Parliamentary Debates
(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2021

LEGISLATIVE COUNCIL

Tuesday, 7 September 2021

Legislative Council

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THE PRESIDENT (Hon Alanna Clohesy) took the chair at 2.00 pm, read prayers and acknowledged country.

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Sixty-fifth Report — Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [2.03 pm]: Members, yesterday the Standing Committee on Procedure and Privileges tabled its sixty-fifth report *Corrections to report 64: Review of the standing orders* with me, pursuant to standing order 188(3). Pursuant to standing order 188(4), I am required to advise the house accordingly. The sixty-fifth report makes seven corrections to the text of the sixty-fourth report, as tabled in the Council on 2 September 2021. Three of these corrections relate to the wording of recommendations in the sixty-fourth report, namely recommendations 5, 25 and 32. The effect of the sixty-fifth report is that the wording of recommendations 5, 25 and 32 are being considered in the motion listed at order of the day 19 as per the corrected form of words. If members are in any doubt about the terms of the recommendations that they are being asked to consider, they should refer to today's business program, which reflects the corrected words. Members are strongly encouraged to seek the advice of the clerks in advance of the debate on the motion to assist with the orderly consideration of that particular order of the day.

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

Estimates Briefing — Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [2.05 pm]: On Monday, 13 September at 12:15 pm, the Legislative Council staff will provide a briefing to members on the upcoming estimates process to coincide with the release of the 2021–22 budget. It will cover the role of the Standing Committee on Estimates and Financial Operations, how non-committee members may be involved and where to find relevant information in the budget papers. The briefing will go for approximately 30 minutes and will include an opportunity for members to ask questions. Members may attend this briefing in person in the Aboriginal People's Room or via Zoom, whichever is more convenient. A calendar invitation has been issued containing the relevant information. Please RSVP to the invitation by close of business Thursday, 9 September, so that arrangements can be finalised.

ROCKINGHAM ROAD RAILWAY JUNCTION — SPEARWOOD

Petition

HON PIERRE YANG (North Metropolitan) [2.06 pm]: I presented a petition on 12 November 2020 in substantially similar terms to the petition that I present now. That petition contained 519 signatures and was supported by 509 people through an e-petition. Due to the prorogation of Parliament, the petition was not processed. President, I now present a petition containing three signatures couched in the following terms —

> To the president and members of the legislative council of the parliament of Western Australia in Parliament assembled.
>
> I am writing this petition to make the authority figures that the public rely on to act in the best interest of the community take note of the Safety needs at this specific location. The Rockingham Rd railway junction in Spearwood has and remains to be a high risk to the public, be it pedestrians, road users, renters, and landowners. For the last 100 years there have been accidents, near misses, deaths and damage caused to the people and the homes of this area. Last year a 65-year-old pedestrian was killed by a freight train resulting in enquiries from the Cockburn council out to the PTA. We are yet to be informed of the outcome, whilst boom gates and whistle sounding equipment have been upgraded as a result it is still not good enough.
>
> This road is extremely busy and continues to be as we have more road users and pedestrians accessing the area. There are two homes situated on the corridor of this railway corridor. There is a primary school; 600 meters from this open double railway track with only a dotted pedestrian, if you can call it that protecting the small children who walk to school. There is also a bus stop on the other side of the road mere meters from the track in which the public use every day. There is no fencing separating the tracks from the footpath making it very dangerous for everyday people including pensioner scooters getting across.
>
> I would like to see the appropriate people in charge take responsibility with government funding and rate payers' money to improve the safety of this area for all that live there. People need to start paying attention to the community of Spearwood and signing this petition will enable voices to be heard. If you care about your community and making it a safer place for not only the people that live there but also the people that visit, then please be a part of their voice.
>
> And your petitioners as in duty bound, will ever pray.

[See paper 523.]

RENEWABLE HYDROGEN INDUSTRY

Statement by Minister for Hydrogen Industry

HON ALANNAH MacTIERNAN (South West — Minister for Hydrogen Industry) [2.09 pm]: Today the McGowan government announced a $61.5 million new investment in hydrogen industries to position Western Australia at the forefront of this twenty-first century decarbonising industry. A new $50 million fund will be used to stimulate, among other things, local demand for renewable hydrogen in transport and industrial settings, helping industry to get off the ground by boosting local offtake opportunities. The 2021–22 budget will also allocate the $7.5 million that we committed at the election for important connecting road infrastructure at Oakajee as a first step towards developing a globally competitive renewable hydrogen precinct. A further $4 million has been set aside to develop the broader plan for activation at Oakajee and to bolster the renewable hydrogen unit at the Department of Jobs, Tourism, Science and Innovation. We expect that part of the $50 million fund will go towards developing and upgrading infrastructure at Oakajee.

Today we announced the next three feasibility studies that we are supporting through our renewable hydrogen fund. BP Australia will receive $300 000 to progress its Kwinana clean fuels hub proposal, a plan to use the mothballed hydrocarbon refinery to produce green hydrogen and a renewable diesel substitute. In the first phase, renewable hydrogen will be produced with methane and combined with waste tallow from abattoirs and used cooking oils to create a renewable diesel product that would produce up to 90 per cent less carbon emissions than standard diesel. It will see the Kwinana refinery site, which has provided jobs and fuel for Western Australians for 65 years, continue that role in a low-carbon future. APT Management Services will receive $300 000 to study the conversion of the Parmelia gas pipeline into a 100 per cent renewable hydrogen pipeline. Global Energy Ventures will receive $300 000 to investigate the technical and commercial feasibility of exporting green hydrogen to the Asia–Pacific region from the Gascoyne using a purpose-built compressed hydrogen shipping solution.

We have seen real success from our previous grant funding, including ATCO's Clean Energy Innovation Park, and the Yara Pilbara and Engie YURI green ammonia project, both of which have gone on to secure significant federal funding. This $61.5 million commitment will supercharge our renewable hydrogen industry, helping to stimulate local demand for hydrogen to get production projects off the ground.

PAPERS TABLED

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

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Sixty-fourth Report — Review of the standing orders — Standing Orders Suspension — Motion

HON DR STEVE THOMAS (South West — Leader of the Opposition) [2.15 pm] — without notice: I move —

> That so much of the standing orders be suspended so that order of the day 19, Standing Committee on Procedure and Privileges — Report 64 — Review of the Standing Orders, is considered in the Committee of the Whole House.

The PRESIDENT: Members, the Leader of the Opposition has moved that motion. I just wanted to check whether that motion has been circulated. Can we please allow a minute or two for that to be circulated.

Hon Dr STEVE THOMAS: The moving of a suspension of standing orders motion in the Legislative Council is, quite appropriately, a very rare event, and it should be used only in extraordinary circumstances. I think most members on this side of the chamber at least would accept that today is an extraordinary set of circumstances. We find ourselves in the amazing situation that the contempt of the government for the normal operations of this Parliament is firmly on display. The government, having had an election that gave it control of both houses of Parliament, is now determined to wring every advantage out of that that it can. The government is prepared to walk all over precedent and the good standing of the Legislative Council and to treat this house, in my view, with contempt. It is for those reasons that I have moved for the suspension of standing orders today.

It amazes me that the house is being asked to deal with the sixty-fourth report of the Standing Committee on Procedure and Privileges, dated September 2021. That report was, in my view, very rushed, as we have debated in this house previously. It is interesting that that report was tabled on Thursday of last week, and one sitting day later we find ourselves confronted with a new report from the Standing Committee on Procedure and Privileges, the sixty-fifth report, *Corrections to report 64: Review of the standing orders*. If honourable members need a demonstration that the sixty-fourth report is designed to achieve a certain outcome—that is, to treat the conventions of this Parliament with contempt, and to deliver as rapid an outcome as possible, despite the fact the house will not have time to do its job properly—we simply have to look at the evidence before the house today. This committee was unable, with all the best intent of the world, to deliver an unflawed report in the time set for it by this chamber, as presented by the government.

We have a report that needs correction one sitting day after its delivery. I think that should raise alarms for every member of this house. Every member of this house should be concerned that this is a rushed job. But, further to that, a greater issue is the fact that we are now going to debate the 38 recommendations—as amended, I might add—in the next sitting day as a job lot. That is not the way that this Parliament has traditionally operated. In the

normal course of events, when the Standing Committee on Procedure and Privileges hands down a report on the operations of this house, as determined by the standing orders, historically, a few things happen. The first is that it is done by agreement across the chamber, with the government taking all the parties with it. Obviously, with such an overwhelming election, the government feels that it does not have to treat anybody else in the chamber with any respect, but I would have thought it might have liked to treat the chamber itself with respect.

The second thing that traditionally happens is that significant numbers of recommendations are dealt with one at a time, so that we can debate each of them and work out which recommendations the house agrees with and which are likely to be contentious. I would have thought that that would have been the action of a government that is happy to engage with the opposition to get the best outcomes for the Parliament and the people of Western Australia. I would have thought that it might have been useful to show some respect to the house itself by making this a collaborative effort, but that is obviously not what has occurred today. We will debate all of these recommendations and proposed amendments to the standing orders in one hit. What is the process if individual members want to agree with some of the committee's recommendations and disagree with others? How is the debate to proceed if we can find agreement on a number of recommendations that are positive? As tempting as it is to come out and say that the report presented by the Standing Committee on Procedure and Privileges was terrible and nonsense and is just the will of the government, a reader of the report would understand that that is not the case. There are some positive recommendations in this report. The report suggests some things with which the opposition agrees, and I think probably every member of this house will agree. This report is not simply the agenda of the government. There are some positive things that will assist the house in its procedures. How does the house have the capacity to say to everybody, "We agree on this number of recommendations"? If, as was open to the government, we debated this one clause at a time, as per the motion that I have moved today, we could find those with which we agree.

Which recommendations do we agree with? There are obviously some recommendations in there with which we agree. It was the request of the opposition that the Leader of the House reinstate the temporary standing orders for motions that existed under the previous Parliament. Those are good temporary standing orders. There is a recommendation in this sixty-fourth report, adjusted slightly, but effectively acknowledging that this recommendation was supported across the board by members of all parties and should be continued. How do we suggest that when we do not have the opportunity as a party to deal with it separately? How can we find any agreement when it is the position of the government that it is an all-or-nothing boat, it is a job lot to be set forward, and that the opposition and the people of Western Australia simply have to take the recommendations in one hit?

I think that the government has done a disservice to this house by requiring it all to be debated and agreed to, and it will be, because the government has the numbers, and we understand that. Members of the government should think about the alternative potential headlines that could have come out of this. What is the debate that we could have had versus the debate that we are going to have? We could have had a debate that said that there was significant agreement across the Legislative Council on a number of recommendations, and that we all agreed that these things are good outcomes. Then we could have focused the debate in on those things with which we disagree. During the substantive debate this afternoon, I am sure we will get to having a discussion around recommendations 5, 6, 7 and 8 and what they might represent, because they are good recommendations for the government but they are not good for the opposition or for democracy. We could have had that debate, and that would have been a really interesting debate, as would some others. I do not necessarily think that a debate on afternoon tea would be the most productive debate that we might have. I would like to think that a debate on afternoon tea would have been pretty short, and there might have been a reasonable amount of agreement on how we go forward with some of those. We might have got through the debate on temporary standing orders reasonably quickly. In my view, a lot of recommendations in this report would see a great degree of uniform support, but we will not know that unless this suspension of standing orders and motion is supported and we go through this process individually to find which recommendations we agree or disagree with.

There was an opportunity here to demonstrate to the people a degree of commonality that suggested that change might be required, and we could have then had a substantive argument about the bits on which we differed. I would have thought that that would be a pretty healthy debate. I would have thought that that would be a debate worth reflecting to the people of Western Australia, but we will not have that debate today. We will again have a debate that says that it is the government's way or the highway. For a lot of things, that is okay. When the government presents bills and it has the numbers, it gets to do that. There is a process of proper scrutiny of legislation. Obviously, it is important for the government to get its legislation through, and it likes to minimise the scrutiny; I get that. I know that members of government like to get bills through in the shortest possible time. We get rhetoric from across the chamber all the time about why we are questioning things and why do we just not agree, admittedly more from some ministers and parliamentary secretaries than others. Some try their very level best to give adequate answers to questions; that is absolutely the case. There are times when we actually succeed in a cooperative manner, and there are times when we make legislation better through the cooperative nature of the Legislative Council, even when the government has the numbers.

If members can remember as far back as the last sitting week, they will remember that we debated the Veterinary Practice Bill 2021 and amendments were put in place by a government that was prepared to listen to positive suggestions from the opposition.

Hon Alannah MacTiernan: But, member, part of the problem is that involved you and some of your colleagues, who are reasonable people. That is not a uniform composition, is it?

Hon Dr STEVE THOMAS: The minister makes a good point, and, I have to say, it is not a uniform proposition that ministers across the chamber do their very best to assist the process. Some ministers are known for interjecting with vehemence and engaging in slanging matches on occasions that absolutely extend the debate.

Several members interjected.

Hon Dr STEVE THOMAS: President, it behoves me to point out that we have just had the proof of the pudding, without necessarily having to refer to anything else. It is absolutely the case that, in the same way that some of the members of the opposition and the crossbench might seek to take up a point in minute detail, there are ministers and parliamentary secretaries who seek very hard to make their points and sometimes give very long answers to questions in an attempt to get a political point across. It is absolutely the case that there is some of that on both sides. But that does not defeat the purpose of the argument before us today—that is, that there is a better way to do this.

Several members interjected.

The PRESIDENT: Order! This is not a cross-chamber chat; it is debate on a motion.

Hon Dr STEVE THOMAS: Thank you, President. Once again, you wisely advise that interjections can delay things not infrequently. I thank you for your wisdom and guidance on that, and for pointing that out, President, because it happens on both sides of the chamber.

We have moved the motion before the house today because we see no other way of doing this, apart from a motion to suspend standing orders to ask the house to examine this report and its recommendations one by one. Otherwise, we would simply have to go through and find some recommendations that we like and be ignored and snubbed on those that we do not like, because there is no capacity for members to make changes. I presume that the government will give some sort of response to this motion and I suspect that it will not support it, which in my view will be a shame. I am interested to see whether the government will propose how the amendments to these recommendations will be dealt with and how that process might occur. I note that it is interesting that there are amended recommendations before the house. The sixty-fifth report of the Standing Committee on Procedure and Privileges effectively amended the recommendations that are before the house. It is extremely interesting that that committee has been able to amend a set of recommendations without debate. Maybe one day the procedure and privileges committee can look at that—that is, how things can be amended without debate in the house. I would have thought that it would be unusual for a committee to effectively amend its own recommendations. How can everyone else receive the equivalent treatment? I will be extremely interested to see how the government responds to that. How can members of the chamber receive the same sort of largesse as the Standing Committee on Procedure and Privileges to amend recommendations before the house, even before they have been debated? Surely every member should be given an opportunity to come up with a better way of doing things. An argument might be run at some point that the Standing Committee on Procedure and Privileges has given a perfect report in the very limited time frame that was allowed by the government. We might have been able to run the argument that it is without fault, except that the committee has already come back, after an extension of time, with the sixty-fifth report, which contains a set of corrections—seven corrections, if memory serves me correctly—to the sixty-fourth report that was delivered a few days ago.

I do not blame the Standing Committee on Procedure and Privileges in the slightest. I think the committee was given an almost impossible task to run through and review the entirety of the standing orders. To give the standing orders due purpose and due consideration in the time frame that was allowed by a motion agreed to by the government was a herculean task. To be honest, I do not think anybody expected the committee to be able to achieve the level of review that members had in mind. We gave the committee an impossible task. We should be careful of criticising the committee for delivering an imperfect report given the time frame imposed upon it. I am sure that members of the committee did their absolute best in the time that they were provided.

It is also, of course, pertinent to the debate that there was a minority report to the sixty-fourth committee report. That minority report, I think, is critical in that it lays bare some of the issues that we would like addressed if we had the capacity to address individual issues. I turn to the minority report of the sixty-fourth report of the Standing Committee on Procedure and Privileges, *Review of the standing orders*. Obviously, it is not the most recent committee report, but it is the report that was tabled last week. The minority report starts with these words —

> **Minority Report**
>
> *Permitting legislative scrutiny*
>
> A minority report of the Hon. Tjorn Sibma MLC and the Hon. Martin Aldridge MLC
>
> 1.1 This minority report provides an alternate perspective to the majority view presented in paragraphs 3.52—3.58 (inclusive) in Chapter 3, 'Balancing legislative scrutiny and legislative progress' of the majority report.
>
> 1.2 Furthermore, this minority review dissents from Recommendations 5, 6, 7 and 8 as they appear in the majority report and provides alternate recommendations.

It is interesting that as we go through the process, the minority report recommends an alternative. How do we debate that alternative? How do we debate an alternative when the motion before the house is that the entire report be adopted as a job lot? How do we consider the alternative recommendations as put forward in the minority report of the standing committee?

I will not read the entire minority report, but recommendation A, the final part of the report, states —

> A minority of the Committee recommends that the Council directs the Committee to:
>
> i) Seek submissions from Members of the Council and other stakeholders on their views concerning the risks and benefits inherent in adopting further time management practices, such as the Urgent Bill provision via proposed Standing Order 125A, before any change is adopted by the House.
>
> ii) In parallel, seek submissions from Members of the Council and other stakeholders as to their preferences in expanding avenues for greater legislative scrutiny for report to and potential adoption by the Council.

It is obvious to anybody who reads the report that two of the five members of the committee have grave concerns about recommendations 5, 6, 7 and 8. I have no doubt that we will get to those exact concerns when we debate the substantive motion. I would like to think that we will get to that debate one recommendation at a time, because that is the obvious way to do it—one recommendation at a time. If that is not to be the case, I am interested to know how we will debate the recommendations of the minority report, which proposes alternatives to recommendations 5, 6, 7 and 8. We cannot focus on them. We effectively will have the equivalent of second reading speeches on this and members will be able to stand up and make their points, but we will not have capacity, in the time-honoured way, to look at it recommendation by recommendation. Frankly, I think that is an offensively arrogant view. I must admit that I, for one, am getting a little bit tired of the way in which this chamber and this Parliament are being treated. It is absolutely true that the state of Western Australia overwhelmingly elected a Labor government in both houses, but I missed the bit where that means that it can automatically just treat the opposition with contempt, because that is kind of par for the course. I get that. We argue back and forth across the chamber and that is pretty reasonable. It might surprise members to know that I am not shy or retiring and I do not mind a bit of argy-bargy. I know that that is not within the standing orders necessarily and that all interjections are unparliamentary, but I have been known to accept interjections on occasion on the basis that I do not mind the debate being a little rough and tumble, but perhaps not to the extent of the place that shall not be named, in which I spent four years. Absolutely, I do not mind a bit of rough and tumble. It concerns me greatly the extent to which this government treats this house in these circumstances—it is with absolute contempt. I do not think it reflects well upon the house or the government. I do not mind a bunfight—that is not a problem—but let us have a bunfight between the government and the opposition; that is easy. You guys won the election; you ultimately get to win the bunfight! I remind members of the old expression: the opposition has its say and the government has its way. That is one of the grim facts of life that we all have to adjust to; that is fine. But it is the treatment of this Parliament with absolute contempt that drives me mad, and should drive mad every person who does not sit on the government benches right now. It should raise concerns for those members of the government who at some point will have a long enough career to find themselves in opposition again. Because it will happen, members: there will come a time when government members sit on this side of the chamber and members on the other side will reflect and think, "There once used to be parliamentary scrutiny. We used to look at legislation and the opposition would go through it in fine detail."

Before government members think that it is only the Liberal and National Parties that do this, they should have a chat to some former Labor members of this place. Have a chat to Hon Tom Stephens and Hon Ken Travers and ask them how long they spent in committee stages or on second reading speeches. Ask them how long they debated bills. I note that some members opposite have a smile on their face right now, because they remember the contribution of some of those members! I do know, as is appropriate, that staff were stony-faced during that contribution, but some members opposite remember the work of Hon Tom Stephens and Hon Ken Travers. There are still members in the chamber today who have not been above making particularly long speeches or using the committee stage of a bill to their benefit. I accept that there are a lot of newbies in this chamber, but there are members opposite who have used these mechanisms in the past. I say to new Labor government members: remember that at some point when you sit over here, your capacity to scrutinise bills will be deservedly heavily curtailed because it suits the members who are currently your ministers and parliamentary secretaries to minimise the debate. Guess what, people? What goes around comes around. There is a price to pay for this. The piper will be paid at some time in the future when the Labor Party sits in opposition and Labor members want to hold the government to account. I hope that at some point a minister, in a future opposition alliance government, says, "Guess what, people—you gave us the trigger."

Hon Dan Caddy: Will it still be called an alliance?

Hon Dr STEVE THOMAS: It may well be—the alliance of the willing. It worked in Afghanistan—maybe not!

When we get to that point, let us see what happens. I would expect screams of outrage from members who are still here, who sit opposite but are happy to say, "We are happy to curtail the appropriate scrutiny of Parliament because

it is in our political interest. Sometimes sitting through and having a fulsome debate on a topic is just too hard to sit through; we can't be bothered." There will come a time. What goes around comes around. There will be a time when members of the alliance are sitting on that side saying, "There was a time when scrutiny was important to this house." That is not to say that the rules have always been constant. We will get to that debate in more detail when we get to the substantive motion.

Obviously, for me, the contentious part of the recommendations before the house are recommendations 5, 6, 7 and 8, which would effectively gag debate. It is referred to under those circumstances. It is effectively a gag—to prevent debate. I will start at the background section of the report, "Principles adopted for the review", on page 1 of the sixty-fourth report of the Standing Committee on Procedure and Privileges. Efficiency was adopted as part of the review. The report states —

- Efficiency: this includes increasing the productivity of the Council to maximise time and effort for its core functions and aims to reduce non-productive time.

Core functions for whom? Non-productive time for whom? If the only measurement is the amount of throughput of legislation, obviously the government says, "We don't want scrutiny; scrutiny is non-productive time for us." I say the same thing about this dot point —

- rationalise the priority of business considered by the House;

Is that for the benefit of the house or is that for the benefit of the government?

Some of the submissions have been intriguing to me. I will reference this particular part because I think it is important: chapter 2 on page 4 of the sixty-fourth report refers to the submission by the Leader of the House. Paragraph 2.4 states —

> The Leader of the House commented that there was not enough time in the Order of Business for Government business. The Leader of the House suggested the following three ways that more sitting time could be achieved:
>
> - an urgency mechanism to bring debate to a close;
> - a mechanism for the Council to sit beyond the usual adjournment time that would not be open to an extended debate; or
> - through the reinstatement of Wednesday evening sittings.

I note that paragraph 2.7 of the report refers to the submission of Hon Colin de Grussa, who also recommended an increase in sitting time as opposed to gagging the debate. In my view, there is no doubt that the first dot point at paragraph 2.4 refers to the gagging of debate. It indicates an intent of the government.

Jumping to chapter 3, "Balancing legislative scrutiny and legislative progress", paragraph 3.22 states —

> A search of the parliamentary records indicates that closure motions have been used exceptionally sparingly since the Council's inception. Since 1977 only 17 examples can be located of a closure motion being moved that was in order. There are no examples of an in-order closure motion being moved in the last 21 years.

What does that tell us? Closure motions have been used—there were 17 in-order motions moved between 1977 and presumably 2000. I presume in that period they were used by both sides of Parliament. They have not been used, by tradition, in the last 21 years. What it does say is that there is already a procedure in place to gag debate. The procedure that is in place reflects to some degree what happens in the house that shall not be named—the Legislative Assembly of Western Australia.

Looking at the recommendations, I want to say this briefly because it is pertinent to the debate on the suspension of standing orders: it will absolutely be the case, if this house is forced to accept all of these recommendations as a job lot, that we will have less scrutiny of legislation than the Legislative Assembly of Western Australia. That should appal every member who considers themselves part of the house of review. Surely our role is to review, to oversee and to correct. I often get into trouble in my party room. I note we should not speak about matters from the party room, but I will let this out: I do not uncommonly make reference to the fact that the upper house spends a lot of time correcting the errors of the lower house. I think that is absolutely our role. Numerous amendments have come forward into this chamber. Funnily enough, in recent years, amendments have come forward from the government as frequently as they have from the opposition for legislation that started in the Legislative Assembly, where I presume someone in a ministerial office, or a minister or parliamentary secretary, dedicated to their job, has decided that the Legislative Council might take the trouble of reviewing the legislation in a proper and fulsome manner. The assumption is probably that the debate that occurs in the Legislative Assembly is not equal to the sort of scrutiny that is applied in the Legislative Council.

We are—or we used to be—the house of review, but are we the house of review anymore? This is why this motion is important. In the Legislative Assembly of Western Australia, a bill can be declared urgent under Legislative Assembly standing order 168(2), which states, in part —

> If the Assembly agrees to a motion without notice by or on behalf of the member with carriage of the bill "That the bill be considered an urgent bill", the second reading can proceed forthwith.

What will the Legislative Assembly's rule of thumb be? At least the question of having a bill declared urgent goes to the floor of that chamber, whereby there is an opportunity for debate. Okay, the government—whichever government it is—will have the numbers, but there will be a debate on the floor of the house. What we are going to put in place in the Legislative Council is that a bill can be declared urgent purely at the whim of a minister or a parliamentary secretary. They will stand up and say, "I've decided this is an urgent bill", and there will be no debate. There might be debate about how long the minister is prepared to accept the bill being examined by the opposition, but it will be absolutely at the whim of the government.

I wonder how that reflects scrutiny. The Legislative Council will have less rigour and less accountability than the Legislative Assembly. I have actually been in both, and I think that is an appalling position to find ourselves in. I have sat through question time in both houses, and it is absolutely chalk and cheese. We will find ourselves in the appalling situation of having less accountability than the Legislative Assembly, and one of the main reasons for that is that we will have to accept the recommendations of this report as a job lot, to the point at which it will be pretty much impossible to even debate, recommendation by recommendation, how we might proceed.

What an appalling situation we find ourselves in today. It is no wonder that I felt compelled to move a suspension of standing orders motion—something that would not be considered if we had proper scrutiny in the Parliament of Western Australia and if the Legislative Council of this state were able to do its job properly. It is appalling, and the contempt in which the government holds this chamber and its role is equally appalling. The arrogance with which the government is proceeding, obviously based on its enormous election win, is breathtaking.

I hope there will come a day when members of the current government will realise exactly what they have done here. I suspect that day will not occur until they are sitting on the opposition benches, trying their very best to hold the government to account. They will say, "The arrogance of the Liberal–National alliance is astounding. They've said that this is an urgent bill and basically told us that we can debate it for an hour, and then we have no choice but to pass it." At that point, honourable members of the government will have come full circle. The alternative today is to treat the Legislative Council with a little respect, to treat history with a little respect and to treat precedence with a little respect. I suspect that that might be beyond the government today, but at the very least, this is worthy of a debate in which the government can try to justify the level of arrogance it is determined to demonstrate.

HON SUE ELLERY (South Metropolitan — Leader of the House) [2.54 pm]: I rise to indicate that the government will not be supporting the motion before us.

The honourable member began and finished by talking about respect. Here is the thing: don't you dare talk to me about respect. I have read the WhatsApp message that refers to me; I get a hashtag, and it is not pleasant, and it is certainly not respectful, so don't you dare —

Hon Colin de Grussa interjected.

Hon SUE ELLERY: I am responding to him!

Several members interjected.

The PRESIDENT: Order!

Hon SUE ELLERY: I am responding to the comments made by Hon Dr Steve Thomas. I would never assume that the man sitting next to him would use any of the language that was so disrespectfully used about me and other women; I know he would not.

Hon Colin de Grussa: Thank you.

Hon SUE ELLERY: But there are members of his party who did, so Hon Dr Steve Thomas should not lecture me about respect, because I was treated disrespectfully in that WhatsApp message. Big deal, who cares—but he should not come in here talking about respect when he cannot demonstrate it and he does not do anything about disrespect when it happens. He does not call it out; he did not even stand up and say, "I distance myself from those comments. I find them offensive." He did not do any of that, so do not talk to me about respect.

