday. I thank the honourable member for some notice of the question.

- (1)–(4) As advised yesterday—that is, Tuesday—members are regularly updated on how the Cook Labor government is delivering cost-of-living support to all communities, households, small businesses and families across Western Australia. This includes encouraging members to assist their school communities to apply for the WA student assistance payment. The government and I—the minister—have encouraged, and continue to encourage, all members of Parliament to promote the WA student assistance payment. Claims can be submitted via the ServiceWA app, online or by completing a paper form. This information and further information for parents and carers on the eligibility can be found at the Department of Education’s website. Members are encouraged to promote this resource and remind their constituents that claims should be submitted by 28 June 2024.

SCHOOL HEALTH NURSES

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

I refer to school health nurses employed by the Department of Health.

How many school health nurses by FTE does the department currently employ in the Child and Adolescent Health Service and the WA Country Health Service?

Hon PIERRE YANG replied:

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

As of 30 May 2024, 169.11 FTE and 92.26 FTE.

SYNERGY AND HORIZON POWER — DISCONNECTIONS

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

I refer to Synergy and Horizon Energy.

- (1) How many residential disconnection notices were issued for each entity and for each month from 1 September 2023 to 30 November 2023?
- (2) How many residential disconnections occurred for each entity and for each month from 1 September 2023 to 30 November 2023?
- (3) What was the number of applications received and hardship utility grant scheme payments made in that period for each entity and for each month from 1 September 2023 to 30 November 2023?

Hon DARREN WEST replied:

I thank the honourable member for some notice of the question. On behalf of the Minister for Energy, I provide the following answer. It is in tabular form and I seek leave to have it incorporated in *Hansard*.

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

(1)–(2) Synergy residential disconnections for non-payment

Month	Notices. Issued	Completed
September 2023	884	677
October 2023	1,303	940
November 2023	1,267	982

Horizon Power residential disconnections for non-payment

Month	Notices Issued	Completed
September 2023	1,046	223
October 2023	1,038	210
November 2023	1,595	306

Note: these figures do not include disconnections undertaken due to consumption without an account

(3) **Synergy- Hardship Utility Grants Scheme**

Month	Applications received	Granted
September 2023	931	857
October 2023	1,088	1,009
November 2023	1,242	1,115

Horizon Power Hardship Utility Grants Scheme

Month	Applications received	Granted
September 2023	31	29
October 2023	23	22
November 2023	34	31

ENVIRONMENT — VOGEL–McFERRAN REVIEW

629. Hon NEIL THOMSON to the parliamentary secretary representing Minister for Environment:

I refer to the 39 recommendations of the Vogel–McFerran review.

- (1) How many recommendations have been fully implemented?
- (2) Which of these has been implemented?
- (3) Given that the government has said it will implement most of the reforms proposed, will the government commit to supporting a Liberal–led government after 8 March 2025 in the implementation of the reforms, if it loses the next election?

Hon DARREN WEST replied:

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

- (1)–(3) The Cook government is focused on overhauling Western Australia’s environmental approvals system in a move to unlock billions of dollars of investment into major job-creating projects while protecting WA’s unique environment.

Implementation of the recommendations is underway —

Several members interjected.

The PRESIDENT: Order, members. I cannot hear the answer. I am sure that if I cannot hear it, Hansard cannot hear it either.

Hon DARREN WEST: Thank you, President. There is a mood of hilarity across there at the moment.

Implementation of recommendations is underway, and seven have already been implemented in full. They are the development of an attraction and retention package for key qualified personnel, recommendation 2; establishing a mentoring program to support assessment personnel, recommendation 3(b); opening an Environmental Protection Authority office in the CBD, recommendation 9; holding EPA meetings for all significant project proponents, recommendation 10(b); finalising EPA regulations for scheme reductions, recommendation 34(a); establishing a joint agency working group for regulatory role alignment, recommendation 34(b); and piloting a national environmental data supply chain with the Department of Climate Change, Energy, the Environment and Water, recommendation 39(c).

METROPOLITAN CEMETERIES BOARD — DATA BREACH

630. Hon Dr BRIAN WALKER to the minister representing the Minister for Local Government:

I refer the minister, in the first instance, to her response to my question without notice 37 of 28 February regarding data breaches at the Metropolitan Cemeteries Board.

- (1) Is it not the case that the Auditor General’s *Information systems audit: State government 2022–23* released in April highlights a similar culture of systemic IT security failings across other organisations the minister oversees?
- (2) If no to (1), to what does she attribute these most recent shortcomings, some of which the Auditor General notes have been ongoing for at least two years now?
- (3) What action is the minister taking to secure public data within her portfolio responsibilities moving forward?

Hon JACKIE JARVIS replied:

Honourable member, I have seen the question, but it is not in my file. I hope someone will bring it to me shortly.

EMERGENCY SERVICES — AUTOMATIC VEHICLE LOCATORS

631. Hon MARTIN ALDRIDGE to the Minister for Emergency Services:

I refer to the shutdown of the Telstra 3G network that was scheduled for 30 June 2024 but has now been delayed until 31 August 2024.

- (1) Do Department of Fire and Emergency Services automatic vehicle locators operate on the Telstra 3G network?
- (2) How many appliances or vehicles equipped with an AVL have not yet been upgraded to 4G technology?
- (3) Will all AVLs be 4G compatible by or before 31 August 2024?
- (4) What is the cost of upgrading the fleet to 4G-enabled AVL hardware?

Hon STEPHEN DAWSON replied:

I thank the member for some notice of the question.

The Department of Fire and Emergency Services advises the following.

- (1) DFES AVL equipment operates on mobile 3G and 4G networks, with satellite backup when mobile network coverage is unavailable.
- (2) As of 22 May 2024, there were 475 appliances or vehicles remaining to be upgraded to 4G.
- (3) DFES is on target to complete upgrades to 100 per cent of the fleet by 31 August 2024.
- (4) The approximate cost is \$1.2 million.

