



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2022

LEGISLATIVE COUNCIL

Thursday, 1 December 2022

# Legislative Council

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

## AUDITOR GENERAL AMENDMENT BILL 2022

*Assent*

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

## LEGISLATIVE COUNCIL CHAMBER — PHOTOGRAPHER ACCESS

*Statement by President*

**THE PRESIDENT (Hon Alanna Clohesy)** [10.02 am]: I inform members that I have given approval for two media photographers to access the press gallery and take photographs after question time today.

## PAPERS TABLED

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

## JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

*Seventh Report — Annual report 2021–22 — Tabling*

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [10.03 am]: I am directed to present the seventh report of the Joint Standing Committee on the Corruption and Crime Commission titled *Annual report 2021–22*.

[See paper [1926](#).]

**Hon Dr STEVE THOMAS**: I am pleased to table the Joint Standing Committee on the Corruption and Crime Commission’s annual report for the year 2021–22. It was a busy year for the committee. It held 17 deliberative meetings, five formal evidence hearings with 22 witnesses, tabled six reports with a combined total of 56 findings and 16 recommendations, and initiated one own-motion inquiry.

Reflecting on the six reports, the third report, tabled in February 2022, discussed the work of Matthew Zilko, SC, the Parliamentary Inspector of the Corruption and Crime Commission, including the increase in investigations by his office, his views on the potential need for legislative change to ensure that the commission provides sufficient information to complainants, and the usefulness of police body-worn camera footage to integrity investigations.

The fourth report, tabled in March 2022, highlighted flaws in the definition of “public officer” in the Corruption, Crime and Misconduct Act 2003. The scope and clarity of the definition of public officer is of great importance because the commission, parliamentary inspector and agencies may only deal with an allegation of serious misconduct—that is, corruption—against a public officer as that term is defined. The parliamentary inspector raised concerns with this definition and the Corruption and Crime Commissioner, Hon John McKechnie, KC, noted that legislation has not evolved to recognise the public sector’s increasing use of varying employment arrangements, including contractual arrangements. The committee recommended that the Attorney General direct the Department of Justice to review the definition of public officer as part of its current project to modernise the Corruption, Crime and Misconduct Act 2003. We are pleased that the government accepted this recommendation. I also look forward to seeing the outcomes of the Department of Justice’s project to reform the Corruption, Crime and Misconduct Act 2003, and a new bill to modernise that act.

This year, the committee also commenced an own-motion inquiry titled “What happens next? Beyond a finding of serious misconduct”. We are inquiring into what happens after a public officer is found to have engaged in serious misconduct, including disciplinary and other sanctions imposed by government agencies, criminal prosecutions arising from serious misconduct investigations, and the roles and systemic response of various agencies. There is limited public information about the personal outcomes and institutional responses that follow a finding of serious misconduct. Instances of serious misconduct can shine a light on action needed at an agency or sector-wide level to prevent serious misconduct and enhance the public sector’s capacity to prevent misconduct. We are gathering evidence and conducting hearings to progress this inquiry.

I take this opportunity to thank the parliamentary inspector, Mr Matthew Zilko, SC, and the Corruption and Crime Commissioner, Hon John McKechnie, KC, and their staff for their productive engagement with the committee. This assists the committee in undertaking its oversight role. I also thank my colleagues on the committee: Mr Matthew Hughes, MLA, who is the chair; Mr Shane Love, MLA; and Hon Klara Andric, MLC, who is absent from the chamber on urgent personal business. I add my personal thanks to Suzanne Veletta, the principal research officer, and Jovita Hogan, the research officer, for their continued support of the successful work of the committee.

**SHIRE OF PINGELLY BUSH FIRE BRIGADES LOCAL LAW 2022 — DISALLOWANCE**

*Notice of Motion*

Notice of motion given by **Hon Lorna Harper**.

**PRIVATE MEMBERS' BUSINESS — SCHEDULE**

*Motion*

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

That pursuant to standing order 112(4), the schedule for private members' business tabled by the President be adopted.

**NON-GOVERNMENT BUSINESS — SCHEDULE**

*Motion*

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

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

**BUSINESS OF THE HOUSE**

*Standing Orders Suspension — Motion*

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [10.09 am] — without notice: I move —

That so much of standing orders be suspended so that questions without notice be taken today at 4.00 pm.

By way of explanation, this reflects discussions behind the chair.

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [10.09 am]: I confirm that discussion and I thank the Leader of the House and the Deputy Leader of the House, who was also a part of the discussion. I think this is a good outcome that will get everybody through the day very comfortably. We thank the government for its consideration.

Question put and passed with an absolute majority.

**PREMIER — PERFORMANCE**

*Motion*

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [10.10 am] — without notice: It is with great pride and delight on the final Thursday of the year that I move —

That this house notes the arrogance that the Premier has been displaying to the people of Western Australia, including his contempt for valid questions and his dismissal of genuine issues of concern to the community, and calls on the Premier to —

- (a) desist from his arrogant and contemptuous treatment of the Western Australian community;
- (b) address the real and relevant issues Western Australians raise, with an appropriate level of consideration; and
- (c) provide the “gold standard transparency” he promised before the 2017 state election.

Several members interjected.

**Hon Dr STEVE THOMAS:** Those on the government benches do not like Thursday mornings! They do not like being held to account.

Several members interjected.

**Hon Dr STEVE THOMAS:** They do not like it, President. On the final Thursday of the year, it is more than appropriate that we discuss the motion before the house today. I might remind members that it was not that long ago that this house debated the performance of the Minister for Agriculture and Food; Regional Development. That was a great debate.

Several members interjected.

**The PRESIDENT:** Order!

**Hon Dr STEVE THOMAS:** That debate was not far in front of the announcement of the resignation of the Minister for Regional Development. I am not suggesting for an instant that the debate before the house stimulated the resignation of the Minister for Regional Development; I suspect it was always part of her plan. However, we then had a further debate about the other cabinet ministers who are underperforming on behalf of the McGowan government. Interestingly, that was a couple of weeks later. We launched a political attack on the Minister for Regional Development, which might seem unfair, but that is the normal process of the house. I thought it was very unfair because, as I said at the time, the Minister for Regional Development is not even the worst minister in the

government. She may well be considered one of the better ministers. I am not sure that that is the case, but certainly, from my perspective, I have enormous respect for the Minister for Regional Development. She is not the worst minister in the government by a long way.

Interestingly, as the house rises —

Several members interjected.

**The PRESIDENT:** Order! Can we just bring it down a pitch, please.

**Hon Dr STEVE THOMAS:** Thank you for your protection, President. I am not sure it is necessarily required, but it is in the standing orders.

It was not long after that that we debated the ministers who are absolutely, in my view, worse performers than the Minister for Regional Development. Although I disagreed with some of her policies, the Minister for Regional Development has been far from the worst performer in the government. Interestingly, there is a reshuffle on the cards. What are we hearing? We are hearing that some of those ministers whom we talked about are potentially on their way out. I have frequently mentioned the Minister for Forestry. When that minister was Minister for Fisheries, he tried to nationalise the crayfish industry. The same person, as Minister for Forestry, has destroyed the timber industry. This minister is potentially minister for destroying the portfolio to which he has been appointed. That minister is potentially on his way out; let us see. There will be a reshuffle coming soon. Good luck to those who aspire towards advancement on the other side, whether they be in this house or the house that shall not be named. We are looking forward to how that proceeds. It is time to assess the performance of the person who leads the government in this state, the Premier, Hon Mark McGowan.

Several members interjected.

**Hon Dr STEVE THOMAS:** It is interesting—despite the peanut gallery—that it is not just the opposition and it is not just me who is raising this issue. Some might think that there is some coordination between the media —

*Withdrawal of Remark*

**Hon SANDRA CARR:** The member used unparliamentary language by referring to other members as “the peanut gallery”. I think it should have been “Honourable members across the floor”.

**The PRESIDENT:** Thank you, honourable member. I understand your concern about being referred to in that manner. However, there is some allowance within the scope of unparliamentary language that is generally referred to as the rough and tumble of the chamber. There is no point of order.

*Debate Resumed*

**Hon Dr STEVE THOMAS:** Thank you, President. I understand the sensitivity of members who are in the corner on that side, so I will attempt to refrain from too graphic a description.

As I was saying, some might think that the media was coordinating with the opposition on this. Lo and behold, I got up this morning and read an opinion piece in *The West Australian* by journalist Peter Law. He is leaving *The West Australian* for, perhaps, more affluent fields further away. We wish him good luck. His headline on the snowplough Premier was “Consensus-builder McGowan transforms to hard-nosed leader”. It is not just the opposition that senses a change in the Premier of the state. The change has been recognised across the board. It is certainly being recognised in the media. When I have watched the Premier’s media conferences lately, I have absolutely seen that a degree of arrogance has crept into the Premier’s presentation style. Funnily enough, this is the snow-plough Premier. They are not my words; they are the words of the journalist who wrote the opinion piece.

The article says that the Premier was much more constructive in his rhetoric in years gone by. Whether he is being hard-nosed or perhaps tin-eared or some other description, there is absolutely no doubt that the Premier has stopped listening. He has contempt for people who dare to criticise him, whether in discussions around Banksia Hill Detention Centre, which I am sure other members will bring up, the government’s wage negotiations or other discussions—whatever it is. Bear in mind that I have made some supportive comments about the wage negotiations conducted by the government. I am here to help you guys. I am here to make it better.

**Hon Samantha Rowe:** Oh, thank God!

**Hon Dr STEVE THOMAS:** I am trying to tone the government down a bit. We are here to help! The opposition is trying to help. The Premier is being not only unconstructive, but also deconstructive. His arrogant dismissal of people who dare to hold a different opinion is surely an embarrassment to the government. He might get away with it for the time being, but there will come a time when the worm will turn—if that expression is allowed, President. People will get absolutely and heartily sick of the arrogance that is on display.

There are plenty of examples of it. Let us call him the “previous Premier” and the “current Premier”. Let us talk about open and transparent government, because that is part (c) of the motion.

Several members interjected.

**Hon Dr STEVE THOMAS:** They do not like it, President! They do not like being held to account. Let us see what Hon Mark McGowan said on Tuesday, 14 June 2016. This is in the *Hansard*. When Hon Mark McGowan was Leader of the Opposition, what did he say about open and transparent government? I will read in a direct quote —

During my budget reply I talked about a commission inquiry into some of the financial decisions that were made and about ensuring that there is transparency and accountability in public spending. It rolls on. We still do not know the exact cost of the stadium deal. On Sunday it was announced that there will be a Socceroos game in Perth.

The Socceroos have done very well just recently, President; we congratulate them. The quote continues —

The government would not reveal what the cost of that is. It rolls on and on and on. The taxpayers, who provide the money for the government to spend, do not know how much the government is spending on various deals. Every single day the government has these commercial-in-confidence arrangements. Not revealing the cost of the Socceroos playing in Western Australia: I mean, honestly. The culture of this government and its addiction to secrecy is extraordinary. The default position for the government is that it just does not tell; it does not tell anything. That has to change. If we are elected, we will reveal the cost of these deals, because taxpayers have a right to know. Transparency and accountability mean something. Taxpayers will find out if Labor is elected.

They were great words from old Premier, the pre-Premier. What has happened? I asked a question on notice two weeks ago: how much money was paid for the performer Björk to come to Perth? Do members know what the answer was? The answer was that that information is commercial-in-confidence. What this Premier said before he was elected and what he has said since his election are two completely different things. This Premier talked about gold-standard transparency, when what he has shown is lead-standard transparency.

**Hon Dan Caddy:** You know all about lead. It was found in the pipes of the hospital!

**Hon Dr STEVE THOMAS:** We are going to come to lead, so the member should not worry. The Premier has shown lead-standard transparency—even Superman cannot see through it. What this government said about transparency before it was elected and since its election are very different. Not only has this Premier shifted on whether he is accountable or not, but he has also shifted from being accountable, civil and polite, to being unaccountable and arrogant to those people who dare to question him, especially the media. We have only to look at the dismissive way in which he conducts his press conferences at the moment. He might be the emperor of the Labor Party. At his own whim, he might be able to decide on a portfolio. It will be interesting to see now whether he decides on who is in cabinet and who is out. That used to be decided through negotiation with the unions. It will be interesting to see how that works out. I will be interested to see whether Hon Dave Kelly will be saved by the union that backs him. The Premier has displayed dismissive arrogance to everybody—to the media, to us and to his backbenchers. I suspect that a bunch of backbenchers who are very interested in a promotion and have suggested to the Premier that they have performed particularly well, are likely to miss out because he is now the emperor of the Labor Party.

What does this Premier think about the expenditure of money in Western Australia? I am particularly pleased that the Minister for Regional Development will be responding to this motion because I will be referencing comments that the Premier made to which she was a witness. In fact, I will be asking some questions about it as the day rolls on, President. I am looking forward to this particular Thursday. We have had the biggest boom in this state's history. The government is rich from iron ore royalties. The Premier likes rolling in his money bin, like Scrooge McDuck, but what does he think about money? The regions have a number of independent newspapers that are very good at picking up the truth that is said when people think that nobody is listening. That has caught a couple of ministers in the past.

A member interjected.

**Hon Dr STEVE THOMAS:** I think they might be, member. I have today's version of a very good newspaper called the *Collie River Valley Bulletin*. It is a fairly new newspaper; in fact, I like it very much. It is that good that I advertise in it. It serves the people of Collie and we have very good discussions about what is happening with Griffin Coal Mining Company. The Premier and the Minister for Regional Development were in Collie last week to front a forum to talk about the \$300 million invested in the state government's Just Transition Plan and announce the \$200 million Collie industrial transition fund. The article in the bulletin states —

“Everyone loves free money,” Mr McGowan told the audience.

That is probably very true. I think it is right that everybody loves free money, but imagine telling a community that. He was very popular. He likes to put the money out. The only thing is, is it genuinely free? When we get to question time today, that will be the line of questioning: Is this money free or does the Premier think that it is his money? Is the money free or does it belong to the taxpayers of Western Australia? This is the Premier talking about his money bin. He cannot fit any more money into it and so he is happy to go to Collie and talk about free money. If the Premier has free money, what is he doing to support police officers in the state of Western Australia? What is he doing to fix Banksia Hill Detention Centre? If he has free money for Collie, why is he not giving the equivalent

amount of free money to the timber industry? They are all really important questions. The Premier thinks that everyone loves free money. I think he is right; everyone does love free money, but holy mackerel! What a thing to be telling the people of Western Australia as he glows in his praise of his own wealth.

Here is a prediction. I like making predictions. My first prediction was: what happens if the price of iron ore stays at over \$US90 a tonne? I was told by the government of the day in February 2019 that that was incredibly unrealistic, but it stayed at over \$US90 a tonne. Interestingly, the *Quarterly financial results report* came out this week and the average price of iron ore in the first quarter of this year was \$US103.5 a tonne, but the budget set it at \$US77.5. That is another half a billion dollars that has jumped in on top of revenues above budget expectation this year already. Perhaps that is what the Premier means by free money. Perhaps he thinks that this is additional free money, in which case, I do not know why he argues so much when I point out that he has had a \$6 billion surplus year in, year out. Is this what the Premier thinks is free money?

I will tell members what is going to happen. Over the next few years, the correction will be established in which iron ore will go back to its long-term run, and the free money that the Premier is so fond of will disappear. What is going to happen? We will go back to normal budget cycles. The Premier has been talking about this in recent weeks and we can see what he is trying to do. He is trying to prepare everybody for the return to normal budget expectation; the sort of budgets that he started with. Bearing in mind that in the McGowan government's first two budgets debt was expected to rise from \$32 billion to \$43 billion. It is in the government's first and second set of budget papers. The Labor government has not been a massive manager of the economy. When the 2019 boom kicked in, the Labor government managed to change the outcome. It tripped over the biggest boom we have ever had—probably did not see it coming. But the correction will occur. The Premier is preparing everybody for the correction—not a crash or a collapse, but the correction. He is saying that suddenly there will not be enough money out there, despite the fact that during his terms of government we have had the biggest boom the state has ever seen. He has squirrelled away billions of dollars into special purpose accounts for him to use into the future. He has not paid down debt in any significant way during the biggest boom that we have ever seen. Sure, he has knocked off a couple of billion dollars. He has run \$6 billion through the debt reduction account and he has knocked a couple of billion dollars off the debt that he started with. It is absolutely unbelievable, but he has squirrelled this money away. He also has money tied up to his infrastructure expenditure list that he cannot deliver. He delivered \$7 billion last financial year—that is great. He has \$9.5 billion in there for the next couple of years. He has all those billions of dollars out there that he is going to sit on. He will end up saying to the people of Western Australia that the correction has come, so the government has to manage the budget really hard. We can already hear that in the rhetoric that is coming out. His dismissal of the wage debate is far more about the Premier holding the cash for his personal use. He wants to cut some ribbons in the lead-up to the 2025 election. He wants to hold some money over for the election after that. He has squirrelled away this money while the cries and the claims will become louder, and the arrogance of and the contempt for this Premier will be more on display. When the correction comes, billions of dollars will still be hidden away ready for this Premier and this government to use for their personal political gain. As people get angrier, as the cost of living stays high, as relatively stable wages slowly start to move and as interest rates climb, this Premier is starting to protect his money bin from the expenditure that would be to the greatest benefit of the people of Western Australia. When discussions are held, the Premier will get angrier and more dismissive. That is what we can look forward to over the next few years. The dismissiveness of this Premier needs to be addressed.