The actual question is: is it possible, in the course ahead of us of being asked to consider, adopt and agree to recommendations 1 through 38, to move amendments? The proposition put by Hon Dr Steve Thomas is that it is not. That is disingenuous, and he knows it, because he intends to move an amendment. The notion that it is not possible to determine that certain recommendations should not be adopted and that others should be, or that certain recommendations should be amended, is wrong; it is possible. Hon Dr Steve Thomas intends to do so, but he is going to stand here and tell us that this is about disrespect, because how are members to know? He knows how to do it; he has one already drafted. His proposition is disingenuous.

He also made the point—we will see his exact wording when *Hansard* comes out—that we might think that matters before us, like the reference to adopting the temporary standing orders or the reference to how we deal with afternoon tea, could be debated pretty quickly. He is right; we might think that, if we were to assume that questions before the Legislative Council could be dealt with in a rational way, but, of course, that would require Hon Dr Steve Thomas to exercise some discipline over members of his party, and he cannot and does not. Time after time, he demonstrates that he cannot.

We could go down the path of dealing with this report, recommendation by recommendation, and Hon Dr Steve Thomas might say—and I might reasonably believe him—that we could deal with the question of afternoon tea pretty quickly, but I can pretty much guarantee him that we would not, because he cannot exercise discipline. I have been in this Parliament for 20 years, and one of the things that strikes me is that every time there is a new group of members, they all, including members on both sides, make the observation, in various different ways: "I just don't understand how they can talk so much." Sometimes it is in the context of how to structure and deliver a speech and how much time is given to speak, but they all make that observation: "I don't understand how that person can talk so much and say only one thing" or "I don't understand how that person can talk so much and say nothing." I have heard that from generation after generation of parliamentarians in this place. Although members opposite might argue that they are able to conduct a debate within a reasonable time, the reality is that they cannot deliver that.

The proposition was put that people would be confused by the sixty-fourth and sixty-fifth reports. I recommend members take the advice that the President gave a little while ago when she commented on the relationship between the sixty-fourth and sixty-fifth reports. That is, if members are in doubt, they should follow her advice and seek advice about how they might move an amendment to achieve the end they want to achieve. But members opposite are saying that they do not need to seek that advice because they have decided already that they are going to do it.

The chamber is able to manage this debate before us in one motion. I have indicated to the Leader of the Opposition that I would like to complete the consideration of this motion this week—this week. That is, I would like to deal with this during orders of the day over the next three days. How is that disrespectful? If necessary, we could sit late. I have indicated that we could sit late tomorrow and Thursday. I have also indicated that if it is necessary for people to deal with this in a considered fashion over the next three days, that is what we can do. How is that ramming this through today? It is not. I am hopeful that we can get through this before Thursday, but if it takes us to the end of Thursday to get this through, so be it.

The honourable member used a good example about question time towards the end of his comments. He made the point that we need only look at question time in the other place versus question time here to see how we could end up. He used the example of question time to reinforce his point that we could end up in this place with less scrutiny than the Legislative Assembly. It was a really good example, because he is right. The practice and conventions of question time in this place and the other place are different. That is not because the standing orders are fundamentally different; it is because the practice and conventions of question time in the two places are fundamentally different. For the information of new members, on any given day in the other place there are an equal number of Dorothy Dixers—questions from government members about things that show the government in a good light—as questions from the opposition. That happens every single day in every single question time. It occasionally happens in this place, but it is not the norm. It happens occasionally. That is not a function of the difference in the standing orders; it is a function of the practice and conventions of the two houses. We can continue to apply those conventions and practices and still have a tool that allows us to deal with how an urgent bill, or a bill that becomes urgent at some point during the bill's progress, gives us the capacity to do that. Does that mean in and of itself that every single bill and every part of every single bill will be considered urgent? No, it does not guarantee that. It will come down to the practice and conventions. In the same way that the practices and conventions for question time are different between us in the example used by the honourable member, the practices and conventions that apply to the matters before us on bills to be declared urgent, for example, will evolve as well, and they will be different because the practice and conventions and the culture of the two places are different.

We are grown-ups. We can try to deal with this issue in a considered, sensible and polite way—although probably not in a respectful way by some people—and we can try to achieve this over the next three days. I am confident we can get there.

HON MARTIN ALDRIDGE (Agricultural) [3.04 pm]: I rise to support the suspension of standing orders motion moved without notice by the Leader of the Opposition. I might start with where the Leader of the House left off. The Leader of the House reflected on the practices and conventions of the Legislative Council compared with the Legislative Assembly. I must put on the record for those members who are here for their first term in particular, as well as others, that the approach taken to the standing orders review, the matters contained within this report and the way in which we are now responding to the report of the Standing Committee on Procedure and Privileges has not been consistent with practice or convention. That will be the essence of my contribution to the standing orders suspension motion, which will be confined to the approach that the Leader of the Opposition and I prefer to that of the government, which is to put the recommendations as one question and to give members one opportunity to resolve the issue.

The issue in question is considerably diverse; it is not a discrete matter. This is not a single recommendation of a committee amending one standing order of the Legislative Council. This is a diverse matter with 38 recommendations ranging from how we define strangers of the house to how we conduct motions on notice. Ordinary members like myself get 45 minutes speaking time for motions. If last week is anything to go by, leave probably will not be granted for a member's time to be extended. Assuming leave is not granted, I will get 45 minutes to contribute to the 38 recommendations. If we factor in that members might want to remark on the way the inquiry was conducted that led to the report or refer to the very good minority report at the end of the sixty-fourth report, which I draw to members' attention, they will be left with about one minute, on average, to speak on each recommendation. Members

have had very limited opportunity to go through this report because it was tabled only last Thursday and the amending report—the sixty-fifth report—was distributed to members after business hours only yesterday afternoon. There is nothing conventional about the approach that has been taken today, and that is why I prefer the approach suggested by the Leader of the Opposition. It is absolutely consistent with the previous practice of this place, particularly when in the past we have considered comprehensive reviews of standing orders, to go into Committee of the Whole. In my experience, the President, unusually, chairs the Committee of the Whole whilst the chamber considers a report of this nature recommendation by recommendation.

I think the word "haste" characterises this entire process. The house has demanded that this report be published with great haste, and we now see the government demanding that the report be considered, adopted and agreed to with great haste. Usually, it would be subject to some considerable negotiations and communication behind the chair and a secret meeting of leaders would occur in the members' lounge to consider the party positions on each of the recommendations. In my experience, that is how consensus has been formed about which recommendations of a report will be proceeded with and which will be dispensed with. As far as I am aware, none of that convention and practice has occurred since last Thursday.

One thing that members will be limited by under the government's preferred approach is standing order 37, which is a member's right of speech. It states —

> (1) A Member may speak once —
>
> (a) on any question before the Council;
>
> (b) on any amendment thereon; or
>
> (c) in reply (if entitled under Standing Order 39).

I think the Leader of the House has made it quite clear that it is the government's clear intention to allow members to speak only once because her concern is that this debate may well continue beyond the next three sitting days if an alternative approach is preferred. I have some significant concerns with proceeding as the government wishes and limiting a member to be able to speak only once. They include the ability to canvass 38 recommendations in 45 minutes and also the diverse nature of those recommendations, not to mention that some of them are highly controversial. It will give members no right of reply thereafter, although a limited right of reply exists under standing order 38, but that is very narrowly focused on a member being misquoted or misunderstood. Some of these matters before the house are highly technical. I know that there are members who have some concerns or questions about what I would deem relatively minor aspects of the report that may be deemed technical matters.

My other concern is that one should not assume that the five hardworking members of this committee, and more importantly their hardworking staff, have been able to produce a report without fault within the very strict time frame that has been applied to this committee. That is no more evident than with the sixty-fifth report of the Standing Committee on Procedure and Privileges that was distributed to members after business hours last evening. The Committee of the Whole approach would allow those and others matters that arise during the course of the debate to be ventilated by concerned members. I have a number of questions, particularly about chapter 3 and the application of a so-called urgent bills process. A member's ability to respond to those questions will obviously be limited by the standing orders and the preference of the government, which is that a member shall only speak once.

As the Leader of the Opposition pointed out, at this point in time I have no understanding of how members, individually or collectively in their party groupings, sit on the 38 recommendations in this report. Clearly, Hon Dan Caddy supports all 38 recommendations because he has moved a motion to adopt and agree to those 38 recommendations. I am not sure whether that is the position of the Labor Party. We will find out in due course. I am not sure whether that is the position of the Greens, the Legalise Cannabis WA Party, the Daylight Saving Party or the Liberal Party. I make this point because the ordinary convention and practice of consensus building and the preferred approach that is taken to amending standing orders, which I will make a greater contribution on when we debate the recommendations, has allowed for those things to be navigated ahead of the debate. We entered this debate today not knowing anyone's position. I do not know anyone's position, apart from Hon Dan Caddy, who is supporting all 38 recommendations. He obviously supported them before the sixty-fifth report that has amended them, which is a rather interesting arrangement I will make further remarks on later.

The point that the Leader of the Opposition made is a credible one: it is very difficult to contemplate let alone deliver upon the deferral, amendment or opposition of particular recommendations individually. The method supported by the government is one that favours supporting all the recommendations. It is possible to oppose recommendations and it is possible to amend recommendations. But when we consider the number of non-government parties and non-government members, combined with the approach taken to date that has led us to this point, I do not think it is clear to anyone in this chamber where everybody stands with regard to 38 diverse recommendations. That is before I get to the alternative perspective that is put to members in the minority report of the sixty-fourth report. Recommendation A in the minority report of Hon Tjorn Sibma and myself suggests a different course. I suspect those matters will be canvassed when we consider recommendations 5, 6, 7 and 8, although a PPC report proposing amendments to standing orders would in the ordinary course be dealt with in the Committee of the Whole. That is not what has been proposed by the government today.

It is interesting to draw a parallel between the haste of this review, the haste in which we are being asked to adopt and agree to 38 recommendations in this report, and the haste that is sought through chapter 3 of the sixty-fourth report. There is a particular alignment of the need for speed by this government. Members may be contemplating particular recommendations. I think there are probably none more controversial than recommendations 5 through 8, but there are other aspects of this report worthy of consideration. Members who are considering or who have concerns or questions about aspects of this report will not be advantaged by the government's approach to speak once and put it to a vote. That suits haste and speed; it does not suit the outcome of achieving amendments to our standing orders in a sensible and measured fashion.

In the sixty-second report some of these issues were discussed, and I want to draw members' attention to this quote. It states —

> *This house has a history of how we change the standing orders and it has been done on the basis of consensus. It has been done for the most part by referral to the Standing Committee on Procedure and Privileges or an expanded version or subcommittee of the Standing Committee on Procedure and Privileges, so that everybody in the house has the opportunity to have a say.*
>
> *…*
>
> *If we do not get the rules right about how we do our business, it follows that we cannot guarantee that we will get the right policy outcome or the right budget outcome. If we do not have the right settings to make our decisions, we will be setting ourselves up to make poorly considered policy and budget decisions if we do not properly consider the ramifications of every change to the rules on how we do our business. That is why we have the process that has been in place in this place for a long time, irrespective of who has had the numbers, and I will talk about the man who put that most eloquently on the record— Hon Norman Moore— in a minute. That is why we have had a position irrespective of who had the numbers in this place that we would have a very deliberate and considered process for making changes to the standing orders.*
>
> …
>
> *Although the Standing Committee on Procedure and Privileges may provide a consensus report, which everyone on the committee will have agreed to, the approach of this house has been and is now as we speak that that Standing Committee on Procedure and Privileges report will not be proceeded with if it does not have the consensus of the whole house. I will give an example. The Standing Committee on Procedure and Privileges has considered e-petitions and has made certain recommendations.*

I pause there. Groundhog day has come around once again and we have another report recommending e-petitions. It continues —

> *Despite that report suggesting that the house go down a particular path, there is not consensus across the house, so we will not be proceeding with that. That is the time-tested method that we use to make changes to the way we do our business. We bring everybody with us. People will criticise us for that, and I am critical of doing that sometimes because I think we do not move fast enough; however, it ensures that everybody buys into the process and it ensures that we have the time and the opportunity to consider all ramifications and possible consequences, unintended or otherwise.*

It may surprise members to know that that was a direct quote from Hon Sue Ellery, Leader of the House, on 29 November 2017. I could not have put it better myself. That is why Hon Tjorn Sibma and I put that in our minority report. I think the Leader of the House captured the convention and practice of the Legislative Council—the "time-tested", in her words, approach to the way in which we amend the standing orders. If the approach that we take to amending the standing orders is simply a product of whoever has the numbers in this place, then we might as well tear up the standing orders and put them in the bin, because whichever government or combination of parties has power on any given date will be able to literally rewrite the standing orders every time there is a change of government. That will do nothing to deliver good government in Western Australia, and nor will it do anything to support the important role of the Legislative Council as a house of review. Some of the matters contained in the report that we are considering today will significantly diminish the role of the Legislative Council. I will have more to say on that beyond this motion for the suspension of standing orders.

I now want to quote from what I think is one of the better submissions that was received by the Standing Committee on Procedure and Privileges in its inquiry. We did not receive many submissions, and some were better than others. I want to quote a couple of paragraph from the written submission of Hon Dr Brian Walker, which members can find in appendix 6 at page 90 of the report —

> The Legislative Council of Western Australia should be a chamber which respects, and indeed welcomes and invites a broad variety of viewpoints and positions. It should not become a mouthpiece of any one group or party, and alteration of our Standing Orders—as opposed to mere modernisation of them—with the aims of aiding a short-term incumbent, which I fear may be the intent of some on this occasion, threatens serve us badly, not only in the coming months and years, but across future parliaments as well.

That is a point that the Leader of the Opposition made earlier in his contribution when he moved this motion. It continues —

> I would therefore urge the Committee to tread lightly, and with due sense of caution and reserve. Our Standing Orders were not created overnight, but rather through decades of careful consideration and collaborative debate. They should be varied in a similar fashion, if at all, and in that light, it is my very sincere hope that the Committee will be conservative in its leanings, collegiate in its outcomes, and will always err on the side of caution, if and when it finds itself in any doubt.
>
> In closing, from a purely practical perspective, I wonder if the Committee might be inclined to follow the lead of NSW, and to consider the introduction of, at most, a series of sessional orders, which would allow us to trial any new procedures before adopting them as permanent rules. I understand from several colleagues in the NSW Legislative Council that their sessional orders, while not always welcomed individually across the chamber, have proved a useful transitional device, and might even be considered "best practice" in any gradual reform process.

Hon Dr Brian Walker finished that point by making reference to trialling orders before making them permanent. I draw that to members' attention, because this is relevant to how we should consider the sixty-fourth report of the standing committee. Probably the most controversial matter in this report, and the matter that will most likely have the longest lasting and most detrimental impact on the role of this chamber, is not the proposed temporary orders but the permanent orders. Again, the convention and practice of this house, when significant changes have been proposed to the standing orders, is that they will operate initially on a trial or temporary basis. As we can see from the report, there is a recommendation to make a temporary order a permanent order, but with amendments. That is, we have learnt from our experience in trialling a temporary order and we now seek to make it even better, but as a permanent order.

There is no doubt in my mind that the government will get its way at the end of the day. That is indicated by the approach that the government has taken right from the beginning. I ask members to give due consideration to the motion moved by the Leader of the Opposition. It will not stop debate; rather, it will enable a better debate to occur, in which members will be able, hopefully respectfully, to argue the merits or otherwise of each of the recommendations. It is not sufficient to allow 60 seconds of debate per recommendation for an ordinary member. That is particularly the case when it comes to some of the drastic measures and permanent changes that the house will consider, in one way or another, when we debate the motion moved by Hon Dan Caddy.

HON TJORN SIBMA (North Metropolitan) [3.16 pm]: I rise to speak in support of the motion moved without notice by the Leader of the Opposition, Hon Dr Steve Thomas, to suspend standing orders so that we might consider the sixty-fourth report of the Standing Committee on Procedure and Privileges in a more orderly and comprehensive manner.

I will make some of my remarks in this contribution and will save some for the debate on the substantive motion. At that time, I will speak to the substance of the minority report, of which I was the co-author with Hon Martin Aldridge. I make note of the obvious fact that a minority report is attached to this report. That should, in and of itself, be a sufficient basis upon which to examine the content and the recommendations in this report in a more comprehensive manner. I listened intently to the contribution of the Leader of the House. I have a little more faith in the capacity of this chamber to deal with those recommendations in a way that will not derail the process. The recommendations are obviously very broad. The adoption of recommendations that may seem trivial or technical can never be without consequences. We need to have the opportunity to give those consequences due examination and ventilation. That, to me, is a sensible proposition.

It is obvious when we look at the composition of this chamber that the substantive motion moved by Hon Dan Caddy will succeed. The report will be adopted and the recommendations will be accepted and enabled, albeit in different ways. Some of these recommendations will be easy to adopt; others are less expedient and will take some contemplation and construction to get right. We need to give that the appropriate time to occur. Just to indicate, the obvious point is that the recommendations in the sixty-fourth report, at least the majority report, are going to be accepted, so there is absolutely no doubt that presumably the government's preferred view will win the day. That being the case, why would we not take the time to actually go through the report? It need not be on a recommendation-by-recommendation basis, but we should at least deal with the recommendations as per each chapter and consider like recommendations against like recommendations. I think that would be a sensible way to proceed. It would be even more sensible to give the report to respective party groups that are represented in this chamber, give them sufficient time to digest the recommendations and then try to come to some sort of consensus or unanimity about which recommendations we as a house are comfortable to adopt at this time and which we would like to hold over and perhaps give more consideration to. To me, that is just stating the absolute obvious.

I think that a more considered, orderly examination of the recommendations and the issues fleshed out in the report is desirable, if only for chapter 7 of the report. I will find the appropriate reference. Chapter 7 deals with a range of issues. This is on page 39, if people are following. The chapter is titled "Other matters", and there is a subheading, "Matters of interest to the Committee". These were matters of interest to the committee, and I think they are actually

matters of interest to every member of this house, as well. These have not given rise to a set of recommendations, but I think they would give rise to a better informed debate, or at least provide an opportunity for an even better refinement of the standing orders, if that were considered desirable. There are issues such as the regularity of standing orders reviews; some clarification over the role of participating members; a review of committee functions; the adoption of standing orders for COVID-19; and one that is actually of personal interest to me, which is "Improvements to the Order of Business" and the way that business is timed through the house. There is also a question of whether it would be desirable to consolidate non-government business with private members' business. I do not necessarily have a strong view on that, but it is a debate worth having, and worth having in the appropriate spirit.

There is a minority report, and issues have been identified by the committee for which there are no recommendations. I think that these individually are justification for a closer examination, either through a recommendation or analogue to a clause-by-clause consideration, as we do with the bill, or for pulling back and perhaps the government taking a different approach to try to reach a greater degree of consensus across the house, so that it works to the advantage of the function and role of this house as the house of review.

I will reflect not so much on the substance—I will quote from these selectively—but I think the motion moved by Hon Dr Steve Thomas is worthy of support because it would provide a better avenue for some of the matters that have been raised by those members and ex-members who chose to make a submission to the review. I think, from memory, there were eight or nine individual submissions. I will clarify that point. I make a correction: there are 11. I will go through the list. These are submissions from people who have substance and experience. There is a submission from Hon Barry House, who is obviously an ex-President of this chamber. There is a very brief submission from Hon Nick Griffiths, who was before my time, but I understand that he was a President of the Legislative Council at one stage, as well. There is a very worthy submission from the immediate past President of this chamber, Hon Kate Doust, and from the ex-Deputy President and Chair of Committees in this house and in the previous Parliament, my friend Hon Simon O'Brien. There are also worthy contributions from the leaders of the crossbench parties represented in this chamber, I think with the exception of the Greens. There is a plurality of perspectives here that I think is worthy of some examination. These people either presently or previously have perspectives borne of experience and have or have had some skin invested in the game. I will quote very briefly from just a few of these examples, because I think they support the motion that is being moved without notice by Hon Dr Steve Thomas. I quote here from a submission from Hon Barry House. I think it is worthwhile that we reflect on these points.

Hon Barry House made the following observations —

- While our Bicameral system can sometimes appear to be cumbersome it has a tried and proven track record of stability and accountability which is something to be thankful for compared to most other jurisdictions around the world.
- There will be serious challenges to this line of thinking over the next 4 years with one Party having a majority in the Legislative Council. This has happened previously during my time but we learnt to live with it, not over react and overtly "exploit it", and the Legislative Council has been much the better for it. This will almost certainly become an aberration in history as it is likely to happen very rarely in future.

I think we are actually on the verge of this point of aberration; in fact, I think we have probably gone beyond it now. He refers to the standing orders —

- The SO's and procedures have adjusted to this situation by properly recognising each member's right to speak and participate in affairs of the House—whether it be during Legislation, Roles on the floor and Committee proceedings and debate, CPA representation, etc. Projected Constitutional changes may change this to some extent but it is a reality around the Commonwealth at least that minor parties do gain some representation in Upper Houses in particular and, by and large, make a good contribution.

I will add in parentheses that the capacity for those parties to make a contribution is obviously going to be limited by recommendations 5 to 8, which are addressed by way of the substantive motion. This is why we should support the motion that Hon Dr Steve Thomas has moved.

The submission continues —

- It's important to have <u>all</u> 36 members of the Legislative Council; Government, Opposition, Minor Parties & Independents, involved and playing a role in the Scrutiny and Accountability so critical to the effectiveness and ethics of our system.

I think we will come to this point again during the debate on the substantive motion, but that is exactly why we should proceed very, very cautiously. The submission continues —

- While there has to be an opportunity for any member, especially non-government members, to have ample time to debate and register their point of view, I accept that speaking times could be curtailed to some extent. But you never want to introduce draconian curtailments to speaking times or accept the common use of the guillotine or gag—either by Standing Order or precedent.

I can forecast that I will no doubt be returning back to that point during the debate on the substantive motion. If I need to do it, I will underline the fact that Hon Barry House is a former President of this chamber. His was not a flippant contribution. It was not one given without any experience. It was given after a long history of service in this chamber, but it is not the only one.

I think the motion moved by Hon Dr Steve Thomas is also worth examining, except by virtue of the fact that some of the changes embedded in the sixty-fourth report may not affect each member equally.

I refer now to regional members of this chamber. I think that they should be given an opportunity individually to reflect upon these obligations and to determine whether the recommendations will assist them or enfeeble them in their duty to represent their regional electorates. I do not know the answers to those questions. We would have to ask a regional member. From memory, two regional members provided submissions to this review. One of them was Hon Darren West. He made a submission that is at least worth arguing about. We might not agree with the points that he raises but I think that that member—I say this all too rarely—has a contribution to make in this debate and should be given that opportunity as well. Frankly, I do so for this reason. The second paragraph of his contribution states —

> Regional Members often travel greatly distances to attend Parliament, and spend Parliamentary sitting weeks away from home and family and out of our electorates. This travel and time in Perth is costly for taxpayers.

That is obviously the point. The point is that a different set of circumstances apply to him. I expect that other regional members in chamber, irrespective of their party affiliation, deal with different sorts of challenges. Will the recommendations embedded in the sixty-fourth report meet their satisfaction? We will not know because the government has determined that we will not embark upon a refinement to our standing orders through a process of consensus. I would hate to see the acceptance of these recommendations—as much as the obvious four recommendations that I personally do not agree with—imperil or limit regional members in any sense, but I will not know whether they will or will not until after the fact. I think that that is highly undesirable and obviously completely avoidable.

I will not refer to the excellent submission by Hon Dr Brian Walker. It is an eminently sensible submission that talks to practical measures and matters of principle, which I hope we can return to during the substantive debate. But I want also to read in an aspect of the submission the committee received from Hon Kate Doust—again, a person of absolute substance, who I think we would all benefit from listening to, frankly, when it comes to reviewing our standing orders. I will quote from her contribution —

> One issue that I believe needs to be considered when looking to create change that would enable more government business time on the schedule is the impact on the chamber staff and their workplace arrangements. Whilst it might be desirable to add hours, an extra day or delete a tea break on a day or multiple days for members, each of these decisions has a flow on impact of the running of operations of both the chamber and the Parliament as regards staff rosters, award/agreement arrangements and provision of services. Consideration will need to be given as to the cost implications of any additional hours added to the weekly schedule and whether the Legislative Council and PSD might need to seek additional funds to cover any changes that are not managed in current or forward budgets. I am not opposed to additional hours.

I think that is a very reasonable contribution. Obviously, we are creating rules that will apply to us, but the implication of the acceptance of these standing orders will obviously impact on all staff members who support us. Frankly, the observation I make from the last four years and, sadly, probably over the last eight months or however long of this term—time is moving apace—is that those considerations are never prioritised and they absolutely should be. I cannot reflect on how each of the recommendations in the sixty-fourth report might impact on resourcing, staff welfare and overall operational costs, but we need to consider these kinds of things if we are actually to be diligent about reviewing our standing orders in a meaningful and comprehensive way. I would rather do that, but that opportunity is going to be missed. It will absolutely be missed if the motion moved by Hon Dr Steve Thomas does not get up because the Leader of the House has said that the government will oppose it.

I will also mention one practical measure. Embedded in the report is a recommendation—obviously, one I agree with—for the acceptance of e-petitions. This matter has been debated and discussed at length in this chamber and by my predecessors in this chamber. I would, however, like to hear the questions and perspectives of previous members of the Standing Committee on Environment and Public Affairs, a committee of which I am a member now, which dealt with this issue in the previous Parliament. I would like to hear questions from Hon Matthew Swinbourn and what his view is on that—whether it is practical or implementable. Another person for whom I wish every professional success, aside from Hon Matthew Swinbourn, is Hon Samantha Rowe. They are both sensible people and have a vision of their future. I think it is absolutely essential that these kinds of issues should be fleshed out, if not through the manner Hon Dr Steve Thomas is suggesting that we take—unfortunately, I think it is the only measure that we can take, because the government is determined not to deal with these recommendations by consensus—that would be to be the benefit of this chamber and to the effectiveness of our own operations.

I will speak to the issues canvassed in the minority report, of which I am a co-author, at another juncture, but I will ask a rhetorical question now that I would dearly love an answer to. The question is: Why the haste? Why does

the government want to move so quickly? Why has it turned on the ignition of the bulldozer? Why does it want to steamroll through? It has the numbers. It has total control. This house previously agreed to the removal of unlimited speaking times. The committee report found an extra hour in the sitting week for the government to use, so why does the government need to move so quickly? Why does it want to avoid consensus? Because this motion, unfortunately, is not going to get up, we are probably not going to be any the wiser. I suspect I know why. There is some interesting legislation coming on—if not electoral reform, some others—that the government might want to expedite, but I will save those reflections for my contribution to the substantive debate. For now, I think it would absolutely be to this chamber's credit to support the motion moved by Hon Dr Steve Thomas. I absolutely wholeheartedly endorse it.

HON WILSON TUCKER (Mining and Pastoral) [3.48 pm]: I rise today to support the motion raised by Hon Dr Steve Thomas to suspend the standing orders. Despite the circumstances raised by Hon Sue Ellery surrounding the reasons why the government will not support this motion, I think it is unfortunate that it is unlikely that we will get a chance to debate and scrutinise these recommendations on a case-by-case basis. As Hon Dr Steve Thomas pointed out, there are a number of non-controversial recommendations that I would have thought and hoped we could have dealt with quickly, like a 15-minute tea break. I would like to put on the record that I think a 15-minute tea break is a good thing. It separates us from the other place and distinguishes us as parliamentarians, not politicians. I acknowledge that this is a small change and there are other more controversial recommendations in the committee report. A number of these appear to reduce the ability of the upper house to properly scrutinise and perform its primary function, which is reviewing legislation. Although I have not been here a long time, I understand that the standing orders are extremely important; they are the rules that we live by. These will affect us and we will have to live by them for the next four years. I do not believe that changes to the standing orders should be taken lightly.