EAST PERTH TERMINAL — *INDIAN PACIFIC***632. Hon LOUISE KINGSTON to the minister representing the Minister for Transport:**

I refer to the answer provided to my question without notice 531 after Journey Beyond was informed that a platform will no longer be available at the East Perth train terminal as of 1 January 2025 for the *Indian Pacific*.

Will a platform at the East Perth train terminal be available for the *Indian Pacific* after 1 January 2025—yes or no?

Hon STEPHEN DAWSON replied:

I thank the member for some notice of the question. I provide this answer on behalf of the Minister for Transport.

As per my previous answer, Journey Beyond is planning to change the *Indian Pacific*'s timetable so it will arrive and depart on the same day—that is, Saturday. The Public Transport Authority is currently liaising with Journey Beyond on how this will operate.

ROADWORKS — RANFORD ROAD — CANNING VALE

633. Hon NICK GOIRAN to the minister representing the Minister for Transport:

I refer to the roadworks on Ranford Road in Canning Vale.

- (1) On what date did the roadworks commence?
- (2) What was their initial budgeted completion date?
- (3) By what date are the roadworks now scheduled to be fully complete?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) The roadworks on Ranford Road saw the construction of a significantly higher, longer and wider bridge over the railway corridor than the previous structure. The new bridge is 1.2 metres higher, 15 metres longer and significantly wider, with six general traffic lanes, three in each direction, plus a dedicated bus lane and shared path on each side. The staged approach to bridge construction has meant traffic lanes could be maintained while the old bridge was demolished and the new bridge was built. Traffic management for early works began in April 2020, and the project was formally opened by the Minister for Transport on 27 May 2024.

FOREST PRODUCTS COMMISSION — PRODUCTION STATISTICS

634. Hon STEVE MARTIN to the Minister for Forestry:

I refer to the Forest Products Commission production statistics for 2021–22, which were belatedly released on 25 July 2023, and an undertaking by the minister in answer to my question on 10 October 2023 that the 2022–23 production statistics will be released in the first quarter of 2024.

- (1) Have the 2022–23 production statistics been finalised yet?
- (2) Have they been published?

- (3) If no to (2), when will they be published?
 (4) Will the minister please table the 2022–23 production statistics?

Hon JACKIE JARVIS replied:

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

- (1)–(4) The 2021–22 production statistics were not belatedly released, as there is no requirement for these figures to be released. However, the Forest Products Commission publishes these statistics when they are available. I did not give an undertaking; I advised that it was planned that they would be finalised in the first quarter of this year. The FPC’s focus has been on the implementation of the new forest management plan and the Cook government’s \$350 million investment in softwood plantations, which is supporting jobs, supplying timber for the housing and construction industry and capturing carbon. The production statistics will be published when they have been finalised.

FIREARMS — LICENSED

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

- (1) How many new gun licence applications were received in —
 (i) 2022;
 (ii) 2023; and
 (iii) 2024 to date?
 (2) How many new gun licence applications were approved in —
 (i) 2022;
 (ii) 2023; and
 (iii) 2024 to date?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. The Western Australia Police Force advises that the data is tabular form for (1)–(2). I seek leave to have the response incorporated into *Hansard*.

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

The Western Australia Police Force:

(1)

	2022	2023	2024—As at 30 May 2024
Total New Licence Applications Received	13,123	12,008	3,694

(2)

	2022	2023	2024—As at 30 May 2024
Total New Licence Applications Approved	12,804	11,752	2,760

MUCHEA LIVESTOCK CENTRE — ELECTRONIC IDENTIFICATION TAG SCANNING

636. Hon COLIN de GRUSSA to the Minister for Agriculture and Food:

I refer to the installation of sheep and goat electronic identification scanning equipment at the Muchea Livestock Centre.

- (1) Can the minister please provide a list of the organisations and users of the facility that were consulted by the Western Australian Meat Industry Authority on the reconfigured drafting arrangements at the MLC?
 (2) Can the minister please provide the dates between which the consultation took place?
 (3) Has the minister met with any organisations or users of the MLC who have expressed concerns about the reconfigured drafting arrangements?

Hon JACKIE JARVIS replied:

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

- (1)–(3) Of the six drafts available for use at Muchea Livestock Centre, all retain a four-way configuration, including the one draft on which the pilot electronic identification scanning equipment was installed in February 2024. Extensive stakeholder consultation commenced in October 2022 resulting in a decision to install a four-way draft comprising three gates with scanning equipment and leaving the fourth gate without scanning equipment. This design was based on available space at the MLC and drafting systems used in other locations where electronic scanning equipment has been in operation. The WA Meat Industry Authority has invited all users of the MLC to trial the electronic scanning equipment as part of its ongoing consultation. I have toured the facility, met with users and seen the new equipment in operation, and I would be delighted to arrange a tour and demonstration for all honourable members.

COMMUNITY SPORTING AND RECREATION FACILITIES FUND — 2024–25 STATE BUDGET

637. Hon TJORN SIBMA to the parliamentary secretary representing the Minister for Sport and Recreation:

This question is from 14 May; I do not want that folder to go unused!

I refer to page 552, budget paper No 2, volume 2. Why is there a significant \$13 million estimated underspend in the community sporting and recreation facilities fund for the current financial year?

Hon SAMANTHA ROWE replied:

I thank the honourable member for some notice of the question. I provide the following answer noting that this answer was provided for Tuesday, 14 May.

The community sporting and recreation facilities fund cash flows are regularly adjusted to reflect the progress of funded projects. It is not an underspend; it is a rollover of allocated funding due to the delays in spending as a result of projects experiencing construction market pressures and the lag in spending due to the recent increase in the CSRFF budget from \$12.5 million to \$20 million. The CSRFF funds only parts of projects, not projects in full. Project owners, which are commonly local governments, need to raise further funding and to manage budgets, scope and time. This sometimes means that committed funds are not spent within the year that the grant is approved. Funds for projects are released by the Department of Local Government, Sport and Cultural Industries when milestones are achieved.