I will continue to mount the argument that the biggest boom in the history of this state—of any state in this nation—should have set this state up and looked after its people. It could only do so if the focus of the money was on the welfare of the people of Western Australia instead of the longevity of the McGowan Labor government. The focus is shifting.

For those members who will be coming to the McGowan outer cabinet soon, we wish them all luck. There are some very good parliamentary secretaries in this house whom we are happy to endorse. I suspect my endorsement might mean they will not get there. I am not sure that necessarily helps. We have seen some excellent performances from parliamentary secretaries. We will talk about that more later in the day.

Members do not necessarily want to be part of a government that has suddenly started to appear arrogant. It is up to government members to talk to their Premier and say, "Let's have a little bit of humility in your presentation style because the people of Western Australia are getting sick of the arrogance." We have seen a shift that is a big risk to the Premier. Yes, we are a small group and we have a lot of work to do, but suddenly the risk to Labor members as a result of the Premier's presentation style is surely obvious to the most blindly loyal Labor members. I suggest that they start thinking about changing the agenda of the Premier to the state and the people of Western Australia.

**HON PETER COLLIER (North Metropolitan) [10.31 am]:** I support the motion. This week we witnessed the unedifying spectacle of the Premier of Western Australia labelling one of the most respected women in Australia, Professor Fiona Stanley, as an activist. He called Professor Stanley an activist because she had the audacity to disagree with his views on Banksia Hill Detention Centre. That is a disgraceful spectacle from anyone, let alone the Premier of the state. Professor Stanley is a woman of great stature.

The Premier needs to do some soul-searching on this issue. The fact that someone has a different view from the Premier on a very sensitive issue like this is not a reason for him to start name calling. This Premier has form in that

area. I was shadow Minister for Education and Training in 2006, 2007 and 2008. The Premier took over as Minister for Education and Training after we had the debacle of outcome-based management, mass teacher shortages and the lowest paid teachers in the nation. He took over at a time when the curriculum was an absolute dog's breakfast. It was an education ideological experiment that failed dismally. Every single group in Western Australia opposed the implementation of OBE, apart from the Premier. He put his hands on his hips, tipped his nose out and said, "No way are we going ahead; it's our way or the highway!" The rest is history, of course, because that government and OBE were dead in the water, and we put some integrity back into the curriculum. Having said that, I got called every name under the sun. I was never invited to anything—not once.

**Hon Kyle McGinn:** Oh!

**Hon PETER COLLIER:** Oh, look. That is a protocol of government. Nothing has changed in that area. We still do not get invited anywhere. I get no notice of when a minister is about to visit my electorate. I get invited nowhere. We have written to the Premier about that, but I am sure it will have no bearing on him whatsoever.

This is the same Premier who labelled members on this side of the chamber, and some on his own side, as terrorists and corrupt because we had the audacity to defend the integrity of the Legislative Council in the last term of government. Terrorists, if you don't mind! Then he went out and called Fiona Stanley an activist because she dared to have a view that was different from his.

Banksia Hill is an issue that must be addressed. It has taken a multitude of questions from Hon Dr Brad Pettitt, me, Aboriginal groups, eminent Western Australians and the media throughout Western Australia to elevate this situation to the status it so richly deserves. We now have a situation in which the resolution to issues at Banksia Hill was apparently to shunt a group of juveniles off to Casuarina Prison. Then it gained even more of a profile. Did we have a group of right-wing Tories call out and say how terrible it was? Did we have a group of radical activists who said how terrible it was? No. We had a former Australian of the Year, a former Labor Premier of Western Australia, the Inspector of Custodial Services, a former Inspector of Custodial Services, the President of the Children's Court and the Commissioner for Children and Young People say how terrible it was. What a terrible rabble they are to say how terrible it was! What did the Premier do? He basically gave all of us a single-finger salute. That is what he did. I will say yet again that if we are going to resolve this issue, we have to change the culture of Banksia Hill. That can only change when we have a change from the top. We have someone at the top flippantly passing off and labelling those who have an opposition view to his as activists. That is a case of arrogance in the extreme.

Let us not forget the statistics: 351 juveniles tried to self-harm in Banksia Hill last year. Over 120 juveniles have done it this year. What about those juveniles who have gone to Casuarina? I have already mentioned the figures. Of the 33, 18 have attempted self-harm. Seven have attempted suicide. Is it not terrible that these activists are raising these issues? If we do not raise them, the Premier is going to sit down and do his best John Wayne impersonation and say, "It's my way or the highway." That is what he says about everything.

In addition, the figures that came out this week are even more compelling. If everything is working so well and the situation in Banksia Hill is so peachy, why have one in five inmates in our adult jails previously been to Banksia Hill? Those rehabilitation services worked really well, did they not? In Acacia, it is one in four. For Albany Regional Prison, it is 24 per cent; for Casuarina, it is 24 per cent; and for Hakea Prison, it is 23 per cent. One in every five adult prisoners in our adult prisons has been to Banksia Hill. The rehabilitation services are not working. The Premier should not shoot the messenger. He should do something. He should not do his usual thing of name-calling; he should do something about it.

I will tell members what the Premier did when it became evident that the issue was getting some traction. He called a summit. I said right at the start that it was a talkfest; it was nothing more than a talkfest. Right up until two days before the summit, when he called all the so-called players together—mind you, they were the critics—not one Aboriginal person was invited. It was only because he got so much traction in the criticism that he invited some Aboriginal people to attend. The Premier emerged victorious from the summit, saying it was great, everything was peachy, an inquiry was not needed and everyone thinks we are on track. That was garbage. I was gobsmacked because it did not remotely reflect what I had been told. It all came crashing down two days later when a number of the attendees refuted the Premier's version of events. He dismissed them. This is when he came up with the famous "activists", saying they were just a bunch of activists. "Just ignore them; they're a bunch of activists."

The former Australian of the Year, the extraordinarily respected Professor Fiona Stanley, the same Fiona Stanley who the former Labor government named a hospital after, wrote an opinion piece. I will read part of that opinion piece. It states —

I feel sad and disappointed that I am writing this today. Initially, I made a conscious decision not to talk to the media. Instead, I wanted to work alongside Government to fix things. I would have loved to write saying how pleased I was that the Aboriginal leaders and organisations had been listened to and that we had had a genuine dialogue with Government.

However, now I feel as if I don't have a choice. I feel the only way I can attempt to prevent children dying in custody, is to write the story of these past five frustrating months.

...

I could not understand how, with all the evidence, the Premier and his ministers were not willing to act—even if not humanely then at least cost-effectively. All I spoke with agreed about the data, and the approaches that were detailed in the Social Reinvestment Blueprint, but none were prepared to speak out.

It seemed to me that they were all too scared to follow their instinct to protect these children. That is not how a healthy democracy should work.

Undeterred, I requested a meeting with the Premier directly to discuss these matters. However, instead of a personal response, I was left to read that I had been invited to a “summit” via The West Australian.

I was alarmed the relevant Aboriginal leaders had been excluded—those who had been working on solutions for years. I stated clearly that I would boycott the meeting unless this was rectified. The afternoon before the summit, Daniel Morrison, co-chair of Social Reinvestment WA, and Gail Beck, co-chair of the Government’s own Aboriginal Advisory Council were invited.

...

On Saturday night, we each received a letter outlining proposed solutions. There was no recognition of what had been discussed. There was no commitment to change. All we received was a press release in a letter that was also sent simultaneously to the media.

These were not the solutions that were discussed at the meeting. I have been inspired by Social Reinvestment WA, which spent two years collecting data, consulting, and has developed a sophisticated piece of policy work in their document titled Blueprint for a Better Future: Paving the way for Youth Justice Reform in WA.

Sadly, WA’s reputation is becoming badly damaged by this situation, locally, nationally and internationally including from the United Nations.

What more can we do? What is the block? Where is the Premier who led us through COVID, with all the data and evidence informing his actions?

Where is the care for the lives of Aboriginal children?

I could not have said it better myself. I am not speaking as a Liberal or as a member of Parliament; I am speaking as a person who grew up with Aboriginal people and as a former Minister for Education and Minister for Indigenous Affairs. We have to do something about Banksia Hill or we are going to have the deaths of those youths on our hands. The Premier’s arrogance by flippantly disregarding any other views and labelling those with an alternative view to his as activists is, quite frankly, absolutely insulting, but it does not remotely surprise me because the Premier has form in this area. He is an arrogant Premier.

**HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition)** [10.41 am]: I, too, rise to contribute to this excellent motion moved by the Leader of the Opposition. In particular, I would like to focus my remarks around the management of the public sector by the Minister for Public Sector Management, the Premier of Western Australia. First, I want to reflect on some of the comments Hon Peter Collier made about Banksia Hill Detention Centre and the extraordinary urgency with which we need to deal with the issues that have arisen from what is happening at Banksia Hill and, more generally, in our communities across the state. I was at a meeting last week with a number of Aboriginal elders and I can tell members that the feeling of anger in that room at the way they have been treated by this government was palpable. I agree that something needs to be done, and it needs to be done urgently. We need to listen to people like Professor Fiona Stanley, who has expertise and knowledge.

Moving right along to the issue of public sector management, when this government was elected in 2017, it immediately began what have been called the machinery-of-government changes. We have discussed the machinery-of-government changes a number of times in this place. I want to reflect on a few things that are continually raised by government members. They claim that the crises we are seeing in our public sector, whether they be in health, education, police, emergency services, or whichever public sector agency we want to talk about, are a result of the COVID-19 pandemic. In fact, the COVID-19 pandemic really just highlighted the failings of this government and the Minister for Public Sector Management’s reorganisation of those departments under the government’s brutal machinery-of-government changes. The government is reaping what it has sown during its first four years in government. Our healthcare workers, police officers, emergency service workers, teachers or any other public sector employees will tell members a remarkably similar story. We have been constantly updated in this place, by the answers to questions from Hon Peter Collier and others, about the number of police officers who have left the police force. Those who have not already left are seriously contemplating their future and whether they want to stay in the service of the community, as is the will of those who do good work in our public sector.

**Hon Alannah MacTiernan** interjected.

**Hon COLIN de GRUSSA:** Sorry, minister, but I will not take interjections.

Public sector workers have endured the stark brutality of a government that has not listened to them whatsoever, which has significantly impacted the delivery of public services in this state. Members can see the issues that are

playing out in our community at the moment, including the nurses dispute and the deal they are trying to strike. The government, through the Industrial Relations Commission, even wants to get rid of the Australian Nursing Federation. It is extraordinary that they would move to deregister that union. The reason that this is playing out is that those public sector workers have completely lost trust and faith in this government and the way it negotiates and because of the brutal changes the government has made over many years to the public sector. There is no goodwill in the negotiations. The Premier, as the minister responsible for public sector management, treats those workers with arrogance and disdain. The government is reaping the fruits of the seeds it sowed some years ago with the machinery-of-government changes.

Back in 2016, the Labor Party said that it would respond to changes in the Western Australian economy and population by recruiting, retaining and supporting our public sector employees. What did it do the very minute it was elected? It introduced the machinery-of-government changes and said, “Sorry. We’re going to cut the public sector.” The Labor Party said it would cut the public sector by something like 20 per cent but then decided to cut it by 40 per cent once it was elected. How are public sector workers supposed to have confidence that the government values the commitments it made despite the rhetoric we heard during COVID about how important our healthcare workers and emergency services workers are because of the wonderful work they did on the frontline when facing the pandemic and the impacts on their health that were largely unknown? They were on the frontline doing that work, but how did the government reward them? It has treated them with arrogance and disdain and moved to deregister the union.

Several members interjected.

**Hon COLIN de GRUSSA:** It is absolutely disgraceful behaviour. Members in this place who stood up and said how important those nurses are —

Several members interjected.

**The PRESIDENT:** Order!

**Hon COLIN de GRUSSA:** It is absolutely disgraceful that those members who sought to ingratiate themselves with our healthcare workers, who have done a such a wonderful job during that period, will not negotiate with them in good faith and will not hear their concerns.

*Point of Order*

**Hon KYLE McGINN:** I believe that the member may be misleading the house on who is leading the deregistration of the Australian Nursing Federation. The member has referred to the government. I strongly suggest that he correct the record, as I believe it is the Industrial Relations Commission, not the government.

**Hon Dr STEVE THOMAS:** My understanding of points of order is that they are not to be used to debate the issue. I am interested in which particular point of order the member is raising. The government has a history of using points of order to make points.

**The PRESIDENT:** This is a wideranging debate and members can put forward points of view. I would consider that members’ points of view are well grounded in fact, but there is no point of order.

*Debate Resumed*

**Hon COLIN de GRUSSA:** Thank you, President.

As I was saying, those on the other side are seeking to ingratiate themselves with the work that was done by our healthcare workers during the COVID period. They did amazing work. If the honourable member wants to argue that point, please do. Our healthcare workers were on the frontline in dealing with what at that time was a largely unknown threat that put them in harm’s way. The burnt-out and overworked healthcare workers who are still working in the public sector in this state now want a reasonable reward or deal on pay and conditions, but the government does not want to listen to them. I find it extraordinary that we would put those workers in that situation after everything they have done.

Members of the WA Police Force are in a similar situation. Officers are leaving the police force every day. It is extraordinary that when we talk about some of the law and order issues that we face in this state, we are not doing more to address the loss of critical workers in services such as the police, and also the nurses and workers in other public agencies. I have to say that the government is reaping what it has sown with the machinery-of-government changes that it made. During that period, various entities did numerous surveys on how public sector employees viewed those changes and their job security. The ultimate result was that people did not know what was happening. It was chaotic, dysfunctional, and poorly managed and executed. It was done to weaponise the public service for the benefit of this government, not to provide a decent structure going forward. It will take decades to repair the damage that has done to the public sector by this arrogant Premier and Minister for Public Sector Management.

When it comes to where we go from here, it is clear that the Premier is becoming more and more arrogant as the days go by. He is not listening to the people of Western Australia on issues like Banksia Hill Detention Centre. He is flippantly dismissing genuine questions asked by not just members on this side of the chamber but also the media

and others. He is displaying that he is completely out of touch with the Western Australian community. That will be a real problem for Western Australians as we move forward in our recovery from the pandemic and as our public sector is working hard to keep delivering the services that Western Australians will need in the future.

I urge the Premier, as my colleague the Leader of the Opposition has done, to undertake a bit of self-reflection and start listening to the people in the community who have solutions to some of the problems that we face, such as Banksia Hill. He should start delivering real solutions instead of arrogantly dismissing the concerns raised by the people of Western Australia.

**HON STEVE MARTIN (Agricultural)** [10.53 am]: I rise to make a contribution to the excellent motion moved by my colleague the Leader of the Opposition. I will start by reflecting on some of the remarks made by Hon Peter Collier around the Premier's obvious arrogance in his response to former Australian of the Year Professor Fiona Stanley. If members opposite have any doubts about the merits of paragraph (a) of the motion, which refers to the Premier's arrogant and contemptuous treatment of the Western Australian community, they only need look at the Premier's response to the serious concerns raised by this very eminent Western Australian and Australian, Professor Fiona Stanley. An activist? Seriously? The Premier's response to the summit was that people were not listening. Somebody was not listening, and I am fairly certain it was not Fiona Stanley.

I would like to concentrate on paragraph (c) of the motion, which refers to the gold-standard transparency that the Premier promised before the 2017 state election, as it relates to the forestry industry. That was a good promise, and it has been repeated often. During the 2021 election campaign, when I assume the Premier was still operating under that gold-standard promise, the Premier certainly misled or hid from the Western Australian public his intentions for the forestry sector. I am guessing that when the Premier was campaigning in the electorate of Warren–Blackwood, he did not mention his plan for the forestry industry. I wonder whether he whispered that in the ear of the candidate for Warren–Blackwood or whether he also kept her in the dark about his plan for the forestry sector. When the Premier was campaigning in Manjimup, Pemberton and Nannup, where was the gold-standard transparency?

