



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2022

LEGISLATIVE ASSEMBLY

Thursday, 11 August 2022

# Legislative Assembly

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**THE SPEAKER (Mrs M.H. Roberts)** took the chair at 9.00 am, acknowledged country and read prayers.

## PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

### UNICEF HUMANITARIAN ACTION FOR CHILDREN SRI LANKA APPEAL

*Statement by Minister for Citizenship and Multicultural Interests*

**DR A.D. BUTI (Armadale — Minister for Citizenship and Multicultural Interests)** [9.01 am]: Western Australians have witnessed with great sadness the unfolding events of the economic collapse in Sri Lanka and the ensuing widespread disruption and humanitarian crisis this has created across the country. Western Australia is home to more than 15 000 people with Sri Lankan ancestry, and the local community has been rallying to support family and friends. I acknowledge the valuable contributions and important role the Sri Lankan community of Western Australia plays in all aspects of life and development of our state.

As a demonstration of Western Australia's support for the people of Sri Lanka, I am pleased to advise the house that the state government has donated \$500 000 to the UNICEF Humanitarian Action for Children Sri Lanka Appeal. UNICEF has reported that over 2.3 million children in Sri Lanka are now in need of urgent humanitarian assistance. Funding through this appeal will be equitably distributed across the country, with an emphasis on providing nutrition support to those children and families most in need. The state government's donation will contribute to nutrition programs operating across the country that will provide treatment for 56 000 children aged between six months and five years with severe acute malnutrition, micronutrient support for 430 650 children aged between six months and five years and school food programs for 100 000 preschool children across the country.

Through our UNICEF donation we continue to recognise the immense impact of global events on our local communities and look to support those in crisis in a meaningful way. The state government has also assisted other countries in times of need, including India and Indonesia at the height of the COVID-19 pandemic and a donation to the Ukraine Crisis Appeal. To see children and families suffering because of a critical shortage of food and other essential items is distressing. We hope that this donation can help alleviate some of that suffering as Sri Lanka moves through this crisis. Our thoughts are with those suffering in Sri Lanka and with the Western Australian Sri Lankan community.

### COMMUNITY GRANTS PROGRAM

*Statement by Minister for Citizenship and Multicultural Interests*

**DR A.D. BUTI (Armadale — Minister for Citizenship and Multicultural Interests)** [9.04 am]: The state government's community grants program, administered by the Office of Multicultural Interests, provides funding to empower culturally and linguistically diverse communities in Western Australia to design, deliver and partner on projects that address their needs. In 2021, in recognition of contributions by the CALD communities of Western Australia, the McGowan government doubled the annual budget for the program to \$1 million. In the first year of this increased budget, the program has provided funding for 58 CALD community associations and community service organisations to deliver important projects for mental health to women's empowerment as well as cultural events. This includes seven longer term community capacity-building projects, two large-scale cultural festivals and 20 activities celebrating Harmony Week in 2022. All are worthy and innovative projects.

I would like to share further details on some upcoming projects happening across Western Australia. In Kingsley, Club Malayalam will facilitate discussion panels for the community that encourage open dialogue and mental health. Umbrella Multicultural Community Care Services in Belmont will trial a new cross-sector service model that will increase the wellbeing, social connectedness and self-reliance of LGBTQIA+ people from culturally and linguistically diverse backgrounds. The Australian Asian Association of Western Australia will run driving lessons and driver theory classes across Perth for women from migrant and refugee backgrounds, using multilingual female instructors. In reflection of the growing cultural diversity of regional Western Australia, the Hindu Association of Pilbara will organise a community festival to mark the traditional Hindu celebration of Onam in Karratha.

The increase in funding provided by the McGowan Labor government will ensure that our culturally and linguistically diverse communities are better supported and that community-led initiatives can have a broader reach and deeper impact. It will also increase the ability of all Western Australians to experience culturally diverse festivals and traditions, learn about each other and build new connections. I am sure that members of the house will join me in congratulating the recipients of the community grants program, all of whom are not-for-profit community associations committed to making a difference in the lives of Western Australians.

**ONE-STOP FAMILY AND DOMESTIC VIOLENCE HUBS — ARMADALE AND BROOME***Statement by Minister for Prevention of Family and Domestic Violence*

**MS S.F. McGURK (Fremantle — Minister for Prevention of Family and Domestic Violence)** [9.06 am]: I rise to update the house on the progress of the McGowan government's election commitment to establish two new one-stop family and domestic violence hubs in Western Australia.

As part of the 2022–23 budget, I announced \$14.7 million to deliver on our election commitment to establish our third one-stop FDV hub in Armadale. A one-stop FDV hub provides family and domestic violence services in one location so that people do not have to retell their story and can get the help they need. The Armadale hub will provide a range of services that could include legal, financial and housing assistance, as well as counselling and alcohol and drug services. There will be services for women and youth, and offsite services for men, acknowledging the impacts of domestic violence on all members of the family. I am pleased to advise that the request for tender for the Armadale hub is now open. We are seeking applications from experienced service providers, or a consortium of providers submitting with a lead agency in a partnership model. All interested service providers are invited to submit a tender application by 1 September 2022.

Earlier this year, I announced that Broome will be the location of the fourth one-stop hub. Following on from the successful launch of the Mara Pirmi Healing Place in Kalgoorlie in 2020, the Broome FDV hub will be the second location in regional WA. The Broome hub will also provide outreach services in the nearby regional service centres of Derby and Bidyadanga. Consultation for the Broome hub has now commenced with community members, elders, people with lived experience of family and domestic violence, peak bodies, service providers and other government agencies. The Broome hub will be designed to deliver culturally appropriate services and reflect the needs of the community in Broome and the surrounding areas, where women experience high rates of family violence. The Broome hub forms part of a \$60 million package of election commitments made by the McGowan government and will further support work to promote Aboriginal family safety.

**YOUTH GRANTS***Statement by Minister for Youth*

**MR D.J. KELLY (Bassendean — Minister for Youth)** [9.09 am]: I wish to inform the house of additional funding available for organisations to engage young people, specifically those identifying as Aboriginal and Torres Strait Islander and those identifying as members of the LGBTQIA+ community. Funding totalling \$550 000 has been delivered to the Youth Affairs Council of WA to run two \$275 000 grant rounds that support these cohorts.

The first grants program is aimed at elevating the voice of young Aboriginal people, particularly in regional areas. Aboriginal community-controlled organisations will be able to apply for grants of up to \$25 000 for projects and initiatives that elevate the voice of young Aboriginal people through greater representation, engagement and participation with decision-making. Grants will be delivered in consultation with the youth sector and Aboriginal community-controlled organisations to help determine the needs and priorities of young Aboriginal people. The second grants program will be open for youth service providers and specialist LGBTQIA+ organisations to apply for grants of between \$2 000 and \$25 000 for the provision of support and inclusion services for LGBTQIA+ young people, including resources and training for the youth sector. Both grant rounds will open in early September. This funding delivered to YACWA will support a variety of programs and organisations that have great ideas for elevating young people in their communities but just need a little help to get them off the ground.

The McGowan government is committed to supporting young people to thrive in their communities. I look forward to seeing the programs in action and hearing about the development of future community leaders.

**AUSTRALIAN HERRING — RECREATIONAL BAG LIMIT***Statement by Minister for Fisheries*

**MR D.T. PUNCH (Bunbury — Minister for Fisheries)** [9.11 am]: I am pleased to announce that following the successful recovery of the state's Australian herring resource, the recreational bag limit will be raised from 12 to 20 on 1 October 2022, just in time for the summer fishing season. Recfishwest requested the increased bag limit following the 2021 fisheries science stock assessment, which indicated that management action to recover the resource had been effective in rebuilding the stocks of Australian herring in Western Australia.

In 2015, a recovery plan was put in place to protect the herring stock, reducing the total herring catch by 50 per cent for both the commercial and recreational sectors. This included a reduction in the recreational bag limit from 30 to 12 and the closure of the commercial G-trap fishery, which at the time caught the majority of Australian herring.

The increased recreational bag limit is the second management change I have approved since the stock recovery, with commercial G-trap fishers permitted to catch up to 70 tonnes in 2022, enabling commercial fishers to supply herring locally and build on food markets. These changes align with the main objective for the herring resource, which is to support quality recreational fishing experiences and commercial fishing operations focused on the supply of herring for human consumption. Increased access to herring will improve fishing experiences for WA's recreational fishing community and will benefit regional economies through employment opportunities, tourism and

increased local supply. Good science and sustainable management remain the key to protecting quality recreational fishing experiences and enhancing the supply of Australian herring for local consumers. This recovery and improved outcome for fishers is a direct result of industry and recreational anglers fishing for the future to ensure that the fishery is healthy into the future. It is a demonstration that recovery strategies work. They are not permanent measures when a fishery can be recovered back to sustainable levels. I commend the commercial and recreational fishers for their role in successfully recovering the Australian herring stock in WA. They are now enjoying the benefits of truly fishing for the future.

### **ABORIGINAL RANGER PROGRAM**

*Statement by Minister for Environment*

**MR R.R. WHITBY (Baldvis — Minister for Environment)** [9.13 am]: I would like to take the opportunity this morning to update the house on the \$50 million expansion of the Aboriginal ranger program. Since the McGowan government's initial \$20 million commitment to the Aboriginal ranger program, over 800 employment opportunities have been created across 28 Aboriginal communities in all regions of Western Australia. This program directly supports training opportunities to help Aboriginal rangers develop skills in conservation and land management, Aboriginal site management and tourism, which helps build community resilience and leadership. An evaluation of the program by the Department of Biodiversity, Conservation and Attractions has shown that the program is having positive social, cultural, economic and environmental outcomes and that Aboriginal ranger groups are helping to strengthen connection to country and culture and are contributing to greater community identity and pride.

Last year the McGowan government committed a further \$50 million to expand this important program, including extending the program into the Perth metropolitan region for the first time. An expert reference group, comprising 20 members statewide, was established to help shape the future of the program, together with DBCA. Members come from all corners of the state and have proved invaluable in co-designing the expansion of the program under three key funding themes: develop, expand and innovate. The reference group will continue to provide advice to DBCA to strengthen the program and guide the rollout of the new funding streams. As a result, \$22.8 million has already been allocated to 14 established ranger programs under the expansion fund, which will support 57 full-time equivalent positions for up to four years. More than half the roles to be funded will be for women. The funding certainty will help these Aboriginal organisations with long-term planning for their ranger programs and develop leadership and career pathways for rangers.

I and my colleague the Minister for Aboriginal Affairs recently announced that applications for round 5 of the program are open until 26 August. In this round, up to \$10 million is available as part of the new development fund to provide targeted support to new or emerging ranger programs for capacity building and to create new jobs. Other exciting opportunities under the innovation fund will be announced soon. I look forward to advising members of the progress of the program.

### **SUPERMARKET DEVELOPMENT — BRUCE ROCK**

*Grievance*

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [9.16 am]: I am not sure to whom I am delivering my grievance.

**The ACTING SPEAKER (Mr D.A.E. Scaife)**: To the Parliamentary Secretary to the Premier.

**Ms M.J. DAVIES**: Thank you very much, and I thank the parliamentary secretary for taking this grievance.

**Mr D.J. Kelly**: You looked a little confused there, Leader of the Opposition.

**The ACTING SPEAKER**: Minister, the Leader of the Opposition has the call.

**Ms M.J. DAVIES**: You are an untidy individual! It adds so much to the debate!

I thank the parliamentary secretary for taking this grievance on behalf of the Minister for Regional Development. I appreciate it. It is unusual, because it is the second time I have brought a grievance about this particular matter to the attention of the Minister for Regional Development. I do it on behalf of the Shire of Bruce Rock and the community, which have been working in good faith with the government to try to find a solution to the problem that I outlined in this place on 7 April.

As a short summary, this issue came about because the community lost its only supermarket as a result of arson. Very quickly thereafter, the shire stepped in and it has been operating the supermarket out of its town hall ever since. That was back in March 2020, so this issue has been around for some time. Obviously, it is having an impact on members of the community, because they do not have access to their town hall and also do not have full access to a supermarket. It is also having an impact on other businesses in the community because people are travelling out of town to shop elsewhere. Members can imagine that newsagency and pharmacy purchases and those sorts of things get done when people do their weekly or daily shop. Notwithstanding that, community members, the elderly and those who are unable to travel are restricted to what is available because it is not a full supermarket. The shire is doing its absolute best and I have to commend it for the work it has been doing.

I also want to put on record the fact that the community is very engaged in raising money to provide a replacement. This is an update to the information that I provided to the house earlier. It has pulled together \$218 000 in additional funding from a single community group, \$168 000 has been raised by the progress association in Bruce Rock, which was formed specifically to fundraise for the replacement supermarket, and \$136 000 from a community crop has been contributed. The total that is needed to deliver the project is \$4.8 million. An amount of \$1.4 million has been committed by the federal government and \$105 000 has been committed under the regional economic development program through the Department of Primary Industries and Regional Development, which was not the full allocation. Beyond that, the shire has requested that any opportunity for additional funding through the Department of Primary Industries and Regional Development be allocated. On top of that, two very passionate community members raised another \$15 000 and all the sporting groups agree that any fundraising from across the community will be delivered into the fund towards the new supermarket. The council has some funding and it has agreed to take out a Treasury loan; it got a \$1.5 million loan. There is a shortfall of around \$1 million, at this stage.

After I raised this in the Parliament for the first time, I raised it again directly with the Premier during parliamentary estimates, and what is frustrating the shire is that a whole raft of questions went back to it, asking it to follow up on questions that it felt it had already answered. It has taken two years to put together the project proposal. The shire has actually gone over a lot of the ground that the government has asked it to go back over and address. It has done that because it does not want its request to be rejected because it is not being consultative and cooperative. The questions that went back to the shire after I raised the issue in estimates asked whether it had looked for someone to take an equity share in this project and whether it had looked at alternative shops in the main street. The buildings simply do not exist; the capacity to put something or backfill something into a shop on the main street does not and will not work for the size that is required. There is no interest from the private sector; it does not make the money to build the shop. Investors will certainly have someone come in and operate it, but, as we all know, with headworks and development costs, the cost of building in regional Western Australia simply does not make it a commercial interest. The shire wants to know whether it is wasting its time in continuing to have these conversations with the government. The shire feels it has been dealing in good faith. The community has been through a lot. As I spoke about in this house yesterday and on a number of occasions, a fire went through Bruce Rock on top of the fire in which the town lost its supermarket. The community was heavily impacted by bushfires earlier in the year; it really is having a fairly challenging time.

The shire went out to tender for a builder over three months ago. It is now in a position that it must sign that tender—I think today. If it does not, under the local government requirements, it will have to go out again, which will push out this whole project by another six months. On behalf of the community, the request to government is: given the current circumstances this government finds itself in and taking into consideration the good faith that this community has shown by putting in its own funds and the fact that the shire has been working cooperatively, can any funding be found within the Department of Primary Industries and Regional Development or, indeed, across the rest of government? That would assist the community in realising this so that it does not have to extend for another six months and I do not have to come back and ask again on behalf of the community. I hope that the government can feel the frustration. The shire has tried its very best to make sure it has put together a reasonable proposal. I remind the Minister for Regional Development and the parliamentary secretary, who is taking this grievance today, that the shire has been working really diligently on this and feels like, perhaps, at this stage, it has been wasting its time and should be looking for alternative options.

**MS S.E. WINTON (Wanneroo — Parliamentary Secretary)** [9.23 am]: I thank the Leader of the Opposition for the grievance this morning and I provide a response on behalf of the Minister for Regional Development from the other place. As always, we applaud the endeavours of the Shire of Bruce Rock to ensure that its community has access to a supermarket. That is exactly why the government has made a contribution through the regional economic development grant scheme.

The member is right; I received a grievance on behalf of the Minister for Regional Development in this place on 7 April. Since that time, the Shire of Bruce Rock has completed its request for tender for the new shop construction. The total cost for the rebuild, inclusive of construction and fit-out, is now \$4.93 million. I noticed in the member's grievance that she mentioned \$4.8 million. The Minister for Regional Development has been advised that the shire has secured \$2.081 million from a range of funding sources, including the efforts of the community that the member described. Further to this, the shire has had preliminary discussions with the WA Treasury Corporation, which are much firmer now, to secure a \$1.5 million low-interest Treasury loan to support the funding shortfall so that it can re-establish this piece of community infrastructure. The Shire of Bruce Rock has identified a shortfall of \$1.35 million. The member acknowledged, and it is acknowledged all the time, that infrastructure projects across Western Australia are experiencing surging material costs due, in part, to global supply chain challenges. Unsurprisingly, the Bruce Rock supermarket project has likewise been affected.

The Shire of Bruce Rock continues to operate a temporary small supermarket from the town hall and associated meeting rooms, which is actually impressively stocked. However, it is acknowledged that the shire is of the view that operating a smaller supermarket does not meet the needs of the community, particularly older residents, as the member mentioned, given the travel distance to Merredin of some 100 kilometres. The shire has engaged with

IGA Supermarkets and Metcash Trading, which is interested in operating the shop but not prepared to invest in the actual building. The shire has assessed how other regional towns have overcome similar circumstances. Some have utilised existing buildings or the town hall for this purpose; however, the Shire of Bruce Rock is concerned that although it is using the town hall and the associated meeting rooms as a temporary facility, that is not really desirable as a medium to long-term solution because the shire needs it for a range of other community and council events.

The shire applied for \$753 000 funding from the building better regions fund. Following the recent federal election, it wrote to the federal Minister for Infrastructure, Transport, Regional Development and Local Government to seek clarification on the outcome of the shire's application to the BBRF. The shire has yet to receive a response; however, the federal minister has announced a review of the BBRF program. We expect that that matter will be resolved by the time of the federal budget in October.

In the member's previous grievance, she suggested that, on occasion, there is an underspend and money is returned to programs like the regional economic development grant scheme. Funding for the wheatbelt RED grant round 4 was fully allocated. As has been previously explained to the Leader of the Opposition here and in other places, 30 per cent of next year's funding was brought forward to fund and support this project. I conclude by reaffirming that the Wheatbelt Development Commission is continuing to work closely with the Shire of Bruce Rock to try to identify alternative funding sources for it to deliver this very, very important project for the local community of Bruce Rock. Again, I commend the member for her strong advocacy for her local community. I agree: let us hope that through the member's strong advocacy and also the Minister for Regional Development's strong acknowledgement of the needs of the Shire of Bruce Rock for this facility that we will not see a third grievance.

## TRANSFOLK OF WA

### *Grievance*

**DR K. STRATTON (Nedlands)** [9.28 am]: My grievance today is to the Minister for Youth. I thank the minister for taking my grievance; I know that he shares a concern to ensure that diversity is a key consideration when developing, delivering and funding services for young people in Western Australia. The minister will also be aware of the significant contribution of TransFolk of WA to the lives of trans and gender diverse young people, their families and our broader community. Its vision is for all trans and gender diverse people to be valued and empowered members of communities. Its purpose is to inform, empower and advocate for trans and gender diverse people to survive and thrive. TransFolk of WA is a peer-led, volunteer organisation based in the seat of Nedlands. It currently operates without state or other government funding and relies on partnerships such as the one it has developed with Perth Inner City Youth Service, which is another great and inclusive youth organisation in my electorate. It also relies on expert volunteers and donations and, most recently, a Lotterywest grant. TransFolk of WA provides social and support groups for trans and gender diverse people as well as for parents and carers; online, safe and private Facebook groups for sharing information, stories and experiences; training, including trans 101 workshops, providing workplaces and community groups practical ways to be more inclusive of trans and gender diverse people; events, particularly during Pride; a binder program; advocacy for trans and gender diverse people; and contributions to legal and policy development.

Just recently it published a detailed impact report regarding its binder program. I want to outline some of the outcomes reported from this program in order to highlight the contribution of TransFolk of WA to the transgender and gender diverse community and to their sense of identity, belonging and wellbeing. A binder is a tight top worn to flatten the appearance of the chest, and wearing one can make some trans and gender diverse people feel much more comfortable with their body, having an impact on their mental health and belonging. In the last year, TransFolk of WA provided 127 binders to people in need—that is, people who would not have otherwise been able to afford or access one. The report showed that 94 per cent of those accessing the service were young people, aged 12 to 25 years, and 60 per cent had been unable to access a binder for two or more years. Upon receiving the binder, people have reported how they felt. One example was, "Absolute relief and validation. Wearing it for the first time was life changing, seeing myself reflected in the mirror." Another recipient commented, "It was like I was finally myself. There have been a couple times when people thought I was an actual boy and it made me so happy." The recipients reported four key impacts of the binder, with 96 per cent reporting a decreased dysphoria experience; 92 per cent reported a boost in their self-confidence; 92 per cent experienced gender euphoria; and 83 per cent felt more comfortable in their body.

The binder program relies purely on donations and volunteers, although for the first time this last year TransFolk of WA was able to employ someone to administer the program due to a Lotterywest grant. Indeed, my first meeting with TransFolk of WA was to present the board and volunteers with this Lotterywest grant. The purpose of the grant was to provide it the opportunity to build capacity, such as infrastructure, policy and procedures and governance systems to be ready to apply for and manage ongoing funding and grants. The Lotterywest grant was also to assist in building the capacity of volunteers, which is obviously essential in a volunteer-run organisation. This in turn allowed it to recruit more volunteers to provide its essential services and ensure the ongoing sustainability of the organisation. As a note, this is the first time in its history that TransFolk of WA has been able to employ someone; however, there is a need for ongoing funding as current demand outstrips need.

A major source of referral and connection for TransFolk of WA is the Gender Diversity Clinic at Perth Children's Hospital, the only dedicated public health service for trans and gender diverse people. TransFolk of WA also has an important partnership with the Perth Inner City Youth Service. PICYS is well recognised and known in the community services sector as an ally and advocate for the LGBTQIA+ community and is a safe place for people to access necessary services. With a background in community services, I have known of the inclusive, proactive work of PICYS with highly vulnerable, hard to reach and hard to engage people. That TransFolk of WA has built professional and engaged working relationships with these two key stakeholders says a lot about its important work in this space and how this is valued and viewed. However, TransFolk of WA remains the only specific psycho-support service for trans and gender diverse people in WA. It works with people as young as 12 and into adulthood, meaning it also need to adapt its services for people at different developmental stages, adding a further layer of complexity to the work.

We know that trans and gender diverse people face discrimination in our schools, workplaces, community and, sadly for many, inside their own families. Such discrimination is damaging on a day-to-day basis, causing people pain, alienation, isolation and hurt in the here and now. Such discrimination, including unemployment and poverty, also impacts people's access to medical, social and community services. On a systems level, it can mean organisations dedicated to serving this community are excluded from funding as well as from discussions on policy, health and law. Lived experience, backed up by research, tells us that trans and gender diverse people experience significant health and mental health disparities. According to a 2021 study, depression and anxiety are experienced by the majority of trans and gender diverse people, with 54 per cent of the study's participants reporting previous self-harm, and 49 per cent having attempted suicide. They experience much higher rates of homelessness, and a significant majority report experiences of being treated unfairly due to their gender identity in the last 12 months. There is, therefore, substantive research and service evidence, as well as principles of social justice and inclusivity, to demonstrate the need for the unique service provided by TransFolk of WA.

State government funding for TransFolk of WA would provide a number of benefits: a message to the trans and gender diverse community that the WA government recognises their unique needs; security for TransFolk of WA and the people it serves that its services will be ongoing; and a firm basis from which to continue to expand its services to meet the ever-increasing demand. Today I am seeking reassurance from the Minister for Youth that the WA state Labor government will provide funding to TransFolk of WA.

**MR D.J. KELLY (Bassendean — Minister for Youth)** [9.36 am]: I thank the member for Nedlands for raising this issue with me and for her ongoing advocacy for young people in general in her community, but in particular for young people who identify as members of LGBTQIA+ community. Young people are a particularly vulnerable cohort, so it is important that we listen to their needs and their community. The Telethon Kids Institute just this week released a new report outlining comprehensive guidelines for clinical and community services that support LGBTQIA+ young people. These guidelines confirm what many of us already know: that LGBTQIA+ young people aged between 12 and 25 years of age are at significantly higher risk of suicide than their peers who are cisgender and heterosexual.

Despite growing social acceptance of this community, young people are still at continuing risk of stigma, rejection and discrimination, leading to increased rates of mental health presentation. As Minister for Youth, I am acutely aware of the need and that this Labor government responds to that need. I am fortunate to have a Ministerial Youth Advisory Council that has raised this issue with me on a number of occasions. One of the council's recommendations to me was that the government fund an advocacy service for young people who are members of the LGBTQIA+ community. The member will be aware that I have already announced funding for the Youth Pride Network, which will advocate on these issues across the community. I was really pleased that last night I had members of the Youth Pride Network here in Parliament meeting members of the Labor caucus who identify as members of that community. That was a great event. They sat in the gallery for a short time. It was a way of showing the community that we recognise their needs. Today I also announced funding of \$275 000 for a youth grant round specifically targeting people who are members of the LGBTQIA+ community, with grants between \$2 000 and \$25 000 for organisations that want to run programs or services to elevate the voice of that community.

I am really pleased that the state government has responded to that community in a number of ways. The member raised with me the needs of transgender young people; in particular, the need for support for TransFolk of WA. TransFolk of WA is a really impressive organisation and I want to congratulate Hunter, in particular, whom I have met on a number of occasions, for the energy and commitment he has shown to getting TransFolk up and running. I am aware that it has received some Lotterywest grant funding, but if it is going to continue to develop its services, it really needs some ongoing support from the state government. I am pleased to advise the member that I have secured funding of \$300 000 for TransFolk of WA for the next three years to enable it to employ a youth project officer. As the member is aware, TransFolk of WA provides services to members of the trans community across all age groups. As the Minister for Youth, I am providing it with this funding so that it can employ a youth project officer to help young people who identify as part of the trans community. It is a very daunting process for young people who are trying to come to grips with these issues and want to know what to do and where to go for support. I hope a youth project officer, developing programs through TransFolk of WA, will be a great support to young people in this community.

Despite growing community acceptance, there are still people who wish to use the trans community as a political football. We saw quite disgraceful comments made during the federal election by members of the federal Liberal and National Parties, in particular. The Liberal Party deliberately preselected a candidate for the seat of Warringah who made some really offensive comments about the trans community. Politicians should never use a vulnerable group such as the trans community and seek to gain political mileage out of them. It was a really disgraceful example of that in the federal election. I am really pleased that that candidate in Warringah was unsuccessful. I hope that is a lesson to members opposite that the trans community, like everybody else in this state, should be treated with dignity and compassion rather than be seen as a vulnerable cohort who can be exploited.

I really appreciate the member for Nedlands' advocacy for young people in her community and, particularly, her interest in young people who are members of the LGBTQIA+ community, especially young trans folk. The member mentioned the Perth Inner City Youth Services—PICYS—which is located in her electorate. It is a fantastic youth organisation. As the member mentioned, PICYS is rightly seen as a strong ally of the trans community, and I commend it for the work it does. I thank the member for the grievance. I am very much looking forward to what TransFolk of WA can do with the state government's ongoing funding commitment.

### CYCLONE SEROJA — GOVERNMENT SUPPORT

#### *Grievance*

**MR R.S. LOVE (Moore — Deputy Leader of the Opposition)** [9.42 am]: My grievance today is to the minister representing the Minister for Emergency Services. I thank the minister representing for sitting in today.

When cyclone Seroja swept through the midwest on 11 April last year, it left a trail of destruction in its path and became one of the worst natural disasters in Western Australia's history. I am sure that the minister is very much aware of it because of his former role as the Minister for Emergency Services. Kalbarri and Northampton felt the full brunt of the category 3 cyclone, with wind gusts of 170 kilometres an hour, but many other communities, from the coast through to the wheatbelt, were left severely affected. Across the midwest region, nearly 800 buildings were damaged, and some 9 000 insurance claims were made by the end of 2021. Although 16 months have now passed, the rebuilding of families and communities drags on.

In July 2021, \$104.5 million was announced through the commonwealth–state disaster recovery funding arrangements—DRFA—to support recovery efforts across impacted communities. It is the largest disaster recovery package in Western Australia's history. After the announcement and fanfare, the reality is that only a fraction of the promised funds has been delivered and is making a difference. I ask what point those respective funding categories are up to. As we approach 16 months since cyclone Seroja, the community is still seeking answers about how much of the funding has been disbursed directly to households and businesses, and how many applications are still awaiting approval. The communities of the midwest have many outstanding questions that they would like answered. How much of the funds are currently in the bank accounts of families? What is the breakdown of the funds and where are they going? What is the time line that these funds need to be expended by? What happens when the deadline lapses? My request to the Minister for Emergency Services, through the minister representing him, is that the minister guarantees these funds will be invested and retained in the impacted communities, including Kalbarri.

I understand that, under the structure of the natural disaster relief and recovery arrangements, category D has a focus on residential properties, and community and recreational assets, and \$45 million is attributed to this stream. Through the budget estimates hearings process in June, Hon Martin Aldridge revealed that the recovery and resilience grants under category D have had 209 eligible applicants. As the maximum claim value for each grant is \$20 000, only \$4.2 million of that \$45 million has been allocated. What will happen to the unallocated \$40-plus million? When funds are paid retrospectively, there is often an underspend in funds of this nature. I ask the minister for clarification on what percentage is normally underspent in these funds under these arrangements, and whether unspent funds will be absorbed into consolidated revenue. I commend the work of the disaster recovery officers, but I also ask how much of the \$104 million has been spent to provide staff and services.