HEALTH — CHILD HEALTH CHECKS PILOT

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

I refer to the answer provided to question without notice 1127 asked on 16 November 2022 regarding the Department of Health's child health checks pilot and reference to operational recommendations.

- (1) Have the operational recommendations from the pilot been rolled out by the department for child health checks across Western Australia?
- (2) If no, why not?

Hon PIERRE YANG replied:

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

- (1)–(2) Several recommendations of the child health checks pilot evaluation have been implemented.

GRIFFIN COAL — GRANTS

639. Hon Dr STEVE THOMAS to the minister representing the Minister for State and Industry Development, Jobs and Trade:

- (1) As at 29 May 2024, how much fiscal drawdown of the non-recoverable “grant” has been directed to the receivers and managers of the insolvent Griffin Coal company?
- (2) On what dates did the drawdowns occur, what were the specific amounts and for what itemised purpose or service rendered?
- (3) To what entity, individual, business or contractor were the payments made?
- (4) Will the minister detail the acquittal process that the receivers and managers adhere to in the spending of the non-recoverable, taxpayer-funded grant and the scope of works that are deemed eligible to receive grant funds?
- (5) If no to (4) why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The minister has provided the following response.

- (1) The receivers and managers of Griffin Coal have been provided \$77.5 million to ensure essential ongoing operations to secure the electricity system and protect Collie jobs.

Hon Dr Steve Thomas interjected.

Hon STEPHEN DAWSON: Is the member listening to me or not? I will continue.

- (2) Since the previous update provided on 27 February 2024, the following drawdowns have occurred: \$9.3 million on 28 February 2024; \$7 million on 5 April 2024; and \$10.7 million on 8 May 2024.
- (3) Payments were made to the receivers and managers of Griffin Coal.
- (4)–(5) There are a number of terms under the process agreement that receivers and managers must meet in order to receive funds, including meeting reporting requirements. Funding is provided for the essential ongoing operations of the mine, including labour, fuel and maintenance, that are not covered by revenue generated.

ABORIGINAL HERITAGE ACT — PROSECUTIONS

640. Hon NEIL THOMSON to the Leader of the House representing the Minister for Aboriginal Affairs:

- (1) For each year since 2008, how many prosecutions have occurred under the Aboriginal Heritage Act?
- (2) How many of those prosecutions have resulted in a conviction?

Hon SUE ELLERY replied:

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

- (1)–(2) The information is provided in a table by year, number of prosecutions and convictions. I seek leave to have it incorporated into *Hansard*.

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

(1)–(2)

Year	Number of Prosecutions	Convictions
2008–2009	Nil	Nil
2010	1	1
2011–2019	Nil	Nil
2020	1	1
2021	2	2
2022	7	7
2023	2	1 conviction, 1 before court
2024	2	Both currently before the courts

LIQUOR CONTROL REGULATIONS — PROTECTED ENTERTAINMENT PRECINCTS

641. Hon Dr BRIAN WALKER to the minister representing the Minister for Racing and Gaming:

I refer the minister to regulation 28 of the Liquor Control Regulations 1989 that was amended last year to set out the delineation of the various protected entertainment precincts.

- (1) Is regulation 28 with its two subregulations the extent of the regulation on the statute book regarding protected entertainment precincts?
- (2) If no to (1), to what other regulations are Western Australia police and/or other authorities required to adhere and where can these be found?
- (3) Are any additional regulations currently under consideration in this area; and, if so, when are they likely to —
 - (a) be published; and
 - (b) come into effect?

Hon STEPHEN DAWSON replied:

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

I have seen the question but I have not seen the answer. It is not in my folder, so if it comes in in the next two minutes, I will provide it to the member then.

FIRE AND EMERGENCY SERVICES — FIREFIGHTERS

642. Hon MARTIN ALDRIDGE to the Minister for Emergency Services:

I refer to the 2024–25 budget announcement of an additional 60 career firefighters.

- (1) Can the minister please identify across the forward estimates the implementation of the announcement by year and number of firefighters?
- (2) When is the career fire and rescue service Cardup station expected to open, and will any of the 60 firefighters be used to resource this station?
- (3) When is the CFRS north coastal station expected to open, and will any of the 60 firefighters be used to resource this station?
- (4) Has staff resourcing for the abovementioned CFRS stations been provided for in the 2024–25 state budget?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. I had one of these in my file already from 16 May; the same question was asked again today.

- (1) The forward estimates provide for 20 additional firefighters a year for the next three financial years.

- (2) It will open for the end of the fourth quarter of 2024, and no.
- (3) To be determined and no.
- (4) Yes. Staff resourcing for Cardup CFRS station has been provided for in the 2024–25 state budget.

WA COLLEGE OF AGRICULTURE — HARVEY

Question without Notice 566 — Answer

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.05 pm]: I would like to provide an answer to Hon Dr Steve Thomas's question without notice 566, asked on 28 May. I seek leave to have that incorporated into *Hansard*.

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

- (1) No
- (2) The cost to agist a horse is \$45 per week. On 2 May 2024, an email was sent to families proposing an increase to the cost of agistment. This increase had not been approved by the College Board and has subsequently been rescinded.
- (3) Not applicable
- (4)
 - (a) Nil—the residential boarding fee paid by students residing at the College partially funds the total cost of this service and the State Government subsidises the remaining costs.
 - (b) 40% of agistment fees collected are remitted to the Agricultural Education Farms Provision Trust.
 - (c) 40% of gross farm revenue is remitted to the Agricultural Education Farms Provision Trust.

QUESTIONS WITHOUT NOTICE 583, 588, 590, 602, 605 AND 609

Questions without Notice 583, 588, 590, 602, 605 and 609— Answers

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.05 pm]: I would like to provide answers to the following questions asked yesterday: Hon Tjorn Sibma's question without notice 583; Hon Dr Brian Walker's question without notice 588; Hon Louise Kingston's questions without notice 590 and 602; Hon Peter Collier's question without notice 605; and Hon Sophia Moermond's question without notice 609. I seek leave to have them all incorporated into *Hansard*.