I would also like to make the point that the government's intention to debate the entire report and the committee's recommendations en bloc is contrary to the values and principles expressed by the Standing Committee on Procedure and Privileges. Recommendation 27 reaffirms the Legislative Council's views on omnibus bills, which is dealt with as a single bloc. Paragraph 6.31 states —

> Omnibus bills, while a somewhat efficient way of dealing with many small amendments to Bills, make scrutiny very difficult as Members often have to research matters in a Bill that do not necessarily bear any relationship to each other.

That is the exact scenario we are seeing here with these 38 recommendations in the report before us.

Recommendations 13, 14, 15, 16, 17 and 32 reflect the importance of committee reports and ensure committee reports are given adequate time for consideration.

With this report, we are expected to deal with a number of complex rules that we live by in a very small amount of time in a single bloc. We are the house of review, yet we are not being given enough time to review the rules. In my opinion, treating this report as an omnibus bill violates, in spirit, the seven recommendations in question. For those reasons, I support this motion today.

HON DR BRIAN WALKER (East Metropolitan) [3.51 pm]: I rise with some trepidation to put across my point of view. I say "trepidation" because I can agree with a lot of the debate but there is also a lot that I am unsure or uncertain about. The Legislative Council is a house of review. I call to mind that in my profession I was called upon to review the work of other doctors. I will give an example. A doctor has to sit down and listen to their patient. All the papers that are brought forward are reviewed. It was not unheard of—in fact, it was quite common—that even when I dealt with reports from specialists about patients who had said, "I am simply not being well served; my health is deteriorating," I reviewed what was going on and I asked questions. After taking the time to listen, I found that substantial things had been missed.

Taking the time is an essential part of doing our job. By extension, that implies when our time is curtailed, we need to be very careful because the time needed for sensible, sane, logical and open-minded review is also limited and we may come to a false conclusion. I bring again to members' attention the concept of the law of unintended consequences. I will give another medical example. Some decades ago, well-meaning people decided that the profession of nursing needed to be upskilled. It used to be the case that junior nurses on the wards were taught how to wash bottoms and clean floors. Bit by bit, their exposure to patients and their care was increased, until by the end of that, they were able to instruct junior doctors, like myself, how to look after a patient. Bright people, brighter than me, decided we ought to change that and nurses needed to be upskilled; they needed to go to university. They spent three, maybe four, years in a learning environment where they had part-time exposure on the wards. When they came out, we discovered a number of things, to our horror. Firstly, nurses were unable to manage patients. They were dangerous. Secondly, we had the concept of increasing the documentation because we needed to make sure that everything was being done that needed to be done. For this, we would have a named nurse for every three patients. In the old days—I am an older doctor—I used to walk onto the ward and ask the nurses which patients needed my attention now. I asked them who they were worried about. That is a subjective thing. Nurses feel the pulse of what is going on in the ward, so they would tell me, "Mrs Smith, in bed 3, is not looking too good today. I'm a bit worried about her"—very vague—"but something is not quite right. Mr James, on the other side, is looking a bit

down. We're missing something there." On my ward round, I would pay special attention to these named patients. I would have a closer look, a closer listen, and I would find things. With the named-nurse approach, looking after three patients, we found at the bottom of the bed a stack of papers that no-one actually read, but they were done to satisfy the needs. When I walked onto the ward, I would say, "How is the ward this morning?" No-one could tell me who to be concerned about because the named nurse was not present and the care of the patients substantially went down—the law of unintended consequences.

In that case, it meant that lives were put at risk. I would caution—this is what I mentioned in my submission to the committee—that we need to be careful about proceeding. We need to take the time to very carefully consider whether there is a need to modernise. I can understand the potential. In the old days, parliamentarians wore wigs and had to powder them in a certain way and put them in a special place so they would not go mouldy. I could understand certain standing orders being required to manage how the wigs were looked after. Modernising that was probably a very good thing. There is always a place for reviewing: should we modernise? But the question has to be asked: do we really need to modernise?

I mirror the words used by Hon Sue Ellery, the Leader of the House, when she said, "When we listen to what is actually going on, how on earth can you speak for so long and say so little?" In my view, that is intolerable, apart from being boring! There have been times when interesting questions have arisen and information has come out that was previously unknown. I can see why that would be important at times. Is there a limit to that? I certainly hope so. My bottom demands it because my chair is unpleasant after so many hours sitting! On the other hand, we need to find a balance. That is why I said I rise with "trepidation" to speak both for and against the motion. I know it will not go forward—which, again, is an issue I have—but I would hope that reasonable minds would say, "Let's reconsider this approach". But I recognise that that is not going to happen. I want it documented that my position is that although I support the motion, I also support what the government has put forward. I would like more time to examine this. I would like to look at this with cold, clear eyes. I think rushing it through is an issue. I echo the words of Hon Tjorn Sibma: Why the haste? Why the rush? Why dash into this? I can see why it would be useful when we are all reasonable people, but there will come a time, honourable members, when someone in charge of government has less benign interests. It happens! It has happened in many countries of the world. I would hate to put them in possession of standing orders that allow them to ride roughshod over the goodwill of the population. With my concerns documented, I will take my leave.

HON PETER COLLIER (North Metropolitan) [3.58 pm]: I do not intend to take up too much of the house's time on this motion. I will leave my substantive comments to the actual motion. I say at the outset that I enthusiastically embrace this motion and I thank Hon Dr Steve Thomas for bringing it to the house. The decision to suspend standing orders is, in itself, almost unconventional in this place; it is a rarity. I cannot remember it having been done in a situation like this during my time here. It is very, very rare, but in this instance it is very necessary.

The Legislative Council operates a lot differently from the other place. We are portrayed as the House of Lords or the old fogies; we do not know what we are doing and we are wasting time et cetera. We get a lot of adverse criticism that is more often than not unjustified. Quite frankly, the raw tribalism that exists in the other place is unedifying and unconducive to providing good legislation. Almost always, the legislation that comes out of this place is vastly superior to that which was presented to us by the other place. That is a direct result of the fact that we will not blink when we are eyeball to eyeball and are being told that we just have to get legislation through. We review legislation with the forensic scrutiny of a vast theatre of different views from throughout the state; we therefore refine legislation to make it better.

Over generations and decades we have established a combination of conventions—such as pairs, speaking behind the chair and consensus on debate—that are adhered to in good spirit. There are also our standing orders, which tell us how we must operate. Again, that was more often than not carried out through consensus—that is, until today. That is a shame. Today we are yet again creating a precedent, and everyone who supports the substantive motion, rather than the amendment—unless there is a change of heart on the part of the government over the next few hours—will have to wear it, and remember what has happened.

All this motion is saying is, "For goodness sake, give us a bit of time to look at the recommendations." As far as the Leader of the House is concerned, this is a "trust me" situation. It is, "Trust me; we're just going to do it." Members who are new to this place might assume that that is the way it has always been done, but it has not always been done this way; in fact, quite the contrary. This is completely different from anything that has been done in the past. In the past we worked on consensus, collaboration, unity of purpose and respect for the Legislative Council. That is now all being cast by the wayside because of the "trust me" attitude of the Leader of the House. It does not have to be this way.

One does not need a PhD to work out that there are elements of this report that the Liberal and National Party alliance will not agree to; I do not know what the crossbench thinks. But there are elements that we will agree to. There are some very innocuous recommendations that are eminently sensible and that we will agree to. There are 38 recommendations, and we are being asked to pile them all into one and say that we agree with all of them. That is completely unreasonable.

I remind members that back in 2016, when I sat over there as Leader of the House, we carried out a review of the standing orders. It took two years of consensus. The Standing Committee on Procedure and Privileges came back with a series of recommendations on modifications and improvements to the standing orders. We then had a week to discuss the recommendations in this chamber. Then President Hon Barry House sat as Chair of Committee of the Whole and members were provided with an opportunity to debate and discuss individual recommendations. Surely that is not unreasonable. I cannot fathom why there is this haste. The ink is hardly dry on the new government's contract from the Governor; it still has four more years. This conjures up images of some sort of sinister motive; somehow the government has to get this through so that it can bulldoze through all these emergency pieces of legislation, but it does not have to, because it has four more years. Just give us a week to have a look at all the individual recommendations.

I would imagine that most of these recommendations will get the unanimous support of the house, but there are some that are very controversial, and they deserve respect, just as was done in 2016. Up until lunchtime today, I assumed that that would be what would happen. I nearly choked on my latte while I had lunch with Hon Dr Steve Thomas when I was told, "No, that's not what's going to happen. It's going to be moved as a motion in total." We are not going to be given the opportunity, as members of the Legislative Council, to deal with each individual recommendation. What is the haste? What does the government have to get through next week, before the three-week break, that requires such a hurry? It must be something for next week, because these new standing orders will take effect next week. There will be no more afternoon tea for Hon Wilson Tucker next week, I can tell him right now. That goes for all members.

As of next week, any minister will be able to come into this place and declare any bill urgent. I will get on to that in debate on the substantive motion. That is why the motion moved by Hon Dr Steve Thomas is not unreasonable; it is eminently sensible. I say to all members across the chamber: this is not how it is done. There is no precedent for this. What we are doing is unprecedented. We are creating a new precedent. Government members need to remember that what goes around comes around.

When I sat on that side and we had 22 members of the 36 in this chamber, I could easily have done this, but I did not. We carried out the last review in the same way it has always been done. We had a two-year consultation period with all the parties, we reached consensus and then we had a thorough, forensic debate with the President of the Legislative Council sitting as the Chair of the Committee of the Whole. I challenge anyone opposite to explain how things have changed so much that the government needs to bulldoze this thing through within a few hours. It does not need to. This does conjure up images of some sort of sinister motive—that somehow there is, in the bottom drawers of some ministers, legislation that the government wants to rush through. That can be the only reason. Everything else could wait; we could have afternoon tea until Christmas and it would not bother anyone. It would give us an extra hour of government time; that is it. We can agree to the issue with motions; we have already been doing that as a temporary order for the last few years, and it works. But the urgency motion needs debate.

I will finish on this, and I will have a lot more to say on the substantive motion. The motion before us is eminently sensible. I know I am wasting my breath, but I tell members opposite that the "trust me" mentality they have been fed is not right. I ask them to have some respect for the Legislative Council and the fact that they can make a difference. We are creating a precedent right here, right now, that this chamber will have to live with for decades, and I certainly want to put it on the public record that I will not be party to that. That is why I enthusiastically support the motion moved by Hon Dr Steve Thomas.

HON SOPHIA MOERMOND (South West) [4.09 pm]: I have no issue with procedures being modernised and made more efficient by putting time limits in place and 24-hour speeches not being an option. However, I have an issue with the reduction in diversity of opinions and voices. I also do not want a reduction in opportunities to scrutinise new legislation that may have wideranging consequences for the people we represent here. It is a fine balance, in my mind, between not wasting time and allowing sufficient time and opportunity to ensure the best outcome for the people of Western Australia. I rise to support the motion put forward by Hon Dr Steve Thomas not because I am against modernisation and speeding up the processes, but purely because this is being rushed.

HON NICK GOIRAN (South Metropolitan) [4.10 pm]: I rise to support the motion moved by the Leader of the Opposition, Hon Dr Steve Thomas, earlier this afternoon. I join with others in recognising that moving a motion without notice to suspend standing orders in circumstances when there is not general consensus in the chamber is without precedent, certainly in my memory as a member of this chamber over the last 13 years. The fact that Hon Dr Steve Thomas has felt the need to move the motion without notice to suspend standing orders in those circumstances should immediately alert members to the fact that something peculiar is happening in the chamber today.

There will, of course, be two different views, and they will be expressed in due course when members decide which side of the chamber they want to be on when voting on Hon Dr Steve Thomas's motion. In the usual way, as is our ordinary custom and practice, there is nothing wrong with members having a contrary view on the motion before the house. I hasten to add at this point—I will get into this more in due course later today when we speak to the report proper in accordance with order of the day 19—that a large portion of the work that has been done by the Standing Committee on Procedure and Privileges is very good. I would like the opportunity to say a few more things

about that later today. What we are debating now is not whether we agree or disagree with the report in its entirety or particular portions of it; we are debating the process by which this house—which in this particular context, ironically, is referred to from time to time as the house of review—will review the changes to the standing orders that have been put before us. We are here now to discuss and debate the process by which that will take place.

By way of background, I will refer members to six key dates that have brought us to this point on 7 September. The first of those six key dates is 3 June 2021 when this chamber agreed to a motion that had been put forward that referred this matter to the attention of the Standing Committee on Procedure and Privileges. My recollection of 3 June this year is that the Leader of the House moved the motion, that it was a contentious motion and that we took quite some time to debate it. All which is to say that on 3 June, the Legislative Council agreed to refer this inquiry to the Standing Committee on Procedure and Privileges.

A date was given as part of the reference provided to the committee by the house, which takes me to the second key date that brings us to where we are today—that is, 22 June 2021. The significance of that date is that the motion that had been agreed to by the house, as moved by the Leader of the House, indicated that an interim report needed to be provided to the house by that date—22 June 2021. Members will appreciate that there were 19 days from the date of the referral until the tabling of the interim report. The house had asked the committee to table the interim report in that time. There was contention about that at that time. Nevertheless, it was the will of the house that an interim report was to be provided on 22 June, and we have dealt with that particular issue.

The third significant key date is 4 August. On 4 August, we had an interesting situation because despite the fact that the committee had been asked by the house, at the request of the Leader of the House in her motion, to report on the substantive matters by 10 August, the committee, of its own volition, came forth and requested that the house extend the reporting time. Indeed, on 4 August, the Council agreed to that extension. Rather than a final report being provided to the house on 10 August, as originally requested, the date was extended to 2 September.

That brings me to the fourth key date, which is 2 September, and the report that we will consider in due course today in accordance with order of the day 19. On 2 September, the President rose at the commencement of proceedings to table the sixty-fourth report of the Standing Committee on Procedure and Privileges, titled *Review of the standing orders*. Keep in mind, Acting President (Hon Peter Foster), that this was on 2 September. That was the last day that the house was in session. Today is Tuesday, 7 September 2021. The last day we were in session was Thursday, 2 September 2021. At the start of proceedings of the last sitting—the equivalent time to now—the President tabled the report. In accordance with the uncorrected *Hansard*, I quote —

> I am directed to present the sixty-fourth report of the Standing Committee on Procedure and Privileges, *Review of the standing orders*.
>
> In June 2021, the Standing Committee on Procedure and Privileges was directed to inquire into the Council's standing orders with a view to modernisation and best practice. The committee tabled an interim report in June 2021 that addressed speaking times in relation to bills. The committee is satisfied that the Council's standing orders are largely fit for purpose. Despite this, the committee has identified a number of enhancements that will increase the time available for core business, modernise certain procedures and simplify areas of confusion amongst members.
>
> This report contains 37 substantive recommendations and one recommendation concerning the commencement of recommendations. The substantive recommendations concern reducing the time taken for breaks, an urgent bills process, the permanent adoption of former temporary orders concerning motions on notice and the consideration of committee reports, the trialling of an e-petitions process, and several minor and technical amendments. The committee also highlights some areas for further consideration during the forty-first Parliament.
>
> A minority report authored by Hon Martin Aldridge and Hon Tjorn Sibma does not recommend the adoption of an urgent bills process and recommends seeking submissions on expanding the Legislative Council's scrutiny functions.

That was the statement given by the President on the last occasion that we were sitting as the house, which was 2 September 2021. Today, we are being asked to deal with the matter that was tabled by the President when we were last sitting. However, a very important event has occurred in the intervening time, despite not having been in session. On the same day as the President's statement, on 2 September 2021, Hon Dan Caddy immediately rose and without notice moved that recommendations 1 to 38 contained in the sixty-fourth report of the Standing Committee on Procedure and Privileges, *Review of the standing orders*, be adopted and agreed to. My recollection is that he sought leave to continue his remarks at a later stage and that leave was granted and the debate was adjourned. Despite the fact that that happened in a short space of time when we were last in session, a major event has occurred.

This takes me to the fifth of the six key dates. Yesterday, 6 September 2021, I was informed of the sixty-fifth report of the Standing Committee on Procedure and Privileges. Those members who have had the opportunity to review that sixty-fifth report will note that it contains a number of what I refer to as corrections to the sixty-fourth report.

The sequence of events—which I think Hon Dr Steve Thomas as Leader of the Opposition is asking us to reflect on regarding the passage of this matter, and the process that is being undertaken—is that on 3 June 2021, the government insisted on a particular time frame. I recall, very clearly, members of the opposition expressing concern about the time frame that was insisted upon by the government on 3 June 2021. Despite those concerns being articulated by many members of the opposition, the government insisted on that course of action, as it is entitled to do. The outcome was that the committee, which we had said was being unreasonably asked to do a particular task in a certain time frame, unanimously came back to the house and said that it needed more time. The house said, "Okay. We'll give you that greater time." That committee then tabled a report when we were last sitting. Perhaps yet again an indication that the pace and expectation the government was asking of the committee was unreasonable, yesterday it had to table some corrections.

There should be a few red flags here for members. The first red flag is that the Leader of the Opposition is doing something a little unusual for the Legislative Council in that he is moving a motion without notice to suspend standing orders. That should be the first red flag. The second red flag for members should be the sequence of events that have occurred here that include the government insisting on a time frame despite the protestations of the opposition, and the committee having to come forward and seek an extension of time. The third red flag that should go up for members is the fact that the committee had to table an additional report out of session—not in session—in the intervening time with corrections to the report. The situation now, Acting President, is that the government has already indicated, through its leader, that it will not agree to the motion moved by the Leader of the Opposition. What is that motion? It is to simply allow a customary process to take place. I count four red flags about this matter.

Earlier this afternoon, I think I heard one or more members indicate—in fact it might have been my good friend Hon Peter Collier, who perhaps referred to choking on a latte—that they had been a little surprised that the government had taken this particular course of action. I am not as charitable as the honourable member; I was not surprised at all when the *Weekly bulletin* came out on Friday afternoon and I saw that the very first item of business for this week was this matter. The first thing I thought was, "You know what? I think that the government is probably just going to move the whole thing en bloc." That is exactly what is happening here today. Acting President, let us be clear, particularly for the newer members, that there is absolutely nothing wrong with moving the entire matter en bloc if there is consensus across the chamber. It would then be an entirely appropriate course of action. But when there is clearly not a consensus view, it is appropriate for these matters to be considered one at a time so that members have the opportunity to vote for or against those particular items and/or move amendments in respect to those particular matters. That is the situation that we have for ourselves today.

Thanks to the motion moved by Hon Dr Steve Thomas, we now have the opportunity to consider which of the two options we would prefer. The first option is to simply proceed to order of the day 19 at some point shortly and consider all the recommendations en bloc. The alternative is that we consider all recommendations put as separate questions and that the time limits that apply to the Committee of the Whole House process apply for this particular matter. They are the two options available to us. In fairness to the Leader of the House, I heard in her response on behalf of the government that as far as the government is concerned—I am paraphrasing here—it would like this matter dealt with this week and it has essentially notionally allocated three days to deal with this particular matter. I thank the Leader of the House for that indication. If anything, I make the observation that three days is probably generous. I do not have a problem with the government indicating that this is its priority for this week. If it were me, it would not be the priority for the week. I would think during National Child Protection Week that we would have other priorities; nevertheless, it is the decision of the government and it is entitled to do this. It is also the government's decision to allow a maximum of three days. I have no difficulty with that. The question then becomes: why insist on a process that is less than desirable? If there is goodwill in the house that this matter can be dealt with this week, which is what I understand there is, there should be no good reason why we cannot proceed with the approach proposed by the Leader of the Opposition. Under either scenario, the matter can be dealt with within the required time limit imposed upon us. I should not say "imposed upon us"; I withdraw that. It can be dealt with within the time notionally allocated by the government. The government has said that it would like to deal with this matter within three days. I am not hearing anyone suggesting that it needs anything longer than that. If anything, I think it can be dealt with in a shorter time. Why then, if there is that genuine goodwill in the house, is it necessary not to have the approach taken by the Leader of the Opposition? I have not heard a response to that particular question.

I note, President, that in the report that has been tabled by the committee that you chair, a number of submissions have been provided in the appendixes of the report, and on pages 97 and 98 is a submission from the Leader of the Legislative Council; Minister for Education and Training, Hon Sue Ellery. She provided a submission to the committee dated 13 July 2021. This is what the Leader of the House said, in the third paragraph, for the benefit of Hansard, at page 97 —

> Secondly, I noted reference was made during the debate on the Recommendations arising from the Interim Report to the comments I made during the referral debate about how the Legislative Chamber creates better legislation. You will recall I had said better legislation is created through a Committee inquiry into a Bill and/or in the committee stage where extensive examination across the breadth of a bill can occur and a clause by clause examination can occur. I stand by my comments …

President, I find it quite ironic that that submission is made and that the comments that were referred to earlier have been re-endorsed—in other words, that we have a clause-by-clause consideration—yet today we are not to consider things on effectively a clause-by-clause basis, or, in this instance, a recommendation-by-recommendation basis.

Members have already made note of the fact that there are 38 recommendations in this report. If we proceed in accordance with the approach proposed by the government, in contrast with the options currently before us as proposed by the Leader of the Opposition, it will mean that members will have only 45 minutes in which to give their views on this 100-plus page report. Members who want to talk on one of these 38 recommendations will have basically 71 seconds in which to do that. As has already been indicated, some of these recommendations may not necessarily need even 71 seconds, but some will need substantially more time than that.

The minority report, which is conveniently appended to this report and is in contrast with the majority report, states in recommendation A that the council should direct the committee to —

> i) Seek submissions from Members of the Council and other stakeholders on their views concerning the risks and benefits inherent in adopting further time management practices, such as the Urgent Bill provision via proposed Standing Order 125A, before any change is adopted by the House.

I read that recommendation as effectively a recommendation to consult.

Debate interrupted, pursuant to standing orders.

[Continued on page 3368.]

QUESTIONS WITHOUT NOTICE

ROAD TRAUMA TRUST ACCOUNT

628. Hon Dr STEVE THOMAS to the minister representing the Minister for Road Safety:

I refer to the road trauma trust account and to the financial years 2016–17, 2017–18, 2018–19, 2019–20 and 2020–21.

(1) What was the total income stream to the RTTA in each of the financial years above?

(2) What was the total financial acquittal of the RTTA in each of the financial years above?

(3) What was the total number of WA metropolitan road fatalities in each of the financial years above?

(4) What was the total number of WA regional road fatalities in each of the financial years above?

Hon STEPHEN DAWSON replied:

I thank the honourable Leader of the Opposition for some notice of this question. The following information has been provided to me by the Minister for Road Safety.

The Road Safety Commission advises as follows.

(1)–(2) A response to this question cannot be provided within the required time frame. The honourable member may wish to place the question on notice.

(3)–(4) Road trauma statistics on a calendar year basis are published on the Road Safety Commission's website. Statistics for the calendar years 2016–2020 inclusive are as follows: Western Australian metropolitan road fatalities were 76 in 2016; 69 in 2017; 61 in 2018; 65 in 2019; and 62 in 2020. Western Australian regional road fatalities were 120 in 2016; 91 in 2017; 98 in 2018; 99 in 2019; and 93 in 2020.

TRANSPORT — PERTH PARKING LEVY

629. Hon Dr STEVE THOMAS to the Leader of the House representing the Minister for Transport:

I refer to the Perth parking levy special purpose account.

(1) What is the current balance of the PPL special purpose account?

(2) What was the balance of the PPL special purpose account on 1 July 2020?

(3) Has any additional expenditure for election commitments or budget announcements been made or committed to from the PPL special purpose account since March 2021?

Hon SUE ELLERY replied:

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

(1)–(2) Account balances are published in the relevant agency annual report. The balance on 1 July 2020 was $131 million.

(3) Details relating to expenditure will be available in the state budget on 9 September 2021.

QUARANTINE ADVISORY PANEL — MEETINGS

630. Hon COLIN de GRUSSA to the minister representing the Minister for Health:

I refer to question without notice 465 asked on 11 August 2021, which related to meetings of the Quarantine Advisory Panel.

(1) For the 27 July meeting of the QAP, would the minister please table the minutes of the meeting?

(2) Did the QAP meet in August; and, if yes —

(a) would the minister please table the minutes of the meeting,

(b) was a quorum achieved;

(c) were any conflicts of interest recorded; and

(d) were any external advisers or observers present; and who were those individuals?

(3) Since its formation, has the QAP or any of its members presented to or met with federal or state ministers; and, if yes, would the minister please list the dates of those presentations or meetings?

Hon STEPHEN DAWSON replied:

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

(1) I table the attached document.

[See paper 524.]

(2) Yes.

(a) The minutes from the August meeting have not yet been endorsed by the QAP.

(b) All panel members attended the August 24 meeting.

(c)–(d) No.

(3) The Minister for Health met with the QAP chair at the end of June.

CORONAVIRUS — DEPARTMENT OF EDUCATION — VACCINATIONS

631. Hon TJORN SIBMA to the Minister for Education:

I refer to the Chief Health Officer's amendment to regulations last week which henceforth directs compulsory COVID-19 vaccinations for Western Australian health workers from 1 October.

(1) What policy or directive currently applies to the vaccination status of all workers, including teachers, education assistants and ancillary staff, within Western Australian primary and secondary schools?

(2) Noting the vulnerability of children to the virus, is the government considering the implementation of compulsory COVID-19 vaccinations for the above workers before the commencement of term 4 this year?

Hon SUE ELLERY replied:

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

(1) In line with advice from the Chief Health Officer, Department of Education staff are strongly encouraged to be vaccinated. Principals have been advised to assist staff in schools to access vaccinations using a planned approach, including allowing staff time during work time to attend a vaccination clinic. This enables teaching and learning to continue while provisioning the opportunity for staff to be vaccinated.

(2) Not currently.

CHILD PROTECTION — STAFF

632. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Child Protection:

I refer to the *Western Australian public sector quarterly workforce report—March 2021*, which states —

> A small number of agencies saw decreases in headcount and FTE, with the most notable being the Department of Communities decreasing by 315 headcount (-5.2%) or 207 FTE (-3.9%). This included cessation of fixed term contracts, severances, secondments and retirements.

(1) Did the significant reduction in FTE headcount for the Department of Communities involve child protection staff?

(2) If yes, how many positions did child protection lose?

Hon SAMANTHA ROWE replied:

I thank the member for some notice of the question and provide the following answer on behalf of the Minister for Child Protection.

(1) No.

(2) Not applicable.

JOINT ADVISORY COMMITTEE — PARTNERSHIP FORUM EARLY YEARS WORKING GROUP

633. Hon DONNA FARAGHER to the parliamentary secretary representing the Minister for Communities:

I refer to the joint advisory committee, formerly known as the partnership forum early years working group.

(1) Who forms the current membership of this committee?

(2) Will the minister provide a copy of the committee's terms of reference and advise when they were last updated?

Hon SAMANTHA ROWE replied:

I thank the member for some notice of the question and provide the following answer on behalf of the Minister for Communities.

(1) The joint advisory committee membership comprises nominated members from industry, state government departments, local government, not-for-profit organisations, community, and philanthropic organisations/investors. The existing committee includes representation from City of Kwinana, City of Cockburn, Department of Education, Department of Health, Department of Communities, Department of Social Services, Woodside Energy Ltd, chair/s of the joint leadership team, Western Australian Council of Social Service, Child and Adolescent Health Service, and Ngala.

(2) The joint advisory committee's existing terms of reference were last endorsed in August 2019. The terms of reference are currently under review. Following completion of this process, Communities will consult with appropriate stakeholders to determine whether the updated joint advisory committee's terms of reference will be made public. As Communities is not the custodian or owner of the terms of reference, members of the committee would need to be consulted prior to the release of the terms of reference.

POLICE — MENTAL HEALTH CO-RESPONSE PROGRAM — GERALDTON

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

I refer the minister to the media release titled "Mental Health Co-response team expanded to Geraldton", released on Monday, 30 August 2021.

(1) How many officers were stationed at the mental health co-response unit in Geraldton, as per the media statement?

(2) Were the officers referred to in (1) newly appointed to the mental health co-response unit or transferred from one of the four existing units in Perth?