With a temporary workers' accommodation package committed under category D—accommodation is still an area of critical shortage for the region—what steps is the government taking to make progress on this aspect of the recovery? The lack of accommodation options is directly compounding the area's worker shortage, hurting local businesses and slowing the recovery. A number of worthy infrastructure projects need support and would, in turn, support local jobs, amenity and a sense of community, which is so important. The government could be thinking of the future and ensuring these funds are leveraged to deliver maximum community benefit.

After committing to invest all funds in the region and not have them gobbled up by consolidated revenue, will the government develop and deliver an infrastructure funding round, for instance, for the impacted 16 local governments? Local governments could access the leftover DRFA funds to support local priority projects. One local priority project worthy of this support is the Kalbarri foreshore redevelopment. I know the Shire of Northampton has been in touch with the minister and his office about this transformational \$33 million project that would help the community to “build back better”. The shire has noted a 36 per cent drop in visitors between 2019 and 2021, and action is needed to deliver a revitalised tourism product for the region—something that visitors can enjoy and meets

tourist expectations. The foreshore master plan has three pillars, which are linked to the revitalisation projects around the Kalbarri foreshore, Blue Holes to Chinaman's Beach and Jakes Point. The plan will bring jobs and deliver lifestyle elements, attracting and retaining families in the local communities.

The recovery challenge has coincided with the failure of the government's much-publicised commitment to deliver workers' accommodation in Kalbarri. The commitment was made back in 2021, and the community is still waiting. Registrations of interest closed on 11 April for a block of land in Kalbarri for that accommodation, and the community is waiting to see what may happen. To help these communities to recover and heal, projects like these need to be delivered. Workers' accommodation is critically needed to ensure key staff for industry and hospitality, and tradespeople who support the communities' cyclone recovery. Project funds are needed to enable the community to rebuild and rebound. It is clear that the government needs to rapidly approach this matter as we have gone past the halfway point of the funding term and no real progress has been made on Kalbarri's worker accommodation issues, and the cyclone Seroja recovery seems to be delayed.

The communities are seeking answers. After such a traumatic experience, their patience is being tested by the ongoing lack of action and a sense of shifting responsibility among ministers. There will be lessons from this experience, but we need some leadership now. At a time of record budget windfalls, how does it add up that communities of the midwest are still waiting for their recovery?

**MR R.R. WHITBY (Baldivis — Minister for Environment)** [9.49 am]: I thank the Deputy Leader of the Opposition for his grievance. He rightly pointed out that the impact of cyclone Seroja was devastating to the midwest. As he mentioned, 16 local government areas were impacted over an area of 133 000 square kilometres, or roughly twice the size of Tasmania. This was a very significant disaster, one that both Western Australia and the commonwealth responded to. I will get into the detail of the disbursements the member raised and the government's accommodation initiative. The disaster recovery funding arrangements are joint arrangements between the state and the commonwealth. At the time the agreement was signed, it was between National Party emergency management ministers in Canberra—Senators Littleproud and then McKenzie. These are very tightly constructed agreements. They require certain processes to be adhered to very vigilantly in order to secure the commonwealth funding. The state will do nothing to endanger that source of commonwealth funding because we have seen in past disasters that when the state has not applied the rules of the agreement, funding has not been forthcoming. I wanted to make that background point—that we have an agreement with the commonwealth and there is a process to follow.

I can talk about the enormous response of the Department of Fire and Emergency Services and state agencies under the disaster recovery funding arrangements. In response to the scale of the effort required, we appointed a state recovery controller to coordinate a whole-of-government recovery effort and work very closely with the 16 local governments impacted. The member would be aware of the recovery operational teams providing recovery hubs in towns throughout the midwest. The Department of Communities organised emergency housing for displaced residents and provided emergency relief funds for necessities in the wake of the disaster. Temporary accommodation in the form of caravans was provided. It was mocked at the time but was a very important initiative. I think the comment was made by the member for Moore that there were delays and the caravans were sitting in a yard. The reality behind why they were sitting in a yard was that those who would be receiving them had requested a delay, before they were brought on site, because they were not ready for them. I know the member has been chipping away at us but there have been legitimate processes around this. The Red Cross has contacted 4 100 individuals about psychological support. Members can understand that it is crucial in remote communities, especially for farming families that do not often have that community around them in close proximity. Immediate financial relief from the state government was made available and, to date, more than 7 000 people have accessed emergency financial assistance.

The joint recovery package has been designed and based on the needs identified by local governments. There was a long collaboration and consultation process with those organisations. The package involved community recovery hubs in Geraldton, Northampton, Kalbarri and Morawa to help provide recovery assistance. Department of Fire and Emergency Services community recovery officers engaged with the community 429 times in support of their recovery. Community welfare and outreach program services have been engaged and this program has seen over 1 550 people receive individualised specialised support. The insurance sector supported the clean-up for insured residents. The initial recovery phase was designed to assist those who were underinsured to reimburse their out-of-pocket expenses. To date, there have been 348 applications for this grant, with 65 approved as eligible with the disbursement of over \$157 000. The program remains open and has a nominal upper limit of \$45 million. Again I make the point that we rely on the agreement struck with the commonwealth at the time. It requires people to make applications and there is a process to go through. I understand that many people were caught up with seeding and there was a record harvest after that.

I will give members some feedback of the response from someone who was assisted in the region. They said they wished to express their heartfelt gratitude to the whole DFES tropical cyclone Seroja team for their advice and assistance. They said it enabled them to build more resilience into their much-loved home in Kalbarri. They were very happy to have received the support. There is a program of assistance. To date, there have been 22 applications for clean-up assistance for uninsured residents, and 14 were approved eligible, with \$55 200 dispersed. There are

a range of initiatives, including the primary producers recovery grant of up to \$25 000 for damaged infrastructure, salvaging crops and repairing damage on farms. It is ongoing. An information session was recently attended by 56 primary producers; 50 per cent were engaging with the recovery team for the first time. There is also a small business recovery grant of up to \$25 000 available for small businesses impacted.

The McGowan government is now in the process of looking to provide a multi-user workforce accommodation facility in Kalbarri to help support local businesses. It is proposed that the temporary accommodation for workers program will increase the availability of accommodation for non-regional-based builders and labourers so they can stay in the region while undertaking rebuilding activities. The Shires of Mingenew and Perenjori have already utilised this program to provide accommodation in the form of caravans for tradespeople conducting repairs in the towns. The Shire of Northampton has prioritised key tourism assets in Kalbarri, including Chinaman's Beach, Jacques Point and "Sally's Tree" for reconstruction, and are working with the Seroja state recovery team to access funding under the clean-up and restoration of community, recreational, cultural and heritage assets package for these priority works. There has been \$23 million dispersed to date. Staff are still on the ground and remain committed to the long-term recovery journey. I cannot emphasise enough that this was a big disaster. It is a long, challenging and complex process. We have seen instances in the eastern states where they are still recovering from the bushfires in 2019. We need people to continue to be part of the long process that the state is committed to. I want to acknowledge the resilience of the community right across the midwest and their patience and hard work. I also acknowledge those who are helping them through this journey.

### DAVALLIA PRIMARY SCHOOL — COVERED ASSEMBLY AREA

#### *Grievance*

**MR P. LILBURNE (Carine)** [9.57 am]: My grievance is to the Parliamentary Secretary to the Minister for Education and Training. It is regarding the covered assembly area at Davallia Primary School. I would like to thank the parliamentary secretary for taking my grievance.

Davallia Primary School is a great local school within the Carine district, and the heart of the community that surrounds it. The school's success can be seen in its growing student numbers. In 2018, the school enrolled just over 400 students and that has grown to over 500 students in 2022. The school has an engaged and active parents and citizens association that works closely within the school to give students the best possible opportunities. Davallia Primary School, led by its principal, John O'Neill, and guided by the school's excellent board, has been successful in developing resilient individuals who strive to reach their personal potential, live by their values and contribute to their community. Therefore, students who attend Davallia Primary School are set up well for future success.

However, with the school's growing popularity, there have also been challenges, one of which is the size and condition of the school's covered assembly area, which provides important shade and shelter for physical education and other classes, as well as a play space at recess and lunch. The existing covered assembly area is an old space that is not enclosed and has a flat roof. It is not fit for purpose for the school. I understand that Davallia Primary School has been on the department's priority list for some time. I note that funding has been set aside in the 2022–23 state budget for covered assembly areas. I ask the parliamentary secretary to advise whether funding has been earmarked for Davallia Primary School; and, if so, when can the school expect construction to commence on this important project?

**MR T.J. HEALY (Southern River — Parliamentary Secretary)** [9.59 am]: I thank the member for Carine for his grievance and his ongoing support of schools in his electorate. I respond today on behalf of the Minister for Education and Training. As the hardworking member for Carine outlined in his grievance today, the Carine electorate and, more specifically, the suburb of Duncraig and its surrounds, is a wonderful place to receive a public education. It has some amazing schools, and schools in the area have been and will continue to be recognised for their teaching and academic excellence. We know that great schools are about more than just good teachers and facilities; they also must have active and engaged parents and community supporters, which I acknowledge is the case for Davallia Primary School in Duncraig. That engagement really sets up students for success, as the member outlined.

I acknowledge that Davallia Primary School is growing and that there are unique challenges for the school in managing an increased number of students. The Department of Education works closely with schools to manage enrolments and facilities to ensure that there is enough space for students at schools. The member will appreciate that we have more than 800 fantastic public schools in Western Australia that range in age from brand new to more than 100 years old. In fact, approximately 47 per cent of our schools are more than 50 years old. It is an older asset portfolio and we are consistently working to upgrade and make improvements where we can.

I note that in the member's electorate there has also been a huge investment in Carine and Duncraig Senior High Schools to accommodate an increasing number of students attending those schools. Of course, in areas where the number of students in secondary schools is growing, the number of students in primary schools is also growing. The member for Carine knows that and I congratulate him for his hard work and relationship with principal John O'Neill, the local families, the school community, the school board and the P&C.

I can confirm that the department has set aside funding in the 2022–23 state budget to upgrade and improve covered assembly areas. This funding will assist those older schools that have facilities that may have been fit for purpose at the time they were built but, for whatever reason, are not suitable now. I can advise the member that Davallia Primary School has been allocated funding for improvements for a covered assembly area and that \$1.7 million has been set aside to build a new facility to ensure that the school can provide modern facilities for the growing number of students. The new covered assembly area will provide an enclosed facility, with a music classroom and store facilities. Earlier this year, Hart Architects was appointed to begin design work on the new facility, which is now well underway. The tender for the building contract is expected to be advertised this month and construction will commence in November. Students should be able to expect to use their new assembly area by the middle of 2023. I am sure that on its open night on Thursday, 18 August, the member will make sure that everyone at the school is aware of that, because this is really a great outcome for Davallia Primary School students and families.

I also note that it is great to see such a hardworking and cooperative Carine MLA who works with their community—something we have not seen since Katie Hodson-Thomas's days. I want to commend the member for Carine, Paul Lilburne, for his work and I thank him for his grievance today and his ongoing advocacy for his schools.

### CASINO LEGISLATION AMENDMENT (BURSWOOD CASINO) BILL 2022

#### *Second Reading*

Resumed from 10 August.

**MR D.A.E. SCAIFE (Cockburn)** [10.03 am]: It is a shame that there are no members of the opposition in the chamber at the moment because yesterday I was educating the member for Roe, in particular, after he raised some questions about this bill. I want to continue to do that now because the member for Roe made a series of claims in his contribution yesterday that, as I said in my contribution yesterday, suggested that he has not properly read or interrogated the bill. The first thing I want to address is the objection the member for Roe made about the independent monitor having links to a union. It was a really bizarre performance from the member for Roe. It is probably a good thing—in fact, it is undoubtedly a good thing—that the member for Roe is not the minister, because it would mean that a retired Supreme Court judge who was, say, a member of the Shop, Distributive and Allied Employees Association when they were 16 years old and working in retail, would be ruled out from appointment as the independent monitor because they have links to a union. He might also suggest that a retired senior public servant with experience in regulation who had been a member of the Civil Service Association at some point in their career, or who had a family member who had been involved in a union, had links to a union. In the eyes of the member for Roe, that would deem them to be a completely unsuitable person to be an independent monitor. The member for Roe's assertion was ridiculous and had nothing to do with the bill. It was just another opportunity for the member for Roe and his colleagues in the Liberal and National Parties to attack unions. That is all it was. They were essentially suggesting that if someone has links to a union, they cannot be a person of the highest integrity, which, frankly, is an attack on the personal integrity of everybody on the government benches, because we are all proudly linked with the trade union movement.

I think that there are greater questions to be asked about the integrity of the opposition than there are about the integrity of government members in this place.

**Ms S.E. Winton:** Where are they?

**Mr D.A.E. SCAIFE:** As the member for Wanneroo says, where are they? Opposition members have a lot of integrity and have made great criticisms of this bill but not one of them can even bother to turn up to listen to the education that they are being given about this bill. Unlike the member for Roe, I have read the bill. I have gone through the bill.

**Ms S.E. Winton:** It's a new concept for them.

**Mr D.A.E. SCAIFE:** It would be a novel concept, member for Wanneroo, for members of the opposition to read the legislation that they are interrogating. But why read the legislation when they can just read an article in the newspaper, which is what the member for Roe said yesterday. I think he said that all that he had done was lift an article from a newspaper. He is taking his writing instructions from *The West Australian*, which is not at all surprising even if it is disappointing.

Another thing that the member for Roe talked about were the powers of the independent monitor. He expressed all sorts of concerns about the powers of the independent monitor. One thing he said was that there would be a problem if the powers of the independent monitor were delegated to a member of the independent monitor's staff. That is surprising, because a very orthodox principle in public sector agencies is that powers can be delegated to members of staff. They are not just delegated generally to any member of staff. Serious powers are only delegated to senior officers, but clearly in the case of an independent monitor who needs to carry out investigations into the activities of the operator of Burswood Casino, that independent monitor, if it is a natural person, cannot be everywhere at once. They cannot look at absolutely every detail, so, of course, they will have to delegate power to enter premises, to attend board meetings and to require the production of information to members of their staff. It is important to understand that those delegated powers are not limitless; they are subject to the same guidelines, and implied and expressed

restrictions, as they would be if those powers were exercised by the independent monitor. Also, specific provisions in the bill restrict the power of the independent monitor and any of his or her delegates. For example, proposed section 21Y will make it an offence to misuse any information that is gained in the course of exercising powers under the legislation for other purposes. That is an entirely orthodox protection and it means that any delegate of the —

**The ACTING SPEAKER:** Member for Roe, you have just walked in front of the Acting Speaker.

**Mr D.A.E. SCAIFE:** It means that any information acquired by a delegate or by the independent monitor in the exercise of these powers cannot be used for other purposes.

It is also the case that proposed section 21ZH will require a delegate, when exercising their powers—say, they are entering premises—to wear an ID card that has on it their name and a photo. That is another way of someone being able to verify that an authorised person is carrying out those delegated powers.

The member for Roe also made a claim about what would happen if an employee of the casino was put into a position of conflict. He described the example of the independent monitor, or one of their delegates, who wanders into the casino and, using their powers, tells a croupier, or someone who is working at the tables, to hand over certain documents, but the croupier then gets a direction from his or her manager to say that they should not hand over that information. Does that put the employee into a position of conflict? The answer is obviously no, because there is no conflict between the law and the directions of the employer. An employer cannot direct an employee to disobey the law. If an employee is obliged to hand over information and it is an offence for them not to do so under the act, then as an employee or agent of an employer, they must do so. They cannot be directed by their employer to not comply with the law. We have known for decades and decades that it is no excuse to turn around and say, “I broke the law because I was told by someone else to do so.” I thought that that was a pretty superficial challenge from the member for Roe. I find it very hard to imagine the circumstance that the member for Roe talked about occurring. It is not the case that the independent monitor, under this legislation, could wander in and demand information from any old person, because the relevant clause says that the information or record must be in the possession or control of the person. There would be no point in the independent monitor walking up to a croupier and saying, “Please hand over the minutes of the board meeting”, because plainly that is not a document that is in the possession or control of the croupier. However, if the independent monitor wanted to ask for documents that were relevant to the function of the croupier because the croupier was somehow involved in a money laundering scheme using the casino, I guess that would be a situation in which the independent monitor could demand that information from them, and rightly so. That is what we would expect the independent monitor to be able to do. I have to say that I am at a bit of a loss as to what the actual objection from the member for Roe was in that case. It seems to be a far-fetched example that did not actually take note of the provision in the act that the information or record has to be in the possession or control of the person from whom it is demanded by the independent monitor.

The member for Roe also made the claim that the independent monitor’s powers under this legislation will mean that they could ask for whatever they wanted at any time. That is just not the case. There are always implied restrictions around what an investigator who is exercising a legislative function can demand.

[Member’s time extended.]

**Mr D.A.E. SCAIFE:** For example, if an officer of the Australian Building and Construction Commission were to turn up to a business operator who was not involved in building and construction work and demanded from them records related to tax evasion or the like, even if there was not a provision in the act that specifically dealt with that circumstance, that decision would be amenable to judicial review and it would be up to the court to decide that application. But it would be extraordinary for the court to find that an investigator exercising a delegated power of the ABCC could just wander into any old business and demand any old item, because, clearly, the power is conditioned by the subject matter and purpose of the legislation under which that power is being exercised.

If we set aside the implied restrictions on the exercise of these sorts of powers, there are also express restrictions in the bill on the exercise of the independent monitor’s powers. This is what concerns me again, member for Roe, and I wonder whether the member has read the text of the bill because it is not the case that the independent monitor can demand any information at any time. A clause in the bill expressly states that they can demand information or records that are “likely to be relevant” to the independent monitor’s functions. They cannot just demand anything. That is the answer to the member’s question. With respect, he should not have to ask the minister to clarify the extent of the independent monitor’s powers to request information because it is in the bill.

The member for Roe also referred to the independent monitor having the power to impose a fine. He gave an example of the fines that can be attracted if somebody frustrates or obstructs the activities of the independent monitor. He said that the independent monitor had the power to impose a \$50 000 fine—not true. Anybody who understands how this works knows that the only body that has the power to impose a fine is the court. The independent monitor might, depending on their standing—I have not looked into their standing—prosecute themselves or they might be more likely to refer it to the relevant enforcement agency to take action in the court and to prosecute a person for the offence of obstructing their activities and seek payment of the fine. Ultimately, the decision to impose the fine will be made by the court. That is entirely orthodox in these situations and so that claim by the member is not true.

It is also interestingly the case that under proposed section 21X(4) those provisions do not even apply unless the independent monitor or their delegate has informed the person, in the course of doing so, that it may constitute an offence to hinder or obstruct their powers. That is actually quite an extraordinary protection because, normally, the police do not have to give someone a notice before they start speeding to tell them that if they speed, they might be breaking the law. Normally we do not have provisions to say that a person has to be told that they might be breaking the law in order for them to be guilty of an offence. As we all know, ignorance of the law is not an excuse. But in this case, if the independent monitor has not told a person that hindering or obstructing their activities may constitute an offence, that person cannot be guilty of the offence. That is another protection against the independent monitor's exercise of their powers.

I will also say that the hindering or obstructing of activities of the independent monitor is a very significant thing. It should attract a significant fine. The bill provides for an independent monitor because a royal commission—in fact, several commissions of inquiry right around the country—exposed criminal activity being carried out through casinos around the country. The independent monitor is one of a number of regulatory agencies around the country that have been appointed to make sure that the licence holder—in this case, the Burswood Casino—is a suitable person to hold that licence. Hindering or obstructing their activities is a very significant thing. If a licence holder is warned that hindering or obstructing the activities of the independent monitor is an offence, it may very well be prosecuted for that offence if it decides to continue with that behaviour. In relation to the powers of the independent monitor, I was not at all convinced by the complaints made by the member for Roe. The minister will no doubt deal with the issues in more detail, but I hope that that goes at least some way towards allaying the member for Roe's concerns.

The third issue I want to talk about that was raised by the member for Roe is the need for checks and balances. He used a phrase that sticks in my mind when he referred to the minister and the independent monitor having limitless power, which is, as I explained, not the case. There are always implied restrictions on power when one looks at the purpose and subject matter of the legislation and there are, as I have gone through, express limits on that power. The member for Roe referred to the need for checks and balances, but there are many checks and balances. In fact, this bill is about establishing more checks and balances. That is what it is for. The bill will adopt a type of regulation that we refer to as network regulation because it does not set up just one regulator that tells people what to do; it sets up a series of regulators who have regulatory functions for not only the licence holder, but also each other, so they hold each other accountable as well.

One of the checks and balances, which I spoke about yesterday, that will be introduced in the bill is that the director general of the department will now be separate from the chair of the Gaming and Wagering Commission; it will have an independent chair. That is a good thing and that is another check and balance because those roles will be occupied by different people. It will get the director general out of the conflict of interest that they were put in under the previous regime.

There will be other checks and balances. The minister will appoint the chair and the independent monitor and in the process of appointing the independent monitor, under this bill, the minister will determine the terms and conditions under which the independent monitor is appointed; therefore, that is another opportunity for the minister to place protections and conditions around the independent monitor's position, which might be things like the length of the term. Obviously, the bill will provide for a length of term and reappointment but the minister will have that power. The minister will determine the remuneration of the independent monitor, but it will be on the recommendation of the Public Sector Commissioner, so it is not as though the minister will exercise that power in a vacuum.

The independent monitor will oversee the licensee and the remediation plan. Obviously, the independent monitor will be answerable to the minister. It is expressly required under this bill that the independent monitor will need to provide interim and final reports to the minister and the Gaming and Wagering Commission. As I have explained in several points, the powers of the independent monitor will be reviewable by the courts, the same way that the exercise of any executive power is reviewable by the courts. Of course, the minister is in this chamber and is accountable to this Parliament; therefore, a series of regulators will establish a criss-crossing network of accountability amongst them, which is a more robust regulatory framework than we had previously.

I hope that that has answered some of the questions and concerns of the member for Roe, but I am sure that the minister will answer those questions in greater detail than I can.

I want to finish by talking about the increase in the penalties under this bill. Penalties and coercive punishments under a regulation should in many cases be a last resort. That is how ascendant theories of regulation work. First, we want to educate people. We want to persuade people. We might issue warnings to them and we might have regulatory guidance. It is not the case that the regulator should go straight to penalties, but penal consequences should be available as a last resort for the purpose of deterring people from engaging in unlawful behaviour. In this case, under the previous legislation the largest penalty that could be imposed was \$100 000. That is chump change in the corporate world, particularly for the types of corporate entities that operate casinos and hospitality venues and the like. Quite frankly, \$100 000 is, disgracefully, the type of money that people get conned into spending, and losing at the casino let alone being a credible threat. In that respect, I want to say in closing that it is a very good thing that this bill will increase the penalty to \$100 million because that is a penalty that has some bite and some

relevance to the people who are regulated by and participate in the casino industry. That penalty is in line with Victoria and I think it is important that we have a nationally consistent regime for that because we have the same casino operators, through different corporate entities, operating in different states.

This is a very good bill. It will do a number of important things, such as improving regulation in the casino industry, increasing penalties, and establishing an independent monitor whose powers are, I think, appropriate and conditioned. I am certainly very confident that with this government and the minister that we have there will be strong oversight of this bill.

**The ACTING SPEAKER (Ms M.M. Quirk):** Is it age before beauty?

**Mr M. Hughes:** Yes.

**The ACTING SPEAKER:** I call the member for Kalamunda, then.

**MR M. HUGHES (Kalamunda)** [10.25 am]: Thank you very much, Acting Speaker. I will make a brief contribution to the debate on the Casino Legislation Amendment (Burswood Casino) Bill 2022. I thank the member for Cockburn for his explanation of those clauses and I hope the member for Roe has learnt a little bit today. As the member for Cockburn suggested, maybe his fears regarding the purpose of this bill will be allayed. The purpose of this bill is to implement the priority legislative amendments arising from the *Perth Casino Royal Commission: Final report*, which was tabled on 24 March this year. This bill is a direct response of the McGowan Labor government to the findings of the Perth Casino Royal Commission, which concluded that Crown Resorts was not suitable to hold a gaming licence but drew the line at recommending the licence be revoked. The general observation that I would make is that if we look at jurisdictions not just within Australia, but also around the world, where tens of millions of dollars are transacted across gaming tables, there always exists the chance of very dodgy behaviour. It behoves us to ensure that the checks and balances and accountability provisions that ensure that appropriate behaviours are undertaken in these establishments are put in place in an independent way. One purpose of this bill is to respond to a series of failures by Crown Resorts that the royal commission identified and, sadly, the numerous deficiencies found in Western Australia's gaming regulator, whose primary purpose is to keep Crown Resorts honest.

When Minister Buti tabled the report in March, he made it clear that the government accepted the royal commission's findings and that there had been clear and serious failings by both Crown and our state regulator. As I mentioned, the royal commission stopped short of calling for Crown to be stripped of its licence and instead pointed to the necessary remediation work that needed to be undertaken by Crown for it to become suitable, and called for an independent monitor to be established. Clearly, the central purpose of the bill before us today goes to addressing the issues identified by the royal commission. Members will remember that the commission made a total of 59 recommendations contained in its 1 000-page report. The government has set about considering them in detail. As I said at the beginning of my contribution, the purpose of this bill is to implement the priority legislative amendments arising from the report.

When tabling the report in Parliament, Minister Buti said that the government accepted the need to reform the regulation of Crown, including giving the minister improved powers. As we have heard from the member for Cockburn, the extent of the powers of the minister responsible for this area of legislation have been improved.

Members should remember that the royal commission specifically identified a number of failures by Crown Resorts. They are quite extensive and quite disturbing, but they include—I go to the principal issues of failure—facilitating money laundering through what was identified as the Riverbank accounts, failing to have effective anti-money laundering programs within Crown itself, permitting junkets with links to criminals to operate at the Perth casino, failing to minimise casino gambling-related harm and failing to be open and accountable in communications with the Gaming and Wagering Commission. Those are serious flaws. I would say that they are omissions, but in some circumstances, it is a cavalier approach to its responsibilities in this regard.

The royal commission acknowledged that Crown had taken steps to improve its conduct—during the course of the inquiry, one might add—which meant that the commission was dealing with a different set of situations from those identified by similar inquiries in New South Wales and Victoria. It acknowledged that a lot had changed, mainly for the better, even since the Victorian inquiry reported in October 2021. The commission noted that Crown's corporate and governance structure as well as Perth casino's risk management, gambling-related harm and money laundering programs all required attention. The commission also found that the regulatory framework to manage Crown was anachronistic and was designed without the experience or understanding of modern casino gaming operations and the risks they pose to the public. It was flawed from conception in that it failed to identify the legislative objectives of casino regulation and to clearly express the associated duties and powers of the regulator to meet those objectives.

The commission identified numerous deficiencies in the Western Australian gaming regulator, the Gaming and Wagering Commission, and found that the Department of Local Government, Sport and Cultural Industries had contributed to these deficiencies, I am sad to say. The commission found that neither organisation had an adequate or accurate understanding of its role in casino regulation. That was only added to by the GWC taking on increasing duties and functions without a corresponding or sufficient increase in expertise, numbers and funding.

The recommendations made by the report included overhauling the governance and structure of the casino and Crown Resorts, introducing mandatory limits on electronic gaming machine play, imposing conditions on membership of the casino's Pearl Room, replacing the existing Casino Control Act, increasing penalties for regulatory offences and improving staffing and resourcing of the GWC. The government is setting about responding to each and every one of these recommendations. This bill is clearly an important priority and first step in that process of cleaning up the way the Crown casino operates and how it is held accountable.

I am pleased that the state government handed a copy of the report to the Corruption and Crime Commission; the Western Australia Police Force; the financial crime watchdog, the Australian Transaction Reports and Analysis Centre; and the corporate regulator, the Australian Securities and Investments Commission. To the extent that these referrals have been made, we may hear more, particularly regarding the close association between certain individuals within the regulatory body and about the operation of Crown itself.

We have to remember, as the minister reminded us in March this year, that it is a privilege to hold a gambling licence in Western Australia, and the royal commission revealed that Crown has abused that privilege. The first actions the government has taken include, as we have heard this morning, changing legislation to give the minister greater powers to direct the casino watchdog, the Gaming and Wagering Commission, to investigate casino operations and to appoint an independent chair of the GWC. The independent monitor will remain in place for two years, regardless of which company operates the casino, at which point the independent monitor's final report will be made. Interim reports will be made before the final report on the remediation programs that the casino will be required to implement and the extent to which those programs have been effectively implemented. I understand that other reforms recommended by the report and accepted by the government will be introduced in a staged approach.

The clear focus of the state government is on remediation, acknowledging that the casino brings significant social and economic benefits to Western Australia, as the minister reminded us in March, including the taxation revenue it pays to the Western Australian government, the number of people it employs and the fact that it is a significant attraction in our tourism industry.