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

Question without notice 583 —

The Western Australia Police Force advise that the Police Commissioner did not specify a time period in his statement, it was a general reference to the history of SAT decisions and an evolving approach by WA Police Force to make decisions about seizing firearms based on SAT decisions and SAT influence during the mediation process over time. Since 29 May 2023 there have been 18 occasions when SAT has provided guidance to the WA Police Force that the firearm/s should be returned.

Question without notice 588 —

The Western Australia Police Force advise:

- (1) Between 8 June 2023 and 28 May 2024, 21,216.
Of these, 12,139 were under the Voluntary Firearm Buyback Scheme, which has been active since 21 February 2024.
- (2) The WA Police Force is unable to provide a response as the recording of offences for possession of a prohibited drug under Section 6 or cultivating a prohibited plant under Section 7 of the *Misuse of Drugs Act 1981* do not specify the particular drug or plant type in the police incident management system. Therefore, determining the number of charges where the prohibited drug or plant is cannabis would require manual data interrogation of each recorded offence and would be extremely resource intensive.

Question without notice 590 —

The Western Australia Police Force advise:

- (1) As at 3 October 2023 – 362,251
- (2) Data of this nature is only able to be captured in real time. The reporting capability of the Licensing and Registry System does not allow for the back capture of data.
- (3) As at 29 May 2024 – 336,070
- (4) As at 29 May 2024:

Category A	182,354
Category B	107,882
Category C	6,787
Category D	189
Category E	8,571
Category H	30,287

Question without notice 602 —

The Western Australia Police Force advise:

Year	Month	New Licenced firearms
2023	June	2354
2023	July	1707
2023	August	2436
2023	September	1834
2023	October	2234
2023	November	1811
2023	December	1413
2024	January	1209
2024	February	1731
2024	March	1415
2024	April	1150
2024	May*	1105

*As at 29 May 2024

Question without notice 605 —

With respect to the Knife Area Wandering proposal, the Western Australia Police Force advise that the agency does not have a recorded category of 'knife attacks'.

Question without notice 609 —

The Western Australia Police Force advise that it is not possible to provide an answer within the required timeframes. A response will be provided to the Honourable Member tomorrow.

METROPOLITAN CEMETERIES BOARD — DATA BREACH*Question without Notice 630 — Answer*

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [5.06 pm]: Earlier today, Hon Dr Brian Walker, MLC, asked question without notice 630. I have now received an answer. The following response has been provided by the Minister for Local Government.

- (1)–(3) The Metropolitan Cemeteries Board, the Department of Training and Workforce Development, the Department of Local Government, Sport and Cultural Industries, and the Department of Communities work to address audit findings in the Office of the Auditor General's information systems audit report as a matter of priority, and work to remediate findings each year with the focus of enabling the protection of public data. MCB is working to address website security, including transitioning to hosting its website with the Office of Digital Government's WA.gov.au platform content management system.

Each agency remains committed to implementing the Western Australian government's cybersecurity policy and essential eight requirements to ensure public data is protected and secure.

CARBON EMISSIONS — WESTERN AUSTRALIA*Question without Notice 618 — Answer*

HON DARREN WEST (Agricultural — Parliamentary Secretary) [5.06 pm]: I am now able to answer question without notice 618 asked by Hon Wilson Tucker earlier today.

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

- (1)–(4) Western Australia's decarbonisation pathway will look different from other jurisdictions as we deliver our dual objectives of transitioning the state's economy to net zero emissions and supporting decarbonisation of our key trading partners through our exports. Modelling undertaken to inform the development of Western Australia's sectoral emissions reduction strategy reflected state and national policy settings in place at the time and considered a range of scenarios. Since 2023, the Australian government has announced additional measures, including a national vehicle efficiency standard, which will reduce national transport emissions, including within Western Australia.

Western Australia's emissions projections will be evaluated in light of state and commonwealth policy initiatives, including the national net zero plan, which is currently in development. Projections will be released as part of setting interim targets, which are required under the Climate Change Bill 2023 as soon as practicable after national targets are set for 2035. This approach to publication of emissions analysis is consistent with the approach of other Australian jurisdictions.

LIQUOR CONTROL REGULATIONS — PROTECTED ENTERTAINMENT PRECINCTS*Question without Notice 641 — Answer*

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.08 pm]: I have just been advised that an earlier question asked by Hon Dr Brian Walker is in my file. It had been assigned to Hon Peter Collier. I am sorry it says to Hon Peter Collier, but it is in fact to Hon Dr Brian Walker so I will answer the question.

- (1)–(3) Regulation 28 of the Liquor Control Act 1988 prescribes Fremantle, Hillarys, Mandurah, Scarborough, Perth and Northbridge as protected entertainment precincts. Substantive provisions relating to PEPs are set out in part 5AA of the act. No additional regulations are proposed for the Liquor Control Act 1988.

FIREARMS BILL 2024*Second Reading*

Resumed from an earlier stage of the sitting.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.08 pm] — in reply: Regarding health assessments, the National Firearms Agreement contemplates that a person seeking a firearm must be deemed fit and proper alongside a reporting model for medical authorities. The 1973 act already includes sections dealing with such things and enables the commissioner to require an applicant or licence holder to undertake a health assessment. Other jurisdictions require similar things when considering granting a licence; for an example, see sections 7 and 53 of the South Australian Firearms Act 2015, the most recently re-written firearms legislation in Australia.

Western Australia will be nation-leading in requiring applicants to undertake a health assessment as part of their application. This, though, is not a particularly new concept in WA legislation. Health assessments are already required for commercial drivers, such as those undertaking heavy haulage or on-demand transport, or to handle, use, or transport explosive goods. These health assessments recognise that a person's physical and mental state can have a significant impact on their capacity to safely and responsibly possess and use a firearm. Several firearm-related incidents across the state have demonstrated that poorly managed mental and/or physical health can have serious and negative safety ramifications for the firearm authority holder and those around them. This has emphasised a need for firearm applicants to undergo health assessments to mitigate any identified safety risks.