A few short months after the 2021 election, the Premier went to the hills of Perth and made the announcement about shutting down the hardwood sector. Six months previously, there was no mention of that. There was no transparency to the voting public. There was certainly no transparency to the timber industry. The Premier and a couple of his ministers made the short drive up to the Perth hills to make the announcement that they would be shutting down the timber sector. Interestingly, they did not travel to Manjimup. They did not have the courage to make the announcement to the communities that would be hit hardest by that announcement. It was a gold standard by Zoom meeting. They made the announcement in the Perth hills, wearing hard hats, planting a lovely pine tree, and saying that they are saving the planet. That was clearly contemptuous to the timber industry in those communities.

Post that announcement, we have had the transition consultation process. Talk about contempt for the locals; the press release was written before the meeting had commenced! The Minister for Forestry and the Premier were well aware of what would be announced after the transition meetings had taken place, and lo and behold they made that announcement. The Premier treated those communities with contempt before he made that announcement, and he has certainly done the same in the year and a bit since that time. The Premier has also shown contempt for the experts in the forestry industry, many of whom have worked in that sector for decades, and ignored the science and the evidence that they presented. When the Premier made that announcement, he made the comment —

“Protecting this vital asset —

Meaning the forest —

is critical in the fight against climate change.”

Really? Okay. We will get to the science shortly. He went on to say —

“What that will mean is these wonderful forests, the trees, the creatures that live within them, the ecosystems will be saved

Apparently, that was the Premier's view.

Here is some of the science. More recently, the Department of Biodiversity, Conservation and Attractions gave evidence at a hearing of the Standing Committee on Estimates and Financial Operations. Dr Fran Stanley spoke to the committee about Forestcheck and explained what that is. She said —

Forestcheck is a long-term monitoring program that has been conducted in the jarrah forests of the south west for around the last 20 years. Overall, the results show us that the timber harvesting activities that have been occurring in those forests are not having a significant impact on biodiversity values.

Yet, somehow, we have to shut down that industry, which has been going for decades and decades, because we need to save the forests!

Also on the science, Gavin Butcher, a long-time forester who has been on the Forest Products Commission and knows this stuff —

**Hon Jackie Jarvis:** He is an employee of the FPC. He is not on the FPC.

**Hon STEVE MARTIN:** This is the view of Gavin Butcher, someone who knows what he is talking about when it comes to the forests —

There is no better demonstration of sustainability than the 150 years of harvesting in WA's forests. Unlike elsewhere around the State, not one species has become extinct from those forests. A recent review of the 63 most endangered species in Australia did not contain one species from our southwest forests.

Not one.

Then there is the carbon story that gets a bit of a mention from the Premier, who ignored the science. This again is by Gavin Butcher —

Clearly using wood releases some CO<sub>2</sub> however it is only one part of the carbon story ...

Healthy regrowth forests growing quickly easily compensate for any harvest emissions. This doesn't take into account the storage of wood in products, or the carbon or environmental cost of the substitutes, like aluminium.

The Premier again ignored the science and the experts, and he made the contemptuous decision to shut down those jobs and industries. He showed contempt for those businesses and communities.

On a slightly more flippant note, there is another victim of the Premier's lack of transparency in this industry—namely, Minister for Forestry, Dave Kelly. Clearly, as far as the forestry minister knew, until very recently, the forestry sector had a very, very bright future. How else could we take his behaviour into account? There is a lovely picture of the forestry minister in the Forest Products Commission annual report standing next to the Parkside Timber mill owner proclaiming the strong and bright future of the sector. Clearly, the forestry minister was kept in the dark by the Premier. I guess that some time around the first week of September last year, the phone rang in Dave's office and the staff rushed in and said, "It's the boss; it's the Premier." Minister Kelly probably thought that the Premier was giving him back Fisheries; it would be good news. The staff would have said, "It's probably not Fisheries, minister, but you need to talk to the boss." He rushed up to the Premier's office and the Premier said, "Dave, we're shutting down the hardwood sector." Members can imagine the conversation: "I am confused, Premier. Am I the Minister for Forestry or the minister against forestry? Am I keeping it going or am I shutting it down?" Minister Dave Kelly was another victim of the Premier's lack of transparency in the last couple of years.

I want to use my last minute or so to discuss another topic in which transparency has not been a strong suit of this Premier. His arrogance was on full display during the 2021 campaign when he said over and over again—seven times in one interview—that changes to the upper house voting system in this state were not on his agenda. There was a smirk on his face when he said it; we all saw it, but nobody expected that within days of the election and the change to the upper house in May it would suddenly be at the top of his agenda. That arrogance and contempt, especially for regional voters, was on full display during that campaign. Those changes were rushed through Parliament despite being told repeatedly during the campaign that it was not on the Premier's agenda. We have seen arrogance and contempt over and over again from this Premier, particularly towards regional voters. We have seen it in forestry and in the way the upper house was formed, and it is not a very proud record. Thank you.

**HON ALANNAH MacTIERNAN (South West — Minister for Regional Development)** [11.03 am]: Here we have the old play back! I really think that the problem is that our friends on the other side deeply resent the Premier because he actually is in touch with and understands the public. We have a team in Labor that is truly in touch with people from Albany all the way through to Wyndham. We have representation from right across the state.

Several members interjected.

**Hon ALANNAH MacTIERNAN:** We are actually able to field candidates who represent their community.

**Hon Dr Steve Thomas** interjected.

**Hon ALANNAH MacTIERNAN:** What do we see? In a moment, I will get into your problem; I will get into the systemic problems.

**Hon Dr Steve Thomas** interjected.

**Hon ALANNAH MacTIERNAN:** I will get into the problem that you are just a pair of tanned shoes hanging out the backside of the powerbrokers in the party! You haven't got the guts to stand up and do something about the dire state of your party! What you have done to undermine democracy in this state—your sheer gutlessness and talentlessness—is actually a massive threat to democracy. Thank God we have had some electoral reform because we might get some new people coming into this place who are able to do a much better job than you are in terms of representing the community!

Several members interjected.

**Hon ALANNAH MacTIERNAN:** It is so known! Just look at your composition. Look at your composition in this place. You've got one woman! Do you know what? You've got one woman! Over 50 per cent of the population are women. What is going on here? Does that not say something to you? When you talk about being out of touch, does that not say: "Oh my God; how come it is that over 50 per cent of the population are women but we have only one-tenth of our representation as women in this place?" You are massively out of touch!

I wish there was some coherence to some of the arguments that have been put forward. We know the normal things that the Leader of the Opposition gets agitated about. He claims to have walked away from the Barnett inability to manage the budget, but here he is attacking the Premier and the Minister for Health for entering into wage negotiations and not just lying down and saying, “Come and walk over me.” There were agreements. There have been very robust and respectful discussions with the nurse’s union. Two weeks ago, there was a deal agreed to by the union. The union agreed to the very, very considerable wage increase and improvements and changes to the patient–staff ratios. That was agreed to by the union, but the union, in the way that it communicated this to its members, have quite clearly sought to undermine that agreement. The Premier went out to defend and explain it; that is what he did. He called upon the union to honour its agreement. What is arrogant about that? That is just good government.

This matter goes to the Industrial Relations Commission. We are very proud that this country, via the Labor Party, has pioneered an industrial relations system that enables these disputes to be resolved. This body is independent of government. It is not the government that is moving to deregister the union. This is part of the architecture of our industrial relations system. If the union determines that it wants to not obey the express directions of the Industrial Relations Commission, there are consequences for that. Those consequences are not determined by government. We want to see this nurses dispute settled. The Premier is simply asking the union to honour the agreement that it entered into with the government. If it chooses not to, it must face the consequences. That is being very open and transparent with the people about what is going on.

We again had the extraordinary, confused messaging that we get from the Leader of the Opposition about the management of the budget. He has been really angry for years; he has said that we have been underestimating iron revenues. As they do at a federal level, we always take a conservative view because it is volatile. We are seeing changes going on in China that could possibly bring this price down quite considerably. A construction depression is looming in China, and of course that is going to have real consequences on demand for our iron ore, so we are being prudent. The Premier is determined to ensure that we do not just take the Barnett approach and spend all our money, but instead pay down debt and hold money in reserve, because we understand there is great potential for a significant worldwide recession next year. We are taking a prudent approach that has been admired by all the ratings agencies. What is not transparent about that? We are talking to the people about exactly what we are doing; we recognise that we are in vulnerable economic times, and we need to prepare for that.

I find it extraordinary that when the Premier explains and defends his record, it is considered arrogant. It is not. The Liberals tried this playbook against Dan Andrews in Victoria, and it does not work. People are actually making their own judgements. They want someone who understands them and who comes from a mainstream perspective on society.

Juvenile justice is an amazingly difficult and complex area. When Hon Peter Collier was in government, I think around 70 children were sent to Hakea Prison, and not just as a temporary measure. No-one is arguing that juvenile justice is not complex. The Premier and, indeed, our entire team has deep respect for Fiona Stanley, but we differ from the opposition in that we do not regard the term “activist” to be an insult; we all consider ourselves activists, and we think that is what we need in the community: people who are activists. To suggest that that is somehow or other a term of derision is incorrect.

We know that juvenile justice is a challenging issue, but we also know that the general public has immense concerns about it and about community safety. People out there understand the issue. They see, on a daily basis in our electorates, the consequences of juvenile crime. As the Premier has said, there have to be consequences for juvenile crime. We have to understand that the community wants a measure of protection. It is also not good culturally for the young people involved to believe there are no consequences for their actions. That will take us backwards. We understand that these issues are not easy.

When the Premier met with those groups, he was really surprised at how little they knew about the juvenile justice initiatives that the government has invested in. As the Premier has said, he does not blame them for that, but it is a fact that there has been a complete lack of interest from the media in reporting the successful measures that we are undertaking, such as Target 120, which is aimed at working with at-risk children aged 10 to 14 years and their families in a very intensive way to keep them out of the criminal justice system. The day before that forum was held, we announced the Marlmanu on-country diversionary program. We will work with Aboriginal communities to set up an on-country diversionary centre in the Kimberley. We are also funding a number of other Aboriginal organisations to develop business cases for more facilities in Kununurra and Derby.

There is no sense in which we are being disrespectful. The Premier has also announced an additional \$61 million for a whole suite of improvements at Banksia Hill Detention Centre. This is a challenging area, but the opposition is not in touch with the concerns of the community on this issue. It is hard, and we have more work to do, but we are doing that work. In addition to the \$61 million, we are investing \$40 million to improve juvenile justice facilities in northern WA.

Members opposite talked a lot about what the media is saying about our government. I would like to refer to a very interesting opinion piece by Gareth Parker that appeared in WAtoday on 2 November, titled “Where are the WA Liberals? Fighting their battles but ignoring the war”, which referred to the Liberal Party’s loss of the last

election. He observed that it appears there is no ability for Liberal members of Parliament to actually understand how dire their situation is and how completely and utterly out of touch they are with the community. That is the ultimate form of arrogance. The article states —

Yet too many Liberals delude themselves that the problem is cyclical, or that they were unlucky due to the dynamics of the pandemic.

At the state level, the party's problems have been obvious since the moment they were tipped into opposition by Mark McGowan in 2017.

The MPs who survived seemed shell-shocked by defeat, and most never adapted to the demands of opposition, with diminished resources and no departmental back-up, unwilling or unable to do the sleeves-up work necessary to hold a government to account.

Yet still the penny has not entirely dropped that without all shoulders to the wheel, this is an existential moment.

He goes on to say —

This has been true for years but no one should expect his —

That is, state Liberal Party president Richard Wilson —

warning to be heeded.

The political pygmies who love rolling around in the muck are simply too far gone.

That is what we have seen today—absurd contributions. Hon Colin de Grussa argued that the machinery-of-government changes have been awful. We sought to modernise and reduce 42 departments to 25; yes, there were challenges in getting that done, but it is now done, and it had nothing whatsoever to do with nurses and police; they were not affected by the machinery-of-government changes, yet Hon Colin de Grussa claimed that we have not been able to negotiate with nurses and police because of it. This is the opposition's problem: it does not do the work it needs to do to be an effective opposition. It does not go about things in a disciplined way. Members opposite come in here with these incredibly broad, rambling motions instead of actually getting the facts across, understanding how government works, and understanding what the community wants. They are out of touch, and it is extraordinary.

**HON WILSON TUCKER (Mining and Pastoral)** [11.18 am]: Before I begin, I would just like to acknowledge the parliamentary masterclass we just witnessed, and state for the record that I will miss the Minister for Regional Development's contributions in the future. I know that other members wish to speak, but in the time I have allocated, I would like to focus on the arrogance that the Premier has directed at me and other crossbench members.

I would like to say, for the record, that the Premier is not running rent-free in my head; I do not take this personally. I signed on for this role and I know what it entails. I am trying to advocate for a single issue that is very polarising in the community, and that comes with a level of caution, so I can block out that noise. I can only assume that the arrogance on display to me from the Premier is coming from, let us say, the rather exceptional circumstances of my election, which some would label undemocratic. I am not here to defend group voting tickets by any stretch of the imagination, but I think the Premier should be thankful for my presence here because he could have done a lot worse, as I have said previously, than a member who just wants a little more sunshine or a little more recreational time in the afternoon. He could have got somebody who was elected to this place on the back of GVTs who had questionable morals and who would have used this as a platform to spout all sorts of information. I care about Parliament. I care about our democratic institutions. I take seriously the oath that I gave at the start of my term. I care about regional Western Australia and certainly the Mining and Pastoral Region. Also, in the last two years, the Premier has basically overhauled the entire upper house system.

**Hon Dr Steve Thomas:** Despite saying it was not on his agenda.

**Hon WILSON TUCKER:** Yes, but he is not Nostradamus; he could not foresee the results of the election.

This overhaul will help Labor, and I am the scapegoat, the whipping boy. I would have thought, all said and done, that we are on equal terms. He has fired shots. I am here. We are all happy people. Instead, every time I try to engage the Premier in the media, every time I try to move the needle and progress an issue, all I get from the Premier is vitriol and arrogance. I ask members to cast their minds back to June 2021 when we were talking about social housing, which was one of the hot topics at the time. This was before the government's investment in the space. I was calling for more social housing, as were most crossbench members and, I believe, the opposition as well. In a media appearance, the Premier was asked about my comments. The Premier's comments were —

Wilson Tuckee? Wilson Tucker? I have no knowledge of what Wilson Tucker is up to and what he's doing."

**Hon Darren West:** You should be happy about that.

**Hon WILSON TUCKER:** There is a bit of confusion there, member. I encourage members to look at that video and see the vitriol and the smugness of the Premier then. It does not translate well in *Hansard*, but it is clearly evident in that video. Another more recent example occurred following a motion I moved calling for a windfall

royalties regime in Western Australia. I am not anti-mining, but I think mining companies should be paying more back to the people of Western Australia. We then saw a fund set up. The Premier went and spoke to his mining mates and now we have a \$750 million fund that is expected to increase to a billion dollars. I made a post on Twitter that was picked up by *The West Australian*. I posted that this fund was a “drop in the pool” of the wealth earned by resource companies that should be returned to WA, and “a once off payment is tokenistic and an attempt to suck the oxygen out of any calls for reform of royalties for WA resources.” What do members think the response was from our Premier? The response from Mr McGowan was, “I would not take much notice of Mr Tucker.” That was it. He did not engage in the debate. He did not move the needle or try to engage at all. He basically tried to undermine who I am.

**Hon Dr Steve Thomas:** Outrageous!

**Hon WILSON TUCKER:** Thank you. It is outrageous.

A more recent example was yesterday when I asked a question in relation to Banksia Hill Detention Centre, which reads —

It has been reported in the media that the Premier told the Commissioner for Children and Young People ... that he had taken 21 pages of notes from his meeting with youth corrective services stakeholders during the Banksia Hill summit last week. Will the Premier please table those notes?

Do members know what the answer was? It was no. That was it —

The answer is no.

I understand the Premier trying to control the narrative, as do most governments, but I am asking the Premier to maybe reflect on his actions over the Christmas break—hopefully, the Premier is listening; I am sure he is not, but maybe his advisers are—and just think about his approach to the crossbench, to me, because I think we all have the best intentions at heart. We want what is best for Western Australia and the people of Western Australia. To come up with these arrogant responses and to sidestep the debate and try to undermine me and other members of the crossbench is counterproductive. I agree that the Premier is arrogant. I ask that the Premier, hopefully, reflects on his actions for the second part of this term.

**The ACTING PRESIDENT (Hon Dr Sally Talbot):** I did notice Hon Peter Collier’s phone was ringing, despite the fact that he thinks it is silent.

**HON KATE DOUST (South Metropolitan) [11.26 am]:** Acting President, in the past, we would have removed phones from people for that. Things have obviously changed.