Members, I think it is very difficult to shift away from what can be described as an entrenched culture developed over time at Perth casino. How successful Crown will be in changing its corporate culture remains to be seen. It has promised a lot, but—this is an important point for the member for Roe, who had some concerns about the independent monitor—the independent monitor will closely oversee the implementation of that remediation program. The member should not try to pull the rug of confidence from beneath that independent monitor, as he did in his contribution.

In statements made at the time of the release of the report, Crown Resorts said it acknowledged the report's findings and recommendations, would work cooperatively and constructively with the Western Australian government and was prioritising the delivery of safe and responsible gaming at Crown Perth. Again, let us hope that there is a solid corporate commitment to achieving those objectives.

The progress made by Crown's transformation program, the implementation of company-wide reforms and the establishment of the highest standards will be, member for Roe, a test of its resolve to clean up its activities. Crown has promised investment in people, systems, process and culture, a sharpened focus on responsible gaming and the prevention of financial crime, and espouses a commitment to continuous improvement across all facets of the business with its priority to deliver safe and responsible gaming across all resorts, including Crown Perth.

In concluding my brief contribution to this debate, the McGowan Labor government is clearly committed to bringing about significant reform to the regulatory framework for the Perth casino, regardless of the owner, to ensure that the Western Australian public can have confidence in the casino operator. This bill is an important step forward to achieving that objective.

**Mr C.J. TALLENTIRE:** Acting Speaker.

**The ACTING SPEAKER (Ms M.M. Quirk):** The member for Jandakot I think was next.

**MR Y. MUBARAKAI (Jandakot — Parliamentary Secretary)** [10.39 am]: Thank you, Acting Speaker. Apologies to the member for Thornlie, but I, too, wish to stand to make a very brief contribution. I promise the member that he shall have his fair share of time in the house to make his valid interpretations of this amendment bill. I apologise for the inconvenience.

Listening to the contributions of the member for Cockburn and the member for Kalamunda in many ways has given the opposition absolute clarity for its lead speaker's provisions and views on this bill that the Minister for Racing and Gaming brings into the house, the Casino Legislation Amendment (Burswood Casino) Bill 2022. My contribution will help provide further information to the opposition so that when we conclude our deliberations, there will be no reason for further clarification. We have identified the importance of the bill that the minister has brought to this place in order to address the issues that have been clearly identified by the Perth Casino Royal Commission.

As we have heard, this bill will amend the Casino Control Act 1984 and the Gaming and Wagering Commission Act 1987 to address the recommendations made in the interim report in June 2021, just over a year ago. The royal

commission identified the relevant issues that needed to be addressed under the broad headings of regulatory delivery, legislative framework, the Gaming and Wagering Commission's governance structure, conflict of interest management, leadership, and problem gambling. In my submission, I will refer to the Gaming and Wagering Commission as "the commission" and the Perth Casino Royal Commission as "the royal commission".

Since the interim report was provided to the minister, the Department of Local Government, Sport and Cultural Industries and the commission have made some significant improvements to the casino regulations in regard to how the Burswood Casino has been operating for the past 37 years. I must add that Western Australia is fortunate in many ways; the member for Kalamunda alluded to the fact that the casino has a place in making significant social and economic contributions. In my experience, I have visited the Burswood Casino on many occasions and used the bars, the restaurants, the convention centre, the theatres and the casino itself with my family members and friends for many occasions and celebrations. I enjoy taking my family who visit from overseas there, and the reciprocation is that Western Australia is very fortunate. The royal commission has identified the lack of certain frameworks and regulations over 37 years that has created a pathway for this government, through the minister, to provide some mandatory changes so that we can rebuild the public's confidence in the casino as an establishment of Western Australia that has an impact on Western Australians.

I am very grateful to be a parliamentary secretary to Hon Dr Tony Buti, the Minister for Racing and Gaming, and to witness firsthand the many changes and measures that have already been implemented. Progress has been made in addressing the problems identified in the interim report. Importantly, we have introduced an executive director for racing, gaming and liquor, who also holds the statutory position of Chief Casino Officer. Recruitment has also been done for dedicated resources for the commission's secretariat. The conflict of interest policy has been thoroughly reviewed and updated. A review of the commission's delegation framework has commenced. The process of inducting new commission members has also been updated. I will describe the impacts of the minister delegating that authority and appointing some new members. A review of the problem gambling policy framework has been completed, including the roles and functions of the Problem Gambling Support Services Committee. A designated audit and risk committee has been established for the commission. The department fully supports personal development and training in the regulatory practices for its staff and the staff of the commission, and that will become a mandate.

Again, these changes have already been implemented through the minister taking on the recommendations of the interim report before the final report was tabled right here in March 2022. The state government and the minister have fully supported and accepted the royal commission's findings and, as I said, put in appropriate regulatory changes so that the Perth casino may continue operating in the current situation.

Importantly, as one of his first measures and actions towards addressing the royal commission's recommendations, the minister will strengthen the Gaming and Wagering Commission's capacity to play a bigger role in implementing its responsibilities. Within the first month of the report being tabled here in Parliament, the minister has made several new appointments, amongst the first of many, to toughen the regulatory framework that governs WA's casino. The individuals who have been appointed to the commission board are of the highest calibre. I am delighted to hear that the new commission board has a refreshed and enthusiastic perspective as it undertakes the important work of addressing the royal commission's recommendations.

Colin Murphy is a newly appointed member of the board. Mr Murphy brings extensive knowledge and experience from his most recent role as commissioner of the Perth Casino Royal Commission, which obviously brings a very unique perspective. Mr Murphy was also WA's eighteenth Auditor General and has had a long career in state government leadership positions. Again, he has the perfect pedigree of experience and knowledge to be appointed. Dr Michael Schaper has also been appointed. Again, Dr Schaper is an experienced board chair, a company director and an economic policy and development consultant. He has a long history of work and academic accomplishments relevant to the role of the commission, including as a deputy chair of the Australian Competition and Consumer Commission. Helen Creed has also been appointed. Ms Creed has held a variety of executive and board roles in government and not-for-profit sectors. I know she will bring to the role an important focus on harm-minimisation measures as well as extensive experience as a regulator. Sam Buckeridge has also been appointed to the board. Mr Buckeridge is an experienced company director and has held numerous management roles across a very large and iconic company, BGC (Australia) Pty Ltd. He will bring his very experienced corporate knowledge to the role.

The key, as I said earlier, is that if the right people with the right experience are on the board, with the depth of their knowledge, they will be able to guide and advise the commission and help drive this reform that we hope will bring back high-quality standards into our regulation of the licence that has been provided to Burswood Casino. The board members' appointments again reaffirm the minister's intent and the McGowan government's commitment to strengthening how the governance framework works around the casino and the priority given to the response to the commission's final report that was tabled.

On behalf of the government and the minister, I would like to acknowledge the outgoing members of the Gaming and Wagering Commission—Steve Dobson, Carmelina Fiorentino and Jodie Meadows—for their work during their time at the commission.

Furthermore, this bill as it has been presented and as we make our contributions to it during this debate, seeks to implement some important priority legislative amendments and reforms arising from the final report of the Perth Casino Royal Commission, which was tabled earlier this year. I will not go into too much detail because the members for Cockburn and Kalamunda have given a good explanation of the provisions in this bill. However, I wish to highlight to this place some of these important legislative amendments. The bill provides for an independent chair to be appointed to the Gaming and Wagering Commission, and for the members of the commission to elect their own deputy chair.

The bill provides also for the establishment of an independent monitor to oversee the remediation of Crown casino. We have heard at length about the role of the independent monitor to assist the casino on its pathway back to optimising good governance. The independent monitor will be appointed by the government. The role of the independent monitor will be to instruct the casino licensee on the scope, content and timing of a remediation plan; approve the remediation plan; and obviously monitor and watch over the implementation of the remediation plan.

*Visitors — East Vic Park Seniors*

**The ACTING SPEAKER (Ms M.M. Quirk):** Member, can I just interrupt for a minute. I welcome the seniors group that is up in the gallery, but I request that you sit down, and also remain silent if you can. Thank you.

**Mr Y. MUBARAKAI:** As the member for Jandakot, I also want to welcome the seniors to Parliament House. I hope you enjoy your tour. I see you have got Ben and Cherie up there to help you get around.

*Debate Resumed*

**Mr Y. MUBARAKAI:** I have been talking about the proposed amendments in this legislation, and the appointment by the minister of an independent monitor. The role of the independent monitor will be to not just approve and monitor the remediation plan, but also ensure that it meets the expectations of the minister of the day. The independent monitor will also be required to report to the minister and the commission about the progress and effectiveness of the remediation. The bill provides also that the independent monitor will be expected to produce their final report two years after their appointment. That is consistent with the recommendations in the royal commission final report. The other provisions in this bill seek to enhance both the power of the minister to direct the commission, and the power of the commission to direct Perth casino in carrying out its functions.

Members would have heard the further clarification that was provided by the members for Cockburn and Kalamunda before I rose to speak about the proposed increase in the maximum penalties under the Casino Control Act. I highlight that previously, the maximum penalty that could be imposed for any mishaps or inadequacies was \$100 000. That is proposed to be increased to \$100 million. The bill also proposes to increase the penalty for noncompliance with a direction issued by the commission to \$250 000 for a body corporate. The bill provides also that the independent monitor may issue similar penalties for noncompliance. In addition to these proposed immediate changes, there will be a full review of the penalty system. That will address another of the recommendations of the royal commission.

In conclusion, I, too, would like to say that this bill seeks to provide for significant reforms to the regulatory framework, restore good governance, and reinforce public confidence in the casino. This bill is definitely the right step in the right direction. Thank you.

**The ACTING SPEAKER:** The question is that the bill be read a second time, and I call on the patient member for Thornlie.

**MR C.J. TALLENTIRE (Thornlie)** [10.54 am]: Thank you, Acting Speaker. It is good to see that there is so much interest and competition to speak on the Casino Legislation Amendment (Burswood Casino) Bill 2022.

**Mr P.J. Rundle:** You finally got a go!

**Mr C.J. TALLENTIRE:** Thank you, member for Roe.

I am very pleased to support the Casino Legislation Amendment (Burswood Casino) Bill 2022. I want to begin my contribution by asking: how did we get to the situation in which there is a suspicion that money laundering has taken place at the Perth casino? That was one of the findings of the Perth Casino Royal Commission. That is a terrible thing. I think most Western Australians would be outraged to know that our Western Australian casino at Burswood has been the venue for any money laundering. It is an absolute disgrace. It is not acceptable at all. How did we get to that point?

We see in other areas that the casino has treated itself as an exception. A spirit of exceptionalism is always dangerous. The lesson for all of us across government is that we should not allow exceptionalism to justify actions on things that may sometimes seem relatively mundane. As an aside, I recall to members that back in 2006 when this Parliament was putting through some rigorous legislation about the right of people to smoke in public places, the people at Crown casino lobbied us that the Pearl Room at Perth casino, as it is officially known, or the high roller gaming room, should be treated as an exception to the rules that were sought to be imposed on every other public place in Western Australia and that smoking be allowed. That argument won the day. I am impressed and delighted to be able to report to the house that, fortunately, due to the wisdom of the former Minister for Health, that exemption was

overruled in November of last year and it is no longer the case that smoking is allowed in the Pearl Room at the casino. This spirit of exceptionalism might seem relatively minor when we compare smoking with money laundering and other terrorism-related activities. However, I believe it is the same mentality—one leads to the other.

The final report of the Perth Casino Royal Commission refers to an amendment to the casino manual of operations. The casino manual of operations expressly provides that the casino must take responsibility for the nature of the financial transactions that pass through it. That recognises, of course, that various law enforcement agencies also have responsibility. Those agencies take that responsibility very seriously and do their best to maintain it. However, the Crown casino administration at the time decided that it could do away with this section of the manual of operations and just leave it to the official body, the Australian Federal Police. Section 3A of the casino manual of operations was deleted in July 2019. That decision was made by those with direct involvement at the casino. I quote from the royal commission final report —

This section of the manual is governed by [AUSTRAC] under the federal [AML/CTF Act].

That is the Anti-Money Laundering and Counter-Terrorism Financing Act —

As this is not regulated by the Commission we have removed these sections from the manual.

Because it was not being dealt with by the Gaming and Wagering Commission—one might well ask why not—they deleted it. There goes a key check on money laundering through the casino. That obviously indicated that the people who were managing the place at the time felt that things could be done differently; they could be an exception to the rule and they would leave it to others, which was a totally unacceptable arrangement. That is a very interesting example and one that the royal commission was quite clear on. The report of the royal commission was fascinating on this point. It states —

The effect of the GWC’s amendment to remove s 3A was to remove any regulation by the GWC of the management of the ML/TF risk. The PCRC observes that the consideration and approval of the amendment took place after the 2019 Junket Media Allegations ...

There was already talk in the public domain about malfeasance at the casino. It was also the time that the Bergin inquiry commenced, so by this time all members of the Gaming and Wagering Commission were aware of the money laundering risk at Perth casino, yet they were happy to discard section 3A. I am very mindful of the background to this, what has gone on and what has got us here. I am concerned we have a mighty task ahead of us to turn things around, so we get to what the royal commission notes as “the pathway to suitability”. Of course, this legislation is about bringing in that independent monitor so we get to that pathway of suitability. The royal commission also noted that the legislation, prior to its amendment, is not fit for purpose, which is a very important point as well.

I am not a particular fan of casinos; they are not my idea of recreation. I acknowledge that many people find them places for relaxation and amusement, with that enticement that perhaps some enrichment can occur and people might go home with more money in their pocket than they arrived at the venue with. I know that is something people find particularly attractive as a possibility. I know that people are also attracted to the general glitz and some might say the glamour of the venue, which in itself is something to ponder. Is it a good thing that people see all the bright lights, flashing machines and things as a particularly good form of recreation?

The information I have here is that the Crown Perth operation has more than 2 500 electronic gaming machines, 350 tables and, of course, three hotels on that site. I am taking that information from an investment journal, the *Morningstar Investor*. It is very interesting to see how investors view the whole sector of casino operations because, of course, many of us would be involved in ethical investing in funds and superannuation schemes that set certain parameters, such as environmental and social governance, around where our funds, your funds, can be applied, and many of us choose to eliminate from our portfolios or our superannuation funds, gambling operations. That is interesting because it is a growing trend. People see the damage that is caused by gambling operations. Some people might take the attitude that if people are stupid enough to go into a casino and lose their money, far be it for them to get in their way and maybe they should take advantage of that failing and profit at their expense. That is the attitude of some people.

I note the minister said in his second reading speech that the Blackstone Group, a New York-based investment house, is seeking to gain ownership and the government has given approval to that group to acquire Perth Crown casino. For members’ information, the Blackstone Group has investments of \$US880 billion. The member for Cockburn, in his excellent speech, talked about the need for penalties to be increased. This is something that is much needed and is welcomed here. I am very pleased to see in this legislation that we are increasing those penalties. If we are dealing with entities worth \$US880 billion, the penalties have to be substantial. A hundred thousand dollars here and there is just not going to cut it. These are massive organisations and they are prepared to take financial risks. I again refer to the *Morningstar Investor* on this. It is interesting that at the moment Crown Resorts, and its hybrid securities business entities, is trading at \$102 or thereabouts. I have tried to see how various scandals such as the release of the royal commission report and other things have impacted on share prices. It is interesting that it has not affected it much over the last five years and, averaged out, the share price has been around the \$102 mark, but there were times when it dropped to \$85. After the announcement of one of these failings in the system, there

was an immediate response by shareholders, a concern that perhaps there could be, after all, a removal of the licence to operate or something like that. That is an interesting aspect to it all that we see this growing trend in the investment community towards ethical investing, but there are those who are happy to take the profits anyway and will ride with the ups and downs as they come along.

I want to turn to another aspect of the royal commission report, which is the issue of money laundering. The Perth Casino Royal Commission concludes that the casino's approach to the regulation of money laundering risks at Perth casino to date has been inadequate and ineffective. That confirms the point I have been making that we had a serious problem there, but the managers of Crown thought they were exempt from things and that there was no cause for concern. I think other members have touched on this. Now, through the royal commission process, Crown concedes that between 2013 and 2019 the Riverbank accounts and Southbank accounts were engaged in money laundering through third parties. That is a matter that the royal commission has found. The royal commission report stated that Crown "inadvertently facilitated or enabled" money laundering. Interestingly, that is despite concerns raised by various bankers; from memory, ANZ and the Commonwealth Bank were amongst the banking community that were involved. They raised concerns with Crown and sent indications. The royal commission was perhaps being a bit gentle here—Crown "inadvertently facilitated". Crown got information from its bankers that there was cause for concern but it carried on, and the royal commission is saying that Crown inadvertently facilitated this. That is an interesting point as well. This is quite shocking news for many people that here in Western Australia we have seen money laundering happen at the Perth casino. It is something that I really did not expect to read about.

One ponders what form that money laundering might take. For some smaller organised crime operations it might be a matter of feeding coins into slot machines and laundering it that way. But it seems that there are many more sophisticated ways that use various financing operations, such as opening up accounts and cashing in chips. All sorts of procedures, well documented in the royal commission report, are enabling people with very substantial amounts of money to launder that money through the casino here in Perth. I am very pleased that we are bringing in legislation that is going to put us on a pathway to suitability. That will mean that we have an organisation, an entity and a structure. Other members have talked about the structure and how we are getting away from having the chair of the Gaming and Wagering Commission also be head of the department. We are moving away from that and putting in this independent monitor. That is very welcome, but I can well imagine how Western Australians would be outraged that we have had money laundering going on here. I get back to my original point: that it was because we had this idea of exceptionalism. Just as the casino could be treated differently, the owners of the casino argued that the Pearl Room, the high roller room, could be treated differently with something as relatively mundane as smoking regulations. They also felt that there could be something a bit different in the treatment of the casino's controls on money laundering. Exceptionalism does not work; it is not acceptable. There has to be consistency and we need good probity measures in place. I am very pleased to see this legislation come in, and I look forward to the day when we can all say there is no money laundering happening here in Western Australia.

**MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary)** [11.11 am]: I rise to make a brief contribution in support of this Casino Legislation Amendment (Burswood Casino) Bill 2022. As I do, I note that the pillars of a free society have combined to deliver the necessary reforms to make sure that the casino in Western Australia is operated appropriately. We have seen the work that was put in by the media, in particular *Four Corners* in its report in 2014. We see the work that has been put in by the judiciary, and in this regard I am speaking, of course, of Hon Lindy Jenkins, former Supreme Court judge, and Hon Neville Owen, a very experienced practitioner in royal commissions, who together with Colin Murphy, the former Auditor General, were the three royal commissioners appointed to inquire into the matters of Crown casino. This Parliament, and this government, the third pillar of a free society, is acting expeditiously on the recommendations of the royal commission in order to improve the regulatory oversight of the operation of the casino in Western Australia.

I rise to make a contribution, conscious of the quality and calibre of members of the McGowan Labor government. I make my contribution in the shadow of the contribution from the Member for Thornlie. I could not find one thing that the member said that I disagreed with. I found I was in complete agreement with the entirety of his contribution, particularly his final point about tackling money laundering—the surprise of money laundering taking place in Western Australia and taking steps to tackle it. I also acknowledge, Mr Acting Speaker's (Mr D.A.E. Scaife) contribution from yesterday, which continued today. I am conscious of the fact that when I sit down, the member for Landsdale will make a contribution. Members should be aware that the member for Landsdale is an incredibly experienced litigator and prosecutor with a long and illustrious career working for organisations such as the National Crime Authority, if I am not mistaken, and will bring to this debate a wealth of experience, the likes of which are incomparable. I think that speaks volumes to the capability and capacity of the members on the government benches. The parliamentary secretary earlier on made a brilliant contribution in support of the legislation. We can see the wealth of talent that is on this team.

It makes me sad, members, that the same cannot be said for the opposition, which is clearly conflicted and completely unprepared for taking on the roles and responsibilities of government. This legislation is a flexible and individual response, a timely and appropriate investment, and a well-constructed, legislative framework, prepared, introduced and delivered by a government that knows what it is doing and how to get on with the job of governing. This

opposition is woefully unprepared for government. It has no coherent plan and no unified policy position. Its members are literally fighting amongst themselves. Conversely, we are a united team with an extensive legislative program and the experience to deliver that.

What has transpired at Crown has given everyone pause for thought and reflection. The circumstances that have been explored in the Perth Casino Royal Commission, which have been canvassed by many speakers already, require an urgent legislative response. They require a substantial and extensive legislative response. The time line of events is a great testament to this government and this minister, in that even though the royal commission reported so recently, we have already started the process of putting in place the legislative reforms required to give effect to the recommendations of the royal commission.

I should just give a shout-out to a couple of the members of counsel assisting the royal commissioners. In the report of the royal commission the commissioners paid acknowledgements to the people who supported them. Can I just quickly mention a couple of friends of mine: Adam Sharpe, who was one of the counsel assisting the royal commission, for the work that he put in; and David Leigh. I think that they are both constituents of mine, but they are also acquaintances of mine through the University of Western Australia. Congratulations to them for the work they put in. I am sure that the acknowledgement made by the commissioners at the start of the royal commission report is well deserved.

I want to turn to the time line. I am quoting here from the *Perth Casino Royal Commission: Final report* itself. The first thing that struck me as I was reading the report was just how many inquiries there have been into the gambling industry in Western Australia. On page 26 of the report we can see that we had the 1974 Royal Commission into Gambling in Western Australia; the 1983 advisory committee report; the 1996 Minister for Racing and Gaming's review of the Gaming and Wagering Commission Act; the 1999 inquiry of the Productivity Commission into Australia's gambling industries; the 2008 "Crown Resorts Limited Risk Management Policy", dated 28 February, which was in force up to the time of the China arrests; the 2009 junket submission; the 2010 inquiry of the Productivity Commission into gambling; the Australian Transaction Reports and Analysis Centre report *Casino junkets campaign* issued on 14 July 2017; and the 2020 Joint Anti-Money Laundering and Counter-Terrorism Financing program for the Perth casino, Melbourne casino and Barangaroo casino.

One of the things that I am surprised about is the opposition's inability to locate the debate in the broader context. What has transpired in Perth is not unique to Western Australia. We saw systemic issues across Crown operations in Melbourne and Sydney.

**Mr P. Papalia:** As identified by the Bergin inquiry.

**Mr S.A. MILLMAN:** Precisely, minister, as identified by the Bergin inquiry.

The problem for this opposition is that its horizon is so limited, its foresight is so constrained, that it cannot look beyond what is immediately in front of it, and it even struggles with that. The opposition cannot locate the circumstances that transpired in that broader context. It reminds me, in fact, of the criticism made of the Minister for Health and the current workforce challenge the WA health system is facing. Members opposite think that this is a uniquely Western Australian predicament. They talk about the COVID response as though this is a uniquely Western Australian predicament. I do not understand why, but they cannot see, particularly for COVID, that this is a global pandemic that has affected every single jurisdiction in the world, yet we stand as a beacon to every other jurisdiction on how to appropriately handle the response to the COVID pandemic. This minister, in the preparation and delivery of this legislation in response to this royal commission, has set an example for other jurisdictions on how to respond innovatively, efficiently and appropriately when confronted with the challenging circumstances that were identified by the royal commission.

I have spoken about my friends in the legal profession and the incredible work of the royal commissioners, particularly His Honour Neville Owen and Her Honour Lindy Jenkins. I also want to talk about the importance of the free media, the free press, and particularly the work that the ABC's *Four Corners* program did. Two critical *Four Corners* episodes shone a light on what was going on in the casino industry in Australia. The first was the *Four Corners* episode that was broadcast in September 2014 entitled "High rollers—high risk?" about Australian casinos and the threat posed by organised crime. I cannot help but notice that that was right in the midst of the previous government, which did nothing; it was completely missing in action. Then there was the 2017 *Four Corners* report broadcast on 6 March, entitled "Crown confidential: Packer's losing hand". Those two *Four Corners* episodes together with the Fairfax junket allegations published in an article entitled "Gangsters, gamblers and Crown casino: How it all went wrong" in *The Age* on 27 July 2019 and "Crown unmasked", published in *The Sydney Morning Herald* and aired on *60 Minutes* on 28 July 2019, show members the combination of the legal profession and media working in concert in order to bring attention to the concerns about what was taking place in Crown's operations.

In the time I have remaining, I turn to the legislation. I want to pick out exactly where the royal commission recommendations stand and exactly how this legislation, typical of the McGowan government, is well crafted and specifically targeted to the issues that have been identified. This is no more and no less than precisely the right legislative response that we need. It is incredible because one of the things that I find confusing about the opposition

is that we never really know what it stands for. Does it stand for free markets or for government intervention into every endeavour of human life? On the one hand, opposition members will say one thing and, on the other hand, then do another. Do they stand for higher taxes or lower taxes? Do they want to persist with the policies that we have introduced? We cannot get a straight answer from them when we talk about native logging. I think about our native logging policy. We do not know what the opposition's policy will be. One of the things we know about the Labor government is that we announce our policies and commit to them on the one hand and, on the other hand, when we are confronted with difficult problems that need to be resolved, we have the capacity, the ability, the intellect and the energy in order to deliver those solutions. One of the things I want to talk about is the way in which this well-crafted legislation responds with incision and precision to the royal commission.

Let us go through the key milestones in the Perth Casino Royal Commission. It was established on 5 March 2021. The interim report was released on 30 June 2021 and the final report on 4 March 2022. It was tabled in Parliament on 24 March 2022—less than six months ago. The legislation that comes before the Parliament has been produced expeditiously under the guidance of this minister. The terms of reference included the suitability of Crown Perth to hold a casino licence, the suitability of Crown Perth to operate the casino, the suitability of its associates, the adequacy of the regulatory framework and the exercise of the Gaming and Wagering Commission's powers and discharge of its responsibilities.

In the final report are 59 formal recommendations, additional informal recommendations and some key findings. Other members have gone through this in a bit more detail than I will; I just want to touch on them briefly. Crown Perth is not presently suitable to hold a casino game licence, and it is not presently suitable to be concerned in or associated with a casino's gaming operations. The regulatory framework can be improved, with independence of the GWC from the department. It is accepted that this challenge has been presented to the government by the findings of the royal commission, but a good government does not crack in the face of challenges. It steps up and tackles the challenge and formulates the appropriate legislative response. This government, a good government, accepted the royal commission's findings, is considering each of the recommendations in detail and will take a staged approach to the response to the recommendations with a full detailed response to be released in due course. However, that still provides us with the capacity to progress several priority reforms, particularly when they require legislative amendments.

This bill deals with an independent monitor, increasing penalties, the positions of the Gaming and Wagering Commission chair and deputy chair, the minister's powers to deal directly with the Gaming and Wagering Commission and the Gaming and Wagering Commission's powers to deal directly with Crown Perth. This is not a heavy-handed response. This is an appropriate, tailored and time-limited response. We are not imposing for all eternity a new level of regulation. We are responding in a time-limited way to a set of circumstances that we are presented with in order to provide Crown casino with an opportunity to get its business in order. That is the pathway to suitability time frame, which is a two-year time frame. It will give Crown the opportunity for remediation to improve its corporate and governance structure, and risk management of gambling-related harm and money laundering. There will be an independent monitor to report to the government and the Gaming and Wagering Commission.

There is no point having an independent monitor unless it has appropriate powers. The independent monitor will have the powers to direct the casino to prepare a remediation plan, access and approve the remediation plan and monitor the remediation plan. This will help, through government oversight, the discharge of duties imposed on the proprietors of the casino. The reports will cover the preparation and approval of the remediation plan, the suitability and efficacy of the plan, and the implementation of the plan. Following the final report, the Gaming and Wagering Commission will provide advice to the minister on the suitability of the casino licensee and its associates.

As the member for Thornlie said, the casino might not be his cup of tea, but the Crown casino has been an important part of the cultural entertainment and hospitality landscape in Western Australia for a long time. It should be given a chance to succeed. It has done the wrong thing, but with proper oversight, regulations and controls in place, it should be given a chance to succeed. People in Perth want it to have that chance. This is a big employer. The remediation plan will give Crown casino an opportunity to get its house in order. That is the encouragement, but conversely we need to make sure that if it does the wrong thing, the penalties are proportionate and appropriate. The maximum penalties, according to the royal commission, are manifestly inadequate to support the proper regulation of the casino. Recommendation 20 of the royal commission states —

There be a review of the penalties ... and ... in most cases, those penalties should be increased.

It further states —

... for offences relating to the conduct of casino gaming and casino operations ... those penalties be increased very substantially.

What does "very substantial" mean? I think this is entirely appropriate. This minister increased the disciplinary penalty from \$100 000 to \$100 million. It is impossible to argue that that is not a significant penalty. The bill will increase the maximum penalty for noncompliance with a direction for an individual from \$2 000 to \$100 000. This

behaviour is not part of the cost of doing business; this behaviour will attract a significant penalty that will act as a powerful disincentive. For a body corporate, the penalty will be increased from \$5 000 to \$250 000, and there will be penalties for providing false or misleading information to the independent monitor.

[Member's time extended.]