(3) Will the officers referred to in (1) be permanently placed in Geraldton; and, if not, what is the duration of their Geraldton posting?

Hon STEPHEN DAWSON replied:

I thank Hon Peter Collier for notice of the question. The following information has been provided to me by the Minister for Police.

(1)–(2) The Western Australia Police Force advises that for operational reasons, sworn officer numbers are ordinarily not provided below district or equivalent level. In relation to the mental health co-response teams, the Western Australia Police Force has decided that it is appropriate to release more detailed information, including that seven additional officers have been allocated to Geraldton permanently to support the Geraldton mental health co-response model. No officers from the MHCR Perth teams were transferred to Geraldton; however, a number of police officers from MHCR Perth/Operation Tide are being temporarily deployed to Geraldton to assist with the introduction of the Geraldton model, including providing on-the-job training to Geraldton officers.

(3) Yes.

SOCIAL HOUSING ECONOMIC RECOVERY PACKAGE

635. Hon Dr BRAD PETTITT to the Leader of the House representing the Minister for Housing:

I refer to the social housing economic recovery package grants program, which will provide $92.8 million for new and upgraded community housing. The *Western Australian climate policy* contains the commitment of aiming to achieve a seven-star Nationwide House Energy Rating Scheme rating for new single and grouped dwellings constructed under the housing stimulus package.

(1) What measures are in place to ensure that all constructed dwellings will receive a minimum standard seven-star or higher NatHERS rating?

(2) How many of the 250 dwellings will meet or exceed a seven-star NatHERS rating?

(3) How much of the $142 million to refurbish up to 1 500 existing public and supported residential houses and community housing properties will be used to improve the energy and water efficiency ratings of those properties?

Hon SUE ELLERY replied:

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

(1)–(2) One of the key objectives of the social housing economic recovery package is to implement, where possible, sustainability measures within the home to reduce the associated energy costs and environmental footprint. All refurbishments and new dwellings constructed through SHERP must include energy and water–efficient appliances, fixtures and fittings. All social housing new builds designed from August 2021 will achieve a minimum seven-star NatHERS rating, where feasible, except in climate zones 1 and 3, where the *Design brief: Northwest regional social housing* is required to be followed. In relation to the $92.8 million SHERP community housing grants program, new dwellings constructed should, where feasible, achieve a minimum seven-star NatHERS rating.

(3) The Department of Communities is not able to quantify the exact amount that will be spent improving the energy and water efficiency ratings as fixtures and fittings are included in overall refurbishment costs.

CORONAVIRUS — VACCINATIONS — HESITANCY

636. Hon WILSON TUCKER to the Leader of the House representing the Premier:

I refer to the Premier's recent comments in the media, in which he was quoted as saying —

> "When we get to above 80 per cent—somewhere between 80 per cent and 90 per cent—we would set a date and we'd say 'in six weeks or two months time the border will come down, go get yourself vaccinated now'.

I note that, according to the Melbourne Institute, vaccine hesitancy among the adult population of Western Australia remains at 22.5 per cent.

(1) Is the Premier confident that the overall vaccine hesitancy rate will fall to as low as 10 per cent, permitting a vaccination rate of 90 per cent?

(2) Is the Premier concerned that shifting the goalposts for a return to normal life will only further contribute to vaccine hesitancy?

(3) What is the alternative plan if a 90 per cent vaccination rate cannot be achieved?

Hon SUE ELLERY replied:

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

(1)–(3) Western Australia will continue to follow the expert health advice that has protected Western Australians throughout the COVID-19 pandemic. Although Western Australia is successfully suppressing the COVID-19 virus, the vaccination program is essential for protection against outbreaks and the safe reopening of interstate borders.

Western Australia has received less vaccination supply per capita than other states such as New South Wales, which has received up to one million Pfizer doses above its per capita share. The Western Australian government urges the commonwealth to provide Western Australia its fair share of vaccine supplies, particularly Pfizer, to allow Western Australia the ability to vaccinate its population. It is incumbent on the commonwealth government to now make sure that it provides that boost back to states like Western Australia, South Australia and Queensland.

CORONAVIRUS — VACCINATIONS — MARITIME WORKERS

637. Hon Dr BRIAN WALKER to the Leader of the House representing the Premier:

I note that sea transport is pivotal to the WA economy as a whole, and that many of the ships that dock at WA ports to take onboard iron ore and other major export items are regular and repeat visitors to our shores.

(1) Does the government have any plans to offer vaccinations to foreign ships' crew members now or in the near future?

(2) Is the government aware of any proposals or discussions around similar potential vaccination plans in other jurisdictions across Australia?

Hon SUE ELLERY replied:

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

(1)–(2) The Western Australian government has implemented a range of safety measures at Western Australian ports, including face masks and strict quarantine instructions for maritime crew. The Western Australian government will continue to follow the expert health advice that has protected Western Australians throughout the COVID-19 pandemic.

CORONAVIRUS — HOTEL QUARANTINE

638. Hon MARTIN ALDRIDGE to the minister representing the Minister for Health:

I refer to Western Australia's hotel quarantine arrangements.

(1) How many people are currently in state government–managed hotel quarantine facilities?

(2) What is the maximum capacity of WA's hotel quarantine system?

(3) Which hotels are currently being used as part of the hotel quarantine arrangements?

(4) Have each of the hotels identified in (3) been subject to ventilation reviews?

(5) Can the minister please table ventilation reviews for any hotel currently being used for quarantine arrangements that was not one of the 10 hotels identified in the Glossop report?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer is provided on behalf of the Minister for Health.

I have been advised that further time is required to answer this question. The information will be provided to the honourable member by 9 September 2021.

CORONAVIRUS — VACCINATIONS — MANDATORY

639. Hon JAMES HAYWARD to the minister representing the Minister for Health:

I refer to the ability of the Chief Health Officer to issue public health orders for mandatory COVID-19 vaccinations.

(1) Will the state government provide definitive guidance and advice to the business and community sectors on implementing mandatory vaccination requirements for their employees, contractors and customers?

(2) Is the minister confident that vaccine requirements announced for WA health workers are constitutional and legal?

(3) If yes to (2), has the minister sought legal advice on how the requirements under the Equal Opportunity Act 1984 will be met with regard to mandatory vaccination requirements?

(4) Will the minister ensure that people with legitimate reasons not to be vaccinated, such as chemotherapy patients or people with immunodeficiency disorders, are not discriminated against by vaccination policies?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer is provided on behalf of the Minister for Health.

(1)–(4) Public health directions are legally enforceable instruments issued by the Chief Health Officer pursuant to sections 157(1)(e), 157(1)(k), 180 and 190(7)(p) of the Public Health Act 2016 and meet the requirements of that act and the Equal Opportunity Act 1984. The Residential Aged Care Facility Worker Access Directions and the Health Worker (Restrictions on Access) Directions both provide for exemptions on medical grounds.

ABORIGINAL AFFAIRS COORDINATING COMMITTEE — MEETINGS

640. Hon NEIL THOMSON to the Minister for Aboriginal Affairs:

I refer to the Aboriginal Affairs Coordinating Committee, which has membership of directors general from various agencies and is chaired by the director general of the Department of the Premier and Cabinet.

(1) How many meetings of the AACC have there been since March 2017?

(2) How many meetings of the AACC have there been in 2021?

(3) Of those meetings listed in (1) and (2), how many of those meetings have been chaired by either the director general of the Department of the Premier and Cabinet or by the acting director general, not including subordinates?

(4) How many of the meetings listed in (1) and (2) have had the Commissioner of Police and not a subordinate present?

Hon STEPHEN DAWSON replied:

Thank you. I provide the following answer as the Minister for Aboriginal Affairs.

(1) Fourteen meetings.

(2) Two meetings.

(3) Thirteen meetings.

(4) Four meetings.

CORONAVIRUS — ECONOMIC AND HEALTH RELIEF PACKAGE

641. Hon STEVE MARTIN to the minister representing the Minister for Health:

I refer to the McGowan government's media statement of 31 March 2020, titled "$1 billion COVID-19 economic and health relief package unveiled", which stated that an additional $500 million had been allocated for health and other frontline service delivery, with capacity for additional industry support.

(1) How much of the $500 million has been spent to date?

(2) As outlined in the media statement, of those funds, how much to date has been spent on —

(a) personal protective equipment;

(b) ventilators;

(c) additional staff;

(d) additional hospital beds; and

(e) cleaning?

Hon STEPHEN DAWSON replied:

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

It is not possible to provide the requested information in the time required. I, therefore, ask the member to place the question on notice.

CRITICAL SKILLS ADVERTISING CAMPAIGN

642. Hon Dr STEVE THOMAS to the Leader of the House representing the Premier:

I refer to the Premier's recent announcement to spend $4 million on a critical skills gap advertising campaign.

(1) Which advertising agency will be responsible for producing the $4 million advertising blitz?

(2) Who within government will approve the content of the advertising?

(3) How will the effectiveness or otherwise of the advertising campaign be assessed?

(4) What is the campaign funding breakdown allocated to print, radio, digital and partnerships?

(5) What will be the time line of the campaign and why will this $4 million advertising blitz be any more successful than the underwhelming Work and Wander Out Yonder campaign?

Hon SUE ELLERY replied:

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

(1) Western Australian creative agency Rare is undertaking the campaign work.

(2) It will be the Department of the Premier and Cabinet.

(3) The effectiveness of the campaign will be measured by the number of people who have seen and interacted with the campaign assets. As per usual practice, a campaign evaluation of all media channels will be done at the end of each campaign burst, including measuring the campaign's influence on people to move to Western Australia.

(4) The campaign is under development and a breakdown of costs is yet to be determined.

(5) I reject the premise of the question. The Work and Wander Out Yonder campaign was successful and had a different scope than this campaign, which will target people outside of Western Australia. It is disappointing that the Liberal Party continues to undermine the efforts to support regional businesses and the creation of jobs for Western Australians. The time line of the targeted skills campaign is under development.

FOREST PRODUCTS COMMISSION — SHAREFARMING

643. Hon COLIN de GRUSSA to the minister representing the Minister for Forestry:

I refer to the recent community forum convened in Katanning to discuss sharefarming issues with the Forest Products Commission's management of plantations and the transfer of pine plantation contracts without landholders' consent.

(1) During the 2020–21 financial year how many sharefarm pine plantation contracts or subcontracts were transferred in total?

(2) When does the minister intend to publicly release the June 2021 review into payments to sharefarmers by the FPC and will the minister respond to that report before the end of 2021?

(3) How many complaints were made to the minister's office or the FPC in relation to the transfer of pine plantation contracts without landholders' consent in the last financial year?

(4) Is the minister aware of complaints that FPC staff do not visit and inspect FPC-managed sharefarm plantations?

(5) Does the minister intend to address the above concerns; and, if so, how?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The Minister for Forestry has provided the following information.

(1) Nil.

(2) The Forest Products Commission intends to publish the report before the end of 2021.

(3) The FPC has contacted several landowners about concerns over the transfer of BP Kwinana-owned pine plantation contracts. These sharefarm contracts were established by and managed by the BP Kwinana refinery. The FPC does not and never has held any ownership of these plantation estates, nor does the FPC have any involvement in the transfer of the interests. The FPC was engaged by the BP Kwinana refinery as the service provider to manage its pine plantation estate until 2014.

(4) The FPC is aware that some landowners are concerned over the frequency of sharefarm plantation inspections.

(5) The FPC utilises remote sensing platforms to monitor plantation health. This reduces the need for regular physical inspections; however, on-ground visitations occur as and when they are required.

CORONAVIRUS — VACCINATION PLAN

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

My question, dated 2 September, concerns the public health communication campaign to encourage enrolment in the COVID-19 vaccination program.

(1) What exactly is the government's communication campaign strategy and is it guided by a document of some sort; and, if so, might be it tabled?

(2) What funding has been dedicated to the communications campaign?

(3) What is the government's strategy for targeting diverse groups within Western Australia including our valued culturally and linguistically diverse communities?

(4) With respect to (3), could that document be tabled, if there is one?

Hon SUE ELLERY replied:

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

(1) The Roll Up for WA campaign is aimed at raising awareness, and informing and encouraging the public to get vaccinated to protect themselves, their families and their communities. Behaviour-change campaigns have been vital throughout the pandemic to keep people safe and informed. As the largest vaccination program in the state's history, it is important that the public have access to factual information. The strategy is guided by helping the public overcome three barriers: confidence, people feeling safe to get the vaccine; complacency, people feeling motivated to get the vaccine; and convenience, people having easy access to the vaccine.

(2) Funding for the COVID-19 vaccination campaign will be included in the 2021–22 state budget on 9 September 2021. The Roll Up for WA campaign specifically targets culturally and linguistically diverse communities through a range of channels and creative assets. This includes paid media advertising in CALD media channels, stakeholder engagement, webinars, face-to-face briefings, translated materials, advocacy, partnerships and education packs for community leaders that facilitate conversations within their communities.

(4) This strategy is detailed extensively and is not in a standalone document.

FOSTER CARE REFRESH PROJECT

645. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Child Protection:

I refer to the *Foster care refresh project* and the actionable items listed in the report, one of which is to develop and publish resources, using a variety of communication platforms, to communicate existing information more clearly on the costs for children in care covered by the Department of Communities and entitlements of children leaving care, including special guardianship orders.

(1) How many special guardianship orders were sought by carers in 2020?

(2) How is the information regarding costs in care covered by Communities currently communicated?

(3) Has anything been done to address the payment inconsistencies cited by carers on page 19 of the report?

(4) If yes to (3), will the minister table the most recent briefing note covering this issue she has received?

Hon SAMANTHA ROWE replied:

I thank the member for some notice of the question. I provide the following answer on behalf of Minister for Child Protection.

(1) In 2020, the Department of Communities submitted 89 applications for special guardianship orders. All applications for SGOs are recorded in the client system as being applications made by Communities.

(2) All details regarding foster care subsidies, clothing allowance, special needs loading and special-purpose funding are detailed in chapter 3.5 "Subsidies and case management costs" of the *Casework practice manual*. The CPM is external facing and able to be accessed by the public. Senior child protection worker placement services have the responsibility of supporting carers and are available in each district. They are able to be contacted by any carer who has queries regarding policy, processes and entitlements in relation to a child in their care. Young people leaving the CEO's care are provided with a copy of their leaving care plan, which details their entitlements post-care. They are also encouraged to download and use the Sortli app, which also records this information. When a special guardian has been granted financial entitlements, such as a continuing subsidy, this is detailed in their court order.

(3)–(4) This action is being progressed as part of the *Foster care refresh project*, which was tabled in Parliament on 19 August 2021. As a direct action of the *Foster care refresh project*, Communities is undertaking an interjurisdictional comparative analysis of carer subsidies across Australian and relevant jurisdictions. It is intended that this work will inform the appropriate level of subsidies within the context of a best-practice model of carer support with a focus on carers in remote areas.

The PRESIDENT: Members, both that question and answer are good examples of why we have standing order 105, whereby the question must be concise, and standing order 106, whereby the answer must also be concise. I note the question sometimes necessitates a longer answer, but I remind members to view standing orders 105 and 106 at their earliest convenience.

POLICE — MENTAL HEALTH SUPPORT SERVICES

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

I refer to the minister to his response to question without notice 591 asked on Wednesday, 1 September.

(1) Where are the 10 psychologists and one psychologists located and are they all full-time employees of the Western Australia Police Force?

(2) How much of the $240 000 per annum allocated for contract services was used in 2018, 2019, 2020 and 2021 to date?

(3) How many officers benefited from the contract services provided by the $240 000 per annum in 2018, 2019, 2020 and 2021 to date?

(4) Where are the four chaplains located and are they full-time employees of the Western Australia Police Force?

Hon STEPHEN DAWSON replied:

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

(1) The following are located in the Perth metropolitan area: four full-time psychologists, two part-time psychologists, and one contracted part-time psychiatrist. Four full-time psychologist positions are being recruited.

(2) The amounts were: $129 430 in 2017–18, $155 230 in 2018–19, $129 000 in 2019–20, and $243 115 in 2020–21.

(3) Should the honourable member require a response, it is requested that this question be placed on notice as the detail requested cannot be provided within the time frame.

(4) The four full-time chaplains are located in the Perth metropolitan area.

FIREARMS — LICENCE FEES

647. Hon WILSON TUCKER to the minister representing the Minister for Police:

I refer to question without notice 593 asked on 1 September. Please table the time and motion studies conducted for each of the firearm licensing fee increases implemented between July 2010 and July 2020; and, if time and motion studies were not conducted, please explain why.

Hon STEPHEN DAWSON replied:

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

The Western Australia Police Force advises that time and motion studies data is available from 2012–13; the commencement year used to establish a full cost recovery model baseline for firearms fees. I table the document.

[See paper 525.]

CORONAVIRUS — HOTEL QUARANTINE — STAFF VACCINATIONS

648. Hon MARTIN ALDRIDGE to the minister representing the Minister for Health:

I refer to question without notice 562 asked in this place on 19 August 2021 and the state government's deadline of 10 May for hotel quarantine workers to be fully vaccinated.

(1) How many workers are currently employed in the hotel quarantine system?

(2) How many workers in the hotel quarantine system are not fully vaccinated?

(3) Why have the workers identified in (1) been permitted to work in the hotel quarantine system despite not receiving both doses of a COVID-19 vaccination?

(4) Has the Chief Health Officer or Vaccine Commander provided any advice regarding permitting workers who are not fully vaccinated to work in the hotel quarantine system; and, if so, please detail the advice?

(5) Please table any directions or orders issued and subsequently amended, if necessary, regarding mandatory vaccination of hotel quarantine workers.

Hon STEPHEN DAWSON replied:

It was a long question and indeed will require some information. I have been advised that further time is required to answer this question. The information will be provided to the honourable member by 9 September 2021.

INSURANCE COMMISSION — BELL RESOURCES SETTLEMENT

Question without Notice 619 — Answer Advice

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.02 pm]: I would like to provide an answer to Hon Dr Steve Thomas's question without notice 619 asked last week, on 2 September, which I seek leave to have incorporated into *Hansard*.

[Leave denied.]

Hon SUE ELLERY: It is not enough that we provide answers to 21 questions; we need to read this in!

I thank the member for some notice of the question.

(1) The total cost of the $600 household electricity credit was estimated to be $659 million.

(2) The Bell settlement was identified as a source of funds to offset the cost of the household electricity credit. To date, $200 million in income tax equivalent revenue arising from the Bell settlement has been received from the Insurance Commission of Western Australia, with the balance of the settlement to be received as part of the deferred 2020–21 interim dividend payment. This will fully cover the cost of the household electricity credit.

(3) Yes.

(4) As part of the annual dividend recommendation process and legislative obligations, the board will formally make a dividend recommendation to the minister following the finalisation of the 2020–21 financial results.

(5) The costs incurred by ICWA over time have been met on an emerging basis as part of ICWA's operating costs and as a consequence the state would have received lower dividend and income tax equivalent payments in previous years.

INSURANCE COMMISSION — BELL RESOURCES SETTLEMENT

Question without Notice 609 — Answer Advice

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Mental Health) [5.04 pm]: I would like to provide an answer to Hon Dr Steve Thomas's question without notice 609 asked last Thursday, 2 September, which I seek leave to have incorporated into *Hansard*.

[Leave denied.]

Hon STEPHEN DAWSON: This is a long answer, so I am not prepared to provide it in question time today. If the honourable member wants an answer to the question, he can put the question on notice.

The PRESIDENT: Noted.

QUESTIONS ON NOTICE 156, 228 AND 230

Papers Tabled

Papers relating to answers to questions on notice were tabled by **Hon Stephen Dawson (Minister for Mental Health)** and **Hon Alannah MacTiernan (Minister for Regional Development)**.

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Sixty-fourth Report — Review of the standing orders — Standing Orders Suspension — Motion

Resumed from an earlier stage of the sitting.

HON NICK GOIRAN (South Metropolitan) [5.05 pm]: I continue my contribution on the motion, which I support on behalf of the opposition, and thank Hon Dr Steve Thomas for moving it. Before the interruption for the taking of questions without notice, I was indicating to members that there are a number of red flags in the process that is being embarked upon and insisted upon by the government. By way of context, it is useful for members to be aware that in this instance there is a minority report of the committee. Prior to the taking of questions without notice, I was drawing members' attention to recommendation A at the appendix to the report. A minority of the committee recommended —

> Seek submissions from Members of the Council and other stakeholders on their views concerning the risks and benefits inherent in adopting further time management practices, such as the Urgent Bill provision via proposed Standing Order 125A, before any change is adopted by the House.

That particular recommendation moved by the minority of the committee appears to recommend a consultation process be embarked upon. It could be said that the sixty-fourth report of the Standing Committee on Procedure and Privileges is really a useful discussion paper. Again, I draw to members' attention that this process began on 3 June this year when a rushed, ill-conceived proposal by the government to force the committee to do a large piece of work in a short space of time—so short that committee members had to come back and ask for an extension—has now been done in the form of the sixty-fourth report, but it was done without the opportunity for members to consider any form of discussion paper or similar. The report has 38 recommendations and it seems eminently sensible from Hon Tjorn Sibma and Hon Martin Aldridge that members now be requested to provide submissions in respect of the matters currently before the house. That opportunity will not happen in the event that the house proceeds in accordance with the majority recommendations and the desire of the government to adopt the recommendations today, tomorrow or, indeed, on Thursday, but in any event this week. That would be a shame because there is a missed opportunity for further enhancements to the standing orders that we are about to change.

It is rather extraordinary that we have a series of recommendations that in effect will permanently dilute scrutiny in none other than the house of review. It is rather extraordinary that that is taking place. I think it would be well within reason, at the conclusion of debate, for members to ask: what is the difference between the Legislative Council and the Legislative Assembly in Western Australia? Sure, there is a difference in respect of the numbers of members in the respective chambers and the geographical areas that they represent, but in terms of the work that is done, if the house of review is no longer to be a house of review because its scrutiny is to be diluted, what will be the real difference between the two houses?

A case in point is the matter before this house now. There are two ways for us to deal with this matter. The way in which government-dominated lower houses would typically deal with this matter would be exactly as this house has been asked today by the government to deal with it. In contrast, in a bicameral system in which there is a distinction between the roles of the two chambers, a house of review would take a more considered approach, as has been proposed by Hon Dr Steve Thomas. As I mentioned prior to the interruption of debate to take questions without notice, that approach would make no difference to the finality of this matter. Whether we take the approach proposed by the Leader of the Opposition or the approach proposed by the Leader of the House, either way the job will get done this week. The job will be done in a superior fashion, with proper scrutiny, if we proceed in accordance with the proposal of the Leader of the Opposition. In contrast, it could be done in a rushed fashion—not rushed in the sense of the overall three-day time limit, but in the capacity of members to be able to interrogate different recommendations. It is one thing for members to make a 45-minute speech on the 38 recommendations as a whole; but what happens when another honourable member makes a persuasive argument? There will be no opportunity to continue to engage in debate. That is the benefit of the Committee of the Whole House process: there is an opportunity for people to ask questions.

There may be members in the chamber who are interested in posing a question or two to the authors of the minority report, to better understand the thinking behind some of what appear to be their eminently sensible recommendations. Equally, members may want to express a point of view on, a point of difference with, or move amendments to, any number of the 38 recommendations. Those things can be efficiently undertaken in a process consistent with the way in which we deal with bills in Committee of the Whole.

I think this point is perhaps lost on some members: that somehow the changing of the standing orders is different from changing the laws of Western Australia. The standing orders of the Legislative Council have equivalent standing with a law of Western Australia, and they are going to be changed today by the house of review, as is the right of a house of review with an absolute majority. We are changing the law of Western Australia. How do we ordinarily change the laws of Western Australia? There is a second reading debate in which members can have, generally speaking, up to 45 minutes to express their views, if they want to. Then there is an opportunity to consider any of the clauses in the bill that is about to change the law of Western Australia. We have here 38 recommendations, and we could essentially consider the sixty-fourth report of the Standing Committee on Procedure and Privileges to be

the bill before the house—a 38-clause bill. I would even go so far as to say that it is effectively a bill in five parts. It is quite common for statutes and bills to be drafted by parliamentary counsel in the form of parts. We have here a report that comprises seven chapters. If we exclude the introductory report, chapter 1, and chapter 7, which I will have something to say about a little later, there are five substantive chapters, 2 through to 6, that explain the basis for the 38 recommendations. We would have the opportunity in the Committee of the Whole House to scrutinise that five-part "bill", consisting of some 38 "clauses". It is often the case that there are clauses in bills that are moved en bloc, while other clauses require substantial discussion. There are clearly some recommendations in this report that are going to attract some substantial discussion. That should be evident from the fact that there is a minority report that, as I understand it, takes particular issue with recommendation 5 and its ancillary recommendations. There would be an opportunity for the house of review to do its job in respect of recommendation 5 and any of its ancillary recommendations, if we were to treat this matter as an amendment bill to the law of Western Australia. Instead, we are going to effectively have a second reading debate of 45 minutes, no Committee of the Whole House and no third reading debate, and it is all going to be done under the guise and pretence that, "Well, that's just how it is."

I think there is something to be said for the Legislative Council's tried and tested approach of implementing reform via temporary orders. When we get to the substantive debate, I will reflect on some of the recommendations that have been made by the committee that seek to permanently enshrine matters that have been the subject of temporary orders. Without giving the game away too much, those are things that I think should be supported by members. Those temporary orders have been tried and tested and on occasion, as I recall, even tweaked and amended over a series of Parliaments. We now know that we can have confidence in implementing those reforms and changes in a permanent fashion. But unless we agree with Hon Dr Steve Thomas's process, we will not have the opportunity to have a thorough debate on matters that are being rushed upon us and have not had the benefit of a temporary order process.

I will give members an example. We will no doubt touch on the urgent bill process later in the substantive debate, but we have had opportunities during the previous Parliament and at the start of this Parliament to deal with what have been described as COVID-19 urgent bills. To some extent, it could be said that there has been a trialling of that system, and that has not been done in the same way as is being suggested to us at the moment. If we had the opportunity to go into Committee of the Whole, we would be able to have a proper discussion about that and members might be able to be persuaded about certain things. As has been mentioned by a few other members this afternoon, everyone would then be able to be taken along with these reforms which will, it needs to be said, outlive us. This is not necessarily about the forty-first Parliament. Whether these reforms go through or not, the government will still get through whatever legislation it wants, in whatever time frame it wants, simply by virtue of its numbers, and that has already been demonstrated in the short life span of the forty-first Parliament thus far. There is not even a necessity for some of these so-called reforms that are before us this afternoon in the life of the forty-first Parliament. It could be argued that some of these things, if they are indeed for the betterment of our processes as the house of review, will have a material benefit for future Parliaments. Let us test those arguments in the Committee of the Whole House. It is almost as though there is a fear of the Committee of the Whole House stage, despite the fact that that debate could be achieved within the desired three-day time limit for this week.

As I indicated, I want to spend a moment to reflect on chapter 7 of the committee's report, which is found at page 39. In that respect, I note that paragraph 7.6, under the heading "Adoption of Standing Orders for COVID-19", states —

> Temporary orders in relation to COVID-19 have been in place since March 2020. The effect and impact of the Temporary Orders are yet to be evaluated by this Committee.

The temporary orders are yet to be evaluated by the committee, yet the committee has recommended that we implement an urgent bill process. Essentially, that is the temporary standing orders for COVID-19. There is a material inconsistency between what the committee has unanimously said and what a majority of the committee members have recommended. All the committee members have said that they have not had time to evaluate the temporary orders for COVID-19. Plainly, that is the urgent bill process. However, a majority of committee members said that notwithstanding they have not had the opportunity to evaluate it, they want to implement it not as a temporary measure but as a permanent measure. That would appear to be most unsound.

Dealing with the evaluation of the temporary orders and their impact, I was alerted to one of the submissions that was made to the committee, which is conveniently found at page 89 of the report. Page 89 of the report is a submission that covers two pages. In the penultimate paragraph on page 90 of the report are these comments —

> In closing, from a purely practical perspective, I wonder if the Committee might be inclined to follow the lead of NSW, and to consider the introduction of, at most, a series of sessional orders, which would allow us to trial any new procedures before adopting them as permanent rules.