**The ACTING PRESIDENT:** I think COVID protocols are in play.

**Hon KATE DOUST:** Thank you.

In my limited time, I want to say a few words. I normally do not participate in Thursday morning therapy sessions, but I think we have had something like an hour and 20 minutes of therapy in which opposition members have rolled out yet again another failed effort to have a go at this government. No-one is listening to them. No-one is upstairs. I do not know why they keep rolling out these things. I think I might have put forward a motion like this when I was in opposition—just insert “Barnett” and change the date! You have rolled out the same thing.

**Hon Dr Steve Thomas:** So you think it’s a good motion.

**Hon KATE DOUST:** Ours was so much better, thank you!

You did have an arrogant Premier—an arrogant Premier who would not even tell his own ministers what he was doing. They would get doorstopped about what he had done; in fact, there is a former minister sitting across from me who used to have to deal with that.

Members opposite could be putting forward things in this chamber that would actually get them some media time and would have the community thinking they are doing their job and taking them seriously. Let us have the debate about homelessness. Let us have the debate about education or health. Let us have the debate about jobs for the future. Let us talk about information and communications technology. Let us talk about the things that are important to people in the community. That is what this government is doing. It has listened. It is delivering. All you guys you can do is look internally and focus on the negative. Members opposite are not talking about the things that are important to the community. Even when they do get up and talk about it, they do not get their facts right.

I pick up on what the Minister for Regional Development had to say. Hon Colin de Grussa needs to go back and do industrial relations 100. If he wants to talk about what is happening in that arena, he should go back and learn how the system operates. It is not the government causing the Australian Nursing Federation grief in the Western Australian Industrial Relations Commission with the discussion around deregistration. The commission has made the decision that it will consider that because the union has not followed the rules that we all have to abide by in the industrial arena. The union knows what it is required to do and it has breached that. The commissioner

has hauled it up, not the government. The Industrial Relations Commission is the independent umpire and if you do not follow the rules, you cop the punishment. That has to be resolved. Do not go putting out misinformation. If members opposite are going to talk about this stuff, they should at least do their research. I know it is really difficult for members on the other side to get their head around industrial relations and workers' rights because that is such a foreign concept to them, so I encourage them to go back and have a really good look at that.

I think we owe it to our community to actually raise issues of significance that our community can relate to on a Thursday morning. We should put things on the agenda that we can discuss and come up with solutions for our community. Surely we should be doing more of that than banging something else on the desk on a Thursday morning that has no relevance to the community. If members opposite want to have a go at the Premier, take it up during other debates. Do it with facts and justify it. Nothing in this debate is going to have any impact.

I say to Hon Wilson Tucker that this is a tough game. He should grow a thicker skin. So what if somebody sends some barbs at him. If he wants to survive the distance—big deal! Grow that thicker skin.

We need a decent opposition; we do not have it. The only opposition we have now is *The West Australian*, which prides itself on doing the job of the opposition while members opposite drag their feet. *The West Australian* raises the issues; the opposition follows them up. Members opposite are not capable of being an opposition, and until they get their act together, the people of the state will continue to keep them on that side of the chamber.

I acknowledge the contribution of Hon Alannah MacTiernan and thank her for her service to this chamber and to the state.

Motion lapsed, pursuant to standing orders.

## McGOWAN GOVERNMENT — REGIONAL ECONOMIC DEVELOPMENT

### *Motion*

**HON SHELLEY PAYNE (Agricultural)** [11.31 am] — without notice: I move —

That this house commends the McGowan government for its strong commitment to our regions, particularly acknowledges the work of the regional development commissions, and recognises the positive contributions that the regional economic development grant program has made to businesses in regional Western Australia, stimulating economic growth and diversifying regional economies.

It gives me great pleasure to move this motion today on our regional development commissions, which we have not yet had an opportunity to talk about, and the great work they do, as well as our regional economic development grant program, which is stimulating economic growth and diversifying our regional economies.

As I said, we have not really discussed the regional development commissions that operate around our state and the really pivotal role they play in furthering economic development in our regions. They are the eyes and ears on the ground. They are based out in the regions and I know that they play a really pivotal role in making sure that we know what is happening on the ground out there.

I have had a bit to do with a few of these development commissions, particularly the Goldfields–Esperance Development Commission, the Great Southern Development Commission and the Wheatbelt Development Commission. Great people work in these organisations and really do a lot of work to connect the government and the private sector to create practical solutions for our regions, as well as promoting jobs and liveability in our regions, diversifying our economic base, and helping to attract skilled people to our regions.

I think that the development commissions really proved their worth during the COVID pandemic. They helped us to understand what was going on out in the regions during that time by doing data collection on shopping habits, available jobs, housing issues and things like that. They worked with local governments and businesses in the regions to help and support them during that really difficult time. I commend those development commissions for their work.

A lot of the work that these commissions do is perhaps not clearly evident. They have their little offices in the regions and they are not out there in the public view, but they do very valuable work in coordinating businesses with government and local governments to tackle issues together. A lot of those issues may otherwise fall through the cracks. I commend the Minister for Regional Development for resetting the regional development portfolio when she came into the role in 2017 and backing the development commission model. I acknowledge how much the development commissions are delivering and the difference that has made to the regions.

As I said, the development commissions particularly make a difference to issues for which no agency has taken a lead. For instance, as a result of our recent skills summit, we now have regional coordination committees, which the development commissions are taking the lead on chairing. The development commissions deal with issues like childcare in Esperance and the goldfields and investigate what exactly the issues are. For example, we have a waitlist of over 100 for childcare places in Esperance. They are looking at industrial land and some of the demand assessment studies. Hon Kyle McGinn would know about the great work that is being done in Kalgoorlie on that issue. Hon Alannah MacTiernan took on the issue of feral camels, which nobody was taking on, and that was really great.

The development commission in Esperance organised a great hydrogen forum for all our farmers to come to earlier this year, which was a great opportunity for us in Esperance to understand about that industry and what impact it might have. The feature film industry is really big. I commend the work that has been done in Esperance as well as by the Great Southern Development Commission. Tim Winton's movie *Blueback* was recently filmed in Bremer Bay, and this has been really great for the regions, as well as giving local people and businesses an opportunity to be involved. Members will have heard the recent announcement by our government about the wind farm that the Water Corporation has taken over in Kojonup. The Great Southern Development Commission has also worked on that project, which started back in 2008.

In Esperance, housing and land are big issues right now. The development commission has really done a lot of work towards helping the Shire of Esperance with a housing study, as well as giving money throughout the COVID pandemic towards repurposing our youth hostel and backpacker accommodation into workers' accommodation. The commitment to facilitate Aboriginal economic development in the regions through our regional economic development grants has also been great.

I take a moment to acknowledge the work of our minister, as she steps down from her ministerial role after 30 years of service to the people of Western Australia, and the immense contribution she has made to this state. It has really been a privilege to get the opportunity to see firsthand how she manages to achieve what she does and deliver for her state. When I first came in here as a regional member, I really did not know what to expect. I was blown away by all of our ministers—their dedication to their work, their work ethic and what they achieve for our state—but particularly by Minister MacTiernan. She is undoubtedly the best ag minister we have ever seen. She has worked so hard for many years servicing our state. I note from previous comments just how good she is at getting money for the Agricultural Region, which I am very grateful for. I note that she is the longest serving female minister in history, with 13 years in state cabinet. Her work ethic and passion is outstanding. I particularly admire her ability to think strategically for the state. She is the first minister to have a portfolio for the hydrogen industry. It takes a brave person to take on these sort of strategic issues and drive the state in a way that is really going to be great for the future. Members should watch the video that was filmed for Hon Reece Whitby's recent visit to the United Nations Framework Convention on Climate Change about where Western Australia is moving to in the future and just how fortunate we are here with all our resources. It is a really great video to watch and it acknowledges the impact that Minister MacTiernan has had in driving our state forward. I also want to acknowledge the building back of the agriculture department. I thank her for her commitment to her role.

Getting back to the work of the development commissions, I refer to our local content policy. Putting local content advisers into each of the regional development commissions has been really great. They have really helped our businesses out in the regions to better understand how they can participate in regional supply and government contract works, and have been really fantastic in helping our regional businesses really connect with state government and what state government is doing.

I guess that another first for our government was the response to the fires that happened earlier this year in Narrogin and Corrigin, and the appointment of the first ever district recovery coordinator, which was run through the Wheatbelt Development Commission, with Rob Cossart working to coordinate local governments together to support the recovery in the aftermath of the fires, as well as the money that our government put in to the Facey Group and the Corrigin Farm Improvement Group to help with the fire recovery.

The development commissions are running a couple of other projects including the WaterSmart farms project that is looking at innovative solutions to reduce our reliance on scheme water. The wheatbelt secondary freight network project has brought together 42 local governments in the wheatbelt—out of the 62 local governments found in the agricultural region—to look at key transport routes to support the region's major industries. The Great Southern Development Commission and the Wheatbelt Development Commission have also been working with the shires on drought resilience planning to deliver a regional drought resilience plan for the great southern and the wheatbelt, which is really great.

I will move on to the regional economic development grants program and how fantastic these grants have been over the last five years. The statistics for the wheatbelt show an 18 per cent increase in regional small business enterprises, with the wheatbelt now having the second strongest regional economy in Western Australia. The regional economic development grants have had a significant impact in the regions. In Esperance, these regional economic development grants have impacted so many businesses, including through value-adding to the fishing industry. People can now go to Lucky Bay Brewing to purchase value-added products such as fish tacos made from locally caught fish. The new Esperance Distillery has also been helped through the innovation voucher program, another initiative of Minister MacTiernan, whereby small businesses can get the support they want through these small grants. I recently visited Yirri Grove, an olive farm out of Esperance. It is a great place to go to on the weekends to have afternoon tea or lunch. It also sells high quality olive oil. It is looking to expand now with the assistance of a RED grant. Esperance Honey is another great company in Esperance. The grant it received will help it to get its B-QUAL export qualification licence. Bread Local is an awesome little startup bakery that was having difficulty with its kitchen's power supply and needed an upgrade. The government recently announced a grant for that as well.

I mentioned that grants have also facilitated Aboriginal economic development. For instance, the Gnowangerup Aboriginal Corporation and Tambellup Aboriginal Progress Association have received RED grants to help them move into seed collecting and carbon offsetting enterprises. RED grants have also helped the Badgebup Aboriginal Corporation and the Esperance Tjaltjraak Native Title Aboriginal Corporation. Yesterday, a few members had the privilege of visiting the wheatbelt with Minister MacTiernan to announce the new round five RED grants. We caught up with Aboriginal Noongar boodja rangers who had received a RED grant for their sandalwood and seed collection that will go into creating great sandalwood products—their sandalwood nougat is just fantastic. We saw the great way that these RED grants have helped Aboriginal corporations around the regions.

Bremer Bay Brewing Company has been another fantastic development and a great place for people to go to in summer. Esperance Diving and Fishing already has some accommodation in Esperance but I am pleased that the grants have supporting it to provide some disability accommodation services in Esperance because there is not much there. I will mention a few other businesses around the regions. Three Farmers is looking at value-adding through using oats, an emerging supply chain. It wants to develop grain storage and quality assurance protocols. That is a really great story. Great Southern Seed Works in Wagin wants to tackle the issue of farmers finding it hard to get good quality seeds for their cropping. That is another really great initiative. The RED grants program that has run over eight years has been a really fantastic program and provided more than \$45 million to the regions.

I will quickly mention another really good regional program. The value add investment grants aim to build resilience and grow diversification in the regions. The money put into that program has attracted significant capital investment in its first round of grants creating over \$132 million of private capital investment and over 600 full-time jobs, value-adding to all that we do within our huge agricultural industry.

I will close by again commending the Minister for Regional Development for all her hard work that she has put into her regional development portfolio. Thank you very much.

**HON DARREN WEST (Agricultural — Parliamentary Secretary)** [11.45 am]: I would also like to rise to speak on this excellent motion moved by Hon Shelley Payne. What a wonderful, wonderful initiative the regional economic development grants are. What a wonderful Minister for Regional Development we have who came up with this innovative idea and has overseen and delivered the grants since their inception through to the event that we attended yesterday in Gingin, as Hon Shelley Payne touched on.

In Gingin, we saw again the absolute joy on the faces of business owners who had been successful in receiving the grants. The grants will take their business to the next level and help them to move and innovate into the future. We have some wonderful business people in regional Western Australia, many of whom have taken the opportunity to benefit from this round of grants that have been brought to us by this outstanding minister. So many of these grants have been given out to businesses over time. I want to go through a few of those businesses and give them a shout-out because they are the bread and butter of our community. Those businesses are our largest employers and are run by people who are driven and innovative and want to move their business to another level. Economic conditions have not always been good. It is always a challenge to set up a business in the regions. When times are bad, we tend to cop it the most, and when times are good, we tend to cop it the most because it is hard to get workers and it is often hard to access capital and finance. The businesses persevere and thrive through hard work and determination, but they appreciate it when they can get a little lift from the government through a financial interjection into their business. The fact that the government appreciates and cares about those businesses and wants them to succeed is terribly uplifting for those business owners. I acknowledge and salute them all.

Yesterday, we announced funding for Barhyd Pty Ltd, a business in Badgingarra that is run by a young family. A \$100 000 RED grant will enable that business to expand and meet local demand. How exciting is this next one? Infinite Green Energy is going to install a hydrogen refuelling station in Northam. People will be able to fill up their hydrogen vehicle in Northam and drive it to Perth where another refuelling station will be set up. The Northam Solar Farm will be used to produce the hydrogen to power the vehicles and enable carbon-free motoring. Best wishes to that business; that is a very exciting project. Koorian Farming Enterprises will diversify its enterprise to produce figs and pomegranates. I did not realise that these were imported into Western Australia. Northbound Trading will be making chips out of lupins—what a great idea that is—and exporting them to the world. It has now received a little boost and some appreciation. Australian Wool Innovation is coming up with a module that can be put into shearing sheds that will save the shearers from having to drag sheep out of the pens and onto the boards. This module will deliver the sheep to the shearer's feet, ready for shearing. AIF will be working on that with a local engineering firm in Darkan, which will create local jobs. Bettongia Pty Ltd will be producing sandalwood nuts and expand that market. I tasted some of those yesterday. A lot of Aboriginal engagement went into that project. Merre Granola makes a wonderful granola locally in the wheatbelt. It is going to expand its capacity and increase its markets with a grant. The wonderful 14K Brewery makes all kinds of products from food waste that normally would have been thrown away. The brewery can turn it into magnificent lemonades and ciders. It will use its grant to purchase a mobile cool room to pick up some of its input material and to distribute some of its wonderful products to event, shows and various other destinations. These are great grants. There was a great vibe at yesterday's announcement. Rob Cossart, the CEO of the Wheatbelt Development Commission, pointed out that it was a fitting final visit to the wheatbelt as

minister on a 35-degree day in a tin shed, but we thought it was quite apt and a good way to make the announcement. The crowd was very enthusiastic and appreciative of the great job that the minister has done not only as our minister, but also for coming up with these novel and legacy projects that will drive the wheatbelt into the future. A bit has been said, and I will touch a little more on the minister's contribution to agriculture and regional development.

I want to read out the names of the other grant winners. They are not the only RED grant recipients in the wheatbelt. They include Augmenta Agriculture for its living farm expansion in York. That is a wonderful project. Another recipient is Evoke Living Homes, which is helping the government deliver a cost-effective modular housing situation all around the wheatbelt to cover the housing shortage. Also, Whinbin Rock Farms is constructing a bespoke malting facility, Armstrong Malt, to house equipment and infrastructure. The Noongar Land Enterprise Group received a grant to upgrade its native tree nursery, Boola Boornap, at Northam through the purchase of nursery benches and an irrigation system. The Shire of Bruce Rock received a grant for the Bruce Rock supermarket. For those who do not realise, the Bruce Rock supermarket burnt down a few years back. The local shire and the community are getting together to build a new supermarket in Bruce Rock to service the local community. Our government has been part of the rejuvenation of that important facility.