**Mr S.A. MILLMAN:** I now turn to the Gaming and Wagering Commission chair. Recommendation 26 of the Perth Casino Royal Commission stated that the chair of the Gaming and Wagering Commission should be independent from the department, and the chair should be appointed by the minister—the same with the deputy chair. The current practice is that the director general of the department is the chair and the deputy director general is the deputy chair. The royal commission raised governance issues—namely, the lack of independence of the GWC from the department, and that the deputy chair should be elected by the members.

The minister's powers are contained in section 6 of the Gaming and Wagering Commission Act. The minister may direct the GWC in a general manner. Within the Casino Control Act 1984, there will be a new power based on section 6 of the GWC act that provides for directions of a general or particular character. In terms of the royal commission, that power is one of the key means by which the GWC will regulate the operations of the casino. There are a number of deficiencies and uncertainties in the present scope of the power. The royal commission recommendation 15v. is that there be an expansion in the directions power. For each of the changes that are being brought forward as part of this legislative reform, there is a solid and sound foundation in the findings and recommendations of the royal commission. This is rolled-gold legislative implementation. This is a thorough inquiry into the circumstances as they pertained; an identification of what the risks and issues were; and then a deliberate, incisive and proportionate legislative response that puts in place the framework that will alleviate the chance of these transgressions happening in the future.

On any assessment, this is an outstanding piece of legislation—an excellent piece of legislation—but, better than that, it is done in a way that is flexible, innovative and expeditious, which is a hallmark of the legislative reform program that is being brought forward by the McGowan government.

That brings me back to the point at which I started. This opposition is woefully inadequate and woefully unprepared for the task of government. Members opposite could not be trusted to respond to, or deal with, issues like this as they arise, because they are incapable of casting their eyes above the horizon to see what other risks and concerns might be approaching them. For that reason, I condemn the opposition and I congratulate the McGowan government and the minister for bringing this legislation forward. With that, I commend the bill to the house.

**MS M.M. QUIRK (Landsdale)** [11.32 am]: Firstly, thank you to the member for Mount Lawley for his flattery; it is always gratefully received. I congratulate the government on its swift legislative response to the findings of the Royal Commission to inquire into and report on the affairs of Crown Casino Perth and related matters. The report was tabled in March this year, as we have already heard, and we already have substantive legislation before this house.

There are two elements of the findings that I want to focus on today. The first is the failure of corporate governance and the wilful blindness to address the very real risk of money laundering, and the second is the culture of Crown that facilitated money laundering by placing profit ahead of public interest. In canvassing these issues, I also make reference to the various conflicts of interest that were ignored, but exposed, in the royal commission. Also, I will refer the conduct of high roller junkets and the downright dubious practices engaged in pursuing those gamblers. Finally, I will consider what other measures should be taken to ensure higher probity standards.

At the outset we need to ask: why is money laundering so odious and why is it that we should take every effort to combat it? Some say money laundering is victimless, so should we not focus on crimes of violence or against a person, for example? Some say that money laundering is just a form of asset management structures or tax beneficial schemes. In reality, the motivation for organised crime—be it drug or people trafficking, extortion, robbery, fraud, contract killing or smuggling—is a financial incentive. With the discovery of the location and source of illicit funds through money laundering investigations and proceeds-of-crime seizure, the incentive for those heinous crimes is certainly removed.

Money laundering is estimated to cost our economy five per cent of GDP. Putting that in context, the mining industry's contribution is 10.4 per cent. In the words of Enrique Nieto, former Mexican President, "Money laundering is giving oxygen to organised crime." It seems to have come as a surprise to some that casinos are particularly vulnerable to money laundering, but that is a notorious fact known by law enforcement for many years. In March 2009, the Asia/Pacific Group on Money Laundering and the Financial Action Task Force prepared a report entitled *Vulnerabilities of casinos and gaming sector*. FATF is an intergovernmental organisation founded in 1989 as an initiative of the G7 to develop policies to combat money laundering worldwide. Later its remit was extended also to include terrorism financing. Australia has always been an active and key player in FATF. In its report of March 2009, FATF identifies factors that make casinos particularly vulnerable in terms of money laundering. It is an extensive report. I refer to page 22 —

... Risk Assessments identifies factors that may influence the ML/TF risk in a county and suggests information to access when conducting a risk assessment.

These include —

- Legal and regulatory environment.
- Characteristics of the economy as well as the casino/gaming sector.
- Ownership structure, integrity, internal controls and corporate governance of casino/gaming institutions.
- Ownership structure, integrity internal controls and corporate governance of intermediaries and associated businesses (junket promoters, agents, gaming equipment, financial service providers)
- Types of products and services offered and clients served.
- Criminal activities and proceeds of crime generated domestically as well as generated abroad but laundered domestically.
- Financial services offered by casino/gaming institutions and by casino intermediaries (junket promoters, agents etc).

The report also deals at length with risks associated with junkets and the incentives provided to high rollers in insulating those individuals from law enforcement, regulatory scrutiny and attention and Australian Transaction Reports and Analysis Centre oversight. Page 47 of that same report notes —

... Casino junkets or casino-based gaming tours are derived from casino marketing programs. A junket is an organised gaming tour for people who travel to the casino primarily to gamble. The junket may include transport, accommodation, incentives to play at the casino and the movement of funds to and from the casino.

... Casino junkets may be part of the casino's in-house marketing operation or may be run by independent operators who have a contract with the casino. In jurisdictions where the role of junkets is limited, they may still operate in travel agent roles with an added service of moving funds to the jurisdiction. In such cases, junkets may have no direct connection to the casino, but just bring the players and their funds to the front door of the casino. Junket agents are persons or companies that have a role to sign up casino patrons to take part in junkets. Junket representatives work to organise the junket.

... In house marketing by casinos may include representative offices of the casino being located in foreign jurisdictions in order to organise gaming tours to the casino jurisdiction. In such cases, players can organise all aspects of their visit to the casino, including depositing funds into their casino account ...

... Junket representatives/agents serve as an agent between casino marketing departments and proven premium players. VIP junkets do not tend to be advertised. Region specific junkets often do not deal with the general public, but rely on introductions from intermediaries. Junket representatives/agents rely on commissions or fees to support their business. These commissions vary, but may include:

- A percentage of front money.
- A commission on 'dead chips'.
- A commission on 'live chips'.
- A commission on players' losses.
- A percentage of the casino's theoretical win.

Now we get to the bottom line, the important thing —

... A vulnerability of junket programmes is that they involve the movement of large amounts of money across borders and through multiple casinos by third parties. Junket participants generally rely on the junket operators to move their funds to and from the casino. This creates layers of obscurity around the source and ownership of the money and the identities of the players. This is made more difficult if a junket operator is complicit in any money laundering activity by the players, or is solicited by criminals to blend illicit funds with the pool of legitimate funds.

It goes on. I make the point that this report came out in 2009. It was certainly well known and apparent that casinos were at significant risk of being targeted by money launderers.

It was in the context of an investigation of organised criminals in my previous occupation with the National Crime Authority—now two decades ago—that I became only too familiar with some of the issues that the Perth Casino Royal Commission addressed. We were investigating a junket operator and individuals travelling to Western Australia to gamble at the casino. These individuals were linked to organised crime. At that time, there was competition from interstate casinos for high-roller business and many incentives were provided. Star Sydney casino in particular was competitive, so the incentives to win the high-roller business ahead of Star were significant. Although I am precluded from disclosing the specific details of the investigation, I can say that it was clear that the casino at the

time ran interference for those individuals. The Western Australia Police Force had a casino squad stationed at Burswood Casino and it had been captured, I believe, by the casino. It was the casino squad that gave notice to the casino and to the individuals under investigation that we intended to execute search warrants in relation to the investigation. I will talk a bit more about capture lately. But, as I said, that was 20 years ago and the conduct, which is referred to in the royal commission, was certainly front and centre decades ago. The bottom line in that case was that not so subtle attempt were made to frustrate our investigations.

Since the royal commission report was published, as well as the evidence coming out of the inquiry into Crown Melbourne and Star Sydney, there have been some discussion about why individual directors have not faced sanctions for their acts or omissions despite the findings that the corporate culture was concerned more with profit than with public interest, that a corporate culture existed that was wilfully blind to the vulnerability to money laundering and that due diligence was rarely conducted in a robust fashion. In Crown Perth's case, its widespread weak risk culture drove the company to tolerate and even facilitate misconduct. It is gratifying that it appears Crown is taking steps to train staff and reinforce the need for this more robust approach that has taken place subsequent to these inquiries and the media attention. It is certainly the case that a number of Crown executives both here and in Victoria have departed, but the Australian Securities and Investments Commission does not intend to take any action. It firstly says that as the evidence secured by the royal commission was compelled, it cannot be used to incriminate individuals. Any corporate investigation would need to commence afresh. The sanctions are really those of public opinion and those addressed to the company as such. I make the observations that it is also corporate good practice 101 to have a risk audit committee that reports to the board, yet in a vulnerable environment such as a casino, that was not seen as necessary. As an aside, I also note that in terms of corporate good practice that I was extremely surprised to hear evidence of a director being paid to report back to an individual who was not on the board about board deliberations. I might be naive but I would have thought that director was in breach of a fairly fundamental duty to keep confidential the matters discussed at the board.

It is vital that regulators have a well-developed sensitivity to what might be a conflict of interest. Most disappointingly, there are two instances in the royal commission's evidence that are unacceptable and, frankly, I was appalled by. The first related to evidence surrounding Michael Connolly, who was Chief Casino Officer and deputy director general of the very department responsible for casino supervision. The royal commission found that Connolly and his department must take responsibility for their role in failing to manage the conflicts of interest that Connolly had as Chief Casino Officer and his personal relationships with officers at the Perth casino. Reports by the ABC online news details the extent of Mr Connolly's conflict. An article by Rebecca Turner on 5 August 2001 states —

The royal commission heard in May about how Michael Connolly frequently went fishing with executives of the company he was supposed to be overseeing.

But the hearing on Thursday was presented with evidence of the extent of the personal relationship between the men.

The commission was told of a March 2014 email in which Mr Connolly called Crown Perth's general manager of legal and compliance ... "Gilligan" and Mr Marais called him "Skipper".

This email ... also included Crown Perth's legal boss, Joshua Preston, and manager of gaming and regulatory compliance, Paul Hulme.

The article outlines the banter and how they regularly went on fishing trips and were close friends. There were seven weekend fishing trips and, in fact, Mr Connolly called his boat in joking fashion, "The Good Ship Compliance". In any event, given the close nature of the relationship between these officers of Crown and the person charged with regulating the casino operations, it is particularly surprising that he could not discern that there might be some issues with that. In fact, he sold his boat to someone from Crown casino and made a small profit. Again, I would have thought that it was pretty obvious that those relationships were inappropriate.

The other issue that arose in the article related to Barry Sargeant who was an officer with the Gaming and Wagering Commission. Could I have an extension please?

[Member's time extended.]

**Ms M.M. QUIRK:** It was disclosed in the evidence that Crown had paid for a trip by Mr Sargeant, who oversaw the regulation of Crown for about 25 years, to help him better understand the Asian casino market as it sought to develop the Crown Towers hotel and the casino complex on the peninsula. If that was information that he needed to perform his job, I suggest the trip should have been paid for by the government. He justified it by saying —

"They just thought that people like I, in particular, didn't appreciate what their competition was up there, and I hadn't been there for many years, so they were keen for me to travel to Asia and look at their facilities."

I know Mr Sargeant and I am gobsmacked at the level of naivety with which he responded to the commission. This duchessing of key people is something that I have noticed Crown has been engaged in for many years. As I said earlier, I think the casino squad was captive of the casino. Frankly, I also think that the individuals whom I talked about were victims of the same practices.

The more conscientious who have read the royal commission report might have got to appendix O, which details responses provided by a focus group of Crown employees. It is clear from their comments, which are verbatim, that Crown was galvanised into action once the issues surrounding money laundering and its lax attitude to compliance became public. The comments by employees include that there was —

- “A lot of concern about privacy from our customers...”

Also —

- ... [patrons who have been asked to complete a Source of Funds] are usually quite resistant. They are quite hesitant to fill it in sometimes.”
- ‘We need a better [AML reporting] system, I shouldn’t have to open up four systems to do one transaction.’”

Another said —

- “We have to go through so many systems just to look at one patron...we’ve got 5–6 different places to go to look for information...it’s just hours of trying to find data.”

Another comment was —

- “On table games we’ve always been very-very strong on dobbing ourselves in, because surveillance more than likely are watching anyway.”

Another said —

- “Easy and fast way to wash money. Its open 24 hours a day. Plenty of opportunities to do it with multiple people and across shifts so it’s not noticed as much.”

The comments go on. It is quite clear that there has been a change of attitude, but many employees complained that their awareness of the practices and the training they were given had been inadequate until recently. I am pleased to see that they now feel they are getting some level of assistance in being able to recognise money laundering. There were a number of comments that when they had pointed out possible instances of illicit activity in the past, they had been dismissed by their superiors or supervisors. We hope that that is a thing of the past. I certainly commend the report to people to read and make reference to.

Where to from here? Given the preponderance of the New South Wales, Victorian and Western Australian evidence, no-one would be naive enough to suggest that the existing regime of self-regulation and reporting is adequate. This bill will set up a much more robust level of accountability and oversight.

It needs to be acknowledged that a casino licence is a privilege. Similarly, the monopoly on gaming machines is also a concession that Crown does not seem to value or appreciate, not that I am advocating the rollout of these machines elsewhere. The hard line taken by Gallop and successive Labor Premiers is appropriate. But with the privilege of being able to have gaming machines, there should be a willing acknowledgement that a limit on the amount that can be fed into those machines is in the public interest.

The Australian Transaction Reports and Analysis Centre is currently pursuing a civil action in the Federal Court against Crown. AUSTRAC has filed an 863-page statement of claim alleging more than 500 breaches of anti-money laundering and counterterrorism financing provisions. I have a summary of these, but I will refer to just a couple of them. The statement of claim alleges that there have been numerous contraventions of money laundering legislation and that neither Crown Melbourne nor Crown Perth had anti-money laundering programs that met the requirements of the act. It was noted that their noncompliance was —

... longstanding, systemic and reflective of wholly inadequate oversight by their Boards and senior management. This non-compliance exposed Crown Melbourne and Crown Perth to the risk of being exploited by organised crime.

The statement also notes —

In the face of known and serious ML ... risks, the Board and senior management of Crown ... failed to set any ML ... risk appetite ...

It also states —

The Crown Melbourne and Crown Perth Boards and senior management failed to establish appropriate AML ... capabilities and failed to invest in appropriate IT systems and automated solutions.

That is consistent with what the staff member said about having to access five or so sites to make a report. It continues —

In the absence of an appropriate framework ... Crown ... provided designated services through high risk channels that were not subject to appropriate risk-based controls—including through junket channels, Crown Patron account channels, overseas deposit services and the Hotel Card Transactions channel. In the absence of appropriate controls, Crown ... provided designated services to high risk customers in circumstances where concerns should have been raised as to the legitimacy of their source ...

The statement also lists the various services used. The final example I want to give states —

many engaged in large cash transactions and transacted with cash that appeared suspicious, including cash in plastic bags, shoeboxes or cardboard boxes, cash in rubber bands, small denominations of notes and counterfeit cash;

The statement also identified the various modes of money laundering that were engaged in, including structuring, cuckoo smurfing, cashing in chips or casino value instruments and quickly turning over chips or casino value instruments.

This proceeding is ongoing. I have to stress that it is not yet proven, but an 863-page statement of claim is certainly significant. The outcome of these proceedings and the quantum of any fine imposed will determine whether private equity firm Blackstone will need to renegotiate its takeover terms with Crown, but that is certainly ongoing. In the meantime, I believe it is a sensible and pragmatic outcome that the 500 employees of Crown can continue in their current roles, but will receive the necessary training to ensure a heightened understanding of anti-money laundering practices and their obligations. However, what is certain is that the casual attitude and wilful blindness towards money laundering and the facilitation of organised crime must be a thing of the past.

Finally, while we are talking about accountability, with the indulgence of the house, since I was unable to get a 90-second statement, can I pay tribute to David Mundy, midfielder for the Fremantle Dockers, who has announced his retirement. No-one is more accountable than David Mundy. He consistently performs among Fremantle's best. His leadership and experience is a great role model for emerging midfielders. His debut was in 2005 and he has had 370 career games. He has been an All-Australian. He has won the Doig Medal and the Ross Glendinning Medal, and he was an AFL Rising Star in 2005. I wish him well in his retirement, but remind him that he has a few crucial games left before he can rest on his laurels!

**Mr P. Papalia:** Extension of time, please!

**The ACTING SPEAKER (Ms A.E. Kent):** I will indulge the member for Landsdale, being a Fremantle Dockers supporter myself!

**Ms M.M. QUIRK:** In the spirit of bipartisanship, can I also congratulate Josh Kennedy on his fantastic career.

**MS C.M. ROWE (Belmont)** [12.01 pm]: I also rise today to make a contribution to the debate on the Casino Legislation Amendment (Burswood Casino) Bill 2022. Last year, the Perth Casino Royal Commission handed down its report. The terms of reference indicated that it was looking at the suitability of Crown Perth to hold a licence to operate a casino, and the suitability of Crown Perth's associates. In a nutshell, the report found that the Crown and Burswood entities were not presently suitable to be the Perth casino licence holder. It is also patently clear from the report that we need to dramatically enhance the regulatory framework that governs the casino here in Perth.

The royal commission made 59 recommendations. I take this opportunity to congratulate the Minister for Racing and Gaming. He has accepted and is diligently addressing a number of those findings and working really hard to make sure that, basically, the casino and its operations are rehabilitated to the level of integrity that is absolutely necessary. That is quite clear, as I indicated, from the report and from the royal commission more broadly.

The casino legislation that we are looking at today is one of the first steps towards making a number of priority reforms. Again, it is a response to the royal commission's findings. These reforms include providing an independent chair for the Gaming and Wagering Commission—that is a really important one; I will talk a little bit about that in a moment—establishing an independent monitor to monitor the remediation of the Perth casino; enhancing the powers of the minister to correct the commission; enhancing the powers of the commission to direct the Perth casino; and also vastly and radically increasing the penalties under the former act, which, as I will highlight in a moment, is really significant. I think that signposts how seriously the minister and our government is taking these findings from the royal commission. Again, I take the opportunity to congratulate the minister for really stating that to the casino. As the member for Landsdale just indicated, I do not think the casino quite appreciates that it is a privilege to hold this licence, and it has clearly not respected that. This reform signposts that it needs to be accountable and that we will be watching it closely through the measures outlined in the bill.

I refer to the independent monitor. The independent monitor will be appointed by the minister and will instruct the casino licensee on the scope, content and timing of the remediation plan. Their role is really designed to approve the remediation plan and then monitor the implementation of this plan. The monitor will then report to the minister and the Gaming and Wagering Commission on its effectiveness and progress. The independent monitor's final monitoring report is expected within two years. Consistent with the advice contained in the royal commission's final report, the bill provides for the costs associated with the independent monitor to be recouped from Crown.

As I mentioned, penalties are an important element of what we need to consider in the first tranche of our analysis and in taking on the recommendations of the commission. The royal commission found that the maximum penalties available under the current legislation were manifestly inadequate. For example, under the current act, the largest penalty that can be imposed is \$100 000. The bill that we are discussing today will increase that to \$100 million. Victoria recently set a precedent for this; following its royal commission it increased its maximum penalty to \$100 million, and we are now doing the same. It is a major signal to the casino that we are taking these reforms very

seriously, as, indeed, it should be, too. The bill will also increase the penalty available under the Casino Control Act for noncompliance with a direction issued by the Gaming and Wagering Commission to \$250 000 for a body corporate. There will be a number of other small offences and penalties relating to false and misleading information to the independent monitor. Again, I think that is important so that there will be multiple avenues for recourse and multiple penalties.

I refer to the independent chair of the Gaming and Wagering Commission. The bill will provide for the appointment of an independent chair. It is one of the recommendations in the PCRC final report that will further enhance the regulation of gaming and wagering here in WA.

This bill looks to start the process of addressing the findings of the royal commission—principally, the very troubling culture and really scant integrity that has existed at the Perth casino to date. The public deserves greater scrutiny over the Perth casino, especially in light of the persistence of problem gambling in our community. I did a little bit of research for this bill, and I was really troubled when I learnt a bit more about problem gambling in our community. Evidently, Australians really do enjoy gambling. In fact, according to Lifeline Australia, 70 per cent of Aussies participate in some form of gambling, and that can be anything from a scratchy to pokie machines or putting a bet on a horse. Problem gambling does not mean that a person is completely out of control. Oftentimes, people do not themselves recognise that they are problem gamblers. According to Lifeline, problem gambling is any gambling behaviour that disrupts a person's life or the life of a loved one with debt or financial problems—that is a major one—relationship problems, loss of employment, poor mental health and addiction. Australian gambling losses per capita are amongst the highest in the world. Tim Costello from the Alliance for Gambling Reform has quite a bit to say on this, as members can imagine, given his title. He said —

“It's less than 25 per cent of Australians that even play the pokies, but 50 per cent of those playing are addicted.

As I said, that is Tim Costello in an ABC online article titled “Problem gambling spirals across Queensland after COVID lockdowns lift and poker machines turned back on”.

According to the Australian Institute of Health and Welfare, the country's losses from legal gambling totalled \$25 billion in 2018–19. Remember that that is from pre-pandemic days, and the title of that article that I just read out would indicate that it has become a huge burgeoning problem since COVID. It is creating severe consequences for the finances and mental health and relationships of problem gamblers and their families right across our country. From July this year, more than 150 online betting companies must send monthly statements to their clients telling them their wins and losses, clearly showing what they spent, what they won and, importantly, what they lost. This is a long-awaited reform for a lot of people campaigning for such reform, including people like Tim Costello. It is also something that our federal Labor colleagues are really championing at the moment. I am really grateful to see that they are doing their part to address the horrific impacts of problem gamblers for many, many Australians.

A study by the Behavioural Economics Team of the Australian Government found that people who received activity statements were more likely to reduce the amount of their bets. A woman by the name of Lauren Levin, who is a policy director with Financial Counselling Australia, said in an online article from *The Guardian* from this year —

“We couldn't imagine our banks not telling us how much we've spent in a month, but up until now gambling companies have withheld this critical information ...

“Keeping people in the dark is good for business. The people I talk to rarely know how much they have lost. It is always very much higher than what they thought.”

I would also like to share a story that I came across today in the same article. The person's name has been changed for privacy purposes within the article. His name is John. It is just one example but I dare say it is indicative of what a lot of people who find themselves facing being a problem gambler experience; it starts out with one incident and then it spirals out of control and the flow-on effects then become truly unmanageable. Again, I will quote directly from this article in *The Guardian* titled “‘It's self-harm': What happens when online gamblers don't know how much they have lost” —

For John, the trouble started with a redundancy. For more than 20 years, he had been a credit manager at a large construction company. It was his responsibility to make sure people paid their accounts on time—not easy, but he was experienced and professional. Then he was unexpectedly made redundant.

The redundancy came not long after a traumatic set of circumstances on the job, during which John started struggling with depression and anxiety. The payout was substantial—approximately \$175,000—but the sudden end to his career deeply affected his already declining mental health.

“One night after taking antidepressants, sleeping tablets and having a few beers, I decided to jump online and thought I'd have a go at online gambling,” John says. “I lost the whole of my redundancy in two weeks.”

This article then goes through what happened to John over a number of months and then years. In the first instance, he contacted the betting company and asked for his money back, and it gave it back to him. But he then went and spent it all again on betting within a matter of days. The following company basically said he could not have it back. It goes through his very sad example of down the track then getting an additional amount lump sum amount

of money for his ongoing mental health problems, which were no doubt exacerbated by the fact that he lost his entire redundancy. He then received another amount of money that he then bet and lost; he got the money back because he spoke and, I suppose, asked for mercy from the betting company. The first one said it would give him the money back but then subsequently he betted again and lost it and was not successful in getting that money back. This had dramatic impacts, understandably, on his mental health. It further declined and it also affected his relationship with his adult children. Overall, his self-confidence just plummeted. He says in the same article —

“Basically, I was self-harming in a financial sense rather than a physical sense ... I was a credit manager, I spent my whole life looking after other people’s money, and then went and did this to myself,” he says.

They are very sad circumstances, and I read many others in my research for making this contribution, and they were equally sad.

I have some quotes here again from Tim Costello about the impacts of problem gambling. As I have just mentioned, 50 per cent of pokie players have an addiction. Thanks to Gallop Labor government, outside of Perth casino, we do not have broadbrush pokies, as are seen all over the rest of Australia pretty much. I am very grateful for that, and I hope we fight to protect that for a very, very long time, because they have dreadful implications. Tim Costello is pretty fierce with his advocacy here, and I think it is important to highlight some of his comments, because I feel it speaks to the severity of the problem. He is referring to gambling companies. The ABC article I quoted earlier states —

“They’re predatory when they say, ‘Gamble responsibly’. It’s this smarmy message of blaming the individual, like most of us are responsible and a few are irresponsible,” he said.

“It’s not the individual, it’s the machine, it’s the incentives, it’s the opening hours. That’s what’s irresponsible and damaging to community health.”

I absolutely agree with his comments. I will quote another article from ABC online this year, titled “Poker machine gambling is getting worse amid cost of living fears, say advocates who are calling for reform” —

Mr Costello said gambling messages adopted by major casinos and betting companies put the onus on the individual.

“No responsibility is expected of the industry,” he said.

“‘Gamble responsibly’ is like saying ‘use heroin responsibly’.”

Mr Costello likened the “gamble responsibly” strategies to America’s National Rifle Association (NRA).

He said the NRA philosophy was “guns don’t kill ... people kill”—“never blame the gun, blame the person”.

It is a deeply flawed approach.

[Member’s time extended.]

**Ms C.M. ROWE:** The minister has just reminded me—this shows that I do not actually gamble—that we do not have pokies in Burswood. We have only the electronic gaming machines in Burswood, if I could correct *Hansard*. I was getting carried away with my discussion.

I was also disturbed to discover that a study was done from Monash University on 10 August this year that made the correlation between gambling and homelessness. Some of us have talked in this place about this issue and the demographic of people becoming homeless. The older generation of Australians is the fastest growing homeless population in the country. There is an increase in the number of people from this demographic who are also struggling with gambling. Monash University’s Dr Brian Vandenberg has led new research alongside fellow researchers Associate Professor Charles Livingstone, Associate Professor Adrian Carter and Professor Kerry O’Brien. They investigated whether gambling leads to homelessness, or whether homelessness leads to gambling. Their investigation and analysis found that homelessness and gambling are interconnected—one often contributes to the other. Associate Professor Charles Livingstone said that the investigation found that many homeless people have problems with gambling, and it was concerning to learn that that problem is going largely unnoticed in this country. That is why I want to bring this to the attention of the house today.

In July this year, Australia topped the world with the worst average gambling losses at about \$1 000 per adult per year. That is 40 per cent higher than the second worst country, Singapore. That is incredibly troubling when we consider that based on a lot of global factors, we are also seeing an increase in the cost of living, and an increase in interest rates by the Reserve Bank. That will potentially have a greater impact on those individuals who gamble as we move forward.

Over the years, the number of electronic gaming machines at the Perth casino has increased from 200 in 1985 to 27 500 today. Financial reports released this week show that in the past year, gamblers spent more than \$306 million on Crown Perth electronic gaming machines. That is an increase of almost 50 per cent from the previous year. I want to impress upon members of the house that when we talk about casinos, we cannot shy away from the importance of also talking about the impact of problem gambling in our community. Although only a small proportion of people are impacted by problem gambling, the problems are significant and severe, and often long-lasting. In the instance

of John, that had tragic flow-on effects for his whole life. That was the result of just one incident. He has had a traumatic experience with his work, and he had a go at online gambling, and that affected him from then on. We should keep at the forefront of our mind that we should do everything we can to protect the consumer every step of the way.

I would again like to acknowledge and thank the federal Labor government for its reforms in this area, in particular Hon Amanda Rishworth, who is spearheading that work. Closer to home, here in Western Australia, I also want to thank the Minister for Racing and Gaming, and our government, for being committed to making sure that we provide appropriate reform of this industry. Self-governance never works in any industry. This industry absolutely needs to have a light shone on it continually to ensure integrity in the casino's operations, and that protective mechanisms are in place to protect potential problem gamblers. We do not want to be the ambulance at the bottom of the cliff waiting for people to jump. We want to protect people by putting barriers in place before they fall off the cliff. I commend the bill to the house.

**MRS J.M.C. STOJKOVSKI (Kingsley — Parliamentary Secretary)** [12.23 pm]: I rise today to make a brief contribution to the debate on the Casino Legislation Amendment (Burswood Casino) Bill. I believe I am the last in a long line of my colleagues who have spoken on this bill and who made very interesting, worthwhile and much more informed contributions than I will be able to make. I mention in particular the member for Landsdale, who I sat and listened to, who has a wealth of experience. If I had even a fraction of that experience, I would be in good stead.