I commend the author of that submission because the author has articulated precisely the process that has been embarked upon by the Legislative Council of Western Australia for a substantial period of time. Although our orders are not referred to as sessional orders—they are referred to as temporary orders—they have the same effect. They are in place for a finite time and there is an opportunity for the chamber to trial those temporary orders, which, as I mentioned earlier, are changes to the law of Western Australia. The Legislative Council can test and trial a change to the law before putting it in place permanently and imposing it on a future Legislative Council.

One of the final reasons I give this afternoon to support the motion moved by Hon Dr Steve Thomas for us to consider this matter recommendation by recommendation, or, as I have referred to it, clause by clause rather than en bloc, is that it would also give us an opportunity to consider chapter 7 just as we would normally do when we consider a report, particularly on Wednesday afternoons when time is allocated in the Legislative Council to consider committee reports. Chapter 7 will be lost in the sense that there will be no opportunity for members to interrogate those matters at this time. We would be able to do that if it were dealt with in the same manner that we consider committee reports on Wednesday afternoons or in the fashion that the Leader of the Opposition proposed. Instead, later this afternoon, this evening or over the course of the next day or so, we will look at the 38 recommendations en bloc. As I have mentioned, they are found in chapters 2 through to 6 of the committee report.

What will happen to the important matters in chapter 7, which the committee itself said it has highlighted for us and has brought to our attention for our consideration? When will the Legislative Council consider the matters that have been outlined in chapter 7 on pages 39 and 40 of the report? The Standing Committee on Procedure and Privileges, that five-person committee, has unanimously said that there are a number of matters of interest, as the committee describes them, such as the regularity of standing orders reviews. The committee touches in particular on the submission made by Hon Kate Doust and later talks about the review of committee functions, again touching on Hon Kate Doust's submission. The committee refers to participating members, the adoption of standing orders for COVID-19 and improvements to the orders of business. All those things are touched upon, brought to our attention and highlighted for our consideration, but the government does not want us to consider them. The only thing that the government wants us to do, according to order of the day 19, is consider the motion moved by Hon Dan Caddy that recommendations 1 to 38 contained in the sixty-fourth report be adopted and agreed to. That is the only thing the government wants us to consider. In other words, the government does not want us to consider chapter 7 and the 14 paragraphs set out there that the committee has asked us to consider. The committee is saying one thing and the government is saying another. The committee says that these things are important. It wants to highlight them and the Council to consider them, but the government says not on your nelly; we are not going to consider chapter 7. Essentially, the government is asking us to tear up chapter 7 and throw it in the wastepaper basket. The government does not want us to talk about chapter 7 ever again. The five-person committee, which we entrusted in the forty-first Parliament with the role of undertaking a standing review of these laws of Western Australia in the form of the standing orders, held a contrary view.

I encourage members to support Hon Dr Steve Thomas's motion for the suspension of standing orders and to do so with enthusiasm because it will make no difference to the time frame in which this matter will be dealt with this week, but it will make a difference to the efficiency of the process and it will enable members to properly ventilate their views on any of the 38 recommendations rather than having, effectively, a second reading debate without a Committee of the Whole House stage.

HON JAMES HAYWARD (South West) [5.28 pm]: I will be very brief in my address over just a few minutes. One of the challenges for me is that I would like to vote for many of the recommendations in the report and I would like to be on the record as supporting them. The problem is that because of the way we are dealing with this matter, I have a problem with a couple of the recommendations. I am a relatively new member to the house, as members know. The reality is that I would like to be on the record as supporting a number of these recommendations. I am not going to be given that opportunity because I have to choose to disagree with it all or support it all. I think that is a bit of a challenge. The other challenge is that when people make an evaluation of fairness and think about treating people fairly, there is often an imbalance between different players in a room in any circumstance in life. When we talk about being fair, we acknowledge that different people have different amounts of power. Obviously, in the circumstance that we are in in here, the government has the power to very forcibly move this through, but I would ask members sitting on the other side: Does that equate to being fair? Is that the Australian way? Is it genuinely a fair go for all to use that power in that manner when people on the other side of the house are making fairly intelligent arguments around some of the things that I have just pointed out? The government is making an evaluation about whether it is fair for me, as a new member, to be on the record as supporting some of these things. That is important to me. The government is making the decision to say that that is not as important as what it wants to do. I am suggesting that there is no question it has the power to do it, but is that the right thing to do when considering those decisions that it is making, and particularly with standing orders? It is not like legislation that is coming through the house that will be a law that will be enacted; this is the very essence of how the house works.

All of us grew up in families and at some point we have teenagers, we know teenagers or we had brothers and sisters who were teenagers. Life with a teenager in the house can often involve the process of negotiation. It is not always the easiest experience, but ultimately the process of negotiation is what happens and we inevitably hope for the best outcome. In many ways, the authority that the government has in the room is similar to the parent of a teenager in that the parent is absolute, but perhaps it could consider that there may be an opportunity to have a situation in which members on this side can support a number of the items and have the opportunity to debate the ones that we do not support. Thank you.

The DEPUTY PRESIDENT: This question requires an absolute majority. There being a dissentient voice, a division is required.

Division

Question put and a division taken, the Deputy President casting his vote with the ayes, with the following result —

Ayes (14)

Hon Martin Aldridge	Hon James Hayward	Hon Tjorn Sibma	Hon Dr Brian Walker
Hon Peter Collier	Hon Steve Martin	Hon Dr Steve Thomas	Hon Colin de Grussa *(Teller)*
Hon Donna Faragher	Hon Sophia Moermond	Hon Neil Thomson	
Hon Nick Goiran	Hon Dr Brad Pettitt	Hon Wilson Tucker	

Noes (19)

Hon Dan Caddy	Hon Peter Foster	Hon Shelley Payne	Hon Matthew Swinbourn
Hon Sandra Carr	Hon Lorna Harper	Hon Stephen Pratt	Hon Dr Sally Talbot
Hon Stephen Dawson	Hon Jackie Jarvis	Hon Martin Pritchard	Hon Darren West
Hon Kate Doust	Hon Alannah MacTiernan	Hon Samantha Rowe	Hon Pierre Yang *(Teller)*
Hon Sue Ellery	Hon Kyle McGinn	Hon Rosie Sahanna	

Question thus negatived.

DISALLOWANCE MOTIONS

Discharge of Order

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

That the following orders of the day be discharged from the notice paper —

1. Town of Port Hedland Waste Local Law 2020 — Disallowance.
2. Shire of Broome Waste Local Law 2021 — Disallowance.
3. Shire of Gingin Meeting Procedures Amendment Local Law 2021 — Disallowance.
5. Shire of Peppermint Grove Activities in Thoroughfares and Public Places and Trading Local Law 2021 — Disallowance.
6. Shire of Peppermint Grove Fencing Local Law 2021 — Disallowance.

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Recommendations 1 to 38 — Adoption — Motion

Resumed from 2 September on the following motion moved by Hon Dan Caddy —

That recommendations 1 to 38 contained in the sixty-fourth report of the Standing Committee on Procedure and Privileges, *Review of the standing orders*, be adopted and agreed to.

HON DAN CADDY (North Metropolitan) [5.40 pm]: I wish to make some remarks on the motion standing in my name. I will start by restating a couple of the points made in the executive summary, for the benefit of all members. I will say that my contribution will be short and urbane. We all know that the sixty-fourth report resulted from June 2021 when the Standing Committee on Procedure and Privileges was asked by the house to look at the standing orders with a view to modernisation and best practice. The executive summary states, in part —

The Committee is satisfied that the Council's Standing Orders are largely fit for purpose.

However, notwithstanding that, the committee identified a number of enhancements to the standing orders that will both help modernise them and increase the time available for the core business of government.

Before I go further, I want to pick up on a couple of things that Hon Dr Steve Thomas said. I was going to pick up on the issue of respect, but Hon Sue Ellery has spoken about that. Hon Dr Steve Thomas used the phrase "the degree of commonality". I would argue that to a large extent, that has occurred. I understand that although a minority report is attached to the sixty-fourth report, evidently there was consensus on 90 per cent of the recommendations.

Hon Neil Thomson interjected.

Hon DAN CADDY: I do not think I will be taking interjections, especially not from the honourable member.

Fifty per cent of the recommendations are about minor or technical alterations. A couple of the recommendations seek to modernise the way in which the chamber operates. I listened last week when Hon Ayor Makur Chuot spoke about the importance of being able to bring her infant into the chamber. Having that codified, for want of a better word, in our standing orders is a huge step forward. The second one, which has been kicking around for about 15 years now, is e-petitions. This will be a great enhancement to the way in which we do business. Although that is proposed to be on a trial basis, it will certainly be a very good advancement. That is an overview of where the first recommendations sit. I will speak more specifically about recommendations 2 to 8.

It is evident from the report that compared with other jurisdictions, this house has less time in overall terms to deal with the core business of government. I acknowledge that some jurisdictions have provisions in their standing orders for late night sittings and to sit for extra days. It is clear from the report that this is a key issue that the committee had to consider. This is outlined in chapter 2 of the report. I will not read from chapter 2 because everyone has a copy of the report in front of them.

As members will notice, the committee has recommended doing away with the afternoon tea and dinner breaks.

Hon Dr Steve Thomas: Shortening the dinner break, not doing away with it.

Hon DAN CADDY: We are not doing away with it; we are shortening the dinner break. Thank you for the correction, Hon Dr Steve Thomas. I do not want to make further amendments. Members will know, especially those who have been here for a while, that the afternoon tea break has often been used for short meetings of committees. It is good that the standing committee, in looking at the standing orders, has acknowledged that in recommendation 4.

Recommendations 5 to 8 of the report deal with urgent bills. As has been pointed out many times today, most recently by Hon Nick Goiran, the existence of the minority report is evidence, or perhaps an indication, that these recommendations will be the contentious ones. I am just finding my spot in the report. I make the point, as outlined at paragraph 3.43 of the report, that an urgent bills process forms part of the standing orders in other jurisdictions. It exists in both New South Wales and Victoria. Paragraph 3.44 states that as far back as 1926, the Australian Senate adopted new standing orders that put speaking limits on bills.

Hon Kyle McGinn interjected.

Hon DAN CADDY: Yes, 1926, Hon Kyle McGinn. It is not without precedent. It is not as though this committee has chosen to do something that is completely out of the realms of possibility.

These are important changes, or, dare I say it, improvements to the standing orders. I will not touch any more on the minority report. That has been covered and will no doubt be covered again. I would make one point. Hon James Hayward said that it is unfortunate that he could not make a point about which of the 38 recommendations he likes and which ones he maybe does not agree with. Hon James Hayward will have, as will all members, 45 minutes in which to talk to this. I am pretty sure that in 45 minutes, he and all other honourable members in this place will be able to get on the record in *Hansard* exactly which recommendations they agree with and which ones they do not. I believe the committee has done a great job in putting this report together. I thank the members of the committee for this report.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [5.46 pm]: Thank you, Deputy President, for giving me the capacity to make a few comments on the substantive motion before the house today; namely whether to accept the recommendations of the Standing Committee on Procedure and Privileges en masse, that is both those in the sixty-fourth report and those in the sixty-fifth report, as now identified in the business program. It is a shame that we could not deal with the recommendations one at a time. That is a loss, but anyway let us move on to the substance of the debate.

I was a little panicked when Hon Dan Caddy suggested that dinner was going, particularly when it is now quarter to six in the evening. I noticed a trembling among some of his own members —

Hon Dan Caddy: You would have had dinner tonight.

Hon Dr STEVE THOMAS: There was a trembling and a quivering lip or two when he suggested that there would be no dinner break at all. We do not necessarily need that much time for dinner, but I was pleased to offer the suggestion that the dinner break will be cut back to 60 minutes rather than getting rid of it all together. Luckily, the Legislative Council has not completely degenerated, I suppose, and that is good.

If we look at some of the recommendations, because obviously we have limited time in which to get through the 38 recommendations, can I say that in the first instance, recommendation 1 is simply about when certain recommendations will come into effect. Recommendation 2 is the one that we have just addressed with Hon Dan Caddy—namely, to change the dinner break from between 6.00 and 7.30 pm to between 6.00 and 7.00 pm. I do not have a problem with that. There is the odd occasion, particularly when we are hosting people, that that extra time is of value, although not so much for sitting around the table and eating. I know that most members can get in and out of the dining room relatively quickly, and the dining room staff are pretty keen to get members in early, get them fed and get them out. New members in this place may have noticed that they are fairly keen to process us through so that they can get on with the job. I do not think that that is a particularly onerous recommendation. Having seen all the members who stood on that side during the division, that was one of the amendments that I suspect will receive general support. I think that is a reasonable outcome.

Recommendation 3, of course, is the one that refers to lunch on Thursdays and the afternoon tea break between 4.15 and 4.30 pm on Wednesdays and Thursdays. Again, I have no intention of standing up here as a member and fighting for the retention of an afternoon tea break. I think that that is a step too far. I note the recommendation that afternoon tea might still be provided without a break of the chamber. I note the comments that oftentimes that 15-minute gap is used by ministers and parliamentary secretaries to shift from particularly being at the Committee of

the Whole table to being prepared for question time. Given that, at this stage, it is the Labor government that will have to deal with that lack of time, it would seem a bit silly for a member of the opposition to suggest that it is not appropriate. I am sure that there will be past members of this place who will lament the change to procedure and the loss of tradition. There will be people who think that those traditions are very important, and although I am not going to belittle them, I think, from a personal perspective, I can adequately manage without afternoon tea breaks. The truth is I think my wife would advise me that I could probably manage quite adequately without afternoon tea. That is a debate to be had with a higher authority, not for the Legislative Council!

I move on to recommendation 4, which refers to the scheduling of meetings. I think that there are a couple of questions to be asked here. On the scheduling of meetings, recommendation 4 states —

> (1) A Committee may meet during a suspension or adjournment of the Council.
>
> (2) A Committee may seek permission in writing from the President to meet to deliberate in private session between 4.15pm and 4.30pm on a sitting day.

Fifteen minutes for a committee meeting is a fairly brief period of time. I guess that is to replace the fact that members might have had a brief meeting during afternoon tea potentially on a Wednesday or a Thursday, just to confirm or adopt a report or to adopt a response or a piece of correspondence et cetera, so I would have thought it would be fairly limited. I know that a couple of my committees have taken advantage of that 15-minute afternoon tea break on occasions to have a short discussion, generally on non-contentious issues, I have to say. I presume that is something that can probably be accommodated, but it will be a bit tight on occasions.

My question really comes down to the fact that the President needs to grant permission for that request, and that the Council has to be advised. I wonder whether the fact that only one committee meeting can be authorised on any sitting day means that the members would be meeting in the corridor out here, because I do not know that they would be able to meet in the actual lounge, so perhaps it would be a meeting in the corridor. It just seems like a bit of a process that needs to be gone through. The Council apparently needs to be notified and effectively give permission that a meeting can occur. I am interested to know what that would look like. Presumably it would be a message of some sort to the Council. The recommendation states that "the President must advise the Council at the earliest opportunity." If an urgent meeting was called at a quarter past, I am not precisely sure what that would look like, whether the President would come in at four o'clock or at the end of question time—no; it is before question time—or at the end of some sort of business and give a notice of some sort. I am not sure precisely how that is going to work and, to be honest, I wonder whether it is necessary.

It is a significant shift to have committees meeting when the business of the house is occurring, and I think that is probably the most significant thing. It has always been the practice of the Legislative Council that committees meet when the chamber is not sitting, and there is an obvious reason for that; that is, if there is a division called and a member is in a committee meeting in some way, shape or form, that can be problematic, particularly if they are in a room downstairs or somewhere a bit further away from the chamber, let alone being in the committee rooms across the road. On the assumption that that is effectively going to occur—out in the corridor for a five or 10-minute meeting—I presume that is how it will operate, but I would have thought that the notification might be a bit of an onerous task.

We come to what I consider to be by far the most contentious components of this report, particularly recommendation 5. There are concurrent recommendations that follow on in 6, 7 and 8, and I will come back to those in a more substantive way a little bit later, because it is my intent to try to run through as many of these proposals as possible before coming to what I think are the most dangerous and problematic of those recommendations.

I will jump to recommendation 9, which is the recommendation to put in place a schedule for motions on notice. In effect, this was sought by the opposition and agreed to by the government a couple of months ago. There is a very obvious reason for this; the alternative is the reading in of a large number of motions. For those new members who have not been here a long time, we can get absolutely ridiculous circumstances whereby the government and the opposition are effectively competing to read in as many motions as they possibly can in order to dominate the motions on notice component. As the motions are read in, they get ordered on the notice paper, and historically we have found that dozens of motions have been read in on the notice paper. It tends to go a bit like this: the government will read in motions that congratulate the government for everything the government does, one at a time; the opposition will read in motions condemning the government for everything the government does, one at a time; and then it is just a competition to see who can get the most motions read in in the least possible time. Members can move very bland motions; it is not hard to do. I suspect that there are members in the chamber who have been around a little longer who have been part of that process. It is not hard to have a situation whereby a government member moves to congratulate the government for its handling of housing and, on the same day, an opposition member stands up and gives notice of a motion to condemn the government for its handling of housing, or any other portfolio that exists, and we end up in a ridiculous situation in which debates are happening that were moved two years earlier and the circumstances often no longer exist. I must admit, I am very pleased to see that the committee has looked at making these a permanent part of the standing orders, rather than the opposition having to go effectively cap in hand to the government each time. I think that is a positive move and one that the committee is to be commended for.

I think that is very positive. That will make sure that debates are timely, which I think is important. There is no point in debating a motion that was read in two years ago because members wanted to get something on the notice paper to attack the other side if the circumstances have dramatically changed and we are now in a new set of circumstances that would merit a far better motion. The opposition is probably not going to exchange a motion condemning the government for one applauding it, but, at the very least, it would get a motion in which the condemnation is current. I think that will be of value, at the very least, to have up-to-date debate happening in the Council. I think that amendment is a good amendment. I am pleased to see that it is in place and I commend the committee for looking at that.

Obviously, from an opposition perspective, we would love to have equal time for motions. That is one of the questions that the Council needs to consider. It is actually more obvious in the other place. In the Legislative Assembly, what is defined as "government business" and "opposition business" is more distinct. I suspect that may be partly because there is less of a range of opposition or crossbench members. I guess it is both more appropriate and more likely that we will get a range of membership in the Legislative Council, which is absolutely more diverse. We are all into diversity these days, so it is the case that we get more variation as a part of that process. Members of the other place have private members' business and matters of public interest. That is always opposition time, because there is only the government and the opposition, effectively, or at least it has been like that for most of history—there has been the occasional variance—but it is far more obvious that way. In the upper house, the question probably needs to be asked whether motions on notice are more often considered to be opposition or crossbench time than they are government time. I think that is important for this reason. Obviously, one of the government's agendas in this process is to increase the amount of time available to the government. I would have said that would have been very obvious, particularly if we go to chapter 2 of the sixty-fourth report of the Standing Committee on Procedure and Privileges, in which the Leader of the House's submission is referenced. The Leader of the House commented that there was not enough time in the order of business for government business. Basically, the government is seeking more time for the government's agenda. Okay—by all means. If that is the agenda, at least we know what it is.

Sitting suspended from 6.00 to 7.30 pm

Hon Dr STEVE THOMAS: Just before we were rudely interrupted by the extended suspension of the sitting for dinner, which I hope members enjoyed because it might be their last one ever, we were discussing the motions on notice proposal. We got to recommendation 9, which includes a couple of recommendations that I will come to in a minute. Basically, we have been through the option of attributing motions according to the population of the house, which I agree is reasonable. The question before the house is: how necessary is it? We have to go back to the statement made by the Leader of the House in her submission to the committee; that is, in effect, there is not enough time for government business. That was the parameter that the Leader of the House put forward. She put forward a couple of different options that could address that. Specifically, the Leader of the House commented that there was not enough time in the order of business for government business.

Before we suspended for dinner, members may remember that we were saying that the Legislative Assembly had a slightly different system in place—that is, non-government business and motions were opposition time. I wonder whether the government considered whether it needs motions on notice for government members. If the proposition before the house is that the biggest issue we face—this appears to be the case based on the emphasis placed on it—is that the government does not have sufficient time under the current standing orders to get the job done that it wants to get done, surely the first and most obvious question is: why would the government not give up all its motions on notice time? A portion of that time is based on the representation of the house. The government has 22 members out of a total of 36 members or nearly two-thirds of the representation of the house—certainly more than half. Each of those motions on notice is two hours of sitting time. Let us say that we sit an average of 24 weeks a year; that equates to 48 hours of motions on notice time, of which 62 per cent or 63 per cent is government business. Somebody who is wide awake might be able to calculate 62 per cent of 48 hours. It is about 28 hours of government business. That is 28 hours of additional business that the government could engage in, and the Leader of the House's itinerary could be entertained.

Hon Martin Aldridge: It is nearly 30.

Hon Dr STEVE THOMAS: Twenty-eight hours was not a bad guess off the top of my head. We would pick up nearly 30 hours a year just like that. Surely motions on notice are an opportunity for members to raise issues of concern with the government, much in the way that a matter of public importance might be dealt with in the house that shall not be named or in motions that it deals with every week. A lazy 30 hours a year could be added to government business. In my view, that would pick up a significantly greater period of time for the government than getting rid of afternoon tea, for example, which would pick up 30 minutes a week. Over 24 weeks, that is 12 hours. Here is a simple thing we could do: the government could forgo motions on notice.

It has to be acknowledged that towards the end of the year, it is quite common for the government to forgo motions on notice to deal with government business. Not only is this not an unusual suggestion, but there is actually a precedent for it. Thirty hours of debating time can go back into considering bills if the government simply recognises that its backbench members can simply walk up to ministers and ask about their issues rather than come to Parliament

to raise them and debate issues across the floor. There is a lazy 30 hours that we could pick up. Obviously, the opposition is here to help. We can clock up that 30 hours. The question before the house therefore is: is this genuinely about maximising the amount of time that the government needs for government business? If it is, surely in the first instance the government will remove any extraneous government time. I would have said that removing motions on notice is the most obvious answer. It has been known that members of the government move motions extolling the virtues of the Labor government. Although that might be very nice across the chamber, I am not sure that it is an efficient use of government time. I suspect that most members of the government already believe that. Whether it is erroneous or not is a matter of debate for another day. The reality is that a lot of hours of potential government business are sitting there under motions on notice. I am a little intrigued that if the agenda is so vehemently to find time for government business, the government might show some leadership in the process in some way, shape or form and give up some of its own time. However, that does not appear to be the case. We are left with recommendation 9, which, next year, will apportion 30 hours of motions on notice to the government and another 18 hours to the rest of the house combined, including the crossbench. I would have thought that that might have been something that the committee looked at and made a slightly deeper assessment of, but that does not appear to have happened. It raises concern that although there is an attempt to get more government business, it is not necessarily an even-handed attempt—there you go! There is an opportunity for the government, perhaps in its next review of the standing orders, if it is desperate for more time. It might like to pick up 30 hours by completely removing government motions on notice.

Hon Kyle McGinn: It is paragraph 7.10.

Hon Dr STEVE THOMAS: I did not notice it in a recommendation. If there is a recommendation to remove government motions, that would be interesting. Paragraph 7.14 states that the committee currently makes no recommendations about the consolidation of non-government business and private members' business. I appreciate Hon Kyle McGinn's interjection but there is no recommendation that government motions on notice should give way to government business. If that is in the report and I have missed it, I am happy for the member to point that out.

Hon Kyle McGinn: I was just saying that it's being looked at; there is something in the report about it.

Hon Dr STEVE THOMAS: Yes, but it does not suggest it. I appreciate the input, but it does not say that this is something the government should give up. I think that is an oversight, to be honest, if, as we say, the focus of the committee report is to find more time for the government.

In relation to, funnily enough, the consideration of committee reports, I note that the recommendation is to delete the words "All Members one period of 10 minutes per report" and "At the discretion of the Chair of Committees" for second allocations and insert "All Members unlimited periods of 10 minutes per report". I suspect that that reflects what is actually happening now. Had we examined these recommendations one at a time, this is one of the recommendations that would have been supported across the chamber. That is quite a reasonable recommendation.

Recommendation 15 provides for a significant increase in the time allocated in standing order 23(1)(b). Standing order 23 is headed "Maximum Time Limits for Certain Business Items" and paragraph (1)(b) refers to the consideration of committee reports being 60 minutes. Recommendation 15 is that standing order 23(1)(b) be amended by deleting "60 minutes" and inserting "240 minutes". The maximum time for the consideration of committee reports will go from one hour to four hours. Again, this is highly interesting activity because the driving force for the Leader of the House is to find more time for government business; the government requires more time to get the business of the house done. It is not prepared to give up its motions so I am intrigued why, under recommendation 15, the committee has suggested a significant increase in the time available for committee reports from one hour to four hours. I am hoping that at some point someone either from the committee or the government will give us some advice on the impact of a fourfold increase in the time available for the consideration of committee reports for a particular item—this is a per item maximum—from one hour to four hours. Under chapter 4, "Consideration of Committee Reports", I note this under paragraph 4.11 —

> In 2015 the PPC recommended that the Temporary Order be extended and that Members have unlimited periods of 10 minutes per report, consistent with the previous practice of the Council …

That is basically an agreement about what is going on. But it says this in paragraph 4.14 —

> The consideration of matters by parliamentary committees is one of the most important scrutiny mechanisms available. Committee inquiries demand substantial resources …
>
> The Committee is of the view that debate on such important work of the Council should not be used for overtly political purposes …

Here we are discussing a committee report, and let me suggest that we find ourselves in an overtly political place. We are debating an absolutely political purpose. Paragraph 4.14 continues —

> The Committee is focused on recommending procedures that allow an opportunity for diversity of debate while employing mechanisms that will focus such debate on the matters contained in each report.

Paragraph 4.15 states —

> For this reason, the Committee is of the view that the Council would benefit from setting a generous maximum debate time for each committee report of four hours. Such a limit is intended to have salutary effects on the quality and focus of the debate.

I am not so sure, just quietly. It might work while there are not too many committee reports in front of us. The standing orders restrict committee reports in total and how much occurs on a Wednesday afternoon. It is not the case that we will suddenly have a great plethora of increased committee reports. I find it really interesting that debate on bills to change legislation is to be curtailed by this government but debate on committee reports is to be expanded. There is an enormous double standard going on here. I find it an incredibly interesting part of the process that we are looking to curtail and cut-off debate and apply a gag order on legislation but we are looking to increase the amount of time available for committee reports. It is astounding.

I acknowledge that I will run out of time before I get to all 38 recommendations. I do not think there is any way in the world that we can do proper analysis of each of these recommendations in the time allotted; however, I will continue on until I need to go back at the end to recommendations 5, 6, 7 and 8. I will make some comments on recommendation 18 before I move forward. Recommendation 18 refers to e-petitions, which is one of those great recycled issues; it comes around every now and then. The questions we face are: Should we allow e-petitions? What is the advantage of e-petitions? Obviously, they are remarkably easy. My position, personally, having spent the last four years on the Standing Committee on Environment and Public Affairs, is that that committee is inundated with petitions, many of which have very limited value. Some of them are valuable, many are not. Some petitions attempt to get a political outcome on an issue that simply needs to be dealt with through administration.

My concern is that if we allow e-petitions, we will simply open the door and make them so easy that they will become meaningless. I suspect we will find that activist groups will put up a website, as they do now, that people can go onto and fill in their name and say that they have written to every member of Parliament or the upper house, and a rote email will be sent to everybody with their name on the bottom of it. That is supposed to be seen to be an expression of freewill and, to be honest, I struggle with it. If we make it too easy, people will not have to put their own thoughts into the process. They will simply line up because they have decided that they are part of a group and then along comes this email. I suspect that we will reach a similar situation when it comes to e-petitions. It will be so simple for someone to set up a website. Suddenly, e-petitions will be on there for every upset and disenfranchised person in Western Australia. It will be so easy.