It bears repeating that the result of a health assessment will not necessarily preclude a person from being granted a firearm authority. It is one factor, amongst others, to determine a person's fit and proper status. In circumstances of adverse findings, the commissioner will have discretion to grant a conditional authority. All such decisions are appealable to the State Administrative Tribunal. To be clear, medical practitioners will not make the decision about granting or not granting a licence; nor will they provide detailed medical records about a person to the Western Australia Police Force. They will let the Western Australia Police Force know whether, due to physical or mental health, it is their opinion that a person can or cannot safely and responsibly exercise control over a firearm. If a person is diagnosed and successfully manages their condition, it is likely their application or ongoing authority will continue. The concern arises in situations where a person is undiagnosed, not seeking help, and cannot exercise suitable control over a firearm, in the opinion of a medical practitioner.

A key part of the reform that has been discussed throughout the extensive consultation and that has been raised by honourable members in their replies is the concept of limiting the maximum number of firearms some licence types may apply for. Regarding recommendation 54 of the 2016 Law Reform Commission report, the commission stated it had not had evidence at that time of firearm licence holders stockpiling firearms. However, there is evidence in the contemporary context of some people possessing much greater numbers of firearms than could truly be justified as necessary, and far above that held by the average firearm licence holder, which clearly indicates a stockpiling of firearms. Between 2009 and 2023 there was a meagre 1.4 per cent increase in the number of licence holders, but a 60 per cent increase in the number of firearms on those licences.

There were also assertions that the government must have some target for the acceptable number of firearms within the community. The bill will create greater certainty concerning the genuine reasons for a person to possess a firearm; whether an existing licensed firearm may meet that genuine reason already; and ensure that those who possess and use firearms in our community are fit and proper to do so. There is not a singular figure for the acceptable number of firearms in the community; rather, the government's responsibility is to mitigate, as much as is possible, the risk posed by unlawful firearm use.

To repeat what was stated in the second reading speech in this place, the Western Australia Police Force seeks to reduce the risk of firearms being stolen and funnelled into the black market, removing thousands of firearms as a high-value target for theft. The numbers show that in the period 1 July 2018 to 30 June 2023, 1 769 firearms were stolen, with the rate of firearm thefts across this period amounting to 6.8 firearms stolen a week. Reduced firearm numbers, alongside the more stringent storage requirements and oversight powers proposed in the bill, are expected to increase public safety and limit the proliferation of stolen or otherwise illegal firearms on the black market. For

example, under the proposed reforms, the recent theft of 14 licensed firearms may have been mitigated through the numerical limit of 10 if they were licensed for competition, or five for hunting, meaning it could have reduced the number of firearms on the black market by as many as nine.

The 1973 act does not raise public safety to primacy as a principle by which decision-making is carried out, and current decision-making is hampered by the inability to refuse an application based on the number of the applicant's existing licensed firearms being sufficient to satisfy the genuine reason for a licence. Both concepts are addressed in this bill. Accordingly, it is determined under the bill that, in addition to genuine reason and the suitability and appropriateness of the firearm, the suitable number of firearms for carrying out activities will be 10 firearms for competition and primary production and five for hunting. These numbers were arrived at through consultation, during which it was found that most licence holders have, on average, between three to six firearms for such purposes. Further, through a survey of the community, the question about numerical limits found that over 90.4 per cent of respondents agree with these limits. I encourage affected people or, indeed, any licence holder wanting to dispose of their excess firearms to avail themselves of the voluntary buyback scheme.

As was raised by some honourable members, details can be provided when an aspiring or elite competition shooter requires a firearm that exceeds the limit of 10. An additional layer of scrutiny will occur into the genuine reason and reasonable justification for such additional firearms. At a baseline, this will be satisfied by providing, one, a letter of support from a recognised state, national or international competitive shooting organisation; two, proof of ongoing engagement in a particular discipline and at registered competitions, which will usually be satisfied through the recordkeeping requirements of clubs and ranges, and supported by the modernised IT system; and, three, proof to satisfy the commissioner of the reasonable justification why the existing firearms on the licence are not suitable to meet the licensee's competitive needs.

I provide the following in answer to a series of questions asked by Hon Peter Collier that relayed some concern about aspects of the bill. He asked a question about how many primary producer licences a family farm can have. With the amendment made at the behest of primary producer groups, the number will not be limited. I note that only one such licence will be given to each person. A person who meets the licensing requirements of the legislation will be able to hold a primary producer licence for a landholding on which any other primary producer licences apply. A second question was about how sharefarmers, lease farmers and farms with livestock agistment will be defined. I am advised that such arrangements are purposefully not defined. To satisfy the genuine reason for the primary producer licence, a person will have to prove that they carry out primary production activities on a landholding. This is suitably broad enough to capture the groups listed. A further question was asked about what happens if the owner lives on a property and sharefarms the livestock and crops to different parties. I think a further question was about whether all three will be able to have a primary producer licence. The bill will allow for different arrangements such as this, and the regulator would need to consider this on a case-by-case basis. It is likely that the owner and different parties will each be able to have a primary producer licence if they can satisfy the commissioner that they carry out primary production activities on the property. Alternatively, this licence enables other persons to be nominated as authorised under the one licence to use the firearms for the purpose of the licence. Other arrangements can be met through the prescribed business licence.

I respond to some of the matters raised by Hon Dr Steve Thomas. Firstly, it is quite clear that this bill addresses the honourable member's concerns about holding perpetrators of firearm misuse to account by introducing disqualification for serious offenders and for those subject to a family violence restraining order or a violence restraining order. This also refutes Hon Louise Kingston's claims that the new legislation will not improve public safety in relation to firearms, although I will address her other points later in my contribution. The rewrite will also wholly clarify and modernise the offence provisions. It is also acknowledged that the honourable member recognised that the bill would change licensing to better recognise the euthanising of animals. This exemplifies what this bill will do, which is make clear the different licences and the purposes of those licences. A hunter will be able to get a licence to humanely hunt pests, and a veterinarian will be able to get a professional shooter business licence to euthanise livestock and other animals, rather than blurring the two within what is now called a recreational hunting or shooting licence.