Obviously, this bill deals with the Perth casino and the Perth Casino Royal Commission that was held recently. We cannot shy away from the fact that Crown Perth plays an important role in the leisure activities of both locals and visitors to Western Australia, with theatres, bars, restaurants and hotels, and also, of course, the casino. In playing this important role, Crown Perth needs to acknowledge and understand that it has been given a social licence with Western Australians and visitors to Western Australia. A number of its operations are sensitive uses for our community, whether that be the bars and restaurants, or the casino. Unfortunately, what we are seeing both here in Perth and in the eastern states is a misuse of that social licence. The impact of those sensitive uses is not confined to the grounds of Crown Perth. It is felt intimately across the community, both in Perth, Western Australia, and across the world.

We also have to acknowledge that Crown Perth remains Western Australia's single largest private sector employer, with nearly 6 000 employees. Therefore, it is not a matter of shutting it down because it has been naughty. It is a matter of working with it to ensure that it does things correctly and that the livelihood of those 6 000 employees is not put in jeopardy.

When I read the report of the royal commission, one thing stood out to me, and I will quote it, because it was quite impactful. It states —

... we have focussed on the extant risk of gambling-related harm. That casino gaming operations may result in some patrons suffering harm as a result of spending more money or time on gaming than they can afford, is an obvious risk and one that was recognised by the Western Australian Parliament when the *Casino Control Act 1984* (WA) was passed.

This one statement has many impacts. There is obviously the harm that is caused when someone is spending more money than they can afford to spend. That may also be the case if people are spending more time than they can afford to spend. As a born and bred Western Australian, I remember growing up often hearing reports on the news of children who had been left in a car outside the casino and police or security staff having to break into the car to get those children out because their parents had just popped into the casino for a quick bet and had left them in their car for hours and hours at a time. The impact that gambling can have on families and communities is sometimes forgotten. That is just the direct impact of the act of gambling. That does take into account the ongoing impact on families. I will address that briefly later.

The report of the royal commission found also that the Perth casino had failed in a number of ways. It states that those failings include —

- a. facilitating money laundering through the Riverbank accounts;
- b. failing to have an effective anti-money laundering program to ensure that financial transactions which were suspicious of money laundering were detected, reversed and reported to relevant authorities;
- c. permitting junkets with links to criminals to operate at Perth Casino;
- d. failing to minimise casino gambling-related harm in many ways including by seeking changes to the speed of play of electronic gaming machines without adequate investigation of its effect on harm; and
- e. failing to be open and accountable in communications with the Gaming and Wagering Commission about various matters, including allegations made in the media about the arrest in 2016 of China-based staff.

This is what I mean when I talk about social licence. As a Parliament and as a community, we have given Crown Perth a licence to operate a casino within the community of Western Australia. In doing so, we are essentially allowing something to occur that we know has the potential to cause harm to individuals and families in our community. In addition to its impact on the community, it has a wider impact on our state budget because of the things that we need to do to look after people who end up with gambling problems and who because of those problems cause harm to themselves and their families.

I congratulate the minister for bringing in this legislation in quite a timely manner. I have been here five years now and I know that legislation can sometimes take more time than we think it should to bring to the Parliament. I acknowledge that this minister and the previous minister understood this is such an important issue that we needed to bring in this legislation in a timely manner. That is not to say the legislation was rushed in any way, but it addresses the most important points first and legislating around those, while acknowledging there is still work to do not only for Crown Perth, but also the community and us as a Parliament in addressing this impactful organisation and impactful way of leisure in our community. This legislation demonstrates the commitment of the minister, the previous minister and the McGowan government to bring about significant reform to the regulatory framework for the casino.

The main points of the legislation are to make provision for an independent chair for the Gaming and Wagering Commission and to establish an independent monitor to monitor Crown's implementation of the remediation plan who can also direct the casino on the scope, content and timing of the remediation plan. It is great to have a plan, but it is also important that we are held to account on the plan. That goes for governments and the casino as well. It enhances the powers of the minister to direct the commission, and also to enhance the powers of the commission to direct the casino.

Importantly for me, and something I found slightly gobsmacking when I read it, was that the maximum penalty under the act currently is \$100 000, which is a lot to me, personally as an individual, but I cannot imagine it is a lot of money or a deterrent to Crown. Acknowledging that is probably not a good amount to be used as a deterrent, the minister, in bringing in this legislation, is looking to increase that to \$100 million. If we look at that on face value, a jump from \$100 000 to \$100 million is massive, but it is directly proportionate to the amount of money we see going through casinos. As I said, \$100 000 is a lot of money to me. When I occasionally go to the casino, I never go primarily to the facilities to go to the casino; I am usually going to a show or dinner. If we happen to be there for some reason and we think we will go in and have a bet at the casino—I quite like playing blackjack—I take my \$50 to play, and if I lose that in five minutes, that is the end of my gambling for the evening. I do that because I do not like to lose. I cannot get around the mentality, “If I just spend another dollar, I can win it back.” I know that a lot of people do have that mentality, and although I do not understand it myself, because I do not feel that way, I know they feel it very strongly. We need to put in place some support for those people. I feel this is potentially where Crown has not lived up to its end of the social licence.

Not to be so harsh on Crown, it is not orphaned in this issue; it is not solely a problem for Crown. It is something that governments and casinos around the world are grappling with. I remember a study tour to Singapore a number of years ago. At the time we were looking at the new, at the time, Marina Bay Sands, which has a casino in its facility. I was one of the older members of the study tour, so I would have been allowed to go in. We were told that local citizens and residents of Singapore cannot enter this casino without paying a levy. A tourist over the age of 21 is allowed to enter and bet in the casino, but a local Singaporean citizen or resident had to pay an entry levy. The annual levy is S\$3 000 or a daily levy of S\$150. This is aimed at ensuring that only people who can afford to lose the money can attend the casino and gamble. The biggest problem I see with gambling is that quite often it is the people who can least afford to lose the money who end up gambling at the casino or on the pokies.

I was interested listening to my colleague the member for Belmont when the minister advised that we do not have poker machines at the casino. This shows how little I know about gambling, because I also thought they were poker machines, but we have been informed they are electronic gambling machines. I will get back to those a little later. Singapore has been grappling with issues with gambling and it has chosen a particular way to deal with it, which is to prove that someone can afford to lose the money. That S\$3 000 annual levy is a fee people pay for the privilege of gambling there. They never get that back. It is levied on people to enter either annually or as a daily charge of S\$150. That will ensure that people who are a gambling can afford to gamble. I can see why Singapore has done that.

Canada is also having some issues with gambling. It has just held a regulatory inquiry into money laundering in British Columbia that has investigated whether acts or omissions by regulators or individuals contributed to money laundering in the province, and has now resulted in calls for increased security not just in British Columbia but across Canada. Now Canada is grappling with the best actions to address money laundering risks in its gaming industry. It is definitely not unique to Crown or Australia; it is happening across the world. We increasingly understand that to operate a sensitive use like this there has to be a level of responsibility and social licence, and the operators have to understand that they are running a high-risk organisation that impacts on individuals, families, communities and, as I said earlier, governments.

I was quite shocked to find that Australia has the highest rate of gambling per capita in the world. That in my mind comes down to the accessibility of poker machines in other states in Australia. The Australian Institute of Health and Welfare estimates that Australians lost approximately \$25 billion on legal forms of gambling in 2018–19, representing the largest per capita losses in the world. Now, 2018 and 2019 were obviously pre-pandemic and I am sure if they did comparisons while everything was closed during COVID lockdowns, there would have been a different result, although I understand the incidence of gambling has returned to pre-pandemic levels. The institute's estimates suggest that 35 per cent of Australian adults aged over 18, which is 6.5 million people, spent money on gambling each month. It defined regular gambling in a typical month, which could be getting a scratchy, a lottery ticket or using a pokie in the eastern states or going to the casino here, and found that 35 per cent of the population was spending money on one or more gambling activity in a month.

When you first read that, you think, "How could that possibly be?" Then you think, "Well, I actually go and buy a lotto ticket every couple of weeks, and I'm hopefully going to get rich when we win the \$30 million or the \$80 million or whatever it is that week." However, that is not something that I feel I have to do and it is not something that I plan to do regularly; it is usually the fact that I am tempted by the big amount and think, "This time it's going to be me". It is quite shocking to think that someone might spend their hard-earned money on gambling every month. Australia is home to less than half of one per cent of the world's population, yet we have 20 per cent of the world's pokies, and 80 per cent of them are located outside casinos. That is phenomenal. Obviously, that is not the case in Western Australia, thanks to the good work of the Gallop government and successive governments since then.

[Member's time extended.]

**Mrs J.M.C. STOJKOVSKI:** I am very proud of our non-electronic gaming machine policy in Western Australia, and I am very proud that that has been the policy of both sides of politics.

[Quorum formed.]

**Mrs J.M.C. STOJKOVSKI:** For those colleagues who are still in the chamber, I was saying that Australia comprises less than half of one per cent of the world's population, but, astonishingly, has 20 per cent of the world's pokies. I said I was very proud of the fact that Geoff Gallop and successive governments have maintained the policy of not having electronic gaming machines outside Crown casino. That has held us in good stead with a lot of the impacts that these machines can have on individuals, families and communities.

As most members here know, I am of Irish descent, and often when I have returned back to Ireland or visited family in England, I have gone out to a pub or a local bowling club for dinner or a game of bowls with the family, and I have turned around and found that family members have gone missing: "Where are they? We're here to have a nice dinner together, or play a game together", and individuals have gone missing. It took me quite a while to realise that they were out in the foyer of the pub or club putting money into these machines. That was such a foreign concept for me, because I have grown up in Western Australia, where this is just not something that is done. We do not go out for dinner and then get up from the table in the middle of a conversation to go and put money into a machine in the hopes of winning more money. Just from that family unit perspective, it was very disruptive. As an adult, having seen the impact that gambling can have, I can see that my little irritation at not having family members sitting at dinner is quite a minor impact compared with what can happen when gambling problems get out of hand.

Another interesting statistic I found is that New South Wales has almost as many poker machines as the whole of Canada, and the population of Canada is nearly five times that of New South Wales. Tragically, around half of the state's roughly 90 000 pokies are in greater Sydney, and the vast majority of those are in the city's working-class western and south-western suburbs. This really says to me that the people who have a licence to run these machines have ignored the fact that they also have a social obligation to the community. These harmful machines are being deliberately placed in places where they will do the most damage to individuals and families. Again, I am very glad that we do not have pokies or electronic gaming machines outside the casino here in Western Australia, and every day that I am here as a member of Parliament, I will fight to maintain that.

That leads back to Crown's social licence with the Western Australian public, and how it has apparently, according to this report, abused that social licence. That is why we should be looking at how we can change the way it operates, while supporting it to make those changes. As I said, gambling problems can have a significant impact on families and communities. It impacts mostly on intimate partners and children, but it can also impact on extended family members such as parents, grandparents and siblings. Those impacts can often go unrecognised, despite the far-reaching consequences of problem gambling, with implications for individuals, families and society. It is often associated with mental health issues and substance abuse disorders, and can result in family breakdowns, family conflict, intimate partner violence, financial stress, high rates of bankruptcy and a reduced quality of life.

Given the knowledge that its operations could potentially have these impacts on people, I think it is important for Crown as an organisation, and for us as members of Parliament, to understand that we have a responsibility to people. We should not cut gambling off as a leisure activity because there are a lot of people who can gamble in a responsible and reasonable way, as I do when I take my \$50 to the blackjack table, lose it, and then walk away

because I cannot bear to lose any more than \$50. But this is not aimed at people like me who can walk away; it is aimed at the people who cannot walk away. How can we put in place some support systems to ensure that the most vulnerable people in our community will not be adversely affected?

I am not suggesting that we go down Singapore's route and start charging a levy to access the casino; that would probably not go down well. What we are suggesting through these reforms is the right first step. I commend the minister for bringing this legislation to the house, and the previous minister, who is taking a keen interest and whose presence in the chamber I acknowledge. I think these are the right steps. We need to acknowledge that Crown is a massive employer in Western Australia, and as attractive as it may be for people to say, "We just need to shut them down; they've done the wrong thing", that is not the solution to this really complicated question. We need to put in a framework to ensure that it is doing the right thing in its operations so that it does not adversely impact on people and trade its social licence with the Western Australian people. I think it was the member for Thornlie who said he was shocked, and most Western Australians would be shocked to read, that money laundering was happening at the casino. We expect casinos to have a higher level of organisation that does not allow that type of thing to occur.

Debate interrupted, pursuant to standing orders.

[Continued on page 3499.]

### **BIG FREEZE — LAKE GRACE**

*Statement by Member for Roe*

**MR P.J. RUNDLE (Roe)** [12.50 pm]: In June, Lake Grace hosted this year's Big Freeze for motor neurone disease, and raised a cool \$107 402. For the sixth year running, the Lake Grace–Pingrup and Boxwood Hill Football Clubs played a local rivals match and then sent dozens of players, community members and celebrities down a slide into freezing icy water to raise money and awareness for MND. Sometimes referred to as the beast, MND has no cure and the cause of the disease remains unknown. Inspired by the work of Neale Daniher, himself a sufferer of the disease, and driven to help find answers after three local families were devastated by MND, the two football clubs joined forces in 2017 to fight the disease. The inaugural Boxwood Hill Football Club Big Freeze aimed to raise \$5 000. Incredibly, through local businesses and individual donations, netball club raffles, hockey club dinners, football club bar takings and afternoon teas, it raised \$40 000! Since then, these clubs have raised nearly \$450 000, a monumental effort considering Boxwood Hill, Lake Grace and Pingrup have a combined population of fewer than 900 people.

I would like to forward my thanks and make special mention of Luke Bairstow and Brenden Desmond, the Lake Grace–Pingrup Football Club and Boxwood Hill Football Club, all the supporting sporting associations, and the communities of Lake Grace and Boxwood Hill for their dedicated efforts.

### **SOPHIE CAPPATI**

*Statement by Member for Riverton*

**DR J. KRISHNAN (Riverton)** [12.51 pm]: I acknowledge Sophie Cappati, who is in the public gallery today, along with her mother, Daniela, and her brother, Samuele. Sophie is an 11-year-old from Burrendah Primary School who will represent WA in the national school sports swimming competition. She is leaving for Brisbane on 16 August to participate in the race on 19 August. Sophie has been training from a young age. She initially started with a fear of getting into the water, but after spending a summer with the family at the beach, she gained confidence and now trains continuously. A couple of years back, she was participating in a competition and two other girls were way ahead of her. On the day of the competition she went to her parents and said, "I'm going to perform my personal best and beat the record", and she did that. That is when she was recognised as a champion. I take this opportunity to thank her coaches Stefano, Sarah and also her dad, Davide, who constantly puts in efforts to coach her to perform the best. I am sure she will make Riverton and WA proud in excelling in the upcoming championship. I wish her all the best.

### **SHALOM HOUSE**

*Statement by Member for Cottesloe*

**DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [12.53 pm]: I recently had the chance to visit Shalom House to meet with its CEO, Mr Peter Lyndon-James, and observe the work it is doing as a faith-based drug rehabilitation facility out in the Swan Valley. I had the opportunity to see several facilities in the Swan Valley and have discussions with staff and some residents. I was impressed by the work being carried out at those facilities. Dealing with addiction is no simple matter and it is clear that no one solution can deal with every affected person. However, it is clear that the work being carried out at Shalom House is effective for many people suffering from drug addiction. Shalom House takes in only those who are serious about change. It not only provides rehabilitation, but also ensures that residents leave as productive members of society. Within four months of starting, most residents will be debt free, in full-time work, have a driver's licence and be establishing the skills and routines that aid reintegration into the community. The success of the Shalom House program is impressive, with a relapse rate of less than 20 per cent. I understand that there is some concern from surrounding residents about having drug rehabilitation

centres so close to their properties. I believe that if concerned residents visited the facilities, they would be reassured that they do not present a risk to their communities. Peter and all the workers and volunteers at Shalom House are giving people the strength to restore their relationships, their financial wellbeing and their dignity. I thank them all for their hard work.

### **GOLDFIELDS CHILDREN CHARITY COMMITTEE — ALLURE BALL**

*Statement by Member for Kalgoorlie*

**MS A.E. KENT (Kalgoorlie)** [12.54 pm]: I rise today to talk about an amazing group in Kalgoorlie–Boulder that has been raising money for sick children for decades. Each year, the Goldfields Children Charity committee hosts a ball. The scheduled March event was delayed because of COVID-19 restrictions, but in July 2022, the ball was once again a showcase of generosity from the Kalgoorlie–Boulder community. The Allure Ball was a magical and emotional night with 1 100 attendees. The generosity of the sponsors and guests was mind blowing and an incredible \$350 000 was raised. The goldfields community has continued its unwavering support for local families with sick children, and this money will help many families who use the Royal Flying Doctor Service Western Australia, Ronald McDonald House Charities Western Australia and Full Circle Therapies in Kalgoorlie. This ball could not have happened with the incredible hard work of the committee members, whom I would like to acknowledge—Jess Vodden, Tanya Boyd, Sharon Clynk, Shane Coysh, Carmen Laatz, Eshe Christie, Jake Hodgson, Colleen Alexander, Stuart Reed and Kylie Lampros. You guys are amazing and your hours of hard work in putting this together is testament to the goldfields community spirit. Every year, it blows everyone away, and I know that we are so thankful to live in such a wonderful community. Since 2000, \$4.3 million has been raised by this wonderful organisation. Congratulations!

### **BLACK DOG RIDE — RED CENTRE 2022**

*Statement by Member for Moore*

**MR R.S. LOVE (Moore — Deputy Leader of the Opposition)** [12.56 pm]: On Friday, 5 August, I was greatly honoured to farewell from Toodyay a very special group of Western Australian motorbike riders taking part in the Black Dog Ride to Alice Springs. Known as Red Centre 2022, this tenth anniversary ride is much anticipated having been cancelled over the past two years due to the COVID-19 pandemic. Riders have departed from all corners of the nation, and about 500 riders will converge on Alice Springs on 13 August for an all-states group ride. Black Dog Ride began in 2009, the mission being to raise awareness of depression and suicide prevention. It gained momentum and became a registered charity. Fundraising is considered an important but secondary goal. Black Dog Ride offers fellowship to riders and perhaps an opportunity to have a conversation about mental health. The mental health message is shared en route as riders travel through metropolitan and regional communities.

Eight Australians die every day by suicide—double the road toll! In the wake of COVID, we have witnessed a shadow pandemic of mental ill health. I applaud the efforts of Black Dog Ride and especially the following people: Bev Seeney, Western Australian coordinator; Lawson Dixon, general manager of Black Dog Ride Australia; and Wes Sutton, Avon Valley coordinator. I offer my sincere gratitude to riders and the support crew. A conversation that starts about motorbikes and touches on mental health might just encourage someone to pick up the phone, talk to their general practitioner and realise that they are not alone and that help is available. I wish the Black Dog riders a safe and fantastic journey.

### **VOLUNTEER THANKYOU EVENT — SCARBOROUGH ELECTORATE**

*Statement by Member for Scarborough*

**MR S.N. AUBREY (Scarborough)** [12.58 pm]: Volunteers are a key pillar of our community giving up countless hours for our clubs, our communities and our fellow Western Australians. Their story is not told in words; it is told by those in our community whose lives have been saved, changed, enriched and improved by their actions. I came to know the power of volunteering when I joined Scarboro Surf Life Saving Club and did my bronze medallion. I fully appreciated the experience for how it provides a connection to others, the opportunity to give back to our community and its purpose—the purpose that gets you out of bed each day, the purpose that keeps you going in the tough times and the purpose that gives you the energy to lift up those around you. Today I would like to thank the local volunteer groups for attending my volunteers' thankyou event in Scarborough on Tuesday, 26 July. I would also like to give thanks to Minister Stephen Dawson and his team for driving this event and for coming to hear from my community. It was a great opportunity for the minister and me to not only personally thank these groups for the work they do in the community, but also provide them with an opportunity to network with each other. The groups of local legends included Scarboro Surf Life Saving Club, Trigg Art Club, Scarborough Rotary Club, Scarborough Beach Combined Probus Club, Karrinyup Ladies Probus Club, the Bend in the Road, Scarborough Beach Association, Ocean Heroes Australia, Men's Talk Australia, the Good Chat Foundation and Stirling Natural Environmental Coastcare group. A special thankyou goes to Trigg Island Surf Life Saving Club for hosting the event. Everything volunteers do strengthens not only our community, but also Western Australia. As the local member for Scarborough, I would again like to thank all volunteers for everything they do for our local community.

*Sitting suspended from 1.00 to 2.00 pm*

**VISITORS — WALLISTON PRIMARY SCHOOL, SERVITE COLLEGE,  
CHARLIE CLARKE AND LEWIS AND JUDY CARROLL**

*Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [2.00 pm]: I am really pleased to have some special guests in my gallery and also upstairs. They include the guests of the member for Kalamunda from Walliston Primary School, including their principal, Mr Craig Mainard. They also include guests of the member for Balcatta from Servite College—the principal and year 12s. There are also guests of the member for Murray–Wellington, including her husband, Charlie, and Lewis and Judy Carroll. I understand it was Judy’s birthday earlier in the week, so happy birthday, Judy.

**QUESTIONS WITHOUT NOTICE**

DEPUTY PREMIER — G2G PASS APPLICATIONS

**475. Ms M.J. DAVIES to the Premier:**

I refer to allegations by a former Labor electorate officer that from April to June 2020, the Deputy Premier tasked her with fast-tracking G2G applications for people and their families involved in cash-for-access Labor business round tables.

- (1) What action has the Premier taken to assure himself that this did or did not take place?
- (2) Can the Premier categorically rule out that this did not take place?

**Mr M. McGOWAN replied:**

- (1)–(2) I do not understand the English of the last part of the question, but I can indicate to the house that this did not occur and that these suggestions are incorrect. I can also advise the house that we received many requests for G2G PASS applications to be dealt with in an expeditious manner. The people who provided us with those requests included the Leader of the Opposition on 80 occasions; the Deputy Leader of the Opposition on 35 occasions; Mr Vince Catania, the former member for North West Central, on 13 occasions; Mr Peter Rundle, the member for Roe, on 24 occasions; Hon Colin de Grussa on two occasions; and Hon Martin Aldridge on 22 occasions. For the Liberal Party, we received requests for G2G PASS applications to be dealt with quickly from the Leader of the Liberal Party on 25 occasions, the Deputy Leader of the Liberal Party in the lower house on 96 occasions, and upper house members of the Liberal Party as well.

DEPUTY PREMIER — G2G PASS APPLICATIONS

**476. Ms M.J. DAVIES to the Premier:**

I have a supplementary question. Can the Premier categorically guarantee that Labor staff did not escalate requests from Labor donors to the police?

**Mr M. McGOWAN replied:**

I will just explain it. Members operate in electorate or ministerial offices or what have you and received requests from people across the community for G2G passes to be dealt with, including from members of the community who contacted us. I do not know whether someone at some point in time donated to the Nationals WA, the Liberal Party, the Labor Party, the Greens or whomever. They put in requests. Members of Parliament who received requests submitted them to ministers’ offices. Ministers referred them off to the police as was appropriate. As I outlined to the Leader of the Opposition, we had hundreds of these requests from her, the Leader of the Liberal Party and the Deputy Leader of the Liberal Party—literally hundreds. Across the Liberal Party —

**Ms M.J. Davies:** Your deputy tasked them to do it.

**Mr M. McGOWAN:** Please; can I answer the question. The Liberal Party put in 180 requests and the National Party put in 176 requests, totalling 356 requests of this nature.

FAMILY AND DOMESTIC VIOLENCE — FIREARMS ACT REFORM

**477. Mrs R.M.J. CLARKE to the Minister for Police:**

I refer to the McGowan Labor government’s unprecedented efforts in tackling family and domestic violence and protecting victims of this heinous crime. Can the minister update the house on how this government’s proposed reforms to WA’s firearms laws will not only keep firearms out of the hands of criminals, but also help protect the victims of family and domestic violence?

**Mr P. PAPALIA replied:**

I thank the member for her question and for her advocacy for better responses to the scourge of family and domestic violence in Western Australia. I can tell the member that the number one thing we are doing is rewriting the Firearms Act, which has not been tackled for almost 50 years. That rewrite will pre-eminently elevate community safety as the number one consideration in the act. That is not currently the case, and that is probably the most

concerning matter with respect to the Firearms Act. Community safety is a secondary consideration when it comes to a lot of different cases in which the police commissioner has deemed a person to be not a fit and proper person and not worthy of holding a firearms licence. Those decisions can be appealed to the Supreme Court, and people are regularly winning.

I draw the member's attention to an excellent piece by Shannon Hampton in *The Sunday Times* last week that drew out this argument and illustrated the case. Right now before the Supreme Court are 63 cases of people appealing decisions made by the Commissioner of Police on firearms matters. The article states —

In one case, police have decided to revoke the firearm licence of a serial child sex offender—who has offended seven times against a child under 13—but the decision is now subject to an appeal before the tribunal.

That is happening under the current act. It continues —

Police were also forced to defend a decision to revoke a licence holder based on 68 convictions, including dangerous driving where he stated he wanted to make his partner a paraplegic. He also had a history of multiple police orders and interim violence restraining orders. After a year-long legal battle in the SAT, the revocation was eventually upheld.

It took a year before the Supreme Court for that to happen. It continues —

A man whose application for a shotgun and rifle was refused by police based on his convictions for armed robbery, assault and breaching a suspended imprisonment order was overturned on appeal.

That happened under the current act. The article also states —

And as reported earlier this year, a man who had 27 domestic violence convictions and had failed to properly store his firearms was allowed to keep guns after appealing ...

That was done under the current act. That is what we are going to be dealing with.

While I have the opportunity, I will make this point: when we amended the act earlier this year—it was a small number of amendments; there were about 15 in total—members of the National Party predominantly, but also the Liberal Party, demanded that my representative in the upper house answer whether we could guarantee that current firearms licence holders would not be impacted in any way by the amendments we were making. They asked whether they could continue to have firearms and conduct themselves in the same fashion as they do now under the current act. The answer right now, in advance, for those members in the upper house who seem to believe that they are the only ones who consider legislation is no, we will not guarantee that. We will guarantee one thing: community safety will be elevated to primacy. It will be the number one consideration under the new act.

#### HOMELESSNESS — BULLSBROOK QUARANTINE FACILITY

#### **478. Dr D.J. HONEY to the Premier:**

I refer to comments the Premier made yesterday as he dismissed using the Bullsbrook quarantine facility to house homeless Western Australians in need, when he said that it would not work, people would not stay there, people would leave and it would last five minutes for those purposes. Why would international high-demand workers want to stay in this facility when, according to the Premier, not even those suffering from WA's housing crisis would stay for even five minutes?

#### **Mr M. McGOWAN replied:**

I will just explain the situation. The facility was commissioned and put in place by the last federal Liberal–National government. It made a commitment, I think in late 2020, early 2021, towards these purposes and started a process. It looked for various sites around the place—one at Jandakot, the other out at Bullsbrook—and all these sorts of things. I said that if the federal government wanted to build a quarantine facility in Western Australia and spend \$200 million or \$300 million, that was up to it but we would welcome it if that was what it wanted to do. We have committed to operating it for one year on the basis that that was the agreement with the former federal government. It spent \$250 million or \$300 million, which obviously created a huge number of jobs, opportunities and apprenticeships for many people. A great Western Australian company, Multiplex, has undertaken its construction. It is not finished yet; there are still some commissioning processes to go before it is finished. They are the circumstances. The site selected is in bushland out at Bullsbrook, which is 40 minutes or so from the city, near the RAAF base. As part of that process, we got some upgrades from the commonwealth to fix a long-term issue with PFAS in the water out there. It was a win-win for Western Australia. We negotiated with the last federal government, as we did many times, to get more and more money out of the last Liberal–National government for Western Australia, which was a great outcome for us.

In terms of what it can be used for now, obviously the quarantining requirement for people returning to Australia or from interstate is no longer in place, except for those people who are COVID-positive who are quarantining at home. The need for those purposes is no longer there. We are currently undertaking a process to find a purpose for the facility. We are looking at that across government. The advice I have received—to say to homeless people that

they must go and live in a facility in the middle of the bush, 40 minutes from the city, without any wraparound services, where they do not have contact with other people who might be in a similar circumstance—is unwise and would not work. Anyone can see that. A person would have to be a fool not to see that. That is the advice we have received. Anyone who deals with people who are homeless, who may have mental health issues, substance abuse issues and the like, knows that.

We are looking at how we can use the facility, particularly given the worker shortage, as a transition form of housing for people who might come from overseas, particularly those in the building and construction industry, and live there for a month or two months with their family or children or whatever it might be as a transition form of housing before they get more permanent housing. They would go and live there, they might have work that they are transported to by their employer and then they would move into a more permanent form of housing after that. This has been a common practice historically in Australia. If we go back in history, quite often when migrants moved to Australia, that is what they did. They lived in places like this as a transition form of housing. We are just trying to look for a way of properly utilising this facility that we did not build but we have a responsibility to operate for at least a year.

#### HOMELESSNESS — BULLSBROOK QUARANTINE FACILITY

##### 479. Dr D.J. HONEY to the Premier.

I have a supplementary question. Why is the Premier continuing to callously ignore the potential to house rough sleepers and homeless people right now instead of waiting for the delayed housing program?

Several members interjected.