I think the risks of e-petitions are significant; I know that other members have agreed with that, and so previous committees have looked at e-petitions. I know previous Standing Committees on Environment and Public Affairs have looked at it. Hon Samantha Rowe, Hon Matthew Swinbourn and I were members of the former committee. I know that we discussed it and I expressed exactly the same view then as I do tonight; that is, I think it is immensely dangerous. We might make it too easy and too simplified, and then bog down the committee. I am happy for other members to express their own views on this matter. There are those who think parliamentarians should be inundated repeatedly with letters expressing opinion. I am often reminded of that great Bible of politics *Yes, Minister*, when Sir Humphrey said, "Well, if I had to accept and take on the position of everybody whom I had to deal with, I'd be immensely left wing and at the same time horrendously right wing. I'd be a unionist and a capitalist. I'd be everything, and in the end I'd go stark raving mad."

Some risk is involved in e-petitions. Noting the committee has recommended that e-petitions be put into place, I urge some caution. We want a functioning committee. I do not think it helps the committee to be bogged down all the time. Otherwise, the six-monthly reporting process of the—I do not know whether we will end up calling it the petitions committee, but that might be something for debate; it was part of a recommendation of a past committee—Standing Committee on Environment and Public Affairs would get bogged down. Its annual report would require four-hour stints to have a conversation on all the petitions that were rolled in there. At least at the moment the petitioner has to make something of an effort. They print off a petition and go around get people to sign it. They find a member of Parliament to lodge it, and a bit of actual work is involved in the process. I think a bit of work involved in the process is not a bad thing. Let us face it, honourable members, petitions with two, three, five signatures are lodged here sometimes. It is not as though we have to go overboard. The principal petitioner and, I think, the member's signature might just be enough to get a petition in front of the petitions committee. I am not convinced that that is the most efficient use of the committee's time. I urge a bit of caution on that one. I know I am not necessarily of the same mind of the committee on this matter. I note that it was not mentioned in the minority report, from memory. It might be that it is just me, but in this case, I think it is worth considering that the functionality of the committee might be at stake.

That gets me, in theory, to the end of recommendation 18, which is nearly halfway through the 38 recommendations, bearing in mind that I bypassed recommendations 5, 6, 7 and 8, which I will have to come to. Unfortunately, I suspect that I am not going to get back to recommendations 19 to 38. Some of those recommendations are fairly simple and a lot can be supported. They are the more functional components of the recommendations. It would be worth a little debate on that. Perhaps a member who does not feel the need to start from recommendation 1 and work their way through might start halfway and pick up those threads for me.

Let me go to the recommendations that I find the most offensive. They are based around recommendation 5, which is, in effect, a gag to be placed on debate in this place by a minister or parliamentary secretary. Let us run through this recommendation. We better ensure we have the sixty-fifth report of the standing committee, which contains the amended recommendations and not the original pre-amendment ones. Let us go to recommendation 5, which should concern every member of the house. It states —

> That the following words be inserted after Standing Order 125 —

We will just jump to standing order 125, which deals with second readings. The recommendation states —

> **125A. Urgent Bills**
>
> (1) At any time after the moving of the Second Reading of a Bill a Minister may declare that a Bill is an urgent Bill.

That is not second reading debate; that is second reading. The minister comes in and says, "I move that the bill be read a first time." The Clerk reads the bill a first time. The minister says, "I now move that the bill be read a second time" and gives a second reading speech. At that point, the minister or the parliamentary secretary moves the second reading. Effectively, because they have moved that it be read a second time, they have been given the call to give the speech. I presume that at the end of their second reading speech, before any other member gets a say, they may well include the line, "I declare this is an urgent bill. I have decided this is an urgent bill. Bad luck." At that point, we could not even debate it. There will be no mechanism for debate. The minister could make an arbitrary decision to have it declared an urgent bill. Could the minister start without intending it to be an urgent bill, but be offended by something Hon Colin de Grussa says in the heat of debate and suddenly decide to declare it an urgent bill because he did not like the cut of his jib or his comment? I do not know. It continues —

> (2) After a Bill has been declared an urgent Bill, a Minister may move a motion specifying the maximum debate time to apply to each stage of the Bill. At the conclusion of the maximum debate time prescribed in Standing Order 23(1)(e), the Presiding Officer must interrupt debate and put to the vote all questions as are necessary to dispose of the motion.

We are not debating whether it is an urgent bill here. If we look at what happens in the other house—the house that shall not be named—we see that even it has a more open system than the one proposed for us. Under standing order 168(2) of the Legislative Assembly —

> If the Assembly agrees to a motion without notice by or on behalf of the member with carriage of the bill "That the bill be considered an urgent bill", the second reading can proceed forthwith.

At least in the lower house the government or the parliamentary secretary has to at least ask permission of the house. The odds are that they will get the answer that the government wants, but even that is more than what is being proposed for the Council. The minister and the parliamentary secretary in this place will simply arbitrarily make a decision. No parameters have been put forward about what should drive that decision. There is no metric to say what an urgent bill means. The proposed standing order simply says that at any time a minister may declare the bill urgent after the moving of the second reading, which, as members know, goes "I move that the bill be read a second time"—et cetera. The recommendation continues —

> (3) If the motion is agreed, when the maximum debate time for a stage of the Bill has expired, the Presiding Officer must interrupt the debate … Except by leave, the question on each clause, schedule, preamble, title … must be put as a separate question.

But they will simply be run through one question at a time. If the minister moves the motion, we have one hour for the committee stages of the bill and that one hour has been used on clause 1, "I put clause 1. I put clause 2. I put clause 3." We will only have 178 clauses, say. It will be interesting to see how that pans out. It will be interesting to see whether the opposition agrees to lumping clauses together or whether out of sheer bloody-mindedness—I do not know whether bloody-mindedness is a parliamentary term; I might seek your guidance on that, Acting President (Hon Dr Sally Talbot)—it simply demands that every clause be put, just because it can. I think that this is immensely risky. That was recommendation 5. Recommendations 6, 7 and 8 work on after that, and there is no real significant change between those recommendations in the sixty-fourth report and the sixty-fifth report. In my view, these are terrible motions. These recommendations deserve to be kicked out. It is a shame we are not examining them one at a time, so let me say this: I think we have no option but to attempt to remove these recommendations from the motion.

Amendment to Motion

Hon Dr STEVE THOMAS: I move —

> To delete all words after "That" and insert —
>
> recommendations 2 to 4 and 9 to 38 contained in the sixty-fourth report of the Standing Committee on Procedure and Privileges, *Review of the standing orders*, be adopted and agreed to and that recommendation 1 be adopted and agreed to in the following form:
>
> That recommendations 2 to 4, 13 to 17 and 19 to 38 come into effect on the first sitting day of the week following their adoption.

HON SUE ELLERY (South Metropolitan — Leader of the House) [8.01 pm]: The government will not support the amendment before us. Members will recall my commentary in the last debate when I indicated that Hon Dr Steve Thomas claimed that there was no way for there to be consideration in any kind of narrower sense; well, here it is. The effect of the amendment Hon Dr Steve Thomas has moved, as he indicated, is to delete from the motion all the recommendations in chapter 3 that we are seeking to adopt and agree to. That would be the effect of his amendment. As I said, the government will not agree to that.

I will now go through why we will not support the amendment and why we support the recommendations in chapter 3 being adopted and agreed to. I appreciate that there will be a little bit of overlap, so I will repeat some of the things I said in the previous debate. I suspect that if the house deals with this amendment and we get into the substantive debate again, I might have to repeat some of what I have said then. My comments now are on why these recommendations in particular should not be deleted. At paragraph 3.2, the Standing Committee on Procedure and Privileges noted —

> The Committee is concerned that the rate of passage of legislation in the Council has slowed in recent years.

Paragraph 3.5 states —

> The Committee has identified a number of factors that it views to have contributed to the slow passage of legislation in the Council.

Paragraph 3.6 refers to what was covered in the sixty-second report. To assist members, if they go to the minority report, they will see that the final recommendation is to take out the recommendations in chapter 3 and do further consultation or work on them. The amendment before us now would give effect to the recommendation in the minority report, and the government will not support it.

Paragraph 3.9 states —

> The Committee has observed over recent years that clause 1 debates have become particularly extended.

Members might recall that in my submission to the committee I noted that I welcomed the decision to remove unlimited speaking times in second and third readings. I commented in the earlier debate that this house scrutinises bills in a couple of ways. One way is in the clause 1 debate, when we can canvass the whole bill, and the other way is by reference to a committee, which can call experts and collect evidence. I made the point in my submission to this part of the committee inquiry that those comments should not be read as me saying that there is therefore no reason to ensure that clause 1 debates do not become shorter grabs of a repeat of the second reading speech—that is, rather than asking a series of questions about the impact or implementation of a clause, they just become 10-minute bites that revisit the policy that the house has already set when it votes on the second reading. I want to avoid that. The committee report goes on to make a couple of suggestions about how members in presiding positions might watch what is happening in the clause 1 debate.

The report then sets out the history and the difference, if you like, between a guillotine and a gag. The guillotine is not unlike what we have used in the COVID debate; members will have observed that we set a time limit to deal with the various sections of a debate. A gag is when a closed motion is put on the debate. The committee report canvasses the history, which is kind of at odds with the notion that, shock-horror, the sky is about to fall down. In fact, this chamber has used a guillotine in the past, not just as part of the COVID debates but also much earlier, when a sessional order gave effect to that.

At paragraph 3.39, the committee also notes —

> The experience with the COVID-19 Temporary Order has demonstrated that legislation can be considered with due regard to scrutiny while at the same time encouraging a focused line of inquiry from Members due to the limitation of time.

Far it be from me to suggest that some members occasionally gamed the COVID-19 provisions to ensure that they could not ask all the questions they claimed they wanted to ask by not managing their time in a proper way; however, it seemed to me that on at least one occasion, one person did.

Regarding the urgent bill process, it is important to note that we are not inventing the wheel here; we are not inventing something new. There are versions of an urgent bill process in place in the New South Wales Legislative Council and in Victoria.

Hon Martin Aldridge interjected.

Hon SUE ELLERY: Honourable member, we are on limited time. I will not interrupt anyone else, so I ask him not to interrupt me. There are urgent bill processes in place in Victoria, in New South Wales and, of course, in the Senate itself. That is all set out in chapter 3.

Paragraph 3.52 states —

> A majority of the Committee is of the view that the Council would benefit from the adoption of a mechanism to expedite the passage of urgent Bills.

It then sets out the provisions. I think it is important to note that how members use that time is critical. It is also important to note—I made this point in my earlier contribution to the suspension of standing orders motion—that practice and conventions play an important part. If the house is looking for some kind of signal of intent, the proposition before us is that the government will come in here every day and unilaterally declare every bill to be urgent or every part of every bill to be urgent. That is not the intention of the government at all. My practice will be to consult if it is considered that we need to use the provisions. The point needs to be made that we would not need to do this if debate had been conducted in such a way that points were made, legitimate arguments were had and we moved on in a timely fashion. That has not been the demonstrable practice of this place. We need to deal with urgent legislation in a way that gives the opportunity for scrutiny but manages the time sensibly. If the proposition is, "Folks, you need to be scared, the sky is going to fall down because Ellery is going to come in and declare every single bill urgent", that is not going to happen. But if members want me to go further and write that into the provisions of the bill, that is not going to happen either, because I have seen too many times a certain element on the other side of the chamber game the system right up to the end point and show a complete inability to apply any discipline or time management to how we deal with bills. That is why this legislation is before us now. The proposition that every bill will be declared urgent is nonsense. The proposition that somehow this is the new norm is nonsense as well. Since we started in the forty-first Parliament, I have observed that some behaviour has started to change, but every single time it has taken the government pushing to make that change. Do I back away from pushing on this particular issue? No, I do not.

I commend the committee for what it has done. I will make this comment again when we get to the substantive issue before the house. I commend the staff and members of the committee who I know worked extraordinarily long hours over a period; it put them under considerable pressure. I understand that the committee was meeting through the July break when many of the rest of us were having some time off. I appreciate the work of the committee. I appreciate the work of the staff who supported members on the committee and I appreciate the effort put into getting this report before us today. We want to bring this chamber to a point at which we can deal with legislation in a timely fashion, but that does not mean we will use the urgency provisions set out in the report every single time. It does not even mean that we will use it on a regular basis. It means that if we get stuck and it is clear that it is just an exercise in filibustering, albeit through clause 1 debate day after day after day after day—we have been in that position—I might consider consulting with members of the house about declaring a bill urgent.

The other circumstances in which I think an urgent bill might be declared is if there were some circumstance, not dissimilar to the COVID arrangement, in which there was some external reason why a particular piece of legislation needed to be treated as urgent. I cannot think of any example off the top of my head —

Hon Kyle McGinn: Clive Palmer.

Hon SUE ELLERY: It could be a threat from someone like Clive Palmer, but it could be some other circumstance. From time to time there have been particular matters related to terrorism, for example, about which we might need to consider particular provisions. It could be anything. Those are the two examples that I could see occurring.

I do appreciate the significance of what is happening here, but this is about ensuring that we can do the job that taxpayers pay us to do. Taxpayers are horrified when reports get out about how long it has taken this chamber to deal with something that ordinary people might think should be dealt with much more efficiently. They are horrified by that. Passing bills in a reasonable period does not mean that we do not get to scrutinise the bill or that the government will automatically abuse the process; it means that we have a mechanism to bring things to a timely consideration and that we act in the same way as every business across Western Australia does when they have to make business decisions—they have to make them in a timely fashion. We can do that, too. We are not so special that it ought to take us day after day after day to consider clause 1 of a bill on which the policy was set after the second reading speech. That is an abuse and that is gaming the system. This is a mechanism to stop that, and for that, I do not resile from it and we will not be supporting the honourable member's proposition.

HON TJORN SIBMA (North Metropolitan) [8.14 pm]: I rise to speak in support of the amendment of the Leader of the Opposition, Hon Dr Steve Thomas, largely for the reasons outlined by the Leader of the House. The amendment is in effect an endorsement of the sixty-fourth report with the exception of what I and Hon Martin Aldridge consider to be the offending recommendations and would—not automatically—lead one to conclude that consideration should be given to the minority report. The minority report is effectively agnostic on the concept of urgent bills, but in a manner is consistent with the commitment the Leader of the House gave that effectively if there were an urgent bill, she would seek to consult on that. Why not bring forward that consultation? Why not establish some rules of engagement for the invocation of this emergency measure? The urgency measure may find some parallels with options that present in other upper house chambers in Australian jurisdictions, but it is by far the most unfettered. I think, then, it behoves this place to proceed cautiously.

I might address some of the arguments proffered by the Leader of the House in rebuttal of this amendment, which I think defend the views, findings and recommendations made in the minority report. The Leader of the House cited paragraph 3.2 of the sixty-fourth report, which made some reflections on the committee's views on the progress of legislation. Views on the progress of legislation are effectively subjective judgements. It is ordinarily the case that

from a government's perspective its legislation does not proceed nearly quickly enough and from a non-government position things are always moving a bit fast. Finding that balance is an art form. We should reflect on why legislation may be slowed down in conceptual terms. It has often been the practice of the government, particularly in the last Parliament, to blame the then opposition for a perceived lack of progress of legislation. In layperson's terms that is a cop-out, because there is a supply chain, or a logistics chain, in the development of any legislation. The commencement is obviously with policy. There is a process with cabinet. There are decisions to draft and to print a bill. There is stakeholder engagement and the like. Ordinarily this chamber deals with the end of the production line. If we apply an operations management sort of mentality, any number of constraints are possible in that production line. It is completely disingenuous to blame "a lack of progress" solely on what transpires in this house. I have had ministers, whom I will not name, in the previous Parliament and, to some degree, this Parliament concede to me the degree of frustration in the capacity to get their legislation drafted by Parliamentary Counsel's Office. That reflects on the resourcing of that institution.

Another reason why debate on legislation may be prolonged is that, frankly, that legislation is deficient and requires substantial amendment. I do not need to go through the hit parade of bills in the previous Parliament that were absolutely deficient and required significant amendment, and after the gnashing of teeth and scraping of nails, were finally endorsed and conceded to in the other place. We have also seen examples, some for very good reasons and others for reasons that defy description, of ministers or the representatives acting in this place putting motions on the notice paper amending the government's own legislation. Frankly, how could any reasonable person who takes their roles and responsibilities seriously automatically just accede to the proposition that the government tables perfect legislation in this place? This is certainly not my experience, and, I think, broadly speaking, it is not the experience of any dedicated member in this house. I might say that it is a bit rich to be accused of somehow thwarting the government's agenda when the government itself with responsible ministers, staff and departments cannot get its own legislation drafted correctly. I forget the bill, but I recall an incident last year when we had to move an amendment to the long title because it was absolutely inconsistent with the purpose of the bill. I hope that will come to me at some stage. These are fundamental errors.

I will reflect on clause 1 debates. The minority report has a reflection on this issue. There is a reasonable explanation why sometimes clause 1 debates might be perceived as being unduly prolonged or elongated, and that is a function of the fact that representative ministers or parliamentary secretaries in this place are not the prime minister—as in the primary minister—moving the legislation. They are representing or have responsibility for carrying it, but they are by no means subject matter experts on the policy of the bill. They do not understand the clauses' interactions with other policy settings, legislation and stakeholder concerns. That should be an uncontroversial statement. That is frankly the case. I must concede that I reflect sometimes on the invidious position of representative ministers or parliamentary secretaries—I am a compassionate person and sometimes I feel for the government, as difficult as that is to believe! I reflect on two bills that Hon Matthew Swinbourn has had to take carriage of only in the last two months. I forget the official titles of the bills, but one was to fix loopholes in the SafeWA app and the other was the bill focused on the re-insertion of Commissioner McKechnie to the role of heading the Corruption and Crime Commission. With respect to the legislation for the SafeWA app, that poor parliamentary secretary later had to give a personal explanation to this house because he was put in a position of misleading it about the availability, or lack of availability apparently, of senior police officers to answer questions. And we wonder why a clause 1 debate might be lengthened.

There was another issue with the reappointment of Commissioner McKechnie to head the CCC. If I recall correctly, and I will stand corrected if I am wrong, during the clause 1 debate I asked the simple question of the parliamentary secretary of whether Mr McKechnie had applied for his position. I went over the time line recently, and there was a three or four-minute silence. This is no reflection on Hon Matthew Swinbourn, but he took about three, four or five minutes conferring with his advisers at the table about whether there was an answer to that question, which to my mind was very simple. The question was answered, but the answer was to refer me to an online article by Peter Law in *The West Australian*, which intimated that Mr McKechnie had reapplied for that position, so there was not an answer. Should we walk away from passing a bill like that after that kind of experience feeling satisfied that the government is across its brief—that it is acting in a transparent and accountable manner? Absolutely not. So, going on the government's track record, why would we then entrust it with an urgent bills provision? I will not reflect on the management of legislation in the last Parliament, but it absolutely defies description.

The Leader of the House made a very good point about the taxpayers of this state being horrified about the goings-on in this chamber. I think they have every right to be horrified about the performance of the government and to feel fearful of a government that is untrammelled and cannot be scrutinised. If the government takes from us our capacity to scrutinise it, how will we focus on issues of crisis in the state affecting the health system or the mental health system? How will we reflect on dysfunction in the police service and its inability to come to callouts in a timely way? I think that is what the taxpayers of Western Australia are and should be horrified about.

The Leader of the House also made an analogy concerning, I suppose, modern practices in business and the like. I will state the obvious point: this is not a business. We do not make decisions in a way that business makes decisions, primarily because there is no profit motive. I also think that someone of the leader's experience deliberately

conflates the separation of powers. This is not an executive decision-making body; this is the legislature. We have a separation of powers in this parliamentary democracy for a reason. This is a deliberative chamber—underscore "deliberative". We deliberate. We consider, we debate and we scrutinise. That is the whole purpose of it—absolutely it is the whole purpose of it. Frankly, to endorse recommendations 5 to 8 of the majority report, the sixty-fourth report, risks stripping that out. It will transform the character of this place. It will completely undermine its role and its function. That is not to say that there would not be reasonable justification for the consideration of an urgent bills–like measure. We can be reasonable, pragmatic people. We could imagine any kind of contingency or scenario in which people in this place would have to make a pretty fast, expedient determination on a piece of legislation because, effectively, the lives, safety and welfare of the majority of Western Australians depended on it; however, they would be exceptionally rare circumstances. That is why, in the minority report, myself and my colleague Hon Martin Aldridge recommended two parts of recommendation A. They are —

(i) Seek submissions from Members of the Council and other stakeholders on their views concerning the risks and benefits inherent in adopting further time management practices, such as the Urgent Bill provision via proposed Standing Order 125A, before any change is adopted by the House.

(ii) In parallel, seek submissions from Members of the Council and other stakeholders as to their preferences in expanding avenues for greater legislative scrutiny for report to and potential adoption by the Council.

Personally, I stand by those recommendations and I consider them to be superior recommendations when compared with the comparative recommendations made in the majority report. I am not discounting the need or the potential requirement for an urgent bills provision. However, I think it would need to be significantly remodelled to the one presented here. Without being flippant, I think there needs to be some discipline. That is a word the Leader of the House has evoked on a number of occasions today and I pay attention to what the Leader of the House says because she is an experienced person in this chamber and I have always found her worth listening to, even when I disagree with her. She might want to adopt this discipline. The comparison might sound rather trivial but, for example, in cricket, there is a decision review system or DRS. This is something that can be gamed but limits can be applied on the amount of time in a single match that a captain can utilise it. If the government were to go down this avenue, I would probably implement a pretty low ceiling, but I would concede the potential for the government to need it. We can only take the Leader of the House at her word that this will not be applied regularly or be the default position.

I will seek clarity during the course of substantive debate on what kind of scenario and what kind of legislation the government would seek to apply this urgent measure to. How would it be facilitated? What specific bills in the legislative pipeline does the government think will demand the invocation of proposed standing order 125A? For example, would it apply to electoral reform? I think that would be a mistaken strategy, frankly, on the government's behalf. Would it potentially be applied to what might be the aboriginal cultural materials act amendment? From what I understand, it is a reasonably contentious piece of legislation. Would it potentially be applied to contentious issues or matters of conscience—for example, whatever potential future reform is made to the surrogacy bill? We can contemplate this measure being applied to a range of issues.

Before I conclude my remarks in support of the motion moved by Hon Dr Steve Thomas, I will make two points. Perceptions about filibustering and the apparent problematic nature of that have already been fixed to the degree that there is now no such thing in this chamber as an unlimited second reading speech. If I am to do charity to the argument moved by the Leader of the House in her first iteration back in June, that was effectively the sin we were trying to fix here. That has been dealt with through acclamation of this house. It was an amended motion, but there are now, effectively, limits. We have a ceiling placed on second reading speeches. That provides the government with far more predictability than I think it enjoyed in the previous term and previous governments ever have. The point of principle is that we need to seek the right balance between scrutiny and expedience. Considering the additional time that has been given to the government by virtue of the majority report, the implementation of speaking limits and the fact that Labor Party members have a crushing majority in this house means they already have absolutely everything they need to legislate effectively. They do not need any more. To preference speed over scrutiny I think is something that this house will come to regret, and regret reasonably quickly.

HON MARTIN ALDRIDGE (Agricultural) [8.35 pm]: I rise to support the amendment moved by the Leader of the Opposition and, in doing so, indicate that I will contain my comments to effectively chapter 3 of report 64 and the minority report, which are relevant to the recommendations that Hon Dr Steve Thomas made to remove from this motion. That is not to say that they may not be considered on another occasion. I will outline the reasons that I am doing that shortly. The premise through which I am going to deliver these remarks is this view that one person's scrutiny is another person's time wasting. It is difficult. Hon Tjorn Sibma said before in a debate earlier today that one's view often changes depending on which side of the chamber one sits. I draw members' attention to paragraph 3.4 of the report, which reads —

> The critical question for any parliamentary chamber is to balance the need for adequate scrutiny against the need for the timely passage of legislation.

If recommendations 5 through 8 pass in the form that they are recommended by the majority of the committee, that will give sole discretion to one person in this chamber; that is, the minister or parliamentary secretary in charge of a bill. They will be the sole judge and sole determiner of whether a bill ought to be considered an urgent bill. Members might find it interesting that, in chapter 3 at paragraph 3.8, the committee found this —

> The Committee is not of the view that any further changes are required to speaking times generally at this time and will continue to monitor the debates on the second and third readings of Bills.

At paragraph 3.14, the committee found —

> The Committee is of the view that no change is required to the Standing Orders relating to the consideration of clause 1 however it encourages those Members who preside over Committee of the Whole to reinforce the longstanding practice of the House during clause 1 debates. The Committee will continue to monitor Clause 1 debates into the future.

That is interesting. There are two comments saying that no changes are needed to speaking times on the second and third reading of bills at this time, and no changes are required to clause 1 debates at this time. However, if members read chapter 3 as it flows, there is a need for an urgent bills process. It seems rather odd. It will be interesting to hear in the contributions of those members who have advocated for this through this report, and support the recommendations, about how they reconcile the facts at paragraphs 3.8 and 3.14 of the report with the conclusion that an urgent bills process is required after it has been found that no change is required. It is strange.

Those members who have had the opportunity to read this report would be aware that the COVID-19 temporary orders are canvassed at paragraph 3.38. Interestingly, this paragraph says that the temporary orders that still apply today are activated only following consultation with party leaders. The temporary order is much more than that. It says —

> If, following agreement with the party leaders or Members deputed, the Leader of the House or the Member deputed by the Leader advises the House that it is necessary to introduce a Government Bill or undertake any other immediate business arising from or in connection to COVID-19, the following Temporary Order shall apply in respect of those matters:

Just moments ago we heard from the Leader of the House that she will consult on the activation of this urgent bills process. It will not always be the Leader of the House who will get to make that decision; it will be the minister or the parliamentary secretary in charge of a bill. It will be interesting to know what the approach of the rest of the front bench will be because they will unilaterally have that power, not the Leader of the House.

I would be more reassured if a similar approach was taken to the COVID-19 temporary orders that require the government, a minister or a parliamentary secretary in charge of a bill to seek the agreement of Hon Dr Steve Thomas, Hon Colin de Grussa, a representative of the Legalise Cannabis Western Australia Party, Hon Dr Brad Pettitt and Hon Wilson Tucker. If those leaders agreed that there was a matter of such urgency that required the house to act in this way, I would feel much more assured as a member that that was the case. The leadership of the chamber would then exercise a view rather than a single member of the government in charge of the bill.

Again, I draw members' attention to paragraph 3.4, which states —

> The critical question for any parliamentary chamber is to balance the need for adequate scrutiny against the need for the timely passage of legislation.

One person's scrutiny is another person's time wasting.

It is interesting that I am following some other speakers. We heard today from Hon Dan Caddy. I wrote down one of his exact comments. He said, "It exists in New South Wales and it exists in Victoria." We heard something similar from Hon Sue Ellery.

Hon Dan Caddy: It's in the report.

Hon MARTIN ALDRIDGE: Hon Sue Ellery said, "We are not reinventing history here." She made a reference to New South Wales, Victoria and the Senate. Perhaps we should not hasten members. As Hon Dan Caddy just said, "It's in the report." Members only received the report on Thursday. They only received the correction to the report after business hours last night on the matter that is before us. It corrects recommendation 5, if I am not mistaken. When Hon Dan Caddy interjected and said, "It's in the report", he was referring to paragraph 3.43, which states —

> An urgent Bills process forms part of the Standing Orders in the New South Wales and Victorian Legislative Councils. The effect of these provisions is not to truncate debate —

I am not sure whether the member read the second sentence —

> but rather to permit urgent Bills to pass through all stages immediately or at any stage during any sitting.

I have before me the Victorian and New South Wales Legislative Council standing orders. They include footnotes, very helpfully, especially footnote 16. Under "Urgent Bills" in the standing orders of the New South Wales Legislative Council, it says —

> (1) A Minister may declare a bill to be an urgent bill, provided that copies have been circulated to members.

(2) The question—That the bill be considered an urgent bill—will be put immediately, without amendment.