Alongside Hon Louise Kingston, Hon Neil Thomson raised the existence of the regulation-making powers and implied that the bill leaves all the detail to the regulations. The bill has a significant amount of detail in it, and the Standing Committee on Uniform Legislation and Statutes Review stated in its first finding that the bill was not skeletal and that it contained the most important aspects of firearms reform. The bill incorporates concepts from the 1974 regulations as well as processes that the Western Australia Police Force operates now. As is the usual practice, there will be the ability to prescribe matters in the regulations that will be necessary to carry out the concepts of the bill. Largely, the regulations will deal with prohibited items, providing the flexibility to respond to advances in firearms technology and remove firearms, ammunition or accessories that are deemed high risk. Additionally, other matters requiring flexibility will be provided for, such as identifying disqualifying offences or orders that are similar in nature to those in the bill. As is done now, storage requirements will be left to the regulations to allow best storage practice to be implemented and updated if improvements are made.

The health standards, like the dangerous goods legislation, will be informed by the Austroads guidelines *Assessing fitness to drive for commercial and private vehicle drivers*, as well as the health assessment working group. Should these standards need to change, dependent on contemporary health advice, the regulations can change to accommodate this.

Debate adjourned, pursuant to standing orders.

HON RUBY HUTCHISON

Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [5.19 pm]: Members, I rise to acknowledge the seventieth anniversary of the election of the first woman to the Legislative Council. Hon Ruby Hutchison was elected on 22 May 1954. She remained the only woman member of this place throughout her 17-year parliamentary career.

She was elected to the chamber at a time when only a very narrow number of people could participate in its elections and she worked to democratise the Legislative Council. Hon Ruby Hutchison introduced a private member's bill to allow new Australian citizens to enrol for Legislative Council elections without having to wait the required twelve-month period. Although this bill was defeated, the government later introduced a bill on similar terms that was passed, thus ensuring universal suffrage following the 1965 election. Her contributions were essential in the campaign to change the Juries Act, allowing women to serve on juries and participate in the administration of justice.

In her final speech, Hon Ruby Hutchison said —

Up till now we have had only one lady member of this House, I will do all I can to help women to be elected to this Chamber.

Hon Ruby Hutchison did just that by working for the nomination and election of Hon Lyla Elliott, MLC.

Ruby did everything she could to improve the lives of those around her. In addition to her work in Parliament, Ruby raised seven children and was a fearless community organiser and advocate, including for people with epilepsy and for consumer rights.

Hon Ruby Hutchison's many achievements are difficult to cover in this brief statement. I encourage members to look at the new webpage dedicated to her on the Parliament website for more information, and if members would prefer, we can provide printed copies of that page. I thank the staff team for their sterling work in developing the page and organising its launch recently.

BICENTENARY OF WESTERN AUSTRALIA 2029

Statement

HON TJORN SIBMA (North Metropolitan) [5.22 pm]: Thank you, President. This will be brief and apropos of your statement given just then. I have cause as well to reflect upon the history of Western Australia. I do so in the midst of National Reconciliation Week and some days before the possibly washed out and diluted celebrations of WA Day this Monday. Members who paid any attention to me at all when I made my contribution to the budget debate or have had occasion to read motions on notice on the notice paper —

Several members interjected.

Hon TJORN SIBMA: I am not here to create rancour or division, but quite the opposite!

I made extensive mention of the need to take seriously certain historical milestones in Western Australia. I drew reference to the verge lining Fraser Avenue in Kings Park. There is a column of towering white gums with a marker under each. That was the result of a project marking the centenary of the founding of the Swan River Colony. I have walked that path on numerous occasions going from this place to services at Kings Park at any number of memorials, and it made me think about what kind of a memento or mementos of civic pride we will leave to future generations of Western Australians. If we take Western Australia and its future seriously, we will not shy away from exploring and commemorating our bicentennial anniversary in 2029. It should serve as a marker in time when we look both back and look ahead.

Inheritances, be they personal, cultural, collective or societal can be mixed blessings. They might not all take tangible physical form, but they can and are transmitted through culture and outlook, and I believe Western Australians are, as a society, sophisticated and compassionate enough to find pride and purpose in our state's history and mark the occasion with honesty and dignity. I do not think that milestone should go unremarked or uncommemorated. Like all societies, we are absolutely a work in progress. If we are to make any progress at all, we must be humble and we must keep a humble sense and an honest sense of historical perspective. It is an undeniable fact that modern Western Australia, constituted as it is, was founded in the crucible of British colonialism and those foundations confer upon us, and have had, an incalculable benefit, and still do. However, that has absolutely come at a cost—quite a severe cost. The failures and transgressions of the settlement period fell disproportionately heavily on Aboriginal people and still reverberate today.

During the COVID years, aside from the political rancour, there was something positive. I think COVID tapped the deepest wells of community pride and hinted again at the emergence of something unique—something that I would categorise as an authentic Western Australian identity. We can do worse than to channel that in the spirit of enlightened parochialism. We have within our grasp the chance to build a foundation for the next 200 years that recognises our natural advantages and harnesses the potential of every single willing member of our community irrespective of their background or identity. How we might imagine the cultural, artistic, economic, environmental or industrial future of Western Australia is best done not top down but by engaging the entire Western Australian community, young and old, male and female, from Kununurra to Esperance, in a conversation about the journey we have taken as a state thus far and where collectively we think we might head tomorrow. Above all, it should be a creative enterprise, one focused on social cohesion, one supported by the government and bureaucracy, but not directly controlled or enfeebled by them.