**The SPEAKER:** Order, please.

##### Mr M. McGOWAN replied:

We opened the new homeless facility on Wellington Street, which, from recollection, has 64 people staying there. We are building the Common Ground facility in East Perth, and one in Mandurah as well. A whole range of other services are available out there for homeless people. The reason the Common Ground facility in East Perth is delayed is because of the strength of the economy. That is the reality. We do not have enough people in the building industry for the demand that is out there. That is why we are looking for an alternative arrangement. I spoke to a major building company the other day, which is very excited by the prospect of the quarantine facility in Bullsbrook being used for these purposes. We are just trying to come up with a commonsense solution to a problem that is not of our making and for a facility that was not built by us so it can be used for some benefit by the people of the state.

#### GENDER EQUITY

##### 480. Ms E.L. HAMILTON to the Minister for Women's Interests:

I refer to the McGowan Labor government's commitment to delivering gender equality and supporting women in our community.

- (1) Can the minister update the house on how this government is driving greater female participation within the public sector and supporting women in leadership positions?
- (2) Can the minister advise the house whether she is aware of anyone in this place who is failing to drive the cultural changes required to achieve equality for women in WA?

##### Ms S.F. McGURK replied:

That is an excellent question. I thank the member for the question.

- (1)–(2) I hope it goes without saying that the McGowan government is committed to pursuing gender equality. This will not be achieved by one policy change, one initiative or one set of speeches; it will actually take time and effort. That is what we are committed to. Members may be aware that the state government has launched a 10-year strategy, in which we have outlined a number of initiatives. It is called *Stronger together: WA's plan for gender equality*. It is the first of its kind for WA. We have a series of action plans underneath that. For instance, we are the first in Australia, after some pursuing on my part, to report to the federal Workplace Gender Equality Agency. WA has a public sector agency that is reporting to that agency to see if that could work. I have advocated for that. It is now a commitment of national cabinet that public sector agencies report to WGEA and use its significant resources and capacity.

We set a target before coming to the election in 2017 of 50 per cent of women on government boards and committees. Of course, we have done well in getting to 52 per cent—an incredible achievement that has taken determined action and effort, but we have got there. We are working towards 50 per cent women in the senior executive service. Finally, we announced recently the piloting of a gender procurement effort with selected public sector agencies. They include a large number of very significant agencies in the public sector. We will work on that for the next 12 months.

Setting targets and holding ourselves to account is something that this government has committed to doing. It is working. We recently released the *2022 Women's report card*, which I mentioned yesterday in Parliament. As a result of considered effort, we have now gone from 34 per cent of women in the senior executive service in government to 43.8 per cent. That is an increase of 33 per cent. That is remarkable. It has taken effort, commitment and drive. We have achieved that. It is really significant. I mentioned the government boards and committees, now at 52.5 per cent.

Obviously, in Parliament, it does not take a genius to see that Labor is doing the heavy lifting when it comes to increasing not only the number of women in our Parliament, but also the amount of diversity in our Parliament. Do we see any effort by the opposition? I said yesterday and the day before in Parliament that members opposite do not do the hard work and they do not put in any effort; all they do is read *The West Australian* and come in here and take shots from the cheap seats. In fact, it has been 1 100 days since I was asked a question on women's interests by the opposition—not since 2019. That is absolutely remarkable. In this term of government, I have not been asked a question on women's interests. That is how much the opposition cares about the portfolio of women's interests. It is absolutely astounding. Of course, we saw the opposition's real attitude and its real beliefs in full light yesterday in private members' business. When I was on my feet, the Leader of the Liberal Party continued to interject and speak over me in a way that he has not shown determination to do with some of the male members. He continued to tell me what I was about to say and continued to interrupt and speak over me. It was really remarkable. The Leader of the Liberal Party has form. It is well known that he has never once called out the members of "The Clan", to which he is indebted, about their appalling attitudes, which are not historic; they are well known and on the record. I think members of the public showed their disdain at the last state election, which carried over to the federal election as well—their understanding that the Liberal Party is not committed to addressing gender inequality in our community.

I want to also draw the house's attention to some form that the Leader of the Liberal Party has, going back to the mid-1990s when he was president of the Liberal Party. It was during that time that the now member for Cottesloe and Leader of the Liberal Party was a close associate and supporter of the then Senator Noel Crichton-Browne. In fact, *The West Australian* has variously described Noel Crichton-Browne as the now member for Cottesloe's mentor and someone he owes his job to.

In 1995, it emerged that Mr Crichton-Browne's then wife had taken out a restraining order against him in response to an incident of domestic violence. It prompted then federal leader John Howard to stand the senator down as Deputy Leader of the Government in the Senate. *The West Australian* reports on 5 April 1995 —

Mr Howard said he found domestic violence repulsive ...

The then federal leader, former Prime Minister John Howard, took action when a senior member of his party, the deputy leader in the Senate, had a restraining order against him. He took action. But what did the Leader of the Liberal Party, then Liberal Party president, do? According to *The West Australian*, Hon David Honey said he was an "unwavering supporter". He did not condemn domestic violence; he dismissed it. The day after it was reported that Noel Crichton-Browne had a restraining order against him, on 6 April 1995, the member for Cottesloe sought to downplay the matter, saying "other matters will rapidly supersede them". *The West Australian* reports —

As for whether Senator Crichton-Browne should step down, Dr Honey said: "How long does an individual pay a price for an act?"

I will finish on this point. More than downplaying domestic violence and calling out bad behaviour, as the then federal leader of the Liberal Party did, he sought to pursue those who brought this incident to light. He told *The West Australian* —

"It's my responsibility to pursue those individuals responsible and bring them to account and I am doing just that ..."

Senator Sue Knowles said at the time that she was being gagged. I quote from *The West Australian* on 24 June 1995 —

LIBERAL Senator Sue Knowles said yesterday she had been muzzled and could not give her view of the Noel Crichton-Browne affair.

...

Yesterday, Senator Knowles said: "If the State president, David Honey, allowed me the same latitude to speak to the media that he does his friend, Senator Crichton-Browne, without a constant threat of censure, I would be able to make my position public."

*Point of Order*

**Ms M.J. DAVIES:** Point of order.

**The SPEAKER:** Please resume your seat, minister. Once a point of order is called, the person on their feet is required to sit down immediately and not continue talking. I do not actually require the point of order. It has been a very lengthy answer. The question itself has been well and truly answered. We have diverted somewhat onto answers to questions that were not actually asked, so I am quite keen to move on to the next question. Member for Vasse.

PEEL HEALTH CAMPUS — PERSONAL LEAVE

**481. Ms L. METTAM to the Minister for Health:**

I refer to the transition of Peel Health Campus back to public sector control next year. In the middle of a pandemic, with chronic staffing shortages in the system, why will the minister not guarantee nursing staff that they will be able to transfer their sick leave as part of this move?

**Ms A. SANDERSON replied:**

I am glad the member for Vasse, the opposition spokesperson for health, has asked a question about Peel Health Campus. It gives us an opportunity to reflect on why the government made a decision to bring it back in-house. It has a sad history, and that sad history is a result of a failed privatisation by a former Liberal–National government in the 1990s. Anyone who remembers Health Solutions and its tenure of Peel Health Campus—I have worked closely around that campus for a number of years, alongside my colleague the member for Bassendean—will remember how it treated its staff, the kind of clinical outcomes it had, and the ongoing and long-running campaign from the community and the staff to bring those services back in-house.

We do not have to look far into recent history to see what a terrible weeping sore it was for the former Barnett government—when the member for Vasse was in Parliament, in fact. There was a chaotic performance of whistleblowing. We had a whistleblower who was then discredited. There were accusations of fraud and some very uncomfortable and, I think, questionable links to the Liberal Party. A senior executive of Health Solutions at Peel Health Campus was a Liberal candidate down there. I remember that campaign. At the same time, they were seeking funds from the Barnett government for redevelopment. I am surprised the member would ask me a question like this. It was a very questionable period.

The former government asked Ramsay Health Care specialists to take over the contract, and I want to thank Ramsay for its solid steerage of Peel Health Campus over the last few years. It has done a good job. It has settled it. The clinical outcomes have been better, and it has been a really good partner to government. That contract came to an end. After many years of the community and the staff saying, “We want a publicly run hospital in Peel”, we made the decision to bring those services back in-house. I am very proud of that decision. It is a good decision for the community and for the staff down there.

We are working through the issues. The contract will be back in-house in August next year. It is 12 months away, and we are working through the industrial issues around that. We are starting from the point that we want nursing staff and support staff to have access to their leave. We are starting from that point, and we are working through the legal and industrial instruments to do that. I give a commitment to those staff that we are doing that. We are committed to making this work. We know we are in a heated employment market. We know it needs to be attractive for them to come over. But it will be a better employment relationship than they had with Health Solutions under the previous government’s failed privatisation.

PEEL HEALTH CAMPUS — PERSONAL LEAVE

**482. Ms L. METTAM to the Minister for Health:**

I have a supplementary question. Yes or no? Will they or will they not be able to take their accumulated leave with them?

Several members interjected.

**The SPEAKER:** Order, please! It is a simple question. Hopefully, we will get a quick answer.

**Ms A. SANDERSON replied:**

Most of the entitlements are transferred over, legally, under the instrument. Personal leave is a challenging entitlement, and we are working to make sure that we have the legal and industrial framework to give them access from day one.

**Ms L. Mettam:** Weasel words! It sounds like a dud deal.

**Ms A. SANDERSON:** Do your friends at the CCI know that you are advocating a full and wholesale transfer of personal leave entitlements?

Several members interjected.

**The SPEAKER:** Order, please!

**Ms L. Mettam:** From a trade union official! Yes or no?

**The SPEAKER:** Member for Vasse, you have asked your question. The minister will answer it as she sees fit. Minister.

**Ms A. SANDERSON:** I hope the member asks more questions about Peel Health Campus. I am more than happy to answer them, and I give a commitment to the staff down there that we are working to resolve those issues through the industrial instruments. Our position is that we want them to have access to entitlements from day one.

#### WOMEN'S AND BABIES' HOSPITAL

#### 483. Ms J.L. HANNS to the Minister for Health:

I refer to the McGowan Labor government's commitment to maternity care, including building a new women's and babies' hospital, and the establishment of Aboriginal midwifery group practices at King Edward Memorial Hospital for Women. Can the minister advise the house whether she is aware of anyone making false claims regarding maternity services in Carnarvon or attempting to whip up a scare campaign ahead of the by-election for North West Central?

#### Ms A. SANDERSON replied:

It is shocking to think that this opposition would be so flimsy as to make things up, but it happens regularly, unfortunately, because they do not actually do the work or bother to read the detail.

I want to start by outlining the McGowan government's commitment to maternity services and my personal commitment, as health minister, to expanding maternity choices and birthing choices in Western Australia. We have made the unprecedented commitment to fully fund the women's and newborns' hospital, with \$1.8 billion set aside. As a result of good financial management, we have been able to make that commitment to women and families in Western Australia and pay for that hospital up-front, just like the Gallop and Carpenter governments paid for the Fiona Stanley Hospital through good financial management.

We are also rolling out an additional Aboriginal midwifery and support program at King Edward Memorial Hospital for Women and boosting staffing levels by 15 more FTEs to make sure that we have secure services for women having their babies at King Edward. It includes a new Aboriginal midwifery group practice that provides services for women who prefer to be cared for by the same midwife and in a culturally safe and protected way. That is an important continuity of care model that has excellent evidence behind it that shows really good and solid outcomes. It is a trusting relationship with their known midwife for every appointment before, during and after the birth to help support them.

The McGowan government is also reinstating the strong links program, which was discontinued by the former Liberal–National government in 2014. The strong links program will employ Aboriginal staff to work in a culturally secure manner with clients and families to mitigate risk factors during pregnancy, birth and immediate postnatal care. Following the trial at King Edward in 2012–13, the pilot program resulted in better antenatal attendance, a decrease in the length of stay in hospital, an increase in staff cultural competence and a reduction in the number of babies entering state care. Shamefully, the former Liberal–National government axed the service, when it demonstrated the potential to improve outcomes for Aboriginal women and babies. Those two programs were allocated \$7 million in the 2022–23 budget, and this follows our commitment to implementing the sustainable health review.

I want to talk specifically about the Carnarvon maternity and birthing services. The Leader of the Opposition has repeatedly made, and continues to make, misleading and spurious claims about maternity services at the Carnarvon health campus, including during private members' business yesterday, which I listened to. In April this year, I received a letter from the now resigned member for North West Central about some changes to the maternity services. I wrote back to him on 25 May and stated very clearly that, regrettably, due to staffing pressures, women would need to travel down temporarily to Perth or Geraldton, depending on the complexity of their birth. Temporarily.

**Ms M.J. Davies** interjected.

**The SPEAKER:** Order, please!

**Ms A. SANDERSON:** I wrote that the WA Country Health Service fully funds the travel and accommodation of those women in recognition of the impost of the travel to them at the later stage of their pregnancy. I told the former member that antenatal and postnatal care was continuing as normal and that midwives were rostered on to accommodate any unplanned presentations. I was very clear about that. Later in June, I advised the house during debate on a matter of public interest that as of that date, 26 women had been fully reimbursed and that, at my office's request, WACHS was going back over the details of every single woman who had given birth to make sure that all their funds were reimbursed and that they were comfortable with their reimbursement. We are covering 100 per cent of their costs, members, because we recognise that this is challenging for them and their families, yet time and again, the opposition leader peddles claims that women are not having their costs covered. Instead of being constructive and pointing them to my office to fix this, on 10 August, the Leader of the Opposition stated —

... from February this year, 71 mothers have been forced to travel from the Gascoyne, Carnarvon and surrounding areas to deliver their babies in either Geraldton or Perth ... They have to pay for accommodation and travel. Some of that is reimbursed, but not all ...

That is not true. It is not true that they have to travel hundreds of kilometres and then, at their cost, cover accommodation and travel with only minimal input from the patient assisted travel scheme and government support. Again, that is not true. Use the facts. Now we are getting messages from journalists saying that the opposition is saying that Carnarvon is closing maternity services permanently.

**Ms M.J. Davies** interjected.

**The SPEAKER:** Order, please!

**Ms A. SANDERSON:** The opposition is saying that in Carnarvon. It is whipping up unnecessary fear. It is a temporary scale-down for safe birthing. I guarantee that every woman in Western Australia will be provided with a safe birth, and that is what they want.

**Ms M.J. Davies** interjected.

**Ms A. SANDERSON:** They want a safe birth in the hands of an appropriately skilled and resourced midwifery team. That is what they want. If opposition members were truly committed to supporting those women, they would work with my office to make sure that no outstanding claims had gone missing, but instead they make cheap political points. They claim that, somehow trying to find division —

Several members interjected.

**The SPEAKER:** Order, please!

**Ms A. SANDERSON:** For the last two days, I have listened to them desperately trying to pick holes and find division in what is a united and disciplined government. The Leader of the Liberal Party and the Leader of the Nationals WA asked exactly the same question in question time on Tuesday and used exactly the same article in a by-election campaign that they are fighting each other in.

Several members interjected.

**The SPEAKER:** Order, please!

#### PUBLIC HOUSING — WAITLIST — NORTH WEST CENTRAL ELECTORATE

#### 484. **Mr R.S. LOVE to the Minister for Housing:**

I refer to question on notice 766 asked on 14 June —

**Ms S. Winton** interjected.

**The SPEAKER:** Member for Wanneroo, do not interject while someone is asking a question.

**Mr R.S. LOVE:** I refer to question on notice 766 asked on 14 June in the other place regarding social housing stocks in the north west and the advice that the minister's office cannot provide an answer until 13 September.

- (1) Why is it taking three months to provide the Parliament with information on how many people are on the waitlist?
- (2) How many houses are vacant in the electorate of North West Central?

#### **Mr J.N. CAREY replied:**

(1)–(2) I am sorry; there are so many questions put to me from the other place. It could have been because the information has been asked for by a particular category that the agency would not normally formulate. That is often the case. I want to say this on the record: as usual, we are doing everything we can to invest in greater social housing across regional Western Australia. I note commentary today again by the opposition, including by the Leader of the Liberal Party, with claims that social housing is on hold. That is simply false. It is absolutely false. In the last financial year, we added 600 homes to the social housing system. How did that occur? That occurred because of significant investment in social housing. We are also undertaking significant refurbishment. I want to put this on the record, because Hon Steve Martin was on radio today saying that we should refurbish social housing. We are. In fact, we are investing \$73.6 million to refurbish 923 properties, of which over 400 have been completed. Last year, we invested \$93.9 million for spot purchasing homes.

We are constantly hearing a theme from the opposition that says that investment is not being undertaken in social housing. That is false. That is not true at all, and I would ask the opposition to stop distorting figures to mislead the people of Western Australia.

#### PUBLIC HOUSING — WAITLIST — NORTH WEST CENTRAL ELECTORATE

#### 485. **Mr R.S. LOVE to the Minister for Housing:**

I have a supplementary question. Given the significance of the regional housing crisis, why is the minister not ensuring that his office has up-to-date information on the nature of the inquiry that was put to him in question on notice 766?

**Mr J.N. CAREY replied:**

I regularly report to Parliament about the delivery of social housing. That includes, for example, the \$100 million modular program for 200 modular homes, the majority of which are in regional Western Australia. I also have undertaken a review of Government Regional Officers' Housing homes that were surplus to needs when they no longer met workers' aspirations or requirements and have converted those to social housing. Thirty-nine homes have been moved across. I consistently indicate in this Parliament every lever and reform. I want to go through the other reforms because I think it is important to put them on the record.

We have added 600 additional homes and 860 are under contract or construction. I am establishing a new statewide builders panel to streamline procurement. We have the GROH review that I mentioned. We have undertaken planning reform so that the Department of Communities can self-approve social housing developments of up to 10 units. We have the modular program. We have the timber frame construction program. We have the new housing diversity program. We have created the remote communities fund, with \$350 million to fill the gap that the federal government left. We have increased Keystart income eligibility, particularly for people in the Pilbara where we know it has been a constraint. We have brought in a 100 per cent stamp duty rebate. We have brought in a 50 per cent land tax concession. We are working on a density bonus to incentivise the private sector. We have been working with local governments to release land at discounted cost to assist with workers' accommodation and we have the Regional Land Booster program. In this year's budget, \$19 million extra was allocated for Kalgoorlie and Karratha to release residential land.

These are all initiatives that have occurred during my time as the Minister for Housing and that have been driven with other ministers to deliver the acceleration of social housing. No-one believes the opposition. It is only the opposition criticising it. I note it is not the Master Builders Association or the housing construction sector. It is not the homelessness sector. It is only the Liberal–National Party opposition. Like today when Steve Martin put out a release in which he distorted figures and did not compare apples with apples, the opposition consistently gets it wrong and seeks to deliberately mislead Western Australians.

*STATE COMMISSIONING STRATEGY FOR COMMUNITY SERVICES***486. Ms M.M. QUIRK to the Minister for Finance:**

I refer to the McGowan Labor government's commitment to ensuring Western Australia has high-quality community services that support our communities and help improve the lives of the most vulnerable.

- (1) Can the minister advise the house what the state commissioning strategy will mean for the procurement and delivery of community services in Western Australia?
- (2) Can the minister outline how the strategy will provide better outcomes for the Western Australian community?

**Dr A.D. BUTI replied:**

I would like to thank the member for Landsdale for her question.

- (1)–(2) This is incredibly exciting. I know people may not think that commissioning is exciting, but it is. On Tuesday, the Minister for Community Services and I released the implementation strategy, *State commissioning strategy for community services: Implementation plan 2022–2024*. If members have not read it, I advise them to go to all good bookstores to collect their copy.

The state commissioning strategy takes a holistic, proactive and sustainable approach to delivering more efficient and effective community services. It is the first strategy of its type to ever be implemented in Western Australia. It seeks to ensure that we deliver services in a manner that puts the client at the centre of the delivery of services. It puts at the centre the community services that we are trying to deliver. They are the prime target of this strategy that we have just released. It is very transparent. It is holistic. It seeks to be coordinated and to look at government agencies. It seeks to look at service providers, peak bodies, consumer advocates and service users when commissioning services. It looks at the whole process. It looks at the processes of planning, purchasing, managing, monitoring and evaluating services with the aim of ensuring that every available dollar is allocated in an optimal manner.

This strategy will ensure that we have a greater capability, capacity and flexibility in delivering services to the community sector. It is also very agile to the needs of the community. The strategy will seek to drive a fundamental shift in the delivery of community services, such as meeting the needs of users at the right time and at the right location; being sustainable; being delivered by organisations that meet the diverse needs of service users; being evidence-based with robust quality standards; and being culturally safe and tailored to the local community needs.

On Tuesday, the Minister for Community Services; Prevention of Family and Domestic Violence and I went along to the Centre for Women's Safety and Wellbeing to launch the strategy. I would not be exaggerating to say that that organisation was very happy with the strategy and very enthusiastic to be part of the launch. It has been advocating an approach like this for some time. The organisation is a prime example of what

government is trying to do with its own approach, being integrated and client-outcome focused. I commend the strategy to the house. It will ensure we will deliver services in a manner that is more efficient, more holistic and ensures that the people we are trying to deliver to are the focus.

WORKERS' ACCOMMODATION — REGIONS

**487. Mr R.S. LOVE to the Minister for Lands:**

I refer to Labor's election commitment to release land to allow for the development of much-needed workers' accommodation in Kalbarri. Noting it is 17 months since the election and that a draft registration of interest was released to the community was last November and that the registration of interest process closed four months ago, when will the government deliver on this long overdue project?

**Mr J.N. CAREY replied:**

I thank the member for his question.

It is going through a proper process. That is, a proper process unlike the bungled Osprey Village project. If we remember, it was an incredible farce that was extraordinarily well over budget, which was highlighted in the John Langoulant report. I will wait for that final assessment and then hope to make an announcement.

WORKERS' ACCOMMODATION — REGIONS

**488. Mr R.S. LOVE to the Minister for Lands:**

I have a supplementary question. The people of Kalbarri are desperately waiting for this to happen. Can the minister provide some further clarity on when he expects this process to be complete; and whether he has received a number of applications at this point?

**The SPEAKER:** That was two questions; the minister can answer one or both.

**Mr J.N. CAREY replied:**

Madam Speaker, I am trying to remember them because the member slipped in two. If anyone understands any government processes, consideration is being undertaken by an assessment panel. It is not the role right now for me to reveal one or more competitors. In fact, that would affect the process. I will wait for the assessment —

Several members interjected.

**The SPEAKER:** Order, please!

**Mr J.N. CAREY:** As soon as I can make an announcement, I will do so.

RECONNECT WA

**489. Mr G. BAKER to the Minister for Tourism:**

I refer to the McGowan Labor government's Reconnect WA package to promote Western Australia, attract investment and diversify the state's economy.

- (1) Can the minister update the house on the success of the major blockbuster events that this government has secured for Western Australia?
- (2) What have the events meant for the promotion of the state and the local community?

**Mr R.H. COOK replied:**

(1)–(2) I thank the member for the question. It is a great question, because we know that Western Australia is open for business and open for tourism. The \$195 million Reconnect WA package is all about taking Western Australia to the world, reconnecting with our old friends and neighbours, and making new friends and bringing them to Western Australia.

The events that we hold in Western Australia are great fun but they are also a serious part of our economy. This year, Western Australia became the sporting capital of Australia. The Winter Live festival of sport began on 26 June with the Ampol State of Origin and a sold-out crowd of 59 398 fans, along with 3.1 million TV viewers who watched that rather unfortunate result of the New South Wales Blues defeating the Queensland Maroons. The revenue per available room received by Perth city accommodation for that Saturday night Origin game was the fifth highest since 2018, bettered only by the 2021 AFL grand final and New Year's Eve events. The following Saturday, international Rugby Union returned to Optus Stadium when the Wallabies had a 30–28 win over England in front of a crowd of 47 688 people. What is interesting about those numbers is that that was a larger number of people than the number who attended the game in Brisbane or the game in Sydney, which is the so-called home of Rugby Union in Australia. That was a great attendance by WA sports lovers. The unforgettable, sold-out Suncorp Super Netball grand final was held at RAC Arena, which was won by West Coast Fever for the first time in its 25-year history. That was a day that I think we were all immensely proud to be Western Australians.

If that was not enough, we also had Perth's Festival of International Football, or ICON 2022, held at our award-winning, world-class Optus Stadium, where Manchester United, Aston Villa, Crystal Palace and Leeds United took part in the biggest festival of English Premier League football in WA. Although we are still waiting to receive the full economic impact of the ICON festival, the early numbers are that we had an at least 10 per cent lift in hotel occupancy over that weekend and over 97 000 people attended those two games over the two nights. The figures will no doubt demonstrate the value of hosting such high-calibre events in Western Australia. In addition to the domestic and international broadcast showcasing Perth to the global audience, the teams' players were treated to an array of tourism experiences that were incorporated into the broadcast and shared on the players' and teams' social media platforms. Manchester United, in particular, has significant grunt in its social media capacity. All these events have driven thousands of visitors to our city and showcased our beautiful state to hundreds of thousands of people around the world.

A massive thankyou to the staff across our tourism and hospitality sector who catered for all those great events, filling our bars, cafes and hotels, and bringing the state alive and continuing to energise our economy. I am proud of the work done by the McGowan government to make Perth one of the top three events destinations of South-East Asia. It is great fun, but it is a serious part of our economy. With the Reconnect WA package, we are making great strides in our tourism industry.

CLIVE PALMER — LEGAL ACTION

**490. Ms M.J. DAVIES to the Premier:**

Noting that the Federal Court has just handed down a judgement determination in relation to the costs for the court case between the Premier and Mr Palmer, I refer to this case for which Western Australian taxpayers will foot the bill.

- (1) Will the Premier reveal the full cost to Western Australian taxpayers for the Premier and the Attorney General's legal fees?
- (2) Will the Premier reveal the full cost of his cross-claim?
- (3) As we cannot ask the Attorney General directly, will the Premier reveal the full cost of his second visit to the witness box due to his manifest errors the first time around?

**Mr M. McGOWAN replied:**

- (1)–(3) I have not seen the exact details of what the Federal Court has found in Victoria, I think, so I will get some immediate advice on that. I may well make a statement to the house later on this afternoon about these matters, but I want to make a few things clear. I do not have the exact details of the cost or what the implication of the ruling is in terms of what costs Mr Palmer would have to bear versus what costs the state of Western Australia would have to bear. I do not have that information available.

In relation to the reason behind this, I just want to make it perfectly clear that this is because Mr Palmer decided to bring a defamation action against me. That is what occurred. People try to spread the blame on this. Mr Palmer decided to take a defamation action against me; I did not bring a defamation action against him. There are specific reasons why he did that. I hope to be able to elaborate further today about those matters. But I make the point more broadly that it was in the context of a \$30 000 000 000 claim he had against the people of Western Australia—\$12 000 for every man, woman and child—that the Attorney General and I were in the process of attempting to defeat. Then he brought legal action against me, so you work it out. That is the context.

As I said to the media the other day, it is one of the proudest moments I think of my career that we were able to defeat that claim for \$30 000 000 000 against the state of Western Australia in the way that we did. I think it was actually one of the proudest moments of this Parliament that we were able to do that. It was a real risk to the state. The state's fate was in the hands of a single arbitrator, a retired High Court of Australia judge, aged 85 years, who could have made a ruling and then the state could, in effect, have lost \$30 billion. I was not prepared to take that risk. I just was not. Others might have thought that was a risk worth taking, but I did not believe it was. Members have to remember that Mr Palmer also had an action against us to bring down the border. We worked out the real reason that was the case. It was because he made an offer to the state that he would drop that legal action if we moved the arbitration to Canberra, where the arbitrator was. Again, think about that. Think about the fact that you are pursuing this line of questioning in light of those two facts.

Then Mr Palmer sued me for defamation and now he has another action against me for \$50 million for some sort of conspiracy claim he has. That is, again, in my view, spurious because the Attorney General and I worked together, as members would expect, to try to defend the state. So now he has a \$50 million claim against me, the Attorney General, the Solicitor-General and others. That is what this gentleman does. The opposition has to make a choice: whose side are you on? Are you on our side or are you on Clive Palmer's side? That is the choice.

Several members interjected.

**The SPEAKER:** Order, please, members!

**Mr M. McGOWAN:** Undoubtedly, there are costs involved in this matter, otherwise Mr Palmer would successfully bankrupt me—that is what he would do—and I would not be able to be Premier of Western Australia. No-one could be because any time someone occupied this role, someone like Mr Palmer could sue them and bankrupt them out of it if he did not like a decision they made. That is exactly what happened. It is a longstanding convention of parliamentary democracies—of the Parliaments of Australia—that people in executive office like myself and ministers receive support from the state to defend these sorts of claims. Otherwise people like Mr Palmer, or any other billionaire out there, if he or she did not like a decision a Premier made, could bring an action against them and bankrupt them, and that is not right.

Turning to the court itself, Mr Justice Lee obviously did a tremendous amount of analysis, and I totally accept the judgement that he made. He is a very analytical and very professional judge. He found that Mr Palmer's defamation against me was fourfold, in effect, compared with any defamation that I committed against him. I just make the point that he found there was a minor defamation on my behalf. I make the point to you all that every day on Twitter, Facebook and in the press, minor defamations are committed but we do not all bring legal actions. I would expect that I have minor defamations committed against me and the Leader of the Opposition would have them committed against her every single day. If every one of us brought a writ every time that occurred, we would need a lot more judges. The world should not work that way whereby people of means with billions and billions of dollars that were, I might add, provided to him by the state of Western Australia, via a Chinese company, can then, every time there is a minor defamation, seek to sue someone into bankruptcy. The world should not work that way.