AgriFresh, another recipient of a RED grant, will establish a passionfruit industry in Western Australia. Passionfruit is important. We did not have that here. Who knew? West Hills Farm received a grant for a carrot pre-packing facility, along with Coorinja Vineyard for a function centre and accommodation facility in Toodyay. I encourage everybody to visit Toodyay and go to Coorinja Winery, which has magnificent wines. WA Sandalwood Plantations received a grant for a woodchip value-adding facility. Also, Main Camp WA will establish a deep water bore on its Badgingarra property to irrigate eucalyptus plants designed to meet the essential oils market. Eucalyptus is grown naturally in WA, so why not get around that industry? Julimar Date Garden, an agritourism venture, received a grant to construct a processing facility to process dates here in Western Australia. They grow naturally; we do not need to import them. The Noongar Chamber of Commerce and Industry received a grant for its Boya business solutions project. Also, Three Farmers Australia, for a low gluten oats supply chain. Gluten has become a dietary issue for many people across Australia and the world. This minister has seen fit to put some regional economic development funds into a project that helps work against that. The Shire of Koorda received a grant for the North Eastern Wheatbelt Regional Organisation of Councils to address some of our power issues in energy grids right across the state, along with Avon Valley Chevre, which produces artisan dairy products; and DromeDairy Body and Skin, which produces camel milk products. Bencubbin Truck N Auto's is another business in need of expansion to meet local demand. It also received a grant, along with the Healthy Chocolate Company. All these businesses started up in the wheatbelt and have been supported by the regional economic development grants.

Bruce Rock Engineering is a magnificent business. It employs half the town of Bruce Rock. This government has been able to help it expand its facility. Rowles Agriculture Company in Goomalling produces WA craft malt. I know the fellow who runs it quite well. He fought and fought to get his business up and running. The government was able to help him with funding. Other proponents to receive funding are Kochii Oil Mallee Equipment; the Jurien Bay Chamber of Commerce; Great Southern Seed Works; and Wheatbelt Natural Resource Management; CaterNet Pty Ltd, trading as Stumpy's Gateway Roadhouse in Brookton. Everybody has been there. That is a magnificent place to pull up and get some fuel and something to eat. Marvick Native Farms Mogumber also received funding. All those businesses have been beneficiaries. Other beneficiaries include the Avon Valley Beef abattoir just near Northam; the accommodation facility at the Gravity Discovery Centre; Misty Ridge Plant Farm for an inland desalination and water re-use project; Murdoch University; and Northern Valleys Locavore Store. If members have never been to Bindoon, they should go and make sure they drop into Northern Valleys Locavore Store. Everything that business sells is sourced within 100 kilometres of Bindoon, one of the great food-producing areas of our state. Regional Development Australia in the wheatbelt received funding for its online sales booking and data platform for Noongar enterprises. The Shire of Koorda again received funding, as did the Wheatbelt Business Network, which does magnificent work across the wheatbelt. So many businesses have benefited from this terrific scheme, and so many more will.

I want to say some kind words about our outgoing Minister for Regional Development. She is one of the best people I have ever met. Like many, I was shaped and convinced to have a go at politics by Hon Alannah MacTiernan. Dozens of us can say that. She has been a great support to many of us, especially in the early parts of our careers and before we came to this place. Her biggest outgoing legacy was announced today—a \$320 million world-class agricultural headquarters at Murdoch University in Western Australia. This has been talked about for 20 years. That dear old 1950s facility in South Perth that was promised by a former government, cut by the former government and promised by governments over time has finally been delivered by this agriculture minister. This is a great day for agriculture in Western Australia. This is the day that the government says, "We appreciate your industry, we know it is about its strong future." We look forward to increased research and development into agriculture for generations to come. If I had the opportunity to name it, I would name it after the minister. I hope the people listening to this today take that advice because that would be an apt and fitting outgoing act in appreciation of the minister's great contribution to regional development, agriculture, this Parliament and Western Australia. Thank you very much.

**HON JACKIE JARVIS (South West)** [11.55 am]: Acting President —

**Hon Dr Steve Thomas:** The only one who didn't stand.

**Hon JACKIE JARVIS:** I was seeking the call.

**Hon Dr Steve Thomas:** Was that pre-emptive of anything? You're the only one who didn't stand up.

**Hon JACKIE JARVIS:** Apologies. Thank you, Acting President. I was a little slow to jump to my feet, but I am here now.

I, too, would like to commend Hon Shelley Payne for moving her motion today. I think it is fantastic to acknowledge the work of the regional development commissions and the regional economic development grants. The RED grants will remain a fantastic achievement of Hon Alannah MacTiernan. Let us not forget that when the Labor government came to office in 2017, it is fair to say that the royalties for regions program was in disarray. As we saw in 2018, the Langouant review chastised the Barnett government for the poor management of the royalties for regions program. I commend the minister for the way she basically overhauled the royalties for regions program and gave a focus to true economic development, which is what the program should have always been about.

As we know, the regional economic development grants drive economic development and jobs in regional communities. It is a \$45.8 million statewide initiative, investing in locally driven projects. The program will invest over \$5 million over eight years into south west regions in my electorate. What is great about these grants is that they give development commissions the opportunity to outline regional priorities. They can go to the sector and say, "These are our priorities. These are the things we want to focus on." The South West Development Commission's priorities are Aboriginal small business development, agriculture and aquaculture. Many projects in my neck of the woods have been given a leg-up by the RED grants, with businesses focusing on low carbon energy resources, advanced manufacturing and maximising overseas and interstate exports. There is a focus on mining, tourism and events. It is a great disappointment that so few members of the opposition and the crossbench are here to partake in this discussion. Unfortunately, they have all been called away on urgent parliamentary business.

**Hon Dr Steve Thomas:** You've got quality representation.

**Hon JACKIE JARVIS:** It is good to see that at least one regional member is here. I note that the Leader of the Opposition in this place is trying to get an overhaul of the royalties for regions program. I note media reports in January 2021. An article in *The West Australian* stated that shadow royalties for regions minister Steve Thomas —

... slammed the Nationals for refusing to meet with him over the "sensible ... management" of Royalties for Regions funding.

According to *The West*, he was slammed, which apparently is where Hon Dr Steve Thomas gets all his quotes from. Several members interjected.

**Hon JACKIE JARVIS:** I am not taking interjections.

I am here to acknowledge the great work being done with regional economic development grants and the great work of Hon Alannah MacTiernan. Hon Darren West talked about being in tin sheds on hot days when making announcements. That seems to be a recurring theme. The last RED grants announcement that I was at was held on a very hot day in Margaret River about 12 months ago when I was standing outside a chook shed. It was a very nice chook shed, I should add! Round 4 of the RED grants was held at Margaret River Free Range Eggs in the south west. That business was established in the region about 25 years ago and has gone from strength to strength. The business owners had the foresight when they purchased an egg production business in Margaret River 25 years ago to switch very early on to producing free range eggs. They recognised the gap in the market at that time. Margaret River Free Range Eggs received \$150 000 for an advanced climatically controlled egg-processing plant. I can assure members that on the day we were there, the chickens seemed very comfortable in their climatically controlled shed while we all stood outside and were incredibly hot. We also announced a grant of \$100 000 for a business called Eagles Heritage, which is now operated by the Margaret River Busselton Tourism Association. Eagles Heritage is a fantastic tourism business that rehabilitates raptors and other birds of prey. It was privately owned by a local family for many years and was in desperate need of revitalisation. The Margaret River Busselton Tourism Association is probably one of the leading tourism associations in Australia with a commercial focus. It has taken over that business and is using the RED grant to enhance that facility and work with the local Wadandi people to make sure that their cultural heritage is preserved and that tourists are engaged in it.

Hidden River Estate in the south west was given a \$100 000 grant for a strawberry propagation project while we were standing outside that incredibly hot chook shed. Until I met those proponents, I was not aware that we had a great strawberry-growing industry in Western Australia. Most of the runners—the plants used to start the strawberry farm—used to be imported from the east coast. A fabulous young couple are the first in Western Australia to have a strawberry propagation business that provides the runners to the strawberry farmers in Western Australia. That saves people from having to import them from the east coast. It is always nice when we can produce our own seed or root stock in Western Australia because of issues with biosecurity.

A number of my colleagues want to speak, so I will not go through all the notes I have, but I will take the opportunity to acknowledge Hon Alannah MacTiernan for the great work she has done and the great focus she has had on the regional development and agriculture space.

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [12.02 pm]: I had to jump up because we were mentioned for not adequately partaking in the debate. I am sure members opposite realise that I am very keen to make a contribution before the house today. This is something of a valedictory for the Minister for Regional Development, and that is fine. Members should be aware that when the minister announced her retirement, I put out a media statement titled “Statement on the impending retirement of Alannah MacTiernan”. I will not read the entire thing, but I will seek leave to table it just in case members have not read it. I actually said some quite nice things about the Minister for Regional Development, which probably helped end her career, but that is what happens when you are praised by your opponents! I will read some of it in and members can read the other quotes later. It states —

“I have always admired Alannah’s tenacity and work ethic” Dr Thomas said. “Whilst I have frequently disagreed with her on policy issues, I have always considered her to be a highly intelligent MP who makes a no-holds-barred contribution to the political fray and parliamentary debate.

“I hold Alannah in high esteem as a political opponent, and I will miss our ... fiery debates.

“She has been both hard working and tenacious.

I think we have seen evidence of that today.

I seek leave to table the media release.

[Leave granted. See paper [1927](#).]

**Hon Dr STEVE THOMAS:** I have enormous respect for the Minister for Agriculture and Food. That does not mean that I agree with her all the time, but I have enjoyed our debates. We had some fiery debates in the house that shall not be named between 2005 and 2008. Interestingly, we both turned up back here in this chamber in 2017. They have been some of the more interesting, fiery and, ultimately, more fun debates that I have experienced in either house. As members on the other side have said, I, too, will miss the contributions of Hon Alannah MacTiernan and the debates we have had.

Having said that, in the short time available, I will take issue with the motion before the house rather than the minister at which it is directed. I thought the first sentence was very interesting. Hon Shelley Payne moved that this house —

commends the McGowan government for its strong commitment to our regions.

That in itself is rather odd when considering that immediately after the election in 2021 the government moved to slash the representation in the regions when it had the political advantage and was on top in the upper house. Despite the Premier saying numerous and repeatedly that electoral reform of the upper house was not on his agenda, he immediately engaged in electoral reform because he had the opportunity. That immediately undermined the representation of the regions. He said that he would not and then he said that he would. That is what this government did. I am not so sure about the government’s commitment to the regions.

I could have a conversation about the government’s commitment to a very important regional industry, and that is the forestry and hardwood timber industry in this state, but that would divert me from the core contribution that I would like to make today. I am happy for members of the Labor Party to talk about the good things that have been done in members’ electorates using regional development funds. That is absolutely fine. Good things have been done using regional development funding previously and they are being used to do good things now, but not everything has been successful. I could happily pull out regional development projects that the minister has endorsed that have not gone so well, but I do not need to do that today.

A couple of critical issues in the motion today should be addressed. The motion refers to the government’s commitment to the regions, and that is the first thing that needs to be addressed. We need to address the issue of substitutions. That is a word that I know the Premier hates. I am not sure what the Minister for Regional Development thinks of it, but that is when the Labor Party takes funding for the normal operations of government from the royalties for regions budget. That includes, for example, \$250 million a year for the regional water subsidy. I am happy to admit that the government has reduced the water subsidy substitution so that it has now been cut back, but that was only so the Labor Party could insert its own election commitments. The government is still engaged in substitutions. The country school bus service is a prime example. Every year, \$70 million or \$80 million is taken out of the royalties for regions budget because of the government’s substitution racket. Previously, that funding was always part of the Public Transport Authority’s budget. That is probably not the Minister for Regional Development’s fault. As I have frequently said, the Minister for Regional Development should have had more power. The fact that the minister was not on the government’s Expenditure Review Committee is a shame because she oversees an enormous part of the budget. That is another example of the government’s lack of commitment to the regions.

**Hon Darren West:** Did you read the motion?

**Hon Dr STEVE THOMAS:** I am reading the motion directly. It states —

... commends the McGowan government for its strong commitment to our regions ...

That is part of the first sentence. I have not even got past the first sentence and members opposite are complaining. Several members interjected.

**The ACTING PRESIDENT (Hon Steve Martin):** Members, if you could direct your comments through the chair and be on your best behaviour. We have some younger listeners in the gallery and they are struggling to hear, as is Hansard.

**Hon Dr STEVE THOMAS:** Thank you, Acting President, for your protection from the unruly interjections.

The motion refers to the government's commitment to the regions. We discussed the regional development commissions with which I have had quite a deal of experience. A number of members opposite should be well aware that the regional development commissions were stripped of their power of local decision-making. They have become advisory bodies whereas previously they were decision-making bodies. That happened almost immediately upon the ascension of the McGowan government back in 2017. They were decision-making bodies but they have had that power stripped.

I will not seek to table it, but I have another press release from when I was the shadow Minister for Regional Development about the scrapping of the direct authority of regional development commissions. Sadly, they have become an extended secretariat for the centralised government. They have become an arm of the government's publicity machine, in many cases. I have great respect for this minister but —

Several members interjected.

**The ACTING PRESIDENT:** Members! The Leader of the Opposition has the call.

**Hon Dr STEVE THOMAS:** Thank you, Acting President.

This minister has given direction to regional development commissions, and they are running the minister's agenda. They are not decision-makers in their own right anymore; they are an extended secretariat.

When the member stands up and says in the motion that they commend this government's commitment to the regions, it is a nonsense. The first thing the government did after the 2021 election was to strip regional representation.

**Hon Peter Foster:** We are still here!

**Hon Dr STEVE THOMAS:** I expected the member to be elsewhere, but we will come to that in the fullness of time, as well. I think the member missed an opportunity, because we had a great debate this morning. The Labor Party, which lectured us this morning about representing regional people and how we should stand up for Western Australians, did not bother to turn up for the North West Central by-election. It did not bother to show up. I thought a shoo-in was coming, but there you go. It did not turn up to the North West Central election.

It is not the Minister for Regional Development's fault. If we believe the media reports, she had to be marched out of the room and reprimanded by the Premier for daring to suggest that the Labor Party should turn up. I appreciate the forthrightness with which this minister conducts herself. She was not afraid of the Premier, and she was happy to go there and say, "We should stand and take whatever the consequences are". I say well done for that. The Labor Party should not lecture us on looking after and protecting the interests of the people of Western Australia, particularly in the regional areas, when it does not show up. It is not even a part of the debate and not even a part of the by-election. Talk about hypocrisy.

I am a bit torn on this motion because I want to support some of the work conducted by the Minister for Regional Development. In some areas, she has done a good job.

**Hon Kyle McGinn:** Have you said you supported RED grants?

**Hon Dr STEVE THOMAS:** Some of the regional economic development stuff has been very good.

**Hon Kyle McGinn:** That is what the motion is about.

**Hon Dr STEVE THOMAS:** No, it is not. If it were purely about regional economic development grants, we would be having a very different debate. The member needs to read the first sentence. This minister has done some good things. I think the minister has done some terrible things but some great things, as well. I wish her all the best in the future, but the motion before the house does not refer to that, and it does not deserve support.

**HON ALANNAH MacTIERNAN (South West — Minister for Regional Development) [12.12 pm]:** I thank Hon Shelley Payne for her motion, which gives us the opportunity to talk about this important issue today. I thank the members who have been so kind in their contributions today.

I really want to use this as an opportunity to reflect on some of the things that we have been able to achieve in regional development. When we came into government, industry had great concern about the development commissions. They were all wandering off on their own with a variety of skill levels, shall we say. We needed to make them a more coherent part of government. Under the coalition, it had been a weapon in the blue-on-green wars. We did not seek to stop multipolar decision-making. Really importantly, we kept each of the development commissions as an independent statutory entity, and they all have a CEO, who provides advice directly to government. The suggestion, previously, that development commissions could run their own shows and make their own decisions—if it were true, but it is not true—would have been completely irresponsible. They need to be part of government.

These things take time and, of course, there were teething problems in getting a new system up and running. I want to compliment Terry Hill from the Pilbara Development Commission and Kris Starcevich from the Goldfields–Esperance Development Commission for the work they did making sure we got right the integration with the larger exercise of government. They are part of government; that is what they need to be.

One area in which we have really been able to make this work and get real results for the community is through the local content network. In its office, each commission has a local content officer who is part of a statewide network that has entree right into the heart of government. That network ensures our regions have the ability to be part of the tender process for the \$30 billion worth of procurement each year for government services. This was a huge effort that was put together to ensure that we prepare local businesses, that we understand the capability right across the regions in all areas of government procurement, and that our contracts are structured in such a way that local businesses can participate. We actively go out and ensure that regional businesses are aware of government procurement coming up, whether it is capital works or services, and that has been fantastically successful. It has taken some time to really reach that point, but now we see that our local content officers have a direct line of communication with the Department of Finance and all the other big procurement agencies. We are ensuring that we are embedding those opportunities for local regions to participate. That, in itself, has been a great success.