I hope that at some stage, perhaps after this election, we can have a mature conversation and think about how we might best mark this point in time, only five years hence. I note probably some grumbles and grizzles emanating out of Albany. I suggest that the bicentennial commemoration of foundation comes three years earlier than that here. I acknowledge that. However, I think we have a golden opportunity here to build social cohesion, grasp our future in our hands, admit the past and work towards a better tomorrow.

NATIONAL SORRY DAY

Statement

HON LORNA HARPER (East Metropolitan) [5.27 pm]: Last Sunday was National Sorry Day and tonight I am wearing a flower from the Kimberley Stolen Generation Aboriginal Corporation. These stolen generation flowers are normally referred to as the National Sorry Day flowers. It is the five-petal native cotton, desert rose or native hibiscus, as they know it. It was chosen by members to symbolise the scattering of the stolen generations and their resilience to the eugenic policies of Australia.

This was initially proposed by members of the Kimberley Stolen Generation Aboriginal Corporation and later endorsed by the National Sorry Day committee. It is wholeheartedly supported by the National Stolen Generations Alliance. This KSGAC stolen generation flower was adopted because it is found widely across Australia and it is a survivor. Its colour denotes compassion and spiritual healing.

If we talk about the past, the stolen generations say that during the twentieth century, under the Western Australian Aborigines Act 1905, large numbers of Kimberley Aboriginal children were removed from their mothers by the government and put into institutions, missions or foster homes. Because of this policy, many people lost contact with their heritage, country and identity and became known as the stolen generation. The grief and trauma associated with these policies still affects survivors, their families and communities. Here in our chamber, we have a child and grandchild of people who were part of the stolen generation.

The Kimberley Stolen Generation Aboriginal Corporation has produced a large quantity of silk imitation native hibiscus flowers. People can purchase them throughout the year to mark significant events such as memorials, commemorations and funerals. The flower is worn in solidarity with the stolen generation and symbolises people's unity, strength and understanding.

The Kimberley Stolen Generation Aboriginal Corporation seeks people's participation to make the *Bringing them home* report and its 54 recommendations the key factor in the recognition of and justice for Australia's stolen generations. The Rudd administration fulfilled one-half of recommendation 5 by making a national apology. The unfulfilled second part of recommendation 5 is financial compensation. Curiously, the former Liberal–National government acted on several other recommendations, which currently provide Link-Up's counselling services with funding. There is unfinished business, and KSGAC asks that people show their solidarity for genuine remembrance and healing by wearing a native hibiscus flower. The corporation hopes to see people do that on next year's National Sorry Day. We cannot always shy away from the truth of the past.

In saying that, this is National Reconciliation Week, a time when all Australians can learn about our shared histories, cultures and achievements and explore how each of us can contribute to achieving reconciliation in Australia. The dates for National Reconciliation Week are the same each year: 27 May to 3 June. On 27 May 1967, Australia's most successful referendum saw more than 90 per cent of Australians vote to give the Australian government power to make laws for Aboriginal and Torres Strait Islander people and recognise them in the census.

On 3 June 1992, which really is not that long ago, the Australian High Court delivered the Mabo decision, the culmination of Eddie Mabo's challenge of the legal fiction of terra nullius, "land belonging to no-one", which led to the legal recognition of Aboriginal and Torres Strait Islander peoples as the traditional owners and custodians of lands. This decision paved the way for native title.

Reconciliation must live in the hearts, minds and actions of all Australians as we move forward to create a nation strengthened by respectful relationships between the wider Australian community and Aboriginal and Torres Strait Islander peoples.

On Monday morning, I attended a National Reconciliation Week breakfast. There were 1 500 people in the room and thousands joined in virtually from around WA. All were there with a shared thought. Now more than ever, it is a reminder to us all that no matter what, the fight for justice and the rights of Aboriginal and Torres Strait Islander people will and must continue.

CLIMATE — DJERAN — NOONGAR SEASON

Statement

HON DARREN WEST (Agricultural — Parliamentary Secretary) [5.33 pm]: I changed my mind and decided to make a member's statement tonight, but it will be brief.

We are just finishing the Noongar season of Djeran, which is the first rainy season. It is with much appreciation and relief that much of the south west land division has received very welcome and overdue rain. There have been significant falls, particularly across many of the farming areas and here in the Perth. It is the longest dry spell in Perth since records have been kept, which is 150 years. It is also the record number of days over 25 degrees in Perth in May. I think we had more than 20 of them, with the record being 11 in 2006. Our climate is changing. The Noongar season of Djeran runs in April and May and is the first rain season followed by the season of Makuru, which will begin in a few days in June. The end of Djeran coincides with the end of the colonial season of autumn as we move into our winter.

It is in the nick of time for our agricultural sector that we have had this rain. The biggest concern in the agricultural sector is climate change. I know people are making a lot of some other side issues at the moment, but the changing weather, climate change and the risk to farming and agriculture from relying on this much-needed rain while our climate changes around us is actually becoming quite scary. Younger farmers will adapt. We will all have to do that. We have just about planted all our crop on our farm. Fortunately, the rain has come and those crops will germinate with the fertiliser and the chemicals that we have put there. Hundreds of thousands of dollars' worth of chemical fertilisers and seed are sitting in the ground with the risk of no rain. People may ask "Why would you be a farmer?" To me, it is the best profession one can have. Everybody has to eat.

It is with much relief and appreciation that we have received the rains. I understand that they are widespread across the state—certainly in more areas than others. There is more forecast on the weekend. A lot of events planned this weekend will be washed out because of the weather, but I think we need the rain more than we need the celebrations. We can still celebrate on Monday or Saturday—or even in the rain, and preferably clothed!

Hon Dr Steve Thomas: In your case, definitely, member.

Hon DARREN WEST: Definitely, member. I think that is mutual!

The rain brings a great sense of joy for all those in the agricultural sector and all those in Perth because all our groundwater and trees that have been dying before our eyes will now spring back to life. Let Makuru begin.