(3) When a bill has been declared urgent, the second reading debate and subsequent stages may proceed immediately or at any time during any sitting.

That is not what we are considering in this place.

The Victorian Legislative Council's standing orders state, under "Urgent Bills" —

(1) At any time following the introduction of a Bill, a Minister may without notice declare a Bill to be an urgent Bill and move "That the Bill be treated as an urgent Bill".

(2) No amendment will be permitted to the question.

(3) When a Bill has been declared urgent, the second reading debate and all subsequent stages may proceed immediately or at any time during any sitting.

Yes, the Victorian Parliament has an urgent bills process. That is not what we are considering here. In fact, the urgent bills process, as crafted by the majority of the committee at recommendation 5, has no provision for the introduction of an urgent bill, the consideration of it forthwith or dealing with other sections of our standing orders that may prevent its immediate passage. It is not an urgent bill as defined by the Victorian Legislative Council or the New South Wales Legislative Council.

Reference has also been made to the Senate. I am not sure why the member is supporting this or why they even raised the Senate. Paragraphs 3.47 to 3.51 of report 64 say that the Senate does not use it; it prefers a suspension of standing orders. I also draw members' attention to paragraphs 3.50 and 3.51 of the Standing Committee on Procedure and Privileges report, which talks about different practices that exist in the Senate. It states —

> There are some features of the Australian Senate's practice that ensure that a whole Bill can be scrutinised when under time management, rather than the clause by clause consideration of a Bill being interrupted through the guillotine. The Senate now considers nearly all Bills as a whole in Committee which means that questions can be asked about and amendments moved to any clause of a Bill with a separate question put on any clause or amendment that is opposed.

I will come back to this later. Paragraph 3.51 states —

> While the Senate uses time management on Bills it ensures a level of scrutiny through the automatic consideration of Bills by the Scrutiny of Bills Committee. That Committee examines Bills against its terms of reference, which are concerned with the protection of personal rights and liberties, appropriate delegation of power and ensuring that laws subject the exercise of legislative power to parliamentary scrutiny.

There are two things that the government could do here. First, it could make it a condition of this permanent order—not a temporary order—that agreement is required by all party leaders before activating the proposed urgent bills standing order. Second, the government could make it an urgent bills process to allow it to introduce an urgent bill. This does not allow the government to introduce an urgent bill, it does not allow it to proceed forthwith to the second reading, and it does not allow it to adopt the report or proceed forthwith to the third reading.

The other thing that the government could do is refer every bill to our Standing Committee on Legislation. The hardworking members of the Standing Committee on Legislation, who get paid to be members of that committee, are waiting for work. They stand ready to scrutinise the government's legislation.

Before members start comparing jurisdictions, I encourage them to read the report fully and do their own research. Maybe they would have had the opportunity to do that if we had not been proceeding with such haste on this matter.

I also draw members' attention to the standing orders of the Legislative Assembly. Standing order 168(2) states —

> If the Assembly agrees to a motion without notice by or on behalf of the member with carriage of the bill "That the bill be considered an urgent bill", the second reading can proceed forthwith. Debate on that motion will not exceed 20 minutes and no member may speak on it for more than five minutes.

That is the extent of the urgent bills process in the Legislative Assembly. Make no mistake, if recommendations 5 to 8 pass, the Legislative Council of Western Australia will no longer be the house of review. That responsibility will transfer to the members of the Legislative Assembly. If that is the view of the majority of members who oppose the amendment moved by the Leader of the Opposition, their best course of action is to resign and run for a seat in the Legislative Assembly.

There is no example in Australia of a Parliament that has and uses an urgent bills process like the one that is suggested in this report or anything remotely close to the one suggested in this report. Please, members, do not be misinformed by some of the contributions that you have heard today.

I have a number of questions about this majority recommendation. It is fortunate that Hon Kyle McGinn and Hon Dan Caddy have not spoken on the amendment yet, so they can answer some of my questions. It is interesting that recommendation 5, as corrected in report 65, applies only to government bills. It says —

> At any time after the moving of the Second Reading of a Bill a Minister may declare that a Bill is an urgent Bill.

Why is it only government bills that might be urgent? A number of members on this side of the chamber have private members' bills that they would like to have considered. Some of those may well be urgent in the future, or at least in their mind they may be urgent. Guess what tactic is often deployed by government when considering a private member's bill. It is to talk it out and not let it come to a vote. Would one of those members on the crossbench who has a private member's bill awaiting consideration like an urgent bills process? No, not according to the majority of the committee; it is just an instrument of the government.

The other question I have is: could the declaration of an urgent bill and the time allocated to a stage of the bill be retrospective? I think it could be. Imagine a minister or a parliamentary secretary sitting at the table. They might become frustrated, and they might lose their temper, which we have seen time and again, and they could stand up and say, without any consultation, because they do not have to, "I declare this an urgent bill, and I allocate 10 minutes to the Committee of the Whole." We might be two hours in. I think the guillotine would then drop and there would be retrospective application. Is it possible, Hon Dan Caddy and Hon Kyle McGinn, that a minister or parliamentary secretary could apply very limited time or indeed no time at all? Is it possible that in a motion moved after declaring a bill urgent, they could allocate no minutes to a second reading debate, no minutes to a third reading debate and no minutes to the Committee of the Whole stage? I think that would be possible. There is no provision in recommendation 5 to allow a minister or parliamentary secretary in these circumstances to dispense with standing order 121, which relates to the introduction of a bill, or standing order 125, which requires that a Council bill stand adjourned for two calendar weeks. There is that provision in the COVID-19 temporary order, and in New South Wales and Victoria and the Legislative Assembly of Western Australia. Members, this is not about urgent bills. That is a complete farce.

How will bills be treated when they are debated cognately? How will they be treated under an urgent bills declaration? Will these provisions displace an ability to refer a bill to a committee? If a bill is declared urgent and the question on the second reading has to be put in two hours, what will happen if it is discharged or referred to a committee? Interestingly, members, the recommendation for standing order 125A, as crafted by the majority of the committee, preserves the right of speech for a minister or parliamentary secretary at suborder (4), which states —

> A Minister or Parliamentary Secretary may commence or complete a second reading reply speech notwithstanding the operation of (3).

It is interesting that, once again, these individuals are more important than the rest of the members in the chamber. There is no ability to guarantee that I will have a right of speech on behalf of my constituents on any bills that are declared urgent by the ministers or parliamentary secretaries in charge of these bills. I look forward to an informed response from those members who have crafted these provisions.

Standing order 137(2) states —

> Consideration and adoption of a report on an amended Bill shall be made an order of the day for the next sitting day, unless leave is granted to consider the report on presentation.

Once again, members, the COVID-19 temporary order deals with this urgent bills process, but recommendation 5 does not. We then get to the third reading stage. Standing order 140(b) states —

> if the Bill has been amended, the third reading of the Bill shall be made an order of the day for the next sitting day.

Once again, there is no contemplation in recommendation 5. Members, this is not about dealing with urgent bills. If it was, it would have captured the operation of what an urgent bills standing order actually looks like in Victoria and New South Wales and the Legislative Assembly of Western Australia, and it would allow a bill to proceed through each stage of its passage forthwith. This is not what recommendation 5 anticipates. This is purely a guillotine by a different name. This is not about urgent bills. It does not balance members' right of speech across the chamber. A handy table on page 14 of the report, table 1, details a number of bills that I think have been disadvantaged by the exercise of a guillotine motion in this Parliament and the last Parliament.

The amendment moved by the Leader of the Opposition seeks to simply defer recommendations 5 to 8. I draw members' attention to the minority report. I think that would be a responsible alternative approach to address some of those issues, unless, of course, Hon Dan Caddy and Hon Kyle McGinn are in a position to answer my questions forthwith. This is about silencing voices on this side of the house ahead of abolishing them.

HON NICK GOIRAN (South Metropolitan) [8.54 pm]: I rise to support the amendment moved by Hon Dr Steve Thomas. I interpreted the amendment moved by the honourable Leader of the Opposition to really be seeking to carve out four recommendations from the report before us. In earlier comments today, I referred to this report as the equivalent of a five-part bill with 38 clauses. What the honourable Leader of the Opposition is looking to do is carve out part 3 of the report that is before us. I need to clarify at this point that when I refer to the report, I am referring to the sixty-fourth report of the Standing Committee on Procedure and Privileges. As I understand it, that is the only report that is before us. I note that reference has been made to a sixty-fifth report, but I am unaware of the sixty-fifth report presently being before us for consideration. My understanding is that we are solely looking at the sixty-fourth report, which has been enthusiastically moved for adoption.

Members will see that chapter 3 of the sixty-fourth report ends with recommendations 5 to 8. Two questions need to be considered by members. The first is: What disadvantage is there to the Legislative Council of Western Australia if the Leader of the Opposition's amendment is agreed to; is there any? That is the first question we should ask. The second question to ask is: if we were to carve out this part, why would we do that? There are some very good reasons. I must say that I really commend the Deputy President for his contribution. Once again, he has demonstrated precisely why members elected him to that office. I really commend him for the remarks that he just delivered. It needs to be noted that it is highly unusual for a minority report to be appended to a Standing Committee on Procedure and Privileges report. I cannot say that it is completely without precedent, but it is highly unusual. That might be one reason why members might agree that this should be carved out for supplementary consideration, particularly when considering the history of the Legislative Council. These types of changes to the laws of Western Australia and to the standing orders of the Legislative Council in the Parliament of Western Australia have been done on a consensus–bipartisan–tripartisan basis. Appended to the sixty-fourth report of the committee is a minority report. The second reason why members might agree to carve out a part of the report before us is that the portion that the honourable Leader of the Opposition asks us to carve out is a portion that has not been tested by a temporary order. Often, any reforms to our processes and procedures are first tested by a temporary order for a time. But members would be aware that the proposal set out in recommendation 5 has never been the subject of a temporary order in this place and has not been tested.

There is a third reason that members might agree to carve out this portion of the bill before us. Incidentally, members should note that if we did agree to carve it out, it would not mean that the rest of the recommendations could not be passed. They could be passed. They could even be passed today. The carve-out would allow further consideration to be given to this contentious portion. The third reason we might agree to this is that the nearest equivalent to the trial of these provisions is the COVID-19 temporary order, yet at the hand of the majority—indeed, if I am not mistaken, the unanimous view of the Standing Committee on Procedure and Privileges—the temporary order, which is the nearest equivalent to what we are discussing now, has not been evaluated. Firstly, the minority report is delivering a red flag for the attention of members. Secondly, what is proposed before us has not been tested by way of a temporary order. Thirdly, the nearest equivalent, the closest cousin, to what we have before us has not been evaluated, on the word of the five members of the Standing Committee on Procedure and Privileges.

I wonder who has had the opportunity to read and digest the sixty-fourth report. This is an interesting thing. After 13 years in this place, it never ceases to amaze me how many times we deal with things that people have not read. One of the primary motivators for me selling my half share in a law firm in 2007 was complete exasperation at the state of the laws in Western Australia. What I did not know then, and what I have now come to learn, is that lawmakers routinely do not read the things that they are going to pass. I really do wonder how many of the 36 members in the chamber today have read the sixty-fourth report, to say nothing of the sixty-fifth report, which we may get to at some stage—who knows?

If those members who have had an opportunity to read the sixty-fourth report look at recommendations 5, 6 and 7 and the commentary of the majority of the committee that lead to those recommendations, they will see a complete absence of any analysis to set out the difference between those recommendations and the COVID-19 temporary order. The unanimous view of the committee is that that has not been evaluated; there is no analysis between that and what is proposed here at recommendation 5. Why the difference? Why is there a difference between the COVID-19 temporary order, which has been not been evaluated, and the order that we are being asked to agree to on a permanent basis? Why the difference? Why no commentary?

One of the reasons that there might not be any commentary is that the committee was flat out trying to comply with an unreasonable time frame that was put before it by the Council. That could be one reason. Another reason might just be that some individuals were not up to the task and doing a bit of analysis was asking too much. But that is okay, because those same individuals have the opportunity now when we are passing the bill, or the recommendations—part 3, or otherwise—of this report, to provide an explanation. Why the difference? Can they articulate a reason, or is that an intellectual challenge that is too difficult? I wonder. The report stands on its own merits. There is very clearly no analysis in chapter 3 of the difference between the COVID-19 temporary order, which has not been evaluated, and the permanent order that is about to be inserted into the standing orders as new standing order 125A, either in the form set out in the erroneous sixty-fourth report, or in the form set out in the sixty-fifth report.

It needs to be said that there are a number of issues. Even if there are members with a degree of enthusiasm for what is before us who may, at some point in time, be in a position to articulate the reasons for it and the difference between the COVID-19 temporary order and the order that is before us, there remain some issues. One issue is the concept of ministerial edicts. What is before us seeks to enshrine the power of a minister to declare a bill urgent—in other words, to issue an edict to say, "This is an urgent bill." I encourage members to look at proposed standing order 125A(1), which states —

> At any time —

I pause there to reflect on the time aspects and the prospect of retrospectivity, as outlined by the Deputy President in his remarks earlier this evening —

> after the moving of the Second Reading of a Bill a Minister may declare that a Bill is an urgent Bill.

I was away on urgent parliamentary business, but someone relayed to me that the Leader of the House had indicated—I am paraphrasing—that for the time she remained in the position of Leader of the House, it was her intention to consult on such declarations. I think that is entirely appropriate, fair and reasonable, and I thank the Leader of the House for putting those comments on the record.

The issue that remains, though, is twofold. Firstly, that does not mean that future leaders of the house will take the same approach. We are here enshrining something that will remain permanent until such time as a future Legislative Council with an absolute majority agrees to change it. The second issue is that the practice the Leader of the House has indicated she will be inclined to pursue is not set out here. That is, yet again, one of the differences between this recommendation and the COVID-19 temporary order—the concept of consultation—yet there has been no explanation given by members of the majority of the committee as to why that is absent. There could be a good, cogent reason for that, but it is not in the report and nobody has bothered to explain it. As I said, maybe that is too hard.

This proposed standing order will allow for the putting of amendments without debate. I draw to members' attention proposed standing order 125A(3), which states, in part —

> If the motion is agreed, when the maximum debate time for a stage of the Bill has expired, the Presiding Officer must interrupt the debate and put to the vote all questions as are necessary for the Bill to complete that stage, including all amendments standing on the Supplementary Notice Paper.

We will have a situation in which members will be required to vote on amendments that they have not heard arguments for or against. This is no fiction, because as the Deputy President outlined in his speech earlier this evening, if members take the opportunity to read the sixty-fourth report, they will see when they get to table 1 on page 14 that there is a series of examples in which exactly that has taken place.

I am grateful to my colleague Hon Tjorn Sibma for earlier this evening raising the bill that dealt with the SafeWA data breach. If I am not mistaken, that is the Protection of Information Entry (Registration Information Related to COVID-19 and Other Infectious Diseases) Bill 2021. If that is the case, 12 clauses and the title of the bill were put under this type of provision. Members may say that the title of a bill is no big deal and probably 99.9 per cent of the time I would tend to agree. This was no insignificant bill; it was a bill that the government was very keen to get out of here as quickly as possible because a situation was uncovered by the Standing Committee on Estimates and Financial Operations, in which senior health officials were debating with police, but allegedly nobody had told any of the senior ministers, although there is still water to go under that bridge, let me assure members, until we get to the bottom of exactly who knew what and when. We could not get that information here because the hardworking parliamentary secretary, who was doing his absolute best, was being provided wrongful information at the time about the availability of police advisers, only for us to later find out and for him to very charitably apologise to the chamber because, apparently, no-one had contacted Police, certainly not from the Minister for Police's office, who is yet to be held to account, but the day of reckoning will come.

The third issue that arises as a result of all this is that there is what I describe as a denied right to represent. Recommendation 7 indicates that any discussion by this chamber about the times to be applied, if this edict about an urgent bill is established, must be curtailed to 30 minutes. As I read these proposals, a member can speak for up to five minutes. As soon as six people speak for five minutes, the right of some members to represent will be denied. Why should some of the members in this place not be able to represent their region and have a say? I wonder how that will work when members take a moment to read our existing standing orders, in particular schedule 4, which sets out which matters constitute contempt and interference with the Council. It states —

> A person shall not improperly interfere with the free exercise by the Council or a Committee of its authority, or with the free performance by a Member of the Council's duties as a Member.

A member representing a region will no longer have free performance to fulfil their duties as a member because an edict will have been established by a minister.

A number of other issues arise ancillary to this; that is, our experience can tell us that the only outcome that will be achieved here is the dilution of scrutiny. This is a peculiar concept for the forty-first Parliament. I suspect that the beneficiaries of what is happening today and this week, will not be this government. The beneficiaries of what will happen here will be future governments, because whether the government passes this provision or not or carves out part 3, as proposed by the Leader of the Opposition, will make absolutely no difference to it because precisely the number of bills it wants to pass will happen in the forty-first Parliament.

That will not necessarily be the case for every government moving into the forty-second Parliament and future Parliaments. They will be the beneficiaries of this provision all because certain individuals have not done the work. They have not read the document that they so enthusiastically jumped to their feet and asked everyone to adopt. They have been caught short, because there is a sixty-fifth report. They have not had an opportunity to get up and provide an analysis of the differences between the sixty-fourth and the sixty-fifth reports. I support the amendment moved by the Leader of the Opposition and I encourage other members to do likewise.

HON NEIL THOMSON (Mining and Pastoral) [9.15 pm]: I rise to support the Leader of the Opposition's amendment. We find ourselves in an unfortunate situation. We could agree with everything in this report very quickly, except for recommendation 5 and the associated recommendations. The challenge we have here today has been ably put by other honourable members.

I listened to the comments Hon Martin Aldridge made about other jurisdictions. We talk about best practice and what other Parliaments in Australia do. Page 1 of the report talks about the principles adopted for this review and the modernisation and best practice for the operations of this Parliament. The Leader of the House talked about those aspects being laid out in the report. I will go to that section in the report. The section I referred to is only three and a half lines outlining what occurs in the other jurisdictions. We do not have laid out in the report the powers for urgent provisions in the other jurisdictions.

There are a number of states in our Federation. I spent some time cobbling this together because a review has been done that has not outlined those provisions. There is no table in this report outlining what the urgent provisions in the other jurisdictions are. We can look at the standing orders of Tasmania and search for the word "urgent". I am not an expert on this, and I have not spent the time on it that the Standing Committee on Procedure and Privileges has. There are provisions on motions and an urgent motion provision in the Tasmanian standing orders. However, no comparable provision to Tasmania has been proposed.

The Victorian Legislative Council standing orders has a section on urgent bills. Chapter 14.34 states —

> (1) At any time following the introduction of a Bill, a Minister may without notice declare a Bill to be an urgent Bill and move "That the Bill be treated as an urgent Bill".
>
> (2) No amendment will be permitted to the question.
>
> (3) When a Bill has been declared urgent, the second reading debate and all subsequent stages may proceed immediately or at any time during any sitting.

Looking at that, it would appear that a bill can be declared an urgent bill. The debate would go on but no other provisions suggest that there would be any time limits, as far as I can tell. It is just to identify that a bill gets priority within the Parliament. It seems to be drawing a bit of a long bow to compare it with the provision proposed in recommendation 5. We have heard glib comparisons from members saying that this is best practice. It would appear that the standing orders of both Victoria and Tasmania are not best practice if this is best practice. Here we are in Western Australia setting a precedent for Australian jurisdictions, and I will come back to that in a moment.

I could not find any urgent bill provision in the South Australian standing orders. I know that members opposite may say, "I'm not sure what Neil is saying here", but the point is that it should have been laid out in the report. That way members of the opposition could have made an assessment on that, rather than spending our time trying to ascertain whether the government's claims that it is best practice are correct, which does not appear to be the case. New South Wales Legislative Council standing order 138, "Urgent bills", states —

> (1) A Minister may declare a bill to be an urgent bill, provided that copies have been circulated to members.
>
> (2) The question—That the bill be considered an urgent bill—will be put immediately, without amendment.
>
> (3) When a bill has been declared urgent, the second reading debate and subsequent stages may proceed immediately or at any time during any sitting.

Again, it appears that the urgent bill provisions outlined in the New South Wales standing orders are simply to identify the bill as an urgent bill. There does not seem to be an equivalence with this provision. I come to the Leader of the House's comments that the provisions are laid out—those are the words she used—in the report. When I looked at the report, I saw three and a half lines on what was described and saying that the provision was comparable. Are we expected to just believe that it is the same? In fact, on my cursory examination of the standing orders of other jurisdictions, it does not appear to be equivalent. It is incumbent on this committee to present that in more detail in its report. It is all about the scrutiny that is required. It comes back to a question of scrutiny. Even in the report there is a lack of scrutiny and a lack of detail. I suggest that this report is not best practice, because I would have thought it would have all that detail.

I come back to the Senate. The graph in the report refers to standing order 142. It lays out standing order 142 in detail. That has been read into *Hansard* a few times already so I am not going to repeat it. We have the graph. There is a bit of a discussion around its use when there was a balance of power et cetera in the Senate. I make one observation. In fact, I would like to observe a couple of things about the Senate. Firstly, interestingly, we have a Senate that has, if you like, a gerrymander in relation to the states of Australia. That is interesting in relation to the review currently underway in our upper house. One of the models is for statewide one vote, one value. It is the intention to insert that into the review of the upper house. That is certainly not the case with the Senate. Members may ask:

why is that relevant? It is relevant because the Senate is a very stable and equitable chamber. It has 12 senators from Tasmania, for example. If there were a double dissolution, there would be 26 000 voters per senator; whereas, in New South Wales, that figure would be 345 000 voters per senator.

This is a situation, not dissimilar to what is occurring in this house at the moment, wherein there has been a complaint about the number of voters who get to vote in my region, which resulted in me being elected, along with my colleagues from the Mining and Pastoral Region. My point is that the Senate has always had a balance of power and has always had, effectively, a minority government situation because of its composition. Today, this chamber has an absolute majority of the government and it seems coincidental, you could say, that the majority government is now putting through provisions that will effectively allow for a guillotine effect. It might be true today that the Senate's composition might compare with that in this place, but in its balance of power it is certainly not the case and I think it is incumbent on this place to ensure that it continues to be place of review that is a place of balance. Therefore, I commend the amendment and support it, because I believe we need to retain balance and ensure that there will be ongoing scrutiny of the government and that it will be held to account when laws are made for the people of Western Australia.

HON JAMES HAYWARD (South West) [9.26 pm]: I want to pick up on a couple of things that Hon Sue Ellery said in her speech earlier. The Leader of the House said that one of the things that might happen is a minister may bring in this provision during the passage of a bill. For instance, if a clause 1 debate goes on too long, the minister could potentially invoke this provision in order to get an outcome and to get the legislation moving more quickly. I do not think I heard that wrong; I am pretty sure that was the intention of what the Leader of the House said. This is exactly the problem and the real difficulty with what is being proposed here. In reality, we are giving a single person, whoever that may be—the Leader of the House, one of the ministers or a parliamentary secretary—that complete and almost absolute power.

One of the things that we need to think about is that the state spends a lot of money to keep the Legislative Council going. It puts significant resources into all of us sitting here tonight in terms of the costs of having people here, staff here and the power on, with all the lights. The state is spending a significant amount of money, because it values the work of the Legislative Council. The other thing we need to keep in mind as well is that all of us went through an election process.

Several members interjected.

The ACTING PRESIDENT: Members! Hon James Hayward has the call.

Hon JAMES HAYWARD: All of us went through an election process and the state spent a significant amount of money electing the individuals who sit in these seats. All those expenses are spent because of how much democracy is valued. The danger of what is being proposed, particularly with the ability for a minister or parliamentary secretary to arbitrarily announce that a bill has become urgent even during the passage of that bill, is that it completely goes against all the values of democracy. It goes against those values because, effectively, one person will have control over what happens. It would be possible for somebody to stand up and say, "We're going to close this debate down; you've got 30 minutes" or whatever the time is. That will curtail the other member's ability to prosecute their case.

Having said that, I will be a bit cheeky and suggest something to the government. We clearly agree that most of what is being proposed can be supported, so here is a wild and cheeky suggestion that the government might want to consider. Consider supporting the amendment, putting it through and getting all those items except for those in recommendation 5 through now. Get them through tonight and we can start them tomorrow. The government can save some of the time it is looking to save. We can get rid of our afternoon tea breaks and reduce our meal breaks. All these things can come into place immediately. Then, I suggest that the committee could perhaps have another look at how it words those recommendations, with a little bit more work on what the precedents are in other jurisdictions around the country, and then re-present them to be looked at again.

Quite clearly, the government has the numbers. It does not need this recommendation, because it could simply put the matter to a vote. The urgency motion could be put to the house and voted on, and the government would win every time. That would be a very, very simple addition to what is currently being proposed, and, in fact, I would have no problems supporting it, and I suspect others on this side would not either. The problem is simply the idea that a sole individual is responsible. I am not disparaging the quality of the people here, but when laws are written for the future, we have to consider the worst-case scenario. These things need to be made bulletproof so they stand the test of time. What is being proposed here will not stand the test of time and it is dangerous. There is a possible way forward. If the government were to take this on board, it could get most of these things in place for tomorrow. We would not be debating this matter any further, the committee would have the opportunity to rejig the other elements it wants, and perhaps with some negotiations behind the chair, we could get to a point at which they could be supported. Maybe that could happen quite quickly. It might be a way to give the government six hours or whatever back tomorrow or in the future. It might also give an olive branch to the opposition to say that maybe there is a way we can get these things forward, given that we support most of the recommendations.

Division

Amendment put and a division taken, the Acting President (Hon Jackie Jarvis) casting her vote with the noes, with the following result —

Ayes (10)

Hon Martin Aldridge	Hon Sophia Moermond	Hon Neil Thomson	Hon Colin de Grussa *(Teller)*
Hon Peter Collier	Hon Tjorn Sibma	Hon Wilson Tucker	
Hon Nick Goiran	Hon Dr Steve Thomas	Hon Dr Brian Walker	

Noes (19)

Hon Dan Caddy	Hon Peter Foster	Hon Shelley Payne	Hon Matthew Swinbourn
Hon Sandra Carr	Hon Lorna Harper	Hon Stephen Pratt	Hon Dr Sally Talbot
Hon Stephen Dawson	Hon Jackie Jarvis	Hon Martin Pritchard	Hon Darren West
Hon Kate Doust	Hon Alannah MacTiernan	Hon Samantha Rowe	Hon Pierre Yang *(Teller)*
Hon Sue Ellery	Hon Kyle McGinn	Hon Rosie Sahanna	

Pairs

Hon Steve Martin	Hon Klara Andric
Hon James Hayward	Hon Ayor Makur Chuot

Amendment thus negatived.

Motion Resumed

HON SUE ELLERY (South Metropolitan — Leader of the House) [9.36 pm]: I want to go over some comments that I might have made before, so I ask members to please forgive me if they are about to hear me say this for the third time.

I want to thank the Standing Committee on Procedure and Privileges for the report. There is no question that the committee did a substantial amount of work in a relatively short time. I want to thank the committee. I think the committee would have had to do some of its work over the July break when others of us were free of such obligations and could take some time off, so I want to thank the President and the members of the committee, and the staff, for the report.

There is clearly—we have touched on it already—a minority report. Given some of the debate that we have heard, and given the findings and recommendations of the minority report, I can draw the conclusion that at times the deliberations of the committee might have been difficult. The minority report draws the conclusion, not surprisingly, that the balance has not been appropriately struck between speed and scrutiny. That is not the view of the government. Therefore, the government will be supporting the motion.

The report is useful in a number of ways, not the least in that it reminds the house that a guillotine motion is different from a gag. A guillotine, as proposed in recommendation 5, is not a new term. It has been used recently for the COVID bills. Variations of it are used in other upper houses around Australia, including the Senate and the Parliaments of Victoria and New South Wales. The report notes that the guillotine is about time-limiting debate, which this house has used most recently over the last 18 months on the COVID legislation. The point of difference is that a gag is a closure motion.