We have made sure that the regional development commissions can participate and be really active helpers to government in addressing regional issues. The Goldfields–Esperance Development Commission, for example, has been actively involved in some of the most recent native title settlements. It has been fantastic. The South West Development Commission is really running the Collie transition program and developing the advanced manufacturing and technology hub concept for advanced manufacturing in the south west. The Great Southern Development Commission has taken an active role in taking our premier wine and food businesses into South-East Asia and creating a different level of opportunity for those businesses. It has stepped in to help local government on those really hard issues, when there is no other pathway to deal with things, such as the great landslip in the great southern. As Hon Shelley Payne set out, the Wheatbelt Development Commission played a role, through Rob Cossart, as the district recovery coordinator in their regional bushfire response and engaged in massive diversification. The Peel Development Commission drove forward and worked with other parts of government, not as a silo, to get up things like the Peel food innovation precinct. The Mid West Development Commission worked to develop a solution in which Western Australian universities deliver programs through our regional universities centre. The Gascoyne Development Commission worked to resolve really complex issues around flood management and jetties, and make the most of opportunities like the solar eclipse. The Pilbara Development Commission took a leading role in the development of the state and federal governments' Pilbara hydrogen hub and really worked hard to bring industry and government together to get that \$140 million commitment. It is also doing fantastic work in developing the capability of Aboriginal enterprises in the Pilbara.

We have also seen the extraordinary work that the Kimberley Development Commission has taken on in developing a very localised response to the problem of juvenile justice. It is bringing all parts of government together, along with groups like Marlamanu, Miriuwung Gajerrong and Emama Nguda, to develop programs and a comprehensive justice response that is particularly tailored for the Kimberley.

This is really important. The idea of having development commissions that are not just little fiefdoms that are out there to help with National–Liberal Party disputes, but rather are a central part of government, has made them more effective and able to take on more sophisticated roles. They have been able to work together as a team to advance the interests of the state. This is reversing the Balkanisation of development commissions that we have been seeing. I note that some members of the opposition and their surrogates, such as the mayor of the City of Greater Geraldton, have for some reason become a bit hostile to the regional economic development grants, even though they actually support some of the applications in their area. By the end of this round, about 300 regional economic development grants will have been issued. We have had an extraordinary success rate with those grants.

We know that it is harder to do business in the bush, and that it involves more complexity and cost. However, our vision has always been to support and back the entrepreneurs and social enterprises in the regions that are doing good work and give them the opportunity to be the people who can take the community forward. Government members have outlined a raft of grants. Some of the most exciting grants have been for manufacturing in places like Bruce Rock, Carnamah, Albany, Geraldton and Kalgoorlie. It has been a great program and I hope that my successor will continue with this program and drive it forward.

**HON SANDRA CARR (Agricultural)** [12.22 pm]: I, too, rise to support the motion put forward by Hon Shelley Payne. I thank her for raising such an excellent motion and providing us all with an opportunity to recognise the incredible contribution that the McGowan government is making to the lives of the people and communities in regional Western Australia. I would like to acknowledge that I was pleased to see Minister MacTiernan address the comments of Hon Dr Steve Thomas about regional development commissions. I plan to do the same myself. He has really insulted the work of the people who live in our regional communities and who put so much time and effort into ensuring that they connect with, support and collaborate with our regional community members and businesses. That is a really important model to provide for our communities going forward.

I would also like to address another myth that was put forward by Hon Dr Steve Thomas. Hon Dr Steve Thomas seems to have provided himself with the pseudo role of member for secondary information from *The West Australian*, because that paper seems to inform all his political fact-finding at the moment. His comment that there has been a diminishing of regional representation is absolute nonsense. His whole point about regional representation is that his party puts forward members who are based in the regions. All I am hearing when he says that is that either his party does not plan to do that, or it has no control over whether that does happen.

**Hon Kyle McGinn:** “The Clan” won’t do it!

**Hon SANDRA CARR:** “The Clan” probably will not allow that to happen, so I understand the conundrum in which the honourable member finds himself.

I would like to talk about the regional economic development grants. They have made an outstanding contribution to the midwest. Recently, the Shire of Dandaragan opened its Turquoise Way Hill River Crossing Bridge. That project was delivered with the assistance of a \$100 000 RED grant. That bridge provided the turning point for part of the fifth Wildflower Festival of Running and Walking on the Turquoise Coast in Jurien Bay. That shows how RED grants have added value to communities and continue to do so. That event added \$2 million of visitor expenditure to the community, and it is continuing to add value and draw visitors to that region and build and enhance the Turquoise Coast as part of Western Australia’s fantastic tourism experiences. Members can rest assured that if they head to the Turquoise Coast, they will be a return visitor. It is a beautiful spot. That is the unanimous comment of people who visit that region.

I will now talk quickly about the most recent round of RED grants, because I know that other members want to speak. There was over \$600 000 of contributions in round 5 of the grants. A grant was made to the old Blue Heelers Tavern site in Geraldton. People from the midwest will know what I am talking about when I say that. The building had burnt down, and the site was derelict. That site will be revitalised to create a great community and tourism experience that will add value and vitality to that space. That is an outstanding exemplar of what can happen when the development commission, the local member, the community and the government work in collaboration to look at ways to address a derelict site. That can be compared with the division and attack that we see with other sites in Geraldton that are considered derelict, with people like the mayor of the City of Greater Geraldton spending all his time in that role trying to attack the government rather than collaborating with the government and our local member to achieve great outcomes for the community. When that division is removed from the process, we will see much better outcomes for the City of Greater Geraldton and the midwest more broadly. I will now sit down because I would like to allow my colleagues to speak. Thank you very much.

**HON PETER FOSTER (Mining and Pastoral)** [12.27 pm]: Noting the brief amount of time available, I will be as quick as I can. As we have heard today, the McGowan government cares about the regions and has invested heavily into the regions. Hon Dr Steve Thomas might want to look at the budget papers and the over \$12 billion that has been allocated to the regions and refresh his knowledge about that.

I would also like to acknowledge Hon Alannah MacTiernan. I have had the privilege of joining her on a number of trips to the Gascoyne and have seen firsthand how much the regional economic development grants are delivering to our regions. I want to talk about two grants in particular. One was to a cafe that we visited in early November called Taste of Italy by Valeria. That business received a grant in round 4 of \$100 000. Prior to receiving the RED grant, Valeria had been operating her business from the back of her house. She did not have a lot of space, so it was quite cramped and she was not able to expand. The grant enabled her to open a shop, which the minister formally opened on our visit, and we were taken inside for a bit of a tour. Valeria has put the grant money towards upgrading the kitchen and the fridges. The shop is amazing. What I also like about this business is that she is using local produce. As members know, Carnarvon produces a lot of fruit and vegetables, and Valeria is using the local tomatoes, capsicum, eggplant, zucchini, sweet corn, cucumber, mangoes and rockmelon for the produce that she sells in her store. If members get bored, they should look at her store on Facebook. She will be running a Christmas luncheon, which was sold out within minutes, which shows how popular Valeria’s Italian cooking is in Carnarvon.

Another one I want to give a shout-out to is Dive Ningaloo, up in Exmouth. It received a round 3 regional economic development grant of \$200 000, and that money went towards refurbishment of its vessel. While we were in Exmouth, the minister formally opened the ship; she smashed a bottle against the hull, which was a bit of a waste, but also quite an experience! We went inside the ship and had a look around. Dive Ningaloo has actually converted an old ferry into accommodation, and it will now be able to run diving tours. That is important, because it is creating jobs and tourism experiences for Exmouth. As members know, in April 2023 we will have a total solar eclipse, which will bring a lot of visitors to the north west, including Carnarvon, Coral Bay, Exmouth and Onslow. It is really important that some of these grants have been targeted at improving businesses that will value-add to tourism experiences.

One of the grants announced recently in the heat at Carnarvon—we seem to have a recurring theme of heat when announcing RED grants!—was for Mutts Cafe. It received funding to increase its capacity from 60 to 200. We will have a lot of hungry mouths in Exmouth when the total solar eclipse occurs, so it is great that that business will be able to expand its capacity when all those visitors arrive.

**Hon Darren West:** We can stampede!

**Hon PETER FOSTER:** Excellent!

Noting that I have only 10 seconds left, I would like to end by acknowledging the Minister for Regional Development, Hon Alannah MacTiernan. Everyone in the regions loves you, and you will be sorely missed.

Motion lapsed, pursuant to standing orders.

### **MEDICINES AND POISONS (VALIDATION) BILL 2022**

#### *Committee*

Resumed from 30 November. The Deputy Chair of Committees (Hon Steve Martin) in the chair; Hon Sue Ellery (Leader of the House) in charge of the bill.

#### **Clause 1: Short title —**

Progress was reported after the clause had been partly considered.

**The DEPUTY CHAIR (Hon Steve Martin):** Members, we are in Committee of the Whole House, dealing with the Medicines and Poisons (Validation) Bill 2022, and the question is that clause 1 do stand as printed.

**Hon SUE ELLERY:** Just to remind the chamber, we took a fairly generous view on what we would talk about under clause 1 and actually talked about some of the provisions under clause 4 during debate on clause 1. I made commitments yesterday that I would seek further information from and raise particular matters with the relevant minister. I have done that, and I have some information to provide. One of the first issues raised was whether there would in future be some kind of proactive activity undertaken by the Department of Health to ensure that we do not find ourselves in this position again. I can confirm that the minister has raised that issue with the Department of Health, and it has agreed to look at its processes. I also undertook to raise with the minister whether we could table the second 2019 briefing note on amendments to the Medicines and Poisons Regulations. We have located that briefing note, and I table it.

[See paper [1928](#).]

**Hon SUE ELLERY:** The Medicines, Poisons and Therapeutic Goods Bill 2013 was referred to the Standing Committee on Uniform Legislation and Statutes Review in 2013, and I was asked yesterday whether that was the first time Western Australia had implemented a uniform scheme for the scheduling of medicines and poisons. I am advised that the Poisons Act 1964 adopted the Standard for the Uniform Scheduling of Medicines and Poisons in 1996. I was also asked how long methamphetamine had been a prohibited drug prior to February 2019. Methamphetamine, listed as methylamphetamine, was included in schedule 8 of the Poisons Act 1964 on 17 November 1971. There was also a question about whether any medicines or poisons had been added to schedule 4 or schedule 8 during the validation period. We have a list of schedule changes that I am happy to table. I draw members' attention to the fact that the range of drugs on that list includes things such as cancer treatments, osteoporosis drugs, diabetes drugs and kidney disease drugs, so we are certainly talking about medicines, not the other end of the scale.

[See paper [1929](#).]

**Hon NICK GOIRAN:** At the outset I thank the Leader of the House for returning today with that supplementary information, including the paper that has just been tabled, which is the briefing note dated 9 July 2019. Hon Martin Aldridge and I can now peruse and consider that document for the first time. Noting that the clock continues to run, with 17 minutes left, we will do the best we can to get through the remaining issues.

Just to confirm, with respect to the length of time methamphetamine has been a prohibited drug, the minister confirmed that it has been prohibited since 17 November 1971, which is a long time—longer than some of us have been alive. I think that reinforces the point made yesterday that, with all due respect to those who might want to take advantage of the commonwealth government having moved the schedule within the Poisons Standard, at the end of the day there can be no doubt—certainly not for Western Australians—that methamphetamine has been a prohibited substance since as far back as 17 November, 1971. As a result, I do not think it can be fairly put that the retrospective application of the bill is unreasonable.

As I have said previously, this is a significant issue and not one that members should treat lightly. Clause 4(10) of the Medicines and Poisons (Validation) Bill 2022 indicates that earlier sections apply, despite section 11 of the Criminal Code. Section 11 of the Criminal Code is there for a very important reason: so that the rule of law can be applied fairly to every Western Australian, and so that every Western Australian can understand precisely the state of the law and abide by it. We are now saying that, notwithstanding that, a person will still be able to be charged and, indeed, punished as a result of activities that took place during the validation period—that being 1 February 2019 to 19 November 2019. That is something that should happen only in the absolute rarest of circumstances; it is not to be seen as a precedent.

When we discussed yesterday the notion of precedence with regard to these types of provisions overriding section 11 of the Criminal Code, the minister mentioned that there were a couple of examples—the Biodiversity Conservation Act 2016 and the Business Names Act 1962. Is there any further information about acts that have sought to override the Criminal Code?

**Hon SUE ELLERY:** No, I have nothing further to add.

**Hon MARTIN ALDRIDGE:** While we contemplate these documents, I have a question on clause 4(5) and (6). They go to anything done or purportedly done. Subclause (6) reads —

In subsection (5), a reference to the doing of anything includes a reference to an omission to do anything. Effectively, clause 4(5) should be read as anything done or not done, or purportedly done or purportedly not done. How will this be limited? If it is effectively limiting liability of something that has been done or has not been done, how will we limit that to this issue of scheduling and perhaps not to other matters that may be relevant?

**Hon SUE ELLERY:** The first point to make is that the reason that the two clauses are separate clauses and not one clause is a drafting issue.

**Hon Martin Aldridge:** I do not have a problem with that.

**Hon SUE ELLERY:** Insofar as the legislative provisions that established those obligations and powers were dependant on the correct definition of the Standard for the Uniform Scheduling of Medicines and Poisons in the medicines and poisons regulations during the affected period, that is essentially how it is to be read and understood.

**Hon MARTIN ALDRIDGE:** Are we confident that it has to be in the context of this anomaly, as the government describes it, and it cannot be for some other act done or not done that this will be relied upon as a defence?

**Hon Sue Ellery:** That is correct.

**Hon MARTIN ALDRIDGE:** The paper just tabled on the changes for schedule 4 and 8 medicines says that medicines are added automatically when a product is marketed in Australia or, alternatively, medicines may be added without a product if there is a new class of medicine. Is it the case that these are medicines that were added to the schedules during the validation period?

**Hon SUE ELLERY:** Yes. I probably should have said that when I tabled it to make it absolutely clear. I meant yes. The question asked was: were any added during that period? This document that has been tabled provides the list of those that were added during that period.

**Hon MARTIN ALDRIDGE:** I am trying to get my head around this because the problem at the end of yesterday is, given we are adopting the current standard and applying it retrospectively, whether there is a risk we will hold somebody accountable for a scheduled drug that is currently in the poisons standard that was not in the poisons standard during the validation period?

**Hon SUE ELLERY:** I am advised by the Chief Pharmacist that this is the list. Probably for people taking some of these drugs, they probably do have side effects, but there is nothing in these medicines that constitutes a threat to society in the same way that methamphetamine does, if that was the point of the member's question. If that was not the point of your question, I need you to restate it because I am not sure that I understood it.

**Hon NICK GOIRAN:** Perhaps I can assist the Leader of the House. Let us take the second on the list of those drugs, which I understand is for cancer therapy. This was added to either schedule 4 or schedule 8 during the relevant period. What is the significance of having been added to the schedule? Does it then mean that it is permitted to be used because it has been added to the schedule?

**Hon SUE ELLERY:** Yes. If that was the question that Hon Martin Aldridge was asking, then yes. I am sorry, I just did not understand it. The answer is yes.

**Hon NICK GOIRAN:** In this particular example of the cancer therapy treatment, it is permitted by law to be used after a certain date. We do not know the exact date; it is not important, but we know it was during the validation period. What would the consequence be if a person had accessed this particular cancer therapy prior to that date?

**Hon SUE ELLERY:** Perhaps I will give the answer in a kind of ordinary person's language. If a person was using that drug—the second one on the list—for cancer therapy, would there be any consequences for that person using that drug during that period? The answer is no. Were they doing anything wrong, in the simplest terms? Were there any negative consequences? Was there any penalty to be paid? Was there any offence committed by the use of any of these during that period that we are now seeking to validate? The answer to those questions is no.

**Hon NICK GOIRAN:** Since it has been added to the schedule it would be possible for a person to be charged with an offence related to the manufacture, prescribing or possession of this cancer therapy?

**Hon SUE ELLERY:** I am advised, yes.

**Hon NICK GOIRAN:** To what extent will the definitional change today have an implication on that?

**Hon SUE ELLERY:** I am not able to get advice for me to describe it to you in any other way than I have. If there is something particular that you are looking to clarify, I will try again. I am advised that if there was a consequence in respect of those drugs that are attached to the misuse of drugs, there will be no consequence that flows from these medicines being added to the list during that time.

**Hon Nick Goiran:** No adverse consequence?

**Hon SUE ELLERY:** Correct. That is what I am being advised.

**Hon MARTIN ALDRIDGE:** We will stick with this cancer drug as the example. These drugs were added to the schedule sometime during the validation period. Let us assume they were added on 1 August as a hypothetical example. We are retrospectively applying the current standard for the entire validation period. So, from 1 February to 1 August, when that drug was not scheduled, we are scheduling it via this act. To that extent, we are departing from the nationally consistent scheduling for poisons and medicines because we are validating that drug from 1 February to 1 August. Is that correct?

**Hon SUE ELLERY:** It will only be validated from when it should have been validated. If the member is asking whether we will validate from February a drug that became available in August, the answer is no. We are validating it from the period from which it should have been on the list.