FAMILY AND DOMESTIC VIOLENCE — FIREARMS BILL 2024 — HON SANDRA CARR'S COMMENTS

Statement

HON DR STEVE THOMAS (South West) [5.36 pm]: One of the interesting things about being in Parliament is interactions with members on the other side. People have to learn that on occasion when they are shouting at you, they are not actually listening to you. They are not necessarily taking you seriously; in fact, more often than not, they might think you are a fool. But when members stop and think about what you have said and respond down the track, I think that is a good sign.

In that vein, it was brought to my attention that Hon Sandra Carr made some comments about my speech on Tuesday night at the closure of the house. I went back and had a look. I apologise, as I will end up quoting from the uncorrected *Hansard*. I actually think it is a good thing. In reality, I think it to some degree proves my point. I was talking at the time about the political perspective that we take. I have always been of the view that having different political perspectives is not only good for democracy; it is essential for democracy. I note that Hon Sandra Carr suggested that if a certain view was taken, it might mean that she was a communist, but that she did not think she was. I am not going to comment on whether I think Hon Sandra Carr is a communist; I do not know her political views well enough. But the reality is that there is a difference between the left wing and the right wing, and I think, if nothing else, Hon Sandra Carr precisely proved my point that, generally speaking, there is a left-wing and right-wing view of life. I was actually quite pleased that someone from the other side stood up and demonstrated that point. I think that is particularly important.

I guess the concern I had was about a comment a little further on, and I quote from the uncorrected *Hansard* —

It is an absolute nonsense to talk about law-abiding gun owners because they all are until they are not. It does not make any sense.

I have not watched the review footage to work out the level of intent of that particular comment, but it would seem to suggest that all legitimate licensed and responsible firearm owners are, at some point, just a step away from

being something completely different. I think that the 89 000-something legitimate firearm owners would probably find that comment offensive. I do not want to start a fight or a contest with Hon Sandra Carr, but I suggest that she reflect on that particular part of her contribution because it was the only part that I read that I thought could be misinterpreted or taken in a different way. It might pay to correct that part if it was not the member's intention to suggest that all firearm owners are just a tick away from doing something illegal or terrible. I suggest that Hon Sandra Carr look at that comment and perhaps rephrase it, so that it does not seem to be quite so confronting to legitimate, law-abiding, honest and well-meaning firearm licence holders. I know that people do not often want to accept unbidden advice, but the reality is that I think the comments were generally good but this might be an opportunity to simply make them better.

Statement

HON SANDRA CARR (Agricultural) [5.40 pm]: I am reminded of one of my favourite comments—that is, I can explain it to you, but I cannot make you understand it. Just because Hon Dr Steve Thomas misinterpreted the comment does not mean that he needs to mansplain it to me or outline his lack of understanding to the rest of the audience to try to make himself right, again. It is very interesting to me that that was the one comment the member landed upon—everyone is a law-abiding gun owner until they are not. It was not a suggestion that every gun owner sits on the brink of breaking the law; it was more a suggestion that it is very difficult to ascertain who those licensed gun owners will be. The assumption that holding a licence means that someone is a law-abiding and trustworthy gun owner is incorrect.

I also made the point in the speech that I know gun owners who use their guns and manage them in a way that would not comply with the legal requirements. I also said that I am not anti gun owners. I think the fundamental problem with the whole debate is an underlying belief that it is an entitlement. It is not. It is a privilege to own a gun. It is a privilege that people should prove they are worthy of. The whole community should be comfortable with a person being awarded that privilege, because if someone chooses to cause damage, they can do it very effectively with a gun. That is why I support the bill that is before the house and we are currently debating.

I reiterate: I have no issue with gun owners. I do not think that all gun owners are about to break the law, cause damage or wreak havoc on the community. I respect my fellow citizens. What I am saying is that we do not know who they are until they do it. I will give the analogy of taking out an apprehended violence order. Sometimes we will not know who those people are or what they are about to do until they breach the AVO. Everyone is a good person until they are not. I am not saying that I think all people are bad people; it is just really hard to ascertain who those bad people are.

What I also said in that speech is that a lot of people are really bad judges of character, in a roundabout way. A lot of people use the expression, “Oh, they were a good bloke in many ways”, including the media. That is the thing that is missed in this debate. It is the very reason that I ask people to please leave out of the debate current events of family and domestic violence and the murder of the two innocent, beautiful women who were just trying to help a friend. To use a word that I would prefer not to use, I ask people not to weaponise that. This bill was brought before the house before any of that happened. There is the argument that it is just about removing guns from the community, but the less of anything dangerous in the community, the better. The more we set high standards or tests for people to have the privilege to be near, own or have access to those things, the better. It will create a safer community.

I think perhaps rather than standing up and explaining to me what I said, we could have had a conversation behind the chair. The member could have asked me what I meant. All I am really hearing is someone who does not like to be told that they are wrong. I will say it again: I am not uncomfortable with gun owners. I do not think every gun owner is about to wreak havoc on the community. I know lots of gun owners and I have used guns myself. I have hunted myself. I do not have an issue with it. I have an issue with us arguing about setting standards and tests and making sure that the people who have the privilege of owning guns have earned the privilege and understand that it is not a fundamental right. We do not have a right to gun laws. Do not be influenced by the nonsense being fired at members of the opposition—literally—by a gun lobby in the United States. A whole heap of nonsense arguments are being fired at them and it is feeding a whole heap of people these stupid ideas. Members know it is true because it is in the language. We can hear it. It is in the language being said to them. Hon Louise Kingston can shake her head as much as she likes, but she does not even know how many guns licensed gun owners and sporting shooters are allowed to have. She might have found out now.

Hon Louise Kingston interjected.

Hon SANDRA CARR: She did not at the time. I am glad she went and educated herself because she did not at the time. I find the whole argument across the floor profoundly disappointing because this is about keeping people safe and looking after the community. Every single person who stood up and argued against this is profoundly disappointing. I really think that choosing those particular words to criticise me or find the one flaw speaks a lot more about those members than it does about me.

House adjourned at 5.45 pm