I hope to be able to make further statements on this matter today. I just repeat to members of the opposition, although I know they will not listen because that is not in their nature: whose side are you on—the taxpayers and the government of Western Australia or Clive Palmer?

Several members interjected.

**The SPEAKER:** Order, please, members! This supplementary will be the final question for question time.

#### CLIVE PALMER — LEGAL ACTION

#### 491. Ms M.J. DAVIES to the Premier:

I have a supplementary question. When the Premier makes that statement to the house, will he, in the interests of transparency, reveal the full cost to WA taxpayers for his and the Attorney General's legal fees?

**Mr M. McGOWAN replied:**

Again, I do not know the answer to that question. This is a matter about which I will receive advice, but I just want to put it in context.

**Ms M.J. Davies:** Will you provide that information when you have it?

**Mr M. McGOWAN:** As I said to the Leader of the Opposition, I do not know the answer to that question and I will get legal advice on those matters. I do not know what proportion of any such costs Mr Palmer will be required to pay. I just want to put it in context. There will be some cost to the state of Western Australia, but that has to be offset against the fact that the Attorney General and I saved the state of Western Australia \$30 billion—\$30 billion!—and were therefore sued. You make your choice: whose side are you on—the government of Western Australia and the people of Western Australia or Clive Palmer?

#### FAIR TRADING AMENDMENT BILL 2021

##### *Receipt*

Bill received from the Council.

#### CLIVE PALMER — LEGAL ACTION

##### *Statement by Premier*

**MR M. McGOWAN (Rockingham — Premier)** [3.00 pm] — by leave: I rise to provide a statement to the house. Earlier this morning, the Federal Court of Australia in Sydney held a hearing related to the costs of the defamation action instigated by Clive Palmer. This afternoon, Justice Lee brought down his decision on costs. Given the nature of these proceedings, it is important the Parliament is made aware of the circumstances and outcome of the trial.

As I outlined last week following the judgement, I fully respect the court and its decision and I want to thank Justice Lee for taking the time to carefully consider all the evidence. The court proceedings instigated by Clive Palmer have been something I wish I did not have to respond to. Responding to Clive Palmer's defamation action and other court proceedings is the last thing I want to be doing as Premier of Western Australia. It is a very frustrating and time-consuming process. However, I have a responsibility as Premier to stand up for our state and do whatever is in the interests of all Western Australians. I have never and will never give in to someone like Clive Palmer. Mr Palmer chose to initiate this court action and I had no option but to respond and stand up for Western Australia.

As Justice Lee outlined in his judgement last week —

It was Mr Palmer who commenced the litigation and the Cross-Claim was, in substance, “defensive” ... These are the words of Justice Lee. It is important that Parliament and the people of Western Australia know that I never wanted to end up in court over this matter. I did not want to spend time and money in court, but I had no choice other than to defend myself and our state.

It is also important to make the point that when Clive Palmer started this action, he started it in the context of this government’s effort to save the state from Mr Palmer’s attempts to take Western Australia for \$30 billion, a move that would have destroyed our budget, devastated our economy and caused pain for every single Western Australian. It would have cost every single man, woman and child in WA \$12 000 each. Our actions to protect the state and block Mr Palmer’s claims meant he was unable to collect a massive payment from WA taxpayers. So what did he do? He chose to sue me personally. I believe his ultimate mission was an attempt to get what he really wanted out of our state. By suing me personally, I believe he thought he could force my hand and allow a pathway for him to take WA for \$30 billion, or a portion of it, and obtain other concessions from the state of WA. As Justice Lee outlined in his judgement last week —

While I accept that Mr Palmer was upset with the course that the State was taking as to the hard border and the arbitration, it seems to me that his real frustration and anger, unsurprisingly, was directed to the passage of the Amendment Act.

That is, his real frustration was my government’s legislation that stopped him taking us for \$30 billion. I believe his real motivation was to get billions of dollars out of Western Australian taxpayers by the construct of suing me for defamation. But I was not going to give in. I will not be bullied by this man. I refused to give in to Mr Palmer’s demands. We acted in the interests of Western Australia when we saved the state from Clive Palmer’s attempts to get his hands on \$30 billion and we acted in the interests of Western Australia when we stopped Clive Palmer from tearing down the hard border. That action saved countless lives and jobs.

Money is no challenge to Clive Palmer. Clive Palmer has form when it comes to taking people to court and hooking them into expensive legal fights that can go on for months or years at huge cost to those involved. Defending yourself in court does not come cheap. But I want to be clear: on 20 December last year, we went to Clive Palmer with a written offer for all parties to drop action and walk away before any trial commenced at a time before court costs significantly escalated. I repeat: we offered to walk away to save everyone the cost, the time and everything else that comes with a defamation trial. We offered to avoid all of this eight months ago. But what did Clive Palmer do when we offered to walk away? He did nothing—nothing! He did not engage. He did not respond. Clive Palmer did not respond to our offer that would have saved considerable money and the court’s time. He chose to pursue his action in court, knowing full well it would come at great cost to everyone involved. Put simply, this could have been avoided, but it was not, because of Clive Palmer. The court then heard all the evidence and awarded four times as much damages to myself than to Mr Palmer. That is money that will go to the state, not me.

Just moments ago, Justice Lee has determined that Clive Palmer is to pay the costs of the defensive counterclaim from 22 December 2021. I welcome this decision and I am glad that Clive Palmer will now be made to pay some of the costs required for me to defend myself and Western Australia. Although I would have preferred that this trial had never occurred, this is as good an outcome as we could have hoped for Western Australia out of a difficult situation, whereas the alternative was to write Mr Palmer a cheque for \$30 billion—something I was never going to entertain. I respect the decision of the court.

As we have seen this week, Clive Palmer will not stop. We have to expect that someone like Mr Palmer will not stop until he gets what he wants. Litigation is his self-confessed hobby—an indefatigable litigant, as Justice Lee found—and comes at no real financial cost to him. I wish this were the end of the matter and I hope it is, but I can assure the Parliament and all Western Australians that whatever is thrown at us—whatever is thrown at my government and me personally—I will continue to stand up for WA and govern in the public interest.

## **CASINO LEGISLATION AMENDMENT (BURSWOOD CASINO) BILL 2022**

### *Second Reading*

Resumed from an earlier stage of the sitting.

**DR A.D. BUTI (Armadale — Minister for Racing and Gaming)** [3.08 pm] — in reply: I would like to thank everyone who has contributed to the second reading debate on the Casino Legislation Amendment (Burswood Casino) Bill 2022. I want to address everyone’s contribution on the bill because they have taken the time to make a contribution and I want to show my respect for their contribution and respond to some of the issues that they raised. Before I do that, I will provide an overall summary of the bill.

The objective of this bill is to improve the regulatory framework for the regulation of casinos in Western Australia and to implement the priority reforms that have come out of the Perth Casino Royal Commission. Members will recall that the royal commission handed down its report on the Burswood Casino licensee and its associated Crown

entities about five or six months ago, if I remember rightly, and it found that they were not suitable at that stage to hold a casino licence or be associated with the operation of casino gaming operations. Fifty-nine recommendations were made, some of which go to the issue of seeking to make them a suitable operator of casinos in Western Australia. The others go to strengthening the regulatory framework for casino operations in Western Australia.

The royal commission's final report recommended that there be a two-year remediation period to allow the Burswood Casino licensee and associated Crown entities to make changes that would make them a suitable operator. This bill will establish a two-year remediation period, but will allow an extension, if it is seen to be appropriate. Importantly, in line with the royal commission's report, this bill will establish an independent monitor who will monitor that remediation plan and also provide reports to the Minister for Racing and Gaming and the Gaming and Wagering Commission. At the end of that two-year period, it will be determined whether they are suitable to hold the licence to run the casino, but, as I said, there is discretion to increase that remediation period.

The bill ensures that the independent monitor will have all the powers necessary to fulfil their functions. There is nothing controversial about that; that is what we would expect. If we are going to establish an independent monitor, we will give it the powers that it needs to ensure that it can fulfil its functions. Those powers include the right to enter and inspect the casino premises, require relevant persons to provide information and reports, require relevant persons to answer questions, and attend board meetings of the casino licensee and associated entities. I do not see how that is controversial or why there is a concern about that. I will address some of the particular questions from the member for Roe shortly.

Importantly, the bill also provides for the state to recoup the costs of the independent monitor from the casino licensee, which is only appropriate. As mentioned by a number of speakers, the bill before us will increase the existing penalties under the Casino Control Act 1984, which the royal commission said were manifestly inadequate, from a maximum penalty of \$100 000 to \$100 million. This is a disciplinary penalty that could be imposed by the minister, if the minister thinks it is in the public interest to do so. For example, such a penalty could be issued in the event of significant fraud, money laundering or junkets linked to organised crime.

The bill will also, importantly, increase the maximum penalty for noncompliance with a direction of the Gaming and Wagering Commission, which is the regulator, to \$250 000.

These measures address many of the concerns expressed by the royal commission from its long inquiry into, observations of and report about the regulation of casinos in Western Australia. The royal commission also recommended that the Gaming and Wagering Commission be strengthened and be independent from the department that provides services to it. The issue of the department and the Gaming and Wagering Commission is something that the member for Cockburn very succinctly put to the member for Roe; it was not about the amalgamation of a number of departments but the need for that independence. The royal commission has recommended that we appoint an independent chair. The bill provides for the independent chair of the Gaming and Wagering Commission and, in line with the royal commission recommendation, the deputy chair will be elected by members. The bill will enhance the powers of the Gaming and Wagering Commission to direct the Perth casino. I do not see why that would be a problem. It will also enhance the minister's ability to direct the Gaming and Wagering Commission, but only in relation to the implementation of the royal commission findings and recommendations. That is just an overview of the bill.

One of the things that the member for Roe, the opposition spokesperson on this matter, asked was: who will be appointed to be the independent monitor? We are going through that process very thoroughly and I hope to be in a position to announce the independent monitor shortly after the bill's passage through both houses of Parliament. It would be inappropriate at the moment to talk about the potential candidates, but I can assure the member that only candidates of considerable intellect and calibre are being considered. I think the member can rest assured that when the independent monitor is appointed, they will be someone who can do the job that will be before them. That process is tracking forward. I am also seeking advice from the Public Sector Commissioner on certain issues about the establishment of that position. As I said, hopefully the appointment can take place shortly after the bill passes.

What qualities are we looking for in the independent monitor? As I said, they have to be a person of high calibre. They must have very good analytical skills, with the ability to analyse complex corporate structures and laws, what is in the public interest and conflicts of interest et cetera. They will have to be someone with significant experience and qualifications in a relevant field. As I said, they will have to have a sophisticated understanding of complex legal frameworks, regulatory oversight and compliance and/or risk management, as well as complex corporate governance structures. They will need the ability and experience to manage stakeholders at a very senior level and lead into critical negotiations. They will be a person of high integrity and honesty who believes in transparency.

I have to say to the member for Roe, and I know him well, that I am incredibly disappointed in his statement about unions. I did not think that he was going to be that ideological about it. I even asked him: if there was a High Court judge or a Supreme Court judge who was once a union official, would they be able to be appointed? The member said that he was not so sure because of the union connection. I just find that amazing. The Nationals WA has to stop

this division. It is trying to divide the city and the country. It is trying to divide unions and employers. It is silly! That might have been happening in the 1950s—get over it! I assume that the member would consider Sir Charles Court to have been a good Premier?

**Mr P.J. Rundle:** Yes.

**Dr A.D. BUTI:** The member knows that he was a union leader. Even conservatives would admit that Bob Hawke was a great Prime Minister, and the member knows his union credentials. Former federal Leader of the Opposition Brendan Nelson was head of the Australian Medical Association—that is a union. Both sides of Parliament would agree that Greg Combet is a man of incredible substance and intellect; he was a union official. Is the member saying that those people should never have been in their positions because they were once a union delegate? I do not think he is, really. Even Ronald Reagan was involved in a union!

**Mr P.J. Rundle:** You are drawing a long bow there!

**Dr A.D. BUTI:** No. Are you still holding to the position that a former High Court judge —

**Mr P.J. Rundle:** I reserve the right to ask questions.

**Dr A.D. BUTI:** I am asking you the question because you brought it up. Are you still saying that a former Supreme Court or High Court judge who was once a union official should be barred from being the independent monitor?

**Mr P.J. Rundle:** I am not saying anything at this stage.

**Dr A.D. BUTI:** Member for Roe, I still find it incredible that you will not deviate from that decision. I find it incredible! The National Party has a long way to go if it is still going to hold to those ideological 1950s positions. Move on! Move on from the anti-union stance. What is the Western Australian Farmers Federation or the Pastoralists and Graziers Association? They are unions! They are associations that represent a group collective interest. It is incredible. I have given the member for Roe another chance to backtrack from that ridiculous statement yesterday and he still will not do it. I just find that incredible. I know the member for Roe and I really do like him, but I find that stance just incredible. The member for Roe has such a strong anti-union stance that he considers that a judge of the High Court of Australia who might have once been a union official should be barred from being an independent monitor. It is just incredible.

The member for Roe also expressed concerns about the so-called unlimited power of the independent monitor. Regarding the member for Cockburn, in some respects, I really should sit down, because the member for Cockburn eloquently and comprehensively addressed many of the member for Roe's so-called concerns, which were absurd in many respects. There is no unlimited power. The power that the independent monitor will have will be from the statutory authority of this piece of legislation. It will be an instrument of appointment. The independent monitor will know what they need to do. One minute the member for Roe talks about the minister having too much power and then he talks about the independent monitor having too much power and being too independent of the minister, so where is he sitting? I do not really understand. Does the member for Roe believe that the bill before the house will give the minister too much power?

**Mr P. Papalia:** Neatly, one foot on either side of the barbed wire fence!

**Dr A.D. BUTI:** That is right.

The minister's powers will be what is necessary and what is consistent with *Perth Casino Royal Commission: Final report*. The independent monitor's powers will be linked to both the bill and the instrument of appointment, and are what is necessary for them to do their job in monitoring, supervising and reporting on the remediation plan. That is what is needed.

**Mr P.J. Rundle:** I am just reserving the right to ask questions. Even if we support the legislation, I should be able to then ask a few questions.

**Dr A.D. BUTI:** Member for Roe, I am responding to your questions now. That is what I am trying to do. The member said there would be unlimited powers, and I am trying to tell him why there will not be unlimited powers. The member made these statements, and I am responding to them. That is what I am supposed to do in a response to the second reading debate.

The independent monitor will be constrained by the legislation. I think the member for Cockburn and others mentioned, under proposed section 21L of the bill, the powers will be limited to what is necessary to perform their independent functions, which are set out in proposed section 21K. The powers are prescribed by and linked to the legislation before the house, which was developed from the royal commission's findings and recommendations.

The member for Roe mentioned the extraordinary powers of the minister, particularly around the power to direct the Gaming and Wagering Commission. However, that is related only to the findings and recommendations of the royal commission; it is not about gaming over the state of Western Australia.

The member for Roe said that the bill will provide ministerial discretion to publish the independent monitor's reports. Yes, that is right. I do not see the issue with that, and that should obviously be able to take place.

The member for Roe asked questions and expressed concerns about the delegation of power. It is not unusual to have a delegation of power. An appointment in a piece of legislation often provides the person appointed the ability to delegate because they cannot do everything. Therefore, it is not unusual to delegate powers, and I do not see anything overly controversial about that. Proposed section 21M of the bill will provide for that delegation of power. What would happen if an independent monitor fell sick or was not able to fulfil their duties? They had to delegate their power and that is all that provision seeks to do. It is not really controversial. It is consistent with the special monitor legislation in Victoria. As the member for Mount Lawley said, we have to read this within a wider context. We have had the royal commission's findings and recommendations in New South Wales and Victoria, and what we are seeking to do here is, in many respects, consistent with the situation, particularly in Victoria, so it is not really controversial.

The member for Roe is concerned about delegation, but this new legislation is not dissimilar from what we have at the moment. Staff at the Gaming and Wagering Commission have similar broad powers at the moment under section 21A(1) of the Casino Control Act 1984, which states —

The Commission, and any member or officer of the Commission as though he were an authorised officer concerned under the *Gaming and Wagering Commission Act 1987* ... has and may exercise in relation to —

...

like powers to those conferred on the Commission or an authorised officer, as the case may be, under the *Gaming and Wagering Commission Act 1987* ...

The member for Roe expressed concern that the independent monitor will have the power to ask casino employees for information, and if they refuse, they will be liable for a \$50 000 fine. The member then asked whether an employee acting under instructions from casino management would still be fined. The offence the member is referring to is contained in proposed section 21X of the bill before us, but, importantly, that provision provides that a person must not, without reasonable excuse, fail to provide information. It is arguable that it would be a reasonable excuse not to hand over information if management is telling an employee not to hand it over, but it would not then prevent management from being fined. I am sure the member would agree that if we are seeking to appoint an independent monitor to supervise the remediation plan, they should have access to the documents they need for that purpose. I know that there is a certain former president of the United States of America who may not necessarily agree with that, but most people would agree that the independent monitor has to have the ability to inspect documents and ask for the information that they require to do their task.

Under proposed section 21B, the minister's ultimate decision to fine the casino licensee or revoke the licence will be subject to judicial review if need be. There is always the ability to appeal the decision of the minister through judicial review.

The member for Roe also asked questions about my briefings, if any, with Blackstone. How many there had been and what was the response? From what I can recall and from the information my office has provided me, I have met only once with Blackstone, and that was a general introductory meeting at which Blackstone set out its plans and ambitions for the Perth casino. I must say they were quite exciting and quite promising. Blackstone is an international company that has regulatory approval in eight different jurisdictions and has won prizes for best casino operator in certain jurisdictions in the USA. Blackstone appears to have a very good relationship with the unions that represent its employees, so that is promising as well. Blackstone has been briefed on the bill—the same briefing that members of the opposition have received. Blackstone asked valid questions, which were answered. The member for Roe also asked when Blackstone would take up the licence. Blackstone has already acquired the licence to manage the Burswood Casino premises in Perth. I provided the regulatory approval in June 2022 and the GWC had its own regulatory approval process as well.

I have two more points that I want to make about the member for Roe's contribution. The member for Cockburn covered very well the issue that the member for Roe kept talking about in regard to how the mega-departments contributed to the poor regulation of the casino. That could not be further from the truth. The issue was, and the royal commission laboured this point, the possible conflict of interest was in having the director general of the department also being the independent regulator and the fact that they were providing the advice, resources and so forth. It does not matter whether it was a small department or a large department; the fact that the director general was also the independent chair was the issue, and that will now change with the appointment of an independent chair. It also should be mentioned and acknowledged that the director general of Local Government, Sport and Cultural Industries was complimented for the many things the department has been proactive in doing over the last year or so. The department had already started trying to improve matters before the royal commission report was handed down. The Gaming and Wagering Commission has also made changes. As was mentioned by others, recent appointments to the GWC should enhance the quality of that regulator. This bill will provide the ability for us to appoint an independent chair of the GWC, which we hope to do not long after the bill is passed.

I have one final point to make to the member for Roe. He brought up a quote from Bill Hassell, who was at one stage the Leader of the Opposition in this place. He was mentioned today—sorry, that was another former Liberal politician. The member for Roe quoted from the debate on 29 May 1984 in this house, during which Bill Hassell said —

The Bill is fraught with danger to the interests of Western Australia. One of the biggest dangers is that of undue influence and corruption, because the Government has not been prepared to separate itself, through the proper instrument—that is, an independent commission or board—from the granting of a licence or from dealings in a casino. It is open to the possibility of all kinds of backroom dealings, influence, and corruption. Do not think that is not a possibility. It is more than a possibility; it is a probability.

He was speaking about government involvement in the casino or having an interest in the casino. The government does not have an interest in the casino; there is an independent regulator. We will also ensure that there is an independent chair. It was a different context. The regulator of the casino, the GWC, regulates the casino, not the minister or executive government. I know the member for Roe well and hope he will rethink his issue about union credentials; I just find that quite amazing. I will move on.

The member for Cockburn is not here now but I would like to congratulate him on his outstanding contribution. He addressed many of the issues that I have raised in response to the member for Roe, because the member for Cockburn did the same thing.

We then had the member for Kalamunda, who talked about the royal commission finding that mistakes had been made by Crown and that there were issues with regard to the regulator. He said that the royal commission had recommended a remediation plan and that Crown had already instigated steps to make itself more suitable. That, of course, is pleasing. The member said that the regulatory framework was anachronistic and needed to be changed, and that is what we are doing with this bill. He and others mentioned that it is a privilege to hold a gaming licence and that that privilege should not be abused. He also said that the casino operator needs to change the culture. It is early days, but my initial briefing or introductory meeting with Blackstone was positive. I hope that it will be able to change the culture and that its revenue source from the Perth operation will be based not just on the casino operation, but also the hotels, shows and so forth. Has the member for Roe ever been to Las Vegas?

**Mr P.J. Rundle:** Yes.

**Dr A.D. BUTI:** As the member would know, people can go to Las Vegas and not gamble; they can have a great time by going to the shows and staying in great hotels et cetera. I thank the member for Kalamunda for his contribution.

My parliamentary secretary, the member for Jandakot, was the next to make a contribution. He talked about how this bill will address many of the concerns that were raised in the royal commission report and also about the interim report and how the regulatory framework needs to be changed. He talked about the new members we have appointed to the GWC since the royal commission report was handed down, being Colin Murphy, a former Auditor General and former commissioner of the Perth Casino Royal Commission; Dr Michael Schaper, who is a very experienced regulator; Helen Creed; and Sam Buckeridge. I think they will all make outstanding contributions to enhancing the regulatory framework for not only the casino, but also gaming and wagering in Western Australia as a whole. I thank my parliamentary secretary, the member for Jandakot.

The member for Gosnells then spoke, and it did not take long to realise that the member for Gosnells is no fan of casinos. He talked about the royal commission report.

**Mr P.J. Rundle:** The member for Thornlie

**Dr A.D. BUTI:** Thornlie, is it? It was Gosnells once.

**Mr P.J. Rundle:** He couldn't break in to get a speaking spot.

**Dr A.D. BUTI:** That is right; age went before beauty.

Member for Cockburn, I am sorry that you were not here when I complimented you on your outstanding contribution.

The member for Thornlie talked about ethical investment, money laundering and so forth. I think he talked about employees at the casino. As I have mentioned, Blackstone has a good reputation for the way in which it treats its employees. I know that it has met with the relevant union that represents most workers at the casino. Union delegates are very positive about their interaction so far, so hopefully that will continue. The member for Thornlie spoke about the need to strengthen regulation, as did most speakers, which we are doing with the bill.

Then we come to the member for Mount Lawley. It is always lovely to listen to the member for Mount Lawley because we know that we are going to get a pearl of a contribution—it will be eloquent and he will often quote philosophy, legal jurisprudence and so forth. He started by saying—I think I have this down right; I cannot do shorthand—that the pillars of a free society have come together to ensure the proper operation of the casino. He talked about a free media, the judiciary—former judicial officers were part of the Perth Casino Royal Commission—and, of course, Parliament. He paid a compliment to some of the counsel assisting the royal commission, not only because they did an outstanding job, but also because they are local constituents in the seat of Mount Lawley!

**Mr P. Papalia:** And also mates.

**Dr A.D. BUTI:** And also mates. Perth has a very small legal profession.

He then talked about how the response the government has instigated with this bill and other measures since the royal commission report was handed down are flexible, innovative and timely, and that the bill seeks to put in place a well-structured regulatory framework. He contrasted that with the opposition, which he said had failed to present the debate in its broader context. What he meant by that was that the royal commission into the Perth casino did not happen in isolation. There have been royal commissions in New South Wales and Victoria. In many respects, the royal commission report on the Perth Crown operation was not a massive surprise. In many respects, it was consistent with what happened in Victoria. Many of the measures in this bill are similar to what is happening in Victoria. Victoria started its royal commission ahead of us, instigated legislation ahead of us and has appointed its special monitor. Its special monitor has greater powers, in the sense that he will not just look at a remediation plan, but also basically manage the casino in many respects—for now. It is always delightful to listen to the member for Mount Lawley. He said that this bill is an appropriate, timely and tailored response to the royal commission and that it is the proper pathway to look at the suitability of the casino operator in two years' time.

I should note that the member for Roe has had to carry this for the opposition, and it must be a bit difficult. The member for Moore is here now, but really the member for Roe has had no support at all in this. At one stage, no opposition members were here. No opposition members were here during part of the debate. This is an important bill coming out of a royal commission. I do not blame the member for Roe for this because sometimes members need to be excused.

*Point of Order*

**Mr R.S. LOVE:** It is unparliamentarily to reflect on the absence of a particular member, and he is doing just that. I ask you to direct that he stops doing so and withdraws the remark.

**The ACTING SPEAKER (Ms C.M. Collins):** There will be no point of order. Minister, please continue with your remarks.

*Debate Resumed*

**Dr A.D. BUTI:** It is interesting that the member for Moore should stand up when he —

[Quorum formed.]

**Dr A.D. BUTI:** It is interesting that the member for Moore has called for two quorums today, but there was a period when no opposition members were here in the debate. It is quite incredible that the member for Moore's only contribution to this bill has been to call two quorums. That has been his only contribution—an outstanding contribution, member for Moore! At least the member for Roe made a contribution. Obviously, there have been holes in his contribution, but he has made a contribution. The member for Moore has just come in a couple of times and called for a quorum. That has been his level of contribution. Outstanding, member for Moore.

We move on to the member for Landsdale, who was after the member for Mount Lawley. The member for Landsdale is, I think, the only person in this house who has the legal experience of working for an organisation that deals with major crime issues, having once worked for the National Crime Authority. Was that in Canberra?

**Ms M.M. Quirk:** No, here.

**Dr A.D. BUTI:** It was here. Working for the National Crime Authority, she would have had major exposure to and experience of many of the issues that concern people such as casinos, junkets, money laundering and links to organised crime. It was interesting to listen to her and—for the first time, in my case—find out about some of the historical reports that she referred to in her contribution. The member made a couple of really important points that others did not make. She also referred to the former Mexican President talking about how money laundering gives oxygen to organised crime, which is very true. She talked about how regulators must be sensitive to conflicts of interest. That is very much so. The royal commission report contained some startling revelations about conflicts of interest, and we hope that the new regulatory system we will implement as result of this bill will help alleviate those. More importantly, when there are conflicts of interest, they have to be identified and acted on. That is the point that the member for Landsdale made. It was a very important point: we can strengthen the regulatory framework through legislation, but we also have to ensure that there is training for employees and others who are involved in regulating and operating casinos. People in the Gaming and Wagering Commission and people who work at the casino need to have a greater amount of training. She also referred to various Australian Transaction Reports and Analysis Centre proceedings that are on foot. I thank the member for Landsdale for her contribution.

The member for Belmont talked about the Perth Casino Royal Commission's report, its 59 recommendations and how, through this bill, we will be trying to prioritise the issue of the appointment of the independent monitor and the independent chair. These go to the remediation plan and improving the regulatory framework for the operation of casinos in Western Australia. The independent chair and the Gaming and Wagering Commission will be looking beyond casinos. They will look at gaming and wagering in Western Australia. Most of the member's focus was on problem gamblers and the problem of gambling.

I want to make it clear that there are no pokies in Western Australia, and this government remains resolute that there will not be any pokies in Western Australia. That has been a bipartisan approach, and I hope that the opposition—which seems to have a very difficult time in agreeing to anything this side puts forward—will maintain the bipartisan support against pokies. We have electronic gaming machines, but they only operate at the casino. There are no pokies even at the casino, and electronic gaming machines are only on the floor at Burswood Casino. In its interim and final reports, the royal commission made some comments, findings and recommendations about the issue of electronic gaming machines. I imagine that the Gaming and Wagering Commission will be looking at that matter because electronic gaming machines have been modified over the years, and that presents concerns for problem gamblers. The member for Belmont also talked about the need to change the culture at the casinos.

The member for Kingsley, in many respects, joined the member for Belmont in focusing on the issue of problem gamblers, but she talked about how important the casino is. She said that the casino is the largest single private site for employees in Western Australia. It has nearly 6 000 employees. It is a mecca for the entertainment of many Western Australians, but a social licence goes with that. The casino should not be misusing that social licence, which has been misused over the years. That is why this government instigated a royal commission, why we have the royal commission report and why we are instigating various measures from that report, including the bill before the house. As the member for Kingsley mentioned, this bill will address some of the important issues that came out of the royal commission report. This is not the end of our response to the royal commission. There were 59 recommendations. This is what we believe needed to be instigated in a legislative manner as soon as possible. We needed to appoint the independent monitor and the independent chair of the Gaming and Wagering Commission, but other responses will be forthcoming. She then repeated the issue that if an organisation is operating a casino, it needs to comply with a level of community responsibility and social licence.