**Hon MARTIN ALDRIDGE:** I had some issues earlier about the definition in clause 4(2), which is about adopting the current standard. Is that because the schedule, which I do not have—I think it is 600 pages long—has a relevant date on it? Is the problem that I described a problem because the schedule provides the date from which that drug is scheduled?

**Hon SUE ELLERY:** I am advised that updates to the schedules are released in batches. Is that the correct language? The standard applies until it does not—it is repealed—and the next standard, which includes the next batch of medicines, is added to the standard.

**Hon NICK GOIRAN:** Putting aside the fact that the briefing note provided in 2019 was drafted by a senior solicitor and was purportedly signed off by three other senior persons before the director general and the Minister for Health signed off on it, the final point in the briefing note, under “Background”, states —

Amendment is required urgently as the incorrect reference to the current Poisons Standard directly impacts the operation of the *Medicines and Poisons Act 2014* and the Regulations, including the offences set out in the Act.

In 2019, there was some sense of urgency that if we did not do this, it would materially impact the operation of the Medicines and Poisons Act 2014 and its regulations—particularly, the offences—but that is not really apparent from what was just discussed. A moment ago, the minister said that the addition of these particular matters to the schedule would have no adverse consequences. I accept and acknowledge, because of the discussion we had yesterday, that it clearly does have an impact on the Misuse of Drugs Act 1981 and, evidently, the case currently before the Supreme Court. How does it have an impact on the operation of the offences under the Medicines and Poisons Act 2014?

**Hon SUE ELLERY:** I am conscious of the time. The honourable member will be aware that we canvassed a range of offences during the debate yesterday, including fraudulently writing out a prescription. That is an example that goes to the issue that the member just raised.

**Hon NICK GOIRAN:** If a person fraudulently prescribes a drug that is not on the schedule, such as this cancer drug, which was not on the schedule on 1 February, would that be an offence?

**Hon SUE ELLERY:** I am advised that it was not scheduled on 1 February. It was not on the schedule.

**The DEPUTY CHAIR (Hon Steve Martin):** Members, the time for consideration of this bill by the committee has lapsed. I am now required to deal with the clauses.

**Clause put and passed.**

**Clauses 2 to 4 put and passed.**

**Title put and passed.**

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

**HON SUE ELLERY (South Metropolitan — Leader of the House) [12.55 pm]:** I move —

That the bill be now read a third time.

**HON MARTIN ALDRIDGE (Agricultural) [12.55 pm]:** I rise to make some brief remarks on the third reading of the Medicines and Poisons (Validation) Bill 2022. At the outset, I would like to thank the minister for the conduct of the committee stage of the bill and the information that was provided; it was certainly most helpful in advancing the consideration of this urgent matter in an expeditious way. I want to emphasise the commitment made during the committee stage that the Department of Health will have a good, hard look at its internal processes to make sure a situation like this does not arise again. I am not convinced that this problem is entirely the making of the commonwealth and I think that the department ought to bear an equal obligation.

The other matter that I want to raise is that we established that this matter became known to the government in June 2019. Thanks to the minister, we now have a copy of a briefing note that was provided to the then Minister for Health, Roger Cook, on 9 July 2019. The then minister approved the urgent drafting of regulations on 25 July 2019,

which were, as I understand, exempt from the better regulation unit—whatever that unit does—because of the urgent nature of the amendment. Notwithstanding this, it took some five months, between July and November, to draft the regulations. Amongst them was this 27-word amendment to correct this anomaly.

The other concern that I want to put on the record that we, unfortunately, ran out of time to fully explore, is the issue of the definition of the standard. During the committee stage, I raised some concern about clause 4(2), which is the definition of the SUSMP, through which we will adopt and retrospectively apply the current Poisons Standard. We were helpfully provided with a list of 18 medicines and a further 15 medicines under a class called racetams that were added during the validation period. Unfortunately, we ran out of time to fully explore the matter, but I still have some concerns about the way in which we will retrospectively apply the current standard and whether we will deviate from the drugs that were scheduled, consistent with the SUSMP, at any point during the validation period.

With those few words, I conclude that the opposition remains supportive of the urgent passage of this bill. It is important that we validate these regulations because, as has been outlined, there could be significant ramifications across more than 40 pieces of legislation if the Parliament did not act on this quickly.

I commend the bill to the house.

Question put and passed.

Bill read a third time and passed.

### PAPERS TABLED

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

*Sitting suspended from 1.00 to 2.00 pm*

### HEALTH SERVICES AMENDMENT BILL 2021

*Second Reading*

Resumed from 15 November.

**HON MARTIN ALDRIDGE (Agricultural)** [2.00 pm]: I rise as the opposition's lead speaker on the Health Services Amendment Bill 2021. I indicate at the outset that not only do we support the bill, but also the bill has been a long time in the making. If I recall correctly, I recently received my third briefing on the bill. Given the time that has elapsed, if I did not support the bill, I would be inclined to do so just so that I did not have to be briefed on it one more time! It is quite an extensive bill. For those who have turned their mind to the bill, they will know it has some 89 pages and 99 clauses. It will do a range of things, but before I get to that—Hon Dan Caddy's favourite word—I want to put on the record that this bill was first introduced in the Legislative Council in September 2020, after first proceeding through the Legislative Assembly, where it was first introduced in October 2019. It obviously lapsed with the prorogation of the last Parliament and was reintroduced in the Legislative Assembly on 24 June 2021, and we received it on 15 November this year. It is fair to say that this bill is the lowest priority of the government, and the only reason we are considering it today on the last sitting day of the year is that it is the only bill that can be considered today, 1 December 2022. For those members who have access to today's notice paper, I can tell them that it is the only bill that can be considered today under our standing orders, after we earlier dealt with the Medicines and Poisons (Validation) Bill 2022, which was declared urgent. This is the only government bill that can be dealt with in the time remaining today.

**Hon Martin Pritchard:** If you finish it, we could go home!

**Hon MARTIN ALDRIDGE:** So the member wants to knock off early! This is quite an extensive bill, honourable member, and even though it is the last sitting day of the year, we still have quite a bit of work to do.

One of the things that I probably have not fully turned my mind to between the 2019 vintage and the 2021 vintage of this bill is whether any material changes have been made between the bill that was introduced in the last Parliament and the bill introduced in this Parliament. If I recall correctly—I really am going on my recollection—there was a supplementary notice paper and, indeed, I think amendments were made by the Legislative Assembly to the bill that was passed in the last Parliament. Because of the passage of time in dealing with the bill, I think they related to the passage of other bills at the time. The Procurement Act comes to mind and maybe even the Western Australian Jobs Act might have had an impact on the 2019 bill. It would be good to know when we get to the second reading reply whether any other substantive changes have occurred in the course of the reintroduction of the bill that is before the Legislative Council today.

As I said, I have been the beneficiary of a number of briefings on this bill. I think about an hour was allocated to the briefing. To get across the range of different measures and policy intents in the bill, it takes a good 45 to 50 minutes, and that would probably not cover it in any great detail, which does not leave a lot of time in the briefing to ask many questions, so a few will have to be dealt with during the committee stage as we work through the bill. Given the time that we have left this year, we will probably ultimately deal with this in February next year, if indeed this bill remains a priority of the government in February. I hope it will—so that we do not have to have another briefing in 12 months' time to progress the bill!

The bill will make a number of key changes. I will touch on the key ones and leave some of the more minor matters for the committee stage. As I was advised, when the 2016 act was operationalised, a number of implementation issues were experienced. One of those issues relates to land management. The current act sought to transition land and property held by various health organisations—primarily former hospital boards—to the ministerial health body. Following the proclamation of the act, it was determined that this was not achieved effectively. My notes say that some 49 sites did not transfer over and have remained the responsibility of the Department of Health and that these predominantly relate to staff accommodation. I might pause there, because this was one of the questions about land that I asked at the briefing. I was told that 49 sites did not transfer over to the health ministerial body but remain the responsibility of the Department of Health and that this land and property is predominantly staff accommodation. It could well be the case that it is predominantly in regional areas, where staff accommodation is often found alongside, or in the vicinity of, health facilities. That was in the supplementary information that I received on 22 November. About half an hour later, I received a clarification that 49 sites are held by the Crown or the state of Western Australia and these remain the responsibility of the Department of Health, and that the land and property that is held by the Crown or the state of Western Australia is predominantly staff accommodation. I received a further email on 30 November from the minister's office that provided further clarification. It states —

Since the below advice was provided, Department of Health Infrastructure Unit has provided us with revised advice, and the correct number of sites held by the State/Crown is 41. Not 49 as previously advised.

Given that this was an issue with the implementation of the 2016 act, it would be good to get some certainty around the land issues, particularly as I have been given three slightly different responses in a very short period. I understand that this bill will address the original oversight by allowing the minister to make orders for the transition of all freehold property and crown reserves used for the purpose of providing health care to either the ministerial health body or to a health service provider. As I understand it, there will be a mechanism to deal with land that is not captured following the passage of this bill via the minister being able to make an order, but it would be good to at least understand what we are talking about. I understand that at this point in time, 41 parcels of land, predominantly for staff accommodation, are the subject of these measures.

The other reform relates to capital works and the development of a new framework that will clarify the roles and responsibilities for the delivery of capital works and maintenance works, and provide greater flexibility in the delivery of those works. The main amendment will allow for the insertion of proposed section 20A, which is intended to improve the capital works and clinical commissioning of new public health service facilities by WA Health. The exercise of powers under this section will be subject to the Procurement Act 2020. Currently, only the department CEO provides this function. Proposed section 20A will establish the CEO as responsible for the overarching strategy for capital works and maintenance, and they may delegate works to be delivered by a health service provider. Generally, the CEO will retain responsibility for the commissioning and delivery of capital works of major or high-risk public hospital projects, such as the new women's and babies' hospital, while health service providers will be responsible and accountable for lower value projects.

As I indicated earlier, these amendments are all within the wider framework established by the Department of Finance under the Procurement Act 2020 and are subject to agency-specific directions under that act. Capital works and clinical commissioning are not expected to be the subject of a separate policy framework. If a health service provider is given any particular responsibility for the delivery of capital works or commissioning, the responsibilities will be a term of the service agreement between the director general and the health service provider and will be monitored and reported on within that context.

One other aspect of the bill in which I took some interest deals with the recovery of compensable fees and charges. To be honest, I do not quite fully understand it, so it will be interesting to explore it more fully in the committee stage. The bill will amend part 6 of the Health Services Act to establish a new and more comprehensive and effective scheme for the recovery of fees and charges from patients who sustain compensable injuries and receive treatment at a public hospital. The new scheme will allow health service providers to recover charges for the cost of health services from patients in situations in which the patient has either not disclosed their compensation or has received compensation after the treatment has been provided. It is intended that this will provide greater certainty to compensable patients regarding the fees that will be charged for the health services they receive.

At the briefing, I asked a number of questions about how this provision will work in practice. Initially, I thought it was a provision to enhance the public health system's capacity to recover funds from privately insured patients, but was advised that that is not the case. Rather, it relates to patients who sustain injuries, say in a motor vehicle accident or in the workplace, and are able to claim expenses through compulsory third party insurance or workers' compensation. I want to get a greater understanding of how these provisions will work practically, given the amount of time that may pass between a person sustaining an injury and making a claim and the claim being assessed and settled and some form of payment being made. It could be months, if not years, in the making. I want to understand how these provisions will help in practice, particularly for motor vehicle injuries and the role that compulsory third party insurance plays in providing everybody injured in a motor vehicle accident with cover for the injuries they sustain. I asked whether there were any information-sharing provisions with the Insurance Commission

of Western Australia, for example, which is the body that would receive, assess and determine claims of this nature. It is not clear whether that will remain a voluntary process and this is just a way of recovering fees and charges when they become known to the health service provider.

The bill will also clarify who is the employing authority for employees of health service providers. Clause 45 confirms that for all employees, other than chief executive officers, the employing authority is the board for board-governed health service providers. To the best of my recollection, the only health service provider in Western Australia that is not board governed is the Quadriplegic Centre; all other health service providers are board governed. Clause 45 is the relevant part of the bill that sets out the employing authority; it is the board for board-governed HSPs and the chief executive for chief-executive governed HSPs. In board-governed health service providers, the board is the employing authority and has responsibility for the transfer and dismissal of employees.

I asked at the briefing whether this is a contemporary or modern governance structure for board-governed health service providers, which is effectively all of them, bar the Quadriplegic Centre. I asked whether it is normal for the ability to hire and fire to rest with the board rather than the chief executive. I was told that the Health Services Amendment Bill 2021 will give the board formal delegation powers, therefore allowing the board to delegate those powers as appropriate. We can imagine day-to-day employment matters. Some of our health services providers would be quite significant employers, and they would regularly deal with human resources and staffing issues. I do not imagine it would be practical or appropriate for boards to play a significant role in those processes. It is my belief that boards are there to provide strategic direction and hold the executive accountable to that direction, rather than to be involved in the day-to-day machinations of delivering the service.

The other aspect of the bill that I found quite interesting was the powers to enter into arrangements. Proposed section 36D will allow health service providers to more effectively provide services to and receive services from one another, and to enter into contracts and act as agents on behalf of one another. I spent a little bit of time on that in my briefing. I was told that this provision is a proactive mechanism to make it clear that health service providers will have that power. I asked whether this bill sought to validate something that was already occurring amongst health service providers—that is, whether service sharing was occurring. I was told that was not the case and that there were no examples of services or arrangements requiring validation.

This bill has had a fairly long gestation period, and we now have available to us a document titled *Independent review of WA health system governance*, dated August 2022. The Department of Health website states —

On 17 January 2022, the Minister for Health has appointed an expert panel to conduct an independent governance review of the Health Services Act 2016 ...

That is the act this bill will amend. It continues —

The purpose of the governance review was to examine the operational and practical effectiveness of governance structures set out in the Act and their impact on patient experience and outcomes.

The efficiency and effectiveness of the WA health system has a direct impact on the health of Western Australians. It is critical to investigate and understand whether the current governance arrangements and operational instruments specified within the Act are operating in a way that is optimal and enables the best possible outcomes for patients and their families now and into the future.

...

The independent governance review of the Act has now been completed.

On 24 October 2022, the WA Government acknowledged the Independent Review of WA Health System Governance Report and approved the release of the report for further consultation.

The Panel made 55 recommendations for improvement, shaped by extensive engagement with stakeholders throughout Western Australia.

The successful implementation of recommendations made by the Panel will require collaboration with multiple government agencies. Therefore, the Government will further consult and seek feedback from relevant government and non-government agencies regarding the report.

As I understand it, that is the current status of the report within government. It appears that this report was made available to the government in August. It will probably be February 2023 at the earliest by the time we complete debate on this bill, so we may well be in an advanced position at that point to consider a government response to the 55 recommendations, noting that the governance review was made public on only 24 October; I recognise that is not long ago. It is a significant document and it will take time for relevant stakeholders and government to work through it. I asked at my briefing whether any provisions in the bill were inconsistent with the recommendations of the independent governance review. I received advice at the briefing, but the advice I received in writing states —

- Only one proposed amendment (new section 36D) has been identified as potentially not fully aligning with recommendations of the Independent Governance Review.

- The Government is currently working through the recommendations of the Independent Governance Review to understand and assess their implications for the WA health system.

So that members are aware, I indicate that obviously we are waiting for the government to formalise its response to the 55 recommendations, but at least one appears to be inconsistent with a provision on procurement in this bill. The *Independent review of WA health system governance* is a significant report, some 90 pages, and I do not profess to have read all 90. The relevant section for members to take some interest in occurs in the lead-up to recommendation 46 and is titled “A stronger mandate for HSS in procurement and digital enablement”. I will quote from the section on procurement rather than digital enablement. Under the subheading “Procurement” it reads —

Business support functions at an individual health service level are not optimising value and efficiency. In 2020–21 WA’s health system procured \$4.8 billion through contracts. While a few contracts make up a significant proportion of this annual value (e.g. Fiona Stanley Hospital Serco contract, Joondalup Hospital, St John of God Midland Hospital, St John’s Ambulance service), there are significant pharmaceutical, prosthetics, surgical and medical instruments, PPE and other clinical and non-clinical consumables amount to more than \$500 million annually.

At the time of this review, there are a total of 3,847 contracts across the WA health system —

I pause there to emphasise that that is a staggering number —

with the Department of Health managing 675, HSPs managing 1,992 and HSS managing 1,180. It is important that the best value for money is achieved for every contract. The more that the WA health system can use its combined purchasing power to leverage better value by aggregating HSP volumes to reduce costs, the more funding there is available to direct towards clinical services.