The executive summary of the report notes that the committee identified a number of enhancements that will increase the time available for core government business, modernise certain procedures, and simplify areas of confusion among members.

Much will symbolically be made of the question of afternoon tea. There are others who have gone before us. Members in the forty-first Parliament will not understand the holy grail that afternoon tea has become. I think that albeit it will be a saving of only 15 minutes on two days a week, this is an important change to make. It is possible for us to consume a cup of tea and not stop the whole business of the house; it is possible for us to do that. I cannot think of any other workplace in Australia in which the whole business would stop while people had a cup of tea. People do have tea breaks. There is no question about that.

Hon Peter Collier: Yes, schools!

Hon SUE ELLERY: Except the business does not stop! There are teachers on duty. While those students are on the school site, the school has an obligation to meet the duty of care, so business does not stop at all. In fact, when I tell the teachers' union that that is what you, a former Minister for Education, said, it will be horrified!

Hon Peter Collier: Good try!

Hon SUE ELLERY: Yes; I can distract it from anything it might not be happy about with me!

It is a small amount of time, but it is important symbolically. I am delighted that, in my last term in this place, that will, hopefully, change. There are other elements that are small but are not to be sneezed at, such as the proposition that we need to have an hour and a half for a dinner break. In members' ordinary lives at home—maybe it is just me who does not—who stops and takes an hour and a half for dinner?

Several members interjected.

Hon SUE ELLERY: I do not know—who?

Hon Martin Aldridge: Wait for my contribution!

Hon SUE ELLERY: Excellent; I am on tenterhooks! I think that will also be a useful change.

I think some points were made in the earlier iterations of the debate that what we are doing is, I suppose, to paraphrase, so extreme and so fundamentally different from what goes on in other jurisdictions that there needs to be great alarm. That is not the case. Other jurisdictions have a combination of measures in place, such as sessional orders and gags. Members of the Australian Senate have far more severe limitations on their speaking times than we do here.

I noted in my most recent contribution to this debate why the government believes that recommendations 5 through to 8 set out in chapter 3 are an important step forward for us to manage the business of the house in a modern and efficient way. I have said it before and I will say it again: it is my intention that my practice will be to consult with the parties if I believe that I need to rely on those procedures. I have been here for 20 years. I have been on that side. I have seen the way the system can be gamed. I have to say, there is one person in the chamber who is the grand master of gaming the system, who uses time and does not follow requests, polite though they are, and certainly does not follow directions from his own side when he is asked to. That is in no small part why we find ourselves in this position tonight. We want to get on with our legislation. We do not want to have to extend hours and sit here longer. We want to be able to do our business in a sensible fashion in the hours that are allocated to us. We want to allow the appropriate scrutiny and the appropriate degree of questioning that is required, but if that is being abused, we want a mechanism by which we can bring that to a conclusion, and recommendations 5 through to 8 will give that to us. For those reasons, we will be supporting the recommendations.

There are other recommendations in the report that go to a range of other measures, and I look forward to them all together adding to a more productive Legislative Council. These are important changes to be made. Despite our differences of opinion on how we have got to this point, I appreciate the work that went into both the majority and the minority reports. I thank the members of that committee for the work they have done. I look forward to these changes making a significant difference to how we efficiently carry out our role as a house of review and to our continuing scrutiny of legislation, but in a timely fashion.

HON MARTIN ALDRIDGE (Agricultural) [9.43 pm]: Now that we have returned to the motion moved by Hon Dan Caddy, I rise to contribute to the debate on the tabling of the sixty-fourth report of the Standing Committee on Procedure and Privileges. I will only get the opportunity to make some opening remarks this evening. I wanted to start by making some reference to the extraordinary time frame of this wideranging review. Members will be aware that on 3 June 2021, a motion of this house referred this matter to the standing committee, with an expected reporting date of 4 August 2021. Members will also be aware that an extension was granted to September 2021, which was Thursday of last week, when the sixty-fourth report was tabled. Members will also now be aware that late last evening, the sixty-fifth report was tabled out of session, out of business hours, and circulated to members. I made some remarks earlier today that I find this arrangement of the interaction between the sixty-fourth and the sixty-fifth reports of the standing committee quite interesting. When one looks at order of the day 19, which we are dealing with, we are considering the motion that Hon Dan Caddy moved on Thursday, 2 September 2021 —

> That recommendations 1 to 38 contained in the sixty-fourth report of the Standing Committee on Procedure and Privileges, *Review of the standing orders*, be adopted and agreed to.

In effect, the motion that we are debating that was moved by Hon Dan Caddy last Thursday has been amended by the out-of-session tabling of the sixty-fifth report last evening. I find that quite strange. If the circumstances were a little different, I would think that would not be acceptable. I am sure that Hon Dan Caddy, as a loyal member of the Labor government, continues to support the motion he moved last Thursday, notwithstanding that three of the recommendations forming the substance of his motion, recommendations 1 to 38, have changed.

Debate adjourned, pursuant to standing orders.

LIBERAL PARTY — WHATSAPP MESSAGES

Statement

HON SUE ELLERY (South Metropolitan — Leader of the House) [9.46 pm]: A smart person said, "Disrespect of women does not always lead to violence against women but that's where all violence against women begins." I want to talk about disrespect and comments that have been made about women. It is ironic that I am doing it because over the last two days, people might have observed the National Summit on Women's Safety, which was convened by the Prime Minister to address in no small part some of the issues that have occurred in Parliament House, Canberra, but more broadly to address issues that affect women.

Also in the last few days, since Sunday, some 700 pages of WhatsApp messages between various members of the Liberal Party, including two members of the current forty-first Parliament, have been made public. Some appalling comments have been made by members of this house about women in the Liberal Party and about women in this house, including me.

I am telling members, in the event that anyone is in doubt, that I find the comment and the hashtag attributed to Hon Nick Goiran about me disrespectful. If members were in any doubt, if they had not thought about it, I am telling them now that I find it disrespectful and offensive. I invite members of the Liberal Party to do two things. The disrespect that they ignore is the disrespect that they also exercise. I am asking them to do two things. The first is to consider publicly distancing themselves from the comments made about women in those documents. The second thing I am asking them to do, even if they cannot do that without making it public, is to call it out. They can tell Hon Nick Goiran that that comment was beneath him and it was disrespectful of all women. They can tell me that. They do not need to tell me that they have told him that; they can just do it themselves.

I am inviting members of the Liberal Party to do two things: publicly distance yourselves from the disrespect with which women have been treated and the exposure of that. If you do not have the guts to do that, at least step up as real men and confront the men who made those comments and say, "That is not acceptable."

SOCIAL MEDIA POST

Statement

HON DAN CADDY (North Metropolitan) [9.49 pm]: I rise tonight to reflect on one of the most pathetic, nasty and inaccurate social media posts, one that shows a real lack of understanding, that I have seen in recent times, basically since Twitter turned off Donald Trump in January this year. Over the weekend Hon Neil Thomson took to social media to complain about government members speaking in Parliament about the achievements of government, and he specifically singled out Hon Pierre Yang. I know that Hon Neil Thomson wishes that he could get up and talk about the achievements of the Leader of the Parliamentary Liberal Party. I am sure that he would wax lyrical about everything that the Leader of the Parliamentary Liberal Party has done for at least 18 seconds before he ran out of things to say. But the reason those of us on this side talk about the achievements of this government is because this government listens to the people and takes in what the people say. It is a government that acts on behalf of the people of Western Australia and it is a united team working for the people of Western Australia. It is not a group that is looking inwardly at itself with a couple of "Clan" leaders pulling the strings for everyone.

Hon Neil Thomson said that Hon Pierre Yang was, and I quote, "grovelling" and accused Hon Pierre Yang of speaking deliberately so that he could not contribute to a motion. Hon Pierre Yang is an outstanding, accomplished and brilliant speaker. He has been on his feet many times since I have been in this Parliament. Let me tell members about the members' statements that he has made. One of them was on Afghanistan—not a bad thing. One was on COVID-19, as opposed to other members in this chamber who took commercial flights and made jokes about face masks when COVID-19 was getting to its worst. He also gave another members' statement about the University of Western Australia. I would have thought Hon Neil Thomson would have backed Hon Pierre Yang on his members' statement about UWA because he comes into this place like a messiah for planning, yet one thing that is going to be cut from UWA is the Master of Urban and Regional Planning and everything nested in that. The other members' statement Hon Pierre Yang made was about homelessness. Hon Pierre Yang spoke about homelessness because he has taken homelessness very, very seriously since he was elected to this place and has done the CEO Sleepout five times. The irony of him being accused of filibustering is not lost on me when the fact is he was late to the last CEO Sleepout because members on Hon Neil Thomson's side were doing exactly that.

President, I will take Hon Pierre Yang's participation every day over Hon Neil Thomson's pontification. I also suggest that the real animosity here comes from Hon Pierre Yang interjecting and calling a point of order on Hon Neil Thomson during the member's motion on electoral reform. Members, this shows how good Hon Pierre Yang is. He could listen and make sense of what Hon Neil Thomson was saying and had enough of an idea to actually make an interjection. I mean, I despair for Hansard every time Hon Neil Thomson is on his feet because they sit there doing their job and doing it extremely well, trying to decipher this verbally given cryptic crossword of sounds and noises that comes their way. I admire what Hansard does and what they do for all of us in this chamber to make us all sound good on paper, but I am in awe of what they do when Hon Neil Thomson is on his feet.

I will leave him alone and go to the motion on electoral reform while I am on it, because, coincidentally, it was this motion on which Hon Tjorn Sibma stood up to speak. Hon Tjorn Sibma is a linguist of mark; he is at the other end of the spectrum of Hon Neil Thomson. He gave a fantastic and impassioned speech based on a submission from the Shire of Wagin. What he did not disclose, even when asked, was that the president of the Shire of Wagin, whose name one would assume would be on this submission, is a former failed candidate for the Liberal Party. I do not ever want to hear the words "gold-standard transparency" thrown across this chamber. That was not the only submission; indeed, other submissions also contained the names of former failed Liberal candidates. That is fine; Hon Tjorn Sibma is entitled to speak to his mates in the Liberal Party and say, "Write some submissions so we've got something to talk about", but he should not lecture us on gold-standard transparency when he has not disclosed that that happened. I certainly hope for him that he had the permission of "The Clan" to do that.

In conclusion, Hon Neil Thomson ought to refrain from accusing us of not letting him speak. He knows full well that in this chamber, opposition backbenchers get far more opportunity to speak than do government backbenchers. It is absolutely no surprise that he is so incredibly frustrated and venting his frustration at members on our side, but it is not our fault that every time he gets to his feet, his own party realises the calamitous mistake it made in preselecting him. I do not know, but I am pretty sure Hon Nick Goiran may have him in the pork chop award category.

TICKET SCALPING BILL 2021

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

ADMINISTRATION AMENDMENT BILL 2021

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Matthew Swinbourn (Parliamentary Secretary)**, read a first time.

Second Reading

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [9.56 pm]: I move —

That the bill be now read a second time.

I am pleased to reintroduce the Administration Amendment Bill 2021. A version of this bill, the Administration Amendment Bill 2018, was passed in the other place and transmitted to the Legislative Council on 3 April—that day is my birthday, so it is a very auspicious day—2019. However, the bill lapsed with the proroguing of Parliament in 2020. This bill will increase the current amounts of the statutory legacies payable on intestacy. These amounts were last adjusted in 1982 and are now grossly inadequate. The bill also provides a formula for calculating the amount of the statutory legacies in the future and requires the relevant minister to review the amount of the statutory legacies every two years and decide whether it is appropriate to make an order adjusting the amount of the statutory legacies.

The process for reforming the law relating to succession began in 1991 when the Standing Committee of Attorneys-General of Australia resolved to develop uniform succession laws across the Australian states and territories. The project was coordinated by the Queensland Law Reform Commission, with a national committee comprising representatives from each jurisdiction preparing a report and proposed model bills for adoption by the states and territories.

In late 2003, Western Australia established a working group to examine the law of succession in Western Australia and made recommendations for legislative reform for consideration by the government. The working group was constituted by experts in the area and drawn from the Supreme Court of Western Australia, the legal profession, academia, the Public Trustee and the independent bar. The model bills, together with reports of the Law Reform Commission of Western Australia, have informed the process of the working group's review of the law of succession in Western Australia. However, there have been significant differences in the proposed reforms and the model bills. Although the working group is aware of the rationale for uniformity, it does not consider that the benefits contained in the Administration Act 1903 of Western Australia should be surrendered for that purpose alone. From the work done by the working group, there have been reforms to the law relating to wills and family and dependants' inheritance provisions. The working group continued with the above review process when considering the reform of intestacy law in Western Australia.

The bill deals with entitlements arising upon an intestacy as presently contained in sections 14 and 15 of the Administration Act 1903 of Western Australia. Intestacy occurs when the whole or part of the estate of a deceased person is not disposed of by a will. The property that has not been dealt with effectively by a will is usually distributed according to a regime established by statute. A partner's legacy is the fixed net sum to which the deceased's surviving spouse and/or de facto partner is entitled from the estate when the deceased died intestate and in circumstances in which there are surviving family members.

The most significant of the proposed reforms is to increase the statutory legacy from the intestate estate passing to the surviving spouse or de facto partner. Currently, a partner's legacy in Western Australia is as low as $50 000 when the intestate dies leaving issue—a person's children or other lineal descendants—and as high as $75 000 when the intestate dies leaving no issue. The statutory legacy aims to remove financial hardship for the surviving spouse or de facto partner and tries to ensure that he or she can live in the manner to which he or she had become accustomed. The bill amends the Administration Act 1903 to set the amount of the partner's statutory legacy at $472 000 when the intestate dies leaving issue, and $705 000 when the intestate dies leaving no issue. The lapsed bill contained lump sum amounts that had been determined when that bill was drafted—namely, in 2017. Given the time that has elapsed since then, this bill contains lump sum amounts that are up to date. Those amounts have been calculated by applying the formula contained in clause 5 of the lapsed bill.

The parental statutory legacy applies when the deceased has living parents and/or siblings or siblings' issue but does not have a surviving husband, wife, partner or issue. The parental statutory legacy was last reviewed prior to 1982 and is currently $6 000. Consideration has been given to whether to increase the $6 000 to a sum that is financially beneficial or to abolish this statutory legacy.

The reasons for preferring to increase the parental statutory legacy include that the $6 000 has little beneficial financial impact; it makes the distribution of an intestate estate more complicated than this small amount warrants; and it is appropriate that the deceased parents participate in the distribution of their child's intestate estate because the death of a child is a very tragic event for parents, and money, though it cannot compensate for the loss, may provide some help to those parents. The bill amends the Administration Act 1903 to set the amount of the parental statutory legacy at $56 500.

In 1973, the Law Reform Commission of Western Australia noted that fixing the statutory legacy by legislation had proved unsuccessful, given that Parliament had adjusted the statutory legacy on only three occasions in the preceding 25 years. The bill inserts a new provision into the Administration Act 1903, setting out a formula for calculating the amount of statutory legacies from time to time in the future.

Following amendment of the bill during consideration in detail in the other place, it now contains a new provision that requires the relevant minister to review the amount of the statutory legacies every two years and decide whether it is appropriate to make an order adjusting the amount of the statutory legacies. The minister will also be required to lay before each house of Parliament a report based on the review as soon as practicable after the review.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to a bilateral or multilateral intergovernmental agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and table the explanatory memorandum.

[See paper 529.]

Debate adjourned, pursuant to standing orders.

House adjourned at 10.03 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

HOSPITALS — EMERGENCY DEPARTMENTS — ADMISSIONS

156. Hon Martin Aldridge to the minister representing the Minister for Health:

I refer to emergency departments in public hospitals, including public hospitals with private operators, and I ask:

(a) for each year and for each hospital since 2018, what is the longest amount of time a patient has waited for admission and what was the date that patient was admitted;

(b) has the Minister received any correspondence relating to mental health access block within the hospital network; and

(c) has the Minister requested or directed executives within any of the health service providers to act on mental health access block within the hospitals under their remit:

(i) if yes to (c), please detail when and to whom the request was made?

Hon Stephen Dawson replied:

(a) [See tabled paper no 526.]

(b)–(c) Access to public mental health services is discussed at regular meetings between the Minister for Health and the System Manager, Health Service Provider Board Chairs and Chief Executives.

AGRICULTURE AND FOOD — ELECTION COMMITMENTS — FUNDING

218. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to the Climate Resilience Fund election commitment of $15 million, and I ask:

(a) is any of the $15 million commitment reliant on third party funding;

(b) if yes to (a), has this funding been secured and what was the quantum of that funding;

(c) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;

(d) what investment and projects are planned for the 2021–22 financial year; and

(e) how is the funding allocated across the forward estimates?

Hon Alannah MacTiernan replied:

(a)–(b) Our investment is not contingent on external funding, but it can be used to leverage Commonwealth and industry funding.

(c)–(e) The funding of election commitments is being considered through the 2021–22 State Budget process. Details regarding funding allocation will be available in the 2021–22 State Budget due on 9 September 2021.

AGRICULTURE AND FOOD — ELECTION COMMITMENTS — FUNDING

219. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to the Industry Growth Partnership – Oats election commitment of $10.1 million, and I ask:

(a) is any of the $10.1 million commitment reliant on third party funding;

(b) if yes to (a), has this funding been secured and what was the quantum of that funding;

(c) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;

(d) what investment and projects are planned for the 2021–22 financial year; and

(e) how is the funding allocated across the forward estimates?

Hon Alannah MacTiernan replied:

(a)–(b) Our investment is not contingent on external funding, but it can be used to leverage Commonwealth and industry funding.

(c)–(e) The funding of election commitments is being considered through the 2021–22 State Budget process. Details regarding funding allocation will be available in the 2021–22 State Budget due on 9 September 2021.

AGRICULTURE AND FOOD — ELECTION COMMITMENTS — FUNDING

220. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to the Northern Native Seed Initiative election commitment of $4.4 million, and I ask:

(a) is any of the $4.4 million commitment reliant on third party funding;

(b) if yes to (a), has this funding been secured and what was the quantum of that funding;

(c) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;

(d) what investment and projects are planned for the 2021–22 financial year; and

(e) how is the funding allocated across the forward estimates?

Hon Alannah MacTiernan replied:

(a)–(b) Our investment is not contingent on external funding, but it can be used to leverage Commonwealth and industry funding.

(c)–(e) The funding of election commitments is being considered through the 2021–22 State Budget process. Details regarding funding allocation will be available in the 2021–22 State Budget due on 9 September 2021.

AGRICULTURE AND FOOD — ELECTION COMMITMENTS — FUNDING

221. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to the Industry Growth Partnerships (Wine Export) election commitment of $3 million, and I ask:

(a) is any of the $3 million commitment reliant on third party funding;

(b) if yes to (a), has this funding been secured and what was the quantum of that funding;

(c) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;

(d) what investment and projects are planned for the 2021–22 financial year; and

(e) how is the funding allocated across the forward estimates?

Hon Alannah MacTiernan replied:

(a)–(b) Our investment is not contingent on external funding, but it can be used to leverage Commonwealth and industry funding.

(c)–(e) The funding of election commitments is being considered through the 2021–22 State Budget process. Details regarding funding allocation will be available in the 2021–22 State Budget due on 9 September 2021.

AGRICULTURE AND FOOD — ELECTION COMMITMENTS — FUNDING

223. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to the Boost to Food Industry Innovation election commitment of $3 million, and I ask:

(a) is any of the $3 million commitment reliant on third party funding;

(b) if yes to (a), has this funding been secured and what was the quantum of that funding;

(c) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;

(d) what investment and projects are planned for the 2021–22 financial year; and

(e) how is the funding allocated across the forward estimates?

Hon Alannah MacTiernan replied:

(a)–(b) Our investment is not contingent on external funding, but it can be used to leverage Commonwealth and industry funding.

(c)–(e) The funding of election commitments is being considered through the 2021–22 State Budget process. Details regarding funding allocation will be available in the 2021–22 State Budget due on 9 September 2021.

AGRICULTURE AND FOOD — ELECTION COMMITMENTS — FUNDING

224. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to the Backing North Wanneroo Agriculture election commitment of $0.8 million, and I ask:

(a) is any of the $0.8 million commitment reliant on third party funding;

(b) if yes to (a), has this funding been secured and what was the quantum of that funding;

(c) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;

(d) what investment and projects are planned for the 2021–22 financial year; and

(e) how is the funding allocated across the forward estimates?

Hon Alannah MacTiernan replied:

(a)–(b) Our investment is not contingent on external funding, but it can be used to leverage Commonwealth and industry funding.

(c)–(e) The funding of election commitments is being considered through the 2021–22 State Budget process. Details regarding funding allocation will be available in the 2021–22 State Budget due on 9 September 2021.

AGRICULTURE AND FOOD — ELECTION COMMITMENTS — FUNDING

225. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to the Food and Beverage Fund election commitment of $16.7 million, and I ask:

(a) is any of the $16.7 million commitment reliant on third party funding;

(b) if yes to (a), has this funding been secured and what was the quantum of that funding;

(c) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;

(d) what investment and projects are planned for the 2021–22 financial year; and

(e) how is the funding allocated across the forward estimates?

Hon Alannah MacTiernan replied:

The $16.7 million Food and Beverage Fund was announced in August 2020 as part of the WA Recovery Plan, hence were commitments funded before the 2021 election. However, the Member's questions regarding funding and delivery are answered below.

(a) No.

(b) Not applicable.

(c)–(d) Programs being delivered with support from the Food and Beverage Fund include:

The Value-Add Investment Grants – Round 1 supported 18 food and beverage manufacturers undertaking capital investment projects to expand their businesses, create jobs and diversify our economy. The level of co-investment for this round was $132 million and is estimated to create more than 600 local jobs.

The Agrifood and Beverage Voucher scheme – Round 2 supported 74 businesses. This scheme shares the costs with small businesses on a 1:1 basis to access professional services to support their business growth plans.

Support for the Future of Food Conference to be held in Mandurah in September 2021 to support the development of a progressive local food industry.

The Export Pathways Program which aims to build the export capability of Western Australian agribusinesses through small group training and one-on-one mentoring. 10 Western Australian pre-export and early export agribusinesses are participating.

(e) Remaining funding is allocated as follows:

$5 million in 2021–22

$4.2 million in 2022–23

$4 million in 2023–24

AGRICULTURE AND FOOD —
DIGITAL FARM GRAINS PROGRAM AND ECONNECTED GRAINBELT PROGRAM

226. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to the Digital Farm Grains Program and the eConnected Grainbelt Program election commitments, and I ask:

(a) what has been the investment to date for the following financial years:

(i) 2017–18;

(ii) 2018–19;

(iii) 2019–20; and

(iv) 2020–21;

(b) what projects are currently underway as part of the commitment and what has been the expenditure to the end of the 2020–21 financial year;

(c) what investment and projects are planned for the 2021–22 financial year; and

(d) how is the funding allocated across the forward estimates?

Hon Alannah MacTiernan replied:

The Digital Farm Grants Program and the eConnected Grainbelt Program are not election commitments. The programs were developed and/or funded prior to the 2021 election.

(a) Expenditure to date for the following financial years is:

	Financial Year	**Digital Farm Grants Program**	**eConnected Grainbelt Program**
(i)	2017–18	$149,508	$2,125,879
(ii)	2018–19	$677,961	$2,186,550
(iii)	2019–20	$1,696,813	$1,524,914
(iv)	2020–21	$1,351,257	$1,457,224
	Total	**$3,875,539**	**$7,294,567**

(b) The Digital Farm Grants program provides funding for last-mile solutions for agribusinesses in agricultural and pastoral regions that lie outside the current or planned NBN fixed wireless and fixed line footprint.

By the end of 2021, it is expected that extended services will be available to over 2,000 WA farming businesses across 110,000 square kilometres through parts of the Kimberley, Gascoyne, Midwest, Wheatbelt, Peel, South West and Great Southern regions.

The projects currently underway for the Digital Farm Grants Program include:

Fixed Wireless Projects

North Midlands

Chapman Valley

Mt Barker

Wickepin

Goodlands (Mobile Tower)

Great Southern Region

Kununurra Central

Kununurra North

Williams

Wagerup/Boddington

Capel/Busselton

Dandaragan

Geraldton to Mullewa

Carnarvon Horticultural Network

Merredin to Bruce Rock

Esperance Digital Farm Network

Expansion of the NEWROC Network

Central and Far Eastern Wheatbelt Expansion

Dumbleyung Digital Connectivity

Wireless Wheatbelt – Avon East

The eConnected Grainbelt Project promotes the availability of information and ag-tech tools across the WA grains industry. The eConnected team assists WA growers and consultants to improve their technological skill levels enabling growers to make more profitable decisions tailored to their farm businesses.

The projects currently underway for the eConnected Grainbelt Program include:

the eConnect Data Exchange Platform

the Weather 3G Station Upgrade and Regional Support.

2020–21 expenditure is included in answer to part (a).

(c)–(d) The funding allocated across the forward estimates is:

Financial Year	Digital Farm Grants Program	eConnected Grainbelt Program
2021–22	$7.063m	$2.313m
2022–23	$3.25m	$2.03m
2023–24		$2.411m
2024–25		$2.069m

AGRICULTURE AND FOOD — DECLARED AND EXOTIC PESTS

228. Hon Colin de Grussa to the Minister for Agriculture and Food:

I refer to post-border detections or incursions of declared and exotic pests in Western Australia, and I ask:

(a) how many post-border detections or incursions of declared and exotic pests have there been for the following years, and what pests have been found:

(i) 2017–18;

(ii) 2018–19;

(iii) 2019–20; and

(iv) 2020–21;

(b) for those in (a), what has been the expenditure on detection, controlling or eradicating these pests for the following years:

(i) 2017–18;

(ii) 2018–19;

(iii) 2019–20; and

(iv) 2020–21;

(c) for those in (a), how much matched funding has been received from industry and the Federal Government, for the following years:

(i) 2017–18;

(ii) 2018–19;

(iii) 2019–20; and

(iv) 2020–21?

Hon Alannah MacTiernan replied:

(a)–(c) Please refer to attached table. [See tabled paper no 528.]

HEALTH — AMBULANCE TRANSFER OF CARE WAIT TIMES — ALBANY AND BUNBURY

230. Hon James Hayward to the minister representing the Minister for Health:

I refer to ambulance transfer of care median wait times for the Bunbury and Albany Regional Hospitals, and I ask:

(a) does the Department of Health publish transfer of care median wait times for the Western Australian Country Health Service;

(b) if no to (a), why not; and

(c) for 14 June 2021 to 20 June 2021:

(i) will the Minister please table the individual transfer of care times for all patients at Bunbury Hospital and Albany Hospital respectively; and

(ii) will the Minister please table the median wait times for Albany Hospital and Bunbury Hospital respectively?

Hon Stephen Dawson replied:

I am advised:

(a)–(b) The Department of Health is committed to reporting Transfer of Care, for all regions within Western Australia for which information is available.

The Department of Health is currently working with St John Ambulance to expand its data collection and reporting capabilities to include transfer of care for regional hospitals. This data had not been supplied to

the Department due to concerns regarding its consistency, given the reliance on volunteer paramedics in regional areas. An assessment of data quality will form part of the work to incorporate regional data into the existing data collection.

Transfer of Care for some regional sites (including Albany and Bunbury) is reported publicly on the Department website under 'Transfer of care within 30 minutes weekly activity': https://ww2.health.wa.gov.au/Reports-and-publications/Emergency-Department-activity/Data?report=ed_amb_w#median

(c) (i) [See tabled paper no 527.]

(ii) Median transfer of care times in minutes for 14 June 2021 to 20 June 2021

Date	**Albany Hospital**	**Bunbury Hospital**
14-Jun-21	16.2	19.8
15-Jun-21	22.7	12.8
16-Jun-21	10.6	19.5
17-Jun-21	10.2	17.5
18-Jun-21	4.1	20.8
19-Jun-21	15.4	12.5
20-Jun-21	13.4	16.5
14th to 20th Jun 2021	**12.8**	**16.8**

Notes:

Data Source: St John Ambulance data extracts

Date Extracted: 13th August 2021