I do not deny the member for Roe's right to ask questions. I thought I was responding to his questions. That is what I thought I was doing. I hope I clarified some of the member's concerns and answered some of the questions the member put to us in his second reading contribution as the lead speaker for the opposition. He is the lead, first-order, second-order, middle batter and tail end, by the looks of it, because no-one else is helping him!

**Mr P.J. Rundle:** Covering the whole bag.

**Dr A.D. BUTI:** He is the whole caboodle—the fast bowler, spin bowler and wicketkeeper!

I commend the bill to the house.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

*Consideration in Detail*

**Clause 1: Short title —**

**Mr P.J. RUNDLE:** I would like to ask a question on part 1. How many more bills will be introduced to address the findings?

**Dr A.D. BUTI:** I am not sure what that has to do with the short title, but watch this space.

**Mr P.J. RUNDLE:** Does the minister still intend to rewrite the Casino Control Act and the Gaming and Wagering Commission Act? Does the minister foresee further bills coming forth?

**Dr A.D. BUTI:** We are dealing with the Casino Legislation Amendment (Burswood Casino) Bill 2022, and that is what I will deal with. All I will say is that there will be other responses with regard to the recommendations of the royal commission report.

**Clause put and passed.**

**Clauses 2 to 5 put and passed.**

**Clause 6: Part IVA inserted —**

**Mr P.J. RUNDLE:** Proposed section 21I(2), “Remediation period”, states —

The Minister may extend the remediation period ...

Can the minister outline for me the circumstances under which the minister would extend the remediation period?

**Dr A.D. BUTI:** Initially it is two years, but the member is right—there is a discretion for the minister to extend it. Some circumstances that might warrant an extension would be when the casino licensee has implemented most but not all of the remediation plan and there is a view that they are willing and have demonstrated a capability to implement other parts of the plan but just need more time, or if they have not had enough time to put their remediation plan into effect.

**Mr P.J. RUNDLE:** Is there a limit to the number of times that the minister would be able to extend the remediation period?

**Dr A.D. BUTI:** It can be extended as many times as necessary.

**Mr P.J. RUNDLE:** I now move to proposed section 21J, which talks about appointing an individual to the office. Will the minister take advice or make that decision on his own?

**Dr A.D. BUTI:** It will have to go to cabinet. Under the act, the minister is responsible, but, of course, the minister will seek advice from various sources. That process is being worked through as we talk. The member can be confident that we are looking at a list of very capable people. When the decision is made by me, as minister, it will then go through a cabinet process.

**Mr P.J. RUNDLE:** As an example, will the minister take one recommendation to cabinet, or will he take a panel of, say, three different potential appointments to cabinet? The minister will make the recommendation to cabinet, no doubt, but will it be just one person, or will it be two, three or four?

**Dr A.D. BUTI:** I will be making one recommendation to cabinet.

**Mr P.J. RUNDLE:** Proposed section 21J(4) states that the remuneration will be determined by the minister on the recommendation of the Public Sector Commissioner. What level equivalent does the minister expect that might be? I am assuming a high level of integrity and the like have been spoken about. Can the minister give any indication?

**Dr A.D. BUTI:** Those discussions are being had with the Public Sector Commissioner, and that is about all I wish to say at this stage.

**Mr P.J. RUNDLE:** Proposed section 21J(5) says that the independent monitor would hold office for the term specified in the instrument of appointment and will be eligible for reappointment. How many terms are possible?

**Dr A.D. BUTI:** It will be for as long as they are required for the remediation process. If it is extended, they will be extended for the period of the remediation.

**Mr P.J. RUNDLE:** I now move on to proposed section 21K(1)(a). This is about the functions of the independent monitor to consult on and advise. As far as consulting and advising, how much ability will the monitor have to alter the remediation plan? The legislation mentions the licensee creating a remediation plan and then presenting it to the remediation monitor. Will the licensee present the remediation plan to the monitor and then say, "There it is; take it or leave it" or will the monitor be able to say, "I'm not happy with that; you have to do this and that"?

**Dr A.D. BUTI:** I think the member has answered his own question. Basically, the operator will come to the independent monitor with the remediation plan and the independent monitor can look at it and if they feel that changes are needed, that can be negotiated.

**Mr P.J. RUNDLE:** Proposed section 21K(1)(c) refers to monitoring and reporting on progress. As the independent monitor will monitor the process, what will the key performance indicators be?

**Dr A.D. BUTI:** The independent monitor will monitor the remediation plan, so the KPI, if we want to call it such a thing, will be whether, once the remediation plan has been approved, the operator is complying with the remediation plan. That will be the KPI. That will be the obligation.

**Mr P.J. RUNDLE:** Proposed section 21K(1)(d) refers to the efficacy. Can the minister enlighten me about how the efficacy will be demonstrated?

**Dr A.D. BUTI:** The independent monitor will provide quarterly reports to the minister and the Gaming and Wagering Commission on their analysis and the progress of the remediation plan.

**Mr P.J. RUNDLE:** I have a further question on the efficacy. Obviously, they will be reporting to those different entities, including the minister. Will there be any method for public transparency? I know that the bill, further on, refers to advertising on the department website et cetera. Will there be any public transparency of this particular process?

**Dr A.D. BUTI:** The minister will have the option of publishing the final report of the independent monitor, so that is an option for public disclosure. It would be at the minister's discretion.

**Mr P.J. RUNDLE:** Can the minister enlighten me with some examples? The minister will obviously have the option. Does he think that he would lean towards this? Given that we have had a royal commission, the public might be pretty interested in how things are going. Can the minister enlighten me about when he thinks he might publish that information?

**Dr A.D. BUTI:** The minister will have the power to publish interim reports and final reports, but they will need to be judicious in the information they publish because it may not be appropriate to publish other things that are in progress apart from interim reports and final reports. The minister will need to give the operator the chance to do their work to comply with the remediation plan. All I can say is that the minister will need to be judicious and work out what is in the public interest and what not to publish.

**Mr P.J. RUNDLE:** I now move to proposed section 21M(1), which refers to the independent monitor's ability to delegate to a member of their staff. As I highlighted in my contribution to the second reading debate, this area concerns me a little bit. The minister has alluded to the quality and integrity of the independent monitor, and I am

sure that he will appoint someone with the right skills. How many staff will the independent monitor be able to delegate those duties to? For argument's sake, if the independent monitor is unwell or the like, will it just be the independent monitor's chief of staff or will there be six or seven people who work in that particular area? Where are we on that issue?

**Dr A.D. BUTI:** There are a couple of things. Delegation happens under a lot of legislation—for instance, the Casino Control Act, the Liquor Control Act and the Gaming and Wagering Commission Act. It is not unusual. The delegation needs to be in writing. They can delegate to someone, but that person cannot delegate further on. The delegation will be to the person prescribed in the written delegation. It is expected that there will be somewhere between six and 12 FTEs. There will be a small number of staff and those staff will be very competent people. Some of it will be just routine delegation to inspect certain things. The independent monitor is going to be a very busy person looking at very complex issues, so they may delegate some of the more routine functions, which is not unusual.

**Mr P.J. RUNDLE:** Proposed section 21M(5) states —

Nothing in this section limits the ability of the Independent Monitor to perform a function through an officer or agent.

Can the minister explain that provision to me? As he said, there will be six or so FTEs. Will all people who work with the independent monitor have power right along the line or will certain people in that office have higher levels of ability to attend a board meeting or whatever? Will everyone in the staff have the same abilities?

**Dr A.D. BUTI:** Probably not. Generally, they will not. The independent monitor will delegate whatever they are delegating to whomever they think is appropriate within the office. The member delegates things to his outstanding electorate officer, whom I know, but he may not delegate that function to the other person who works for him, who I am sure is equally good. It will depend on what is being delegated. Some people will be required to have higher qualifications than other people who might have more routine functions.

**Mr P.J. RUNDLE:** I do not know whether this is the right clause, but somewhere along the line I wanted to ask about the consultation with Blackstone. Has it been consulted on this part of the package about the independent monitor's delegation?

**Dr A.D. BUTI:** As I mentioned in my second reading response, Blackstone was provided with a briefing, as were members of the opposition. I was not at the briefing, but its representatives would have received the briefing that members received and will be aware of what is in the bill. They asked certain questions and were provided with answers. I was not there, but I have heard that they do not seem to have any problem with this power, because it is quite normal.

**Mr P.J. RUNDLE:** Once again, this question is not totally related to this provision, but does the minister have a timetable? Obviously, as he mentioned in his speech, the licence has been issued. Is there a certain timetable for when Blackstone will take up the running?

**Dr A.D. BUTI:** It has.

**Mr P.J. RUNDLE:** Once this bill is through, the whole mechanics of the independent monitor will go straight into it with Blackstone. It has obviously had that one consultation and can I assume there will be more further down the line?

**Dr A.D. BUTI:** I am sure there will be.

**Mr P.J. RUNDLE:** I move to the approval of the remediation plan in proposed section 21N(1). What form will the remediation plan take? Will it be only the independent monitor who liaises back and forth, as the minister mentioned earlier? I assume it is a written plan stating how the various sections of the casino will work. What form will the plan take?

**Dr A.D. BUTI:** The member is right that it will be in writing. Proposed section 21N(4) reads —

Once approved, the Independent Monitor must give copies of the remediation plan and any amendments to the Minister and the Commission.

Before that, there will be a collaborative process between the independent monitor and the licensee for the remediation plan. They may get it right first draft but I assume there will be some back and forth.

**Mr P.J. RUNDLE:** My next question is about proposed subsection (2), which reads —

The remediation plan may be prepared and approved in stages.

How will that work? How will that look?

**Dr A.D. BUTI:** That will be determined. It may be necessary that the remediation plan is in stages because there might be a lot in the plan. As it progresses, the stages may be progressed as well. That remains to be seen but it would not be unexpected to see it come in stages.

**Mr P.J. RUNDLE:** The remediation plan can cover anything from the running of the car park to the running of the gaming floor—the whole package. Are any particular elements not covered under the remediation plan or are we talking about the whole casino arrangement?

**Dr A.D. BUTI:** The remediation plan is to deal with gaming, culture, board arrangements and, basically, the company structure. It is covered in chapter 4 of the royal commission’s report. I could ask my adviser here, an outstanding legal officer, whether she found it difficult to read—I did! It was a very comprehensive chapter. It is to do the gaming and the board arrangements, the complexity of the corporate structure and the culture of the organisation, which is going to be very important. If the member goes to proposed section 21H, which we have already been through, it talks about the remediation plan. I will repeat it for the member —

*remediation plan* means the plan for the remediation of the management and operation of the Burswood Casino approved by the Independent Monitor under section 21N and, where relevant, includes a stage of the plan so approved;

**Mr P.J. RUNDLE:** I will now move on to proposed section 21P, “Reports by Independent Monitor”. Proposed subsection (1) reads —

During the remediation period the Independent Monitor must give an interim report to the Minister and the Commission —

To some extent, we have covered this under the efficacy, but will there be any transparency to Parliament? The minister has spoken about how the minister will receive a report and can choose whether to publish it on the website or in any other form. Will there be any reporting to Parliament?

**Dr A.D. BUTI:** That will be up to the minister to determine. At this stage, we are a long way from there, so I am not going to make any commitment. Who will be the minister at that time? I am not sure.

**Mr P.J. RUNDLE:** I will move to proposed section 21P(2)(f) about the extent of cooperation with the independent monitor. Could the minister explain to me what will happen if they do not cooperate?

**Dr A.D. BUTI:** The independent monitor has the ability to issue a direction so that cooperation has to take place.

**Mr P.J. RUNDLE:** I will move to proposed section 21R. I have asked about this provision a couple of times now. Proposed subsection (1) states —

The Minister may direct that a report of the Independent Monitor under section 21P be published on the Department’s website.

Considering the amount of interest in the Perth Casino Royal Commission and considering what has happened over the last three or four years, I think the public deserve to be kept abreast of the situation. It says the minister “may” but they may or may not. I would encourage the minister to publish that information where possible; obviously, certain things cannot be published.

**Dr A.D. BUTI:** We are dealing with the bill before us and proposed section 21R(1) states that the minister “may”. That is in the bill and that is what we are seeking to pass. At the time, whoever is the minister can decide. I am not going to commit a future minister to that. It might be myself; I do not know. We will have to wait and see. It may or may not be published on the departmental website. If it is published, there may be some redaction of certain confidential commercial matters. The bill before us gives the minister the discretion to decide whether it should be published.

**Mr P.J. RUNDLE:** I will move to proposed section 21S(2). It mentions when the independent monitor is given a statement signed by a person. Could the minister give me an example of what that statement might be? Is it a statutory declaration? What sort of statement does that refer to?

**Dr A.D. BUTI:** It could be many different things, including a witness statement or some other type of statement. I am unable to prescribe the variety of statements, but it could be whatever information the independent monitor is requesting, including a witness statement.

**Mr P.J. RUNDLE:** Proposed paragraph (b) refers to “specified relevant records”. From the licensee’s perspective, could this information include things like gross profit, gross turnover, net profit or banned patrons? How far will this provision go?

**Dr A.D. BUTI:** All those things may be required for obvious reasons. We have been talking about money laundering and unsavoury activities, so it may be very important to know about the financial revenue sources and expenses of the operator.

**Mr P.J. RUNDLE:** Proposed section 21U(1) states —

For the purposes of the performance of the Independent Monitor’s functions, the Independent Monitor may at any time enter a place that is part of the Burswood Casino.

Can the minister confirm that no notice will be required at any time? I assume it will not be. If there is a board meeting in the executive suite upstairs, will the independent monitor or an appointed delegate of the independent monitor be able to storm into the board meeting at any time without any notice?

**Dr A.D. BUTI:** Most inspections or visits will be predetermined. They will be scheduled. I cannot think of a reason why there would be a surprise inspection of a board meeting, although there may be; I am not saying it could not happen, but it is unlikely. A surprise inspection may be needed to inspect some gaming activity that is taking place. To take away the surprise factor would take away the ability of the independent monitor to truly evaluate and observe what was happening. It is just like having random drug testing in sport. If when an athlete was to be tested was predetermined, they would be able to put in place measures to hide the fact that they were using drugs. We need to have that element of surprise, but the majority of the time it will be a scheduled visit or inspection.

**Mr P.J. RUNDLE:** I appreciate that. I certainly understand the explanation. I just have reservations, to some extent. I fully understand about the gaming floor or the international room or whatever it might be. I guess I have always considered that board meetings, generally, are fairly confidential occasions, but obviously that is not the case. No notice is required if the independent monitor wants to wander into a board meeting. Obviously, I hear what the minister is saying about notice generally being given, but I want clarity that it actually does not have to be given.

**Dr A.D. BUTI:** I will make a couple of points. Victoria's Casino Control Act has a provision whereby notice does not have to be provided, but authorised officers under the current Casino Control Act have that ability now. The royal commission actually highlighted that there was an issue with the board's culture, so it may be necessary to make unscheduled visits or inspections of a board meeting. Most of the time, it probably will not happen. Who is to know whether there is a board meeting that is dealing with matters that are unsavoury or of a criminal nature? We would want the monitor and its team to have that ability to make those unscheduled inspections because, if it did not, it would allow the board, if it was dealing with matters or documents that revealed illegal activity, such as money laundering et cetera, to always hide those documents from the independent monitor and its team.

**Mr P.J. RUNDLE:** I thank the minister. Proposed section 21U(3)(e) states —

examine any record or thing, including a record containing confidential information ...

Once again I am asking for clarity. Does this confidential information go right back into people's private employment history and that sort of information?

**Dr A.D. BUTI:** It would involve any confidential information that the independent monitor believes is necessary to inspect or have knowledge of to carry out its functions.

**Mr P.J. RUNDLE:** Thank you, minister. Let me go to my resources.

**Dr A.D. Buti:** You are doing a sterling job on your own!

**Mr P.J. RUNDLE:** Proposed section 21V is titled "Attendance at board meetings". I wrote a little comment that proposed subsection (4) does not give the independent monitor or nominated person a right to vote. Obviously, the independent monitor or the delegate can enter that meeting, but can they speak at that meeting, or will they just be an observer?

**Dr A.D. BUTI:** That would be a matter for the independent monitor. I envisage that most of the time the independent monitor would just be observing, but when the bill becomes legislation, it will not prevent them from engaging in discussion. As I said, I would see them mostly being there as observers. We are making it clear that they cannot vote in any deliberations of the board.

**Mr P.J. RUNDLE:** Thank you, minister. If I can just move on to proposed section 21Y, "Protection of information". Proposed subsection (1) states —

A person must not, directly or indirectly, record, use or disclose information obtained because of a function the person has or had under this Part ...

Can the minister give me an example that is relevant to this? Outside of a court, will the monitor and the Gaming and Wagering Commission be the only entities or people who will have access to this sort of information?

**Dr A.D. BUTI:** The sharing of the information will generally be with the GWC, but it would not prevent the monitor from sharing that information with an independent auditor or other bodies, if necessary.

**Mr P.J. RUNDLE:** I will move on to proposed section 21Z. I have a similar question about the disclosure of the information. There are several board members of the GWC and the independent monitor will have perhaps half a dozen FTEs. My questions are: What form will the information take? Can the information go both ways? Will it go back and forth between those two entities and the people within those entities? How will that information be secured?

**Dr A.D. BUTI:** Most of it will be in written form. Other information might be stored in some other manner, but that is how I would see it. The bill provides that the GWC can share that information with the independent monitor and it can form part of the independent monitor's interim or final reports.

**Mr P.J. RUNDLE:** I guess what I am trying to outline is that there will be an independent monitor with six FTEs and the GWC with several board members, of course. That confidential information, if you like, will start to be exposed to a larger bracket of people. I am concerned about the security of the information.

**Dr A.D. BUTI:** I am not sure whether that is different from what is in place now. The only thing we are bringing into play is an independent monitor and its office, but that goes for any organisation. How many people work at the Director of Public Prosecutions or other crime authorities? The member for Landsdale worked for the National Crime Authority, and cabinet has confidentiality arrangements. We will set up a structure and put in place mechanisms to ensure that the confidential information is kept confidential and is shared with only the people it should be shared with.

**Mr P.J. RUNDLE:** I turn now to proposed section 21ZA, “Cost recovery”. I assume once again that Blackstone ticked off on this, but my question is: what is reasonable? According to the bill, the amount to be paid is not to exceed reasonable costs and expenses. What is reasonable? Would that cover all of its office expenses? How many staff will that cover? Will it cover the independent monitor and six FTEs? Will the independent monitor pay for all their staff, office expenses, rent and the whole package?

**Dr A.D. BUTI:** To start, I will respond to the member’s comment about whether Blackstone ticked off on this. It is irrelevant whether Blackstone ticked off on this. We are the government. We are bringing in the bill. Blackstone understands the situation. It is no different from the situation in Victoria and New South Wales. It is done through a contractual arrangement rather than through legislation. I want to make it clear that this was not subject to any tick-off from any casino operator.

In response to the question about whether cost recovery includes the independent monitor and their office. Yes, it includes the cost of the functions and activities of the independent monitor and the office for them to perform the functions that will be established under this bill and, of course, the instrument of appointment and what will be needed to comply with their duties to oversee and supervise the remediation plan.

**Mr P.J. RUNDLE:** Will any expenses be applicable to the independent monitor’s interaction with the GWC? Could the GWC also offset some of its expenses pursuant to its interaction and on any matter on which it is dealing with the independent monitor?

**Dr A.D. BUTI:** No. The GWC cannot offload its expenses onto the independent monitor. But the independent monitor will interact with the GWC in the performance of its duties—that is, to supervise and oversee the remediation plan.

**Mr P.J. RUNDLE:** I turn now to proposed section 21ZA(4). How long will this go for? Will it go for four or six years? The target is the two-year remediation plan, but could the licensee cover the cost of the independent monitor and their office for a long time?

**Dr A.D. BUTI:** It is an initial two-year period. The bill provides for an extension of the period of the remediation plan, and the appointment of the independent monitor can be extended.

**Mr P.J. RUNDLE:** I have a final further question. Can the minister give his interpretation of when he thinks the remediation plan will end? Will it be based on an agreement between the GWC, the independent monitor and the minister that everything is on track? How will that take place?

**Dr A.D. BUTI:** If it is likely that the independent monitor needs an extension of time, they will make a recommendation in a report or directly to the minister to consider. A recommendation will be made and the minister will decide whether to grant an extension.

**Mr P.J. RUNDLE:** If, for argument’s sake, the independent monitor recommends that the remediation plan can be wrapped up and is happy with the way things are going, and the minister and cabinet accept that, but three years later concern about money laundering or whatever it might be arises, will the minister, the GWC and cabinet be able to reappoint the independent monitor to restart activities?

**Dr A.D. BUTI:** There is no express or implied provision in the bill that provides for the re-establishment of the independent monitor. Once the independent monitor’s position comes to an end, it is up to the GWC, as the regulator, to deal with matters.

**Mr P.J. RUNDLE:** I now turn to proposed section 21ZG. I have a question about where the independent monitor will be based. Will that be at the department or the casino? Proposed subsection (2) states that they may make use of any facilities of the department. Where will they be housed?

**Dr A.D. BUTI:** In the departmental offices.

**Clause put and passed.**

**Clause 7 put and passed.**

**Clause 8: Section 33 replaced —**

**Mr P.J. RUNDLE:** I have a question about proposed section 33, “Contravention of directions”. Was any consideration given to making the fines higher considering the new fine for disciplinary penalties, which is \$100 million?

**Dr A.D. BUTI:** There is a substantial difference between the two. This clause deals with the contradiction of a direction, but the other covers likely criminal activity. Fines will be substantially increased under this proposed section. The royal commission said that the current penalties were manifestly inadequate and we think the increased fines are quite appropriate.

**Clause put and passed.**

**Clauses 9 and 10 put and passed.**

**Clause 11: Section 12 amended —**

**Mr P.J. RUNDLE:** Proposed section 12(1)(a) states —

the chairperson, appointed by the Minister; ...

As the minister pointed out in the second reading speech, the current director general is the ex officio chair. How long will that arrangement be in place?

**Dr A.D. BUTI:** Does the member mean the current one?

**Mr P.J. Rundle:** Yes.

**Dr A.D. BUTI:** As I have mentioned numerous times, we will seek to appoint an independent chair as soon as possible after the passage of the bill.

**Mr P.J. RUNDLE:** I refer now to proposed subsection (2A), which states —

The members of the Commission must select one of their number to be the deputy chairperson.

That is obviously straightforward. The minister will appoint or recommend the appointment of a chair. The board will select the deputy chair and that person will then be able to act as chairperson in the absence of the chair. Although the bill provides for the board to select the deputy chair, will the minister or cabinet be able to make any recommendation about the deputy chair arrangements?

**Dr A.D. BUTI:** No. This provision is completely consistent with the recommendation of the royal commission. It should be noted that the deputy chair is to be selected by the membership of the GWC. The deputy chair will also be a member of the GWC; it is not like they will be able to pick someone from outside. Also, the deputy chair could act as chair for only a certain period of time, which will be determined by the minister. If the independent chair is not able to come back, that will not mean that the deputy chair will remain as the independent chair; the minister will still need to appoint an independent chair.

**Mr P.J. RUNDLE:** I refer to clause 11(6) and proposed section 12(5A), which states, in part —

... the chairperson holds office for the period, not exceeding 5 years ... and is eligible for reappointment.

Will there be a restriction on the number of times that the chair can be reappointed? Will it be just one term or two terms?

**Dr A.D. BUTI:** There will be no restriction on the number of times that the chair can be reappointed.

**Clause put and passed.**

**Title put and passed.**

[Leave granted to proceed forthwith to third reading.]

### *Third Reading*

**DR A.D. BUTI (Armadale — Minister for Racing and Gaming) [4.42 pm]:** I move —

That the bill be now read a third time.

**MR P.J. RUNDLE (Roe) [4.42 pm]:** I would like to quickly wrap up. Firstly, I thank the advisers and the minister for his comprehensive response. As I said, I am representing the opposition. I have been here right throughout the debate, apart from a short grievance, so I would like to point out that I have listened to everyone's contributions. As I said right from the start, the opposition supports the Casino Legislation Amendment (Burswood Casino) Bill 2022.

The royal commission process has been comprehensive. It was good to see concurrent royal commissions taking place in Victoria, New South Wales and WA. The public in general expected a good process and I think we have had it. The royal commissioners are well respected. Their 59 recommendations have well and truly been taken on board.

From the opposition's perspective, we support the bill. As always, we retain the right to ask a few questions. I appreciate the clarity that the minister provided. He did once tell me that I was a good bush lawyer, but I am not sure whether he still holds that view. I certainly appreciated the opportunity to ask those questions.

I think the independent monitor process will be a good one. As always, it is quite interesting. I know the minister said that delegation happens in a lot of areas, but I think the powers of the independent monitor and, by extension,

their staff will be pretty strong. I think that is what is needed on this occasion. The new owner of the licence is obviously a very large operation and will no doubt take heed of that. I look forward to seeing the progress of the independent monitor. I look forward to the independent monitor being of the highest integrity and character. I am sure the minister will recommend to cabinet someone of that nature. Despite earlier comments, I recognise that someone of that calibre needs to be in this position; I have no issues with that, minister.

From the perspective of not only the opposition, but also the WA public, things were getting very untidy at the casino over the last few years. As is the case for many organisations, it will not do any harm for it to have a reset. The minister spoke about the culture, which is an issue. I do not know whether the minister will take any heed of my earlier recommendation on the standard of dress, but I am sure he will be in there amongst it. It will not do any harm to reset the Burswood Casino arrangement. As I said, the opposition supports the bill. I look forward to its progress and to more bills coming onstream. We support the bill.

**DR A.D. BUTI (Armadale — Minister for Racing and Gaming)** [4.46 pm] — in reply: I will commence by thanking the member for Roe for going solo on the Casino Legislation Amendment (Burswood Casino) Bill 2022. He has not had any support, so I know that it was very difficult. I thank him for his contribution and his questions during the consideration in detail stage. I hope we have been able to clarify some of his questions and concerns. I can assure him that even farmers will not be banned from being the independent monitor.

I thank everyone who has contributed to the debate—the member for Roe and a number of members on the government side. I mentioned their contributions in my response to the second reading debate. I thank all members, some of whom have outstanding knowledge of the bill before the house.

I thank Adelaide Kidson and Rachel Sackville-Minchin from my ministerial office. I also thank everyone who has been involved in working on the bill from the Department of the Premier and Cabinet and the Department of Local Government, Sport and Cultural Industries, particularly led by Jennifer Shelton, who was one of the advisers today. I also thank the people from the State Solicitor's Office who worked on this bill. My other advisers today were Anthony Sheehan and Fiona Seaward; their assistance was very much appreciated.

A lot of work has gone into this bill and we have had to work under a pretty strict timetable. I look forward to the passage of the bill in the other house so that we can soon appoint the independent monitor and the independent chair. This is the first legislative response to a very important royal commission. We are determined to have a proper regulatory framework for the casino and that the casino operator, which has a social licence, as many on my side have mentioned, will perform to the standard that the government and public of WA would expect.

I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.

*House adjourned at 4.49 pm*

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**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.

**PUBLIC HOUSING — INVESTMENT****538. Dr D.J. Honey to the Minister for Housing:**

For the period since 1<sup>st</sup> January 2020:

- (a) How many government homes (any housing units) have been sold;
- (b) How many homes (any housing units) have been bought;
- (c) How many government homes (any housing units) have been refurbished;
- (d) How many government homes (any housing units) have been built; and
- (e) How many additional short term crisis accommodation homes (any housing units) have been:
  - (i) built;
  - (ii) purchased; and
  - (iii) made available through other arrangements such as leasing?

**Mr J.N. Carey replied:**

From 1 January 2020 to 30 June 2022:

(a)

	<b>1 Jan 2020 – 30 June 2020</b>	<b>1 July 2020 – 30 June 2021</b>	<b>1 July 2021 – 30 June 2022</b>
<b>Sales</b>	125	159	34

*This includes sales of GROH properties that are no longer required or no longer meeting agency requirements.*

Of the 34 homes sold in the last financial year, 13 were sold to tenants which transitions individuals from social housing into home ownership. The other sales include where heritage concerns or refurbishments costs are greater than the cost to rebuild or where there is no demand for the type of housing. Proceeds from the sale of government homes are reinvested back into the social housing system.

- (b)–(d) A total of 772 social housing dwellings have been added to stock including 600 that have been delivered in the 2021/22 financial year. This includes 399 dwellings spot purchased and 373 constructed. A further 861 houses are currently under contract or construction

On top of this, 505 social housing dwellings have been refurbished through the Social Housing Economic Recovery Package and Housing and Homelessness Investment Package refurbishment programs with a further 465 dwellings contracted for refurbishment. This figure does not include void maintenance/refurbishment works that are completed after a tenancy is vacated.

- (e) (i)–(iii) Most crisis accommodation places are delivered through contracted service providers. It would take significant resources and time to provide this data. However, in the last financial year, capacity in crisis accommodation has increased by 102 places.

It should be noted that in the financial year 2022-23, The Department has allocated \$43 million over 53 service providers to deliver almost 1,000 short stay, crisis and transitional places for individuals and families.

As part of homelessness service agreements, brokerage is provided to service providers that can be used to appropriately help individuals, including the provision of crisis accommodation where needed.