HSS is established to facilitate whole of system contracts and analyse where whole of system contracts can be established and used to deliver value for all HSPs and the System Manager. Consultations revealed mixed commitment to leveraging HSS’ collective purchasing capability and inconsistent adherence to whole of government procurement policies designed to boost local manufacturing and support Aboriginal businesses.

All parties should commit to the shared service model to leverage collective purchasing power, protect the security of supply chains and maximise opportunities for procurement from local and Aboriginal suppliers.

HSS should be confirmed as the central hub for procurement activity and empowered to:

- leverage the collective purchasing power of the WA public health system
- drive improvements in procurement processes by setting procurement policies that guide procurement activities retained by HSPs
- take responsibility for commissioning statewide goods and services (with the exception of pathology services).

I will not quote the entire chapter, but that is the relevant section under the procurement subheading. It flows into recommendation 46, which states —

That Health Support Services is formally recognised as the central point for goods and services tendering and contracting in the WA public health system drives value for money and customer experience by:

- a. progressively assuming responsibility for statewide contracts currently managed by other Health Service Providers (excluding pathology services)
- b. working with the System Manager and HSPs through the Strategic Leadership Forum to agree on the criteria for statewide and localised purchasing and conduct a rapid review of existing local contracts
- c. recommending to the Strategic Leadership Forum findings from this review on:
  - i. contracts that would clearly benefit from statewide purchasing
  - ii. contracts where there are possible benefits from statewide purchasing
  - iii. contracts that clearly benefit from localised purchasing
- d. assume responsibility for renegotiating local contracts that would clearly benefit from a statewide approach
- e. undertaking a more comprehensive assessment of local contracts which may benefit from statewide purchasing to agree with the Strategic Leadership Group whether any of these should be migrated to statewide contracts.

That is a lengthy recommendation and if we are not in a position in February to understand the government’s position on all 55 recommendations, it would at least be good to have some detailed consideration of this part of the governance review. I get a little nervous when we start talking about shared services, as I am sure the government is. I am not convinced that a one-size-fits-all approach to procurement and having Big Brother, the Department of Health, procuring all services for everyone is the best outcome for our health system. What I could glean from the

briefing—I might get a stronger position from the minister in her reply or in Committee of the Whole—was the government’s confirmation to proceed with the bill, particularly this section in the form it is, notwithstanding the recommendations contained in that August 2022 report. There are a number of examples. In my experience as a government member in the delivery of health services regionally, disadvantage certainly occurred in services that were caught up in whole-of-government or whole-of-state health contracts. An example is the Silver Chain remote area nursing posts. I am not sure whether it has been fixed, but for many years it was tied up with the whole-of-state Silver Chain aged-care contract. When the WA Country Health Service wanted to deliver a better outcome or change or improve the contract, it was always difficult because, first, it did not have control of the contract; and, second, the primary contract was involved with the delivery of Silver Chain aged-care services, predominantly a metropolitan service. For many communities, the important issue of where the remote area nursing posts were placed was not easy to deal with.

That is just one example, from my experience, of when I think we should tread carefully with recommendation 46 of the governance review. The briefing confirmed that there were no further examples, other than recommendation 46, in which there was potentially an inconsistency with the recommendations of the governance review, but it would be good to get confirmation of whether other aspects of the report go to any of the provisions that we are considering in the bill.

**Hon Sue Ellery:** I am not sure how we are going to go, but we might get into committee on this bill today. I might have to give my second reading reply. There are some matters that you are raising about that report that we might be better off dealing with when we come back in February, so I might not be able to refer to them in my reply today.

**Hon MARTIN ALDRIDGE:** That is fine. Another section that I took an interest in but was not able to spend a lot of time on is the clause that will amend section 66. Clause 35 of the bill will effectively delete and replace section 66 of the act with proposed sections 66, 66A and 66B, which relate to the notice of financial difficulty of health service providers. I took an interest in this clause because I understand there has been some practical experience. I will just look at the EM for a second. The explanatory memorandum is quite long on this clause, so I will not quote it, but effectively it will alter the way in which a health service provider provides a notice of financial difficulty or, more importantly, what we then do with it. As I understand from the briefing, there was some experience in this regard, so I asked about it and I received this response —

- Since the Act commenced there have been two instances in which a notice of financial difficulty has been raised by a HSP under section 66.
- In each instance, the notice was triggered mainly due to a forecasted budget deficit position at the end of the financial year, rather than an imminent cash shortfall and was effectively managed within the WA health system.

It would be good to understand a little more about those two instances that were identified, in particular when they occurred, which two health service providers raised a notice and what action was taken within the WA health system to manage their financial difficulty. As I understand it, under the current section 66, there is an obligation for the department CEO to notify the minister, whereas clause 35 of the bill sets out some steps that will lead to the department CEO advising the minister and then the minister responding. They are set out in proposed section 66A, which says —

- (2) The Department CEO may —
  - (a) require further financial information from the health service provider under section 67; or
  - (b) require the health service provider to take action; or
  - (c) if the Department CEO is satisfied that the health service provider is not in financial difficulty — take no action.
- (3) If the Department CEO is satisfied that the health service provider is in financial difficulty, the Department CEO —
  - (a) may take action to ensure that the health service provider is no longer in financial difficulty; and
  - (b) must —
    - (i) forward to the Minister the notice of financial difficulty; and
    - (ii) advise the Minister about any action taken, or to be taken.

I got the impression that the minister would be notified of the notice provided by the health service provider in any event, but having read this proposed section, I am not convinced that that will be the case. The minister will be advised of a health service provider notice only if the department CEO forms the view that it is the case. I would like to explore that in the Committee of the Whole stage to gauge whether there is some merit in having the minister notified in any event. If I were the Minister for Health—notwithstanding the view of the department CEO—and a health service provider CEO formed a view that it was in financial difficulty, I would not want to know about it

after the fact. I think I would want to be notified, perhaps with the advice of the departmental CEO on whether it is the case and what action has or has not been taken to rectify it. I want to try to explore that more fully when we get to clause 35 of the bill.

As I said earlier, the bill is quite significant. It has not been an easy bill to work through because of its wideranging nature. It does many things and some of them are quite significant. But they are probably the provisions that I wanted to touch on because I took an interest in them. I want to at least signal to the government that I want to explore them further when we get to the committee stage of the bill. As I said, with a bill that contains some 99 clauses, it is probably going to take us a little while to work through each provisions. Having said that, the bill has the support of the opposition. If I can emphasise it again before I take my seat, it will be of value when we get to the nuts and bolts of the committee stage, hopefully, we will be in the position in February or thereabouts to fully understand the government's response to the governance review. I think it will be sufficient time, given this is something the government appeared to receive in August this year; by the time we get to February next year, we will be in a more fulsome position. It begs the question whether we will deal with another Health Services Amendment Bill in 2023 once the government has more fully considered the 55 recommendations contained in the August report. This bill has had a long history and certainly I am supportive to see its passage when the government prioritises it.

**HON NICK GOIRAN (South Metropolitan)** [2.38 pm]: I rise as we consider this 99-clause bill, the Health Services Amendment Bill 2021. At the outset, I want to recognise and thank frontline health workers, support staff, administration, security—both frontline and backroom—who all deserve our thanks and appreciation for the work that they do at the best of times and certainly over the past couple of years when COVID-19 has presented, I think what we would all accept, unique challenges for WA hospitals in particular.

I note that for reasons known only to the current Minister for Health, she has decided to wage what appears to be some form of antagonistic war with the Australian Nursing Federation. In recent times, as recently as 4 November, it was reported that the Australian Nursing Federation proposed that its wage negotiations with the state government be live streamed. That seemed to me to be quite a radical suggestion. The ordinary principle is that negotiations are conducted on a without prejudice basis so that nothing said in those rooms can then be used against another person at a later stage. That provides the best environment for good-faith negotiations to be undertaken. The response from the Minister for Health, Hon Amber-Jade Sanderson, was to label the union “disingenuous” in its bargaining. We have seen the consequences of the war of words that resulted from the health minister's intemperate remarks, albeit to an unconventional proposal that had been put forward.

Instead of intervening to sort out the situation, it appears that the Premier stokes the fire further and does not call his health minister and pull her into line. He does not intervene to try to sort it out. As members will be aware, we now have the quite extraordinary situation in which the union is under threat. Understandably, many people hold the view that the unions are the makers of their own misfortune on the matters before the Industrial Relations Commission, but my point is simply that we can ill afford to have this war being waged over health services in Western Australia. It will not be helped by the intemperate remarks of the health minister, and it will not be helped if the Premier is unwilling to get in there to try to sort things out.

Whatever might have been said about Hon Roger Cook, the former health minister who was sacked by the Premier, most fair-minded people would at least describe him as a person with a fairly calm demeanour. One wonders whether we would be in this situation today if he were still the health minister instead of the replacement health minister who made intemperate remarks. Be that as it may, the Premier now has an opportunity to step in and do something about this. Time will tell whether that occurs.

In the meantime, there are daily reports about issues in our health system. I draw to members' attention an ABC article from as recently as 9 November this year, entitled “WA emergency department overcrowding costing lives every year, report finds”. The article says —

Patients are facing dangerously long waits of almost three hours above what is recommended before being admitted through WA hospital emergency departments (ED), a damning report has revealed.

The report found only 20 per cent of hospitals accredited by the Australian College of Emergency Medicine (ACEM) met minimum senior staffing recommendations.

This is the state of play at the moment. The article goes on to say about the current health minister —

She pointed to the considerable investment in bringing new emergency beds online.

...

But AMA President Mark Duncan-Smith said this still failed to bring WA up to the national average of beds per head of population.

The article goes on to say —

“It's time the doctors and nurses of this state didn't have to fight ramping and bed block with one arm tied behind their back,” he said.

These remarks were not made a long time ago; they were made only in the last four weeks. This article was from 9 November this year. A week before that, a different media outlet, *The West Australian*, had this to say on 1 November in an article entitled, “WA health crisis: State already reached worst annual ambulance ramping figures on record in just 10 months”. The article says —

WA has reported its worst annual ambulance ramping figures on record, already attracting the dubious honour in just 10 months.

Ambulances have spent more than 54,000 hours ramped outside State hospitals in 2022, with the latest October figures also record-breaking for the month.

The whole point of the Premier sacking Hon Roger Cook as health minister was to replace him with a person who would not —

Several members interjected.

**Hon NICK GOIRAN:** After the Premier sacked Hon Roger Cook as health minister, it would have been his aspiration that the replacement health minister would not then break the ambulance ramping records that had been set by Hon Roger Cook. Those records have been not only broken by the replacement health minister, but also smashed. One wonders what will happen over the Christmas period—to what extent will this new record be set? What exactly does the Premier intend to do about this? Is his solution to replace the health minister yet again, or does the government have another solution in mind? This same political party was adamant that it was totally unacceptable when ambulance ramping was less than one-quarter of what it is now, yet we now have one sacked health minister being replaced by another, and going on to new record-breaking heights.

Meanwhile, the ABC has also reported “Fears changes to WA’s mental health funding could lead to services falling through the cracks”. This ABC article from 26 October 2022 reports —

Currently, there is no single part of WA’s health system responsible for mental health, with the Mental Health Commission (MHC) given the bulk of the task and other areas responsible for smaller sections.

It is an issue a recent independent review into the health system identified as leaving mental health services “fragmented [and] operating separately from one another”.

In addition to the concerns about the mental health system, we have the heartbreaking situation of child suicide. In a piece by *The West Australian* from 24 June 2021, entitled “Child suicide crisis: Families to help fix ‘broken’ mental health system”, the shadow Minister for Health was quoted —

Ms Mettam said despite the eight reviews and inquiries into the mental health system in WA, the system was still “broken”.

This time, much reference was made to Kate Savage and her mum, Meron Savage, who had this to say —

Mrs Savage had been unable to gather her own child’s medical records, until articles from *The West* pushed Premier Mark McGowan to speed-up the process.

Mrs Savage has since received all the documents with a committent from authorities to handover parts of the original two documents which had been significantly redacted.

These are just four examples of what seems to be happening on a daily basis in our health system. It is fair to describe it as a real mess, and it is having a devastating impact on the lives of Western Australian families. Consider for a moment, if you will, the family of Aishwarya Aswath or the family of Kate Savage. The bill that is presently before us, as I understand it, seeks to address some of the governance issues in our Western Australian health system. This is no wonder, when we consider some of the fairly recent reports into the North Metropolitan Health Service. Indeed, there was a Corruption and Crime Commission report on corruption and bribery in connection with the North Metropolitan Health Service that had been exposed in the last term of government. Of course, this highlights the need for greater governance and oversight mechanisms.

The report, dated 16 August 2018, is entitled *Report into bribery and corruption in maintenance and service contracts within North Metropolitan Health Service*. It is a significant report of some 85 pages and time does not permit us to analyse it in full this afternoon. At paragraph 431 the following is said by the CCC —

This report details more than a decade of corrupt conduct reaching into senior levels within WA Health. It exposes a culture of contractors freely giving gifts and benefits to public officers with the expectation of thereby winning work and recovering the costs of the gifts through fraud.

Every dollar corruptly converted was a dollar less to be spent on healthcare.

The question of course is whether this bill will address those types of gaps and issues identified by the CCC in this report from 16 August 2018. Meanwhile, the following year the Corruption and Crime Commission tabled another report, entitled *Report on misconduct risks in health support services and North Metropolitan Health Service*.

This is another lengthy report. At paragraph 104 it states —

This report highlights the serious misconduct of a public officer. The amounts of money involved are significant. Whether recovery action is considered is a matter for NMHS. More importantly though, the investigation uncovered systemic risks, partly due to dated technology and partly due to lack of appropriate managerial vigilance.

The report concludes —

Misplaced trust and familiarity can be the enemy of effective oversight, without which most controls can be circumvented.

I understand and support the need for relevant policies, procedures and management practices around risk management, but when we get to consider the 99 clauses of this bill in the Committee of the Whole House, I will ask a series of questions to ensure that there are no unintended consequences.

That is just two of the CCC reports looking into misconduct into our health system in Western Australia, but the Public Sector Commission also had something to say about this. In 2018 a report was tabled, prepared and published entitled *Arrangements to manage confidential patient information within WA Health*. A number of improvements have been suggested in this report from 2018. They can be found at page 8, which reads as follows —

The following improvements are suggested with the aim of assisting WA Health to strengthen its current arrangements to manage confidential patient information.

It is suggested that WA Health:

1. ensure leaders' expectations in relation to confidential patient information are regularly communicated and reinforced to staff
2. regularly test perceptions of the commitment to patient confidentiality and misconduct reporting
3. where breaches of patient confidentiality occur, ensure sanctions are appropriate to the seriousness of misconduct
4. continue to improve awareness and understanding of the *Data stewardship and custodianship policy* and the responsibilities of data stewards and custodians
5. maintain awareness of accessible avenues for staff to report alleged breaches of patient confidentiality
6. ensure avenues for patients to make complaints about breaches of patient confidentiality are well-publicised
7. enhance risk management controls for positions of trust that access and manage confidential patient information (such as regular integrity checks or confidentiality agreements)
8. implement repeated training and education for all staff, such as an AEDM refresher course, that covers obligations for the protection of patient confidentiality
9. formally assess the risk of breaches in patient confidentiality
10. continue working to improve misconduct detection and monitoring capability in information systems like iCM
11. ensure detailed reporting of misconduct trends to relevant boards to enable a proactive response to emerging issues
12. implement regular audits of the framework and policies relating to patient confidentiality and related processes (e.g. data breach response) relevant to their respective roles within the system.

We have 12 suggested improvements from the Public Sector Commission. The question for the minister who is representing the bill presently before the house will be about whether this bill addresses any of these recommendations; and if so, which ones; and, if not, why not.

This bill also seeks to clarify what is referred to as ambiguity and also the disclosure of health information. One question that I would like to tease out is whether things will improve as a result of this so-called clarification. I draw to the attention of members as an example a response that was provided to me by the Standing Committee on Environment and Public Affairs. It had written to me in response to petition 33, dealing with the release of the Coroner's Court recommendation. Associated with that response was a response that had been provided by the Attorney General on 5 May 2022. It is understood from those correspondences that the Attorney General said that a recommendation from the coroner is subject to active law reform, yet despite the fact that this matter has been pursued for several years, the recommendation from the coroner remains a secret. One wonders whether this type of information and the coroner's recommendation in respect of the Health Act amongst others, will be improved as a result of any of these enhanced governance arrangements presently before us.

In addition to that, on 2 April 2020 I had asked a question of the parliamentary secretary representing the Minister for Health at the time about a number of what is referred to as "form 1s" related to section 335 of the

Health (Miscellaneous Provisions) Act 1911. At the time I had asked for the form 1s to be provided to the house. I was told on 14 May 2019 that there were 172 066 of the forms. Upon the request for those forms to be tabled, the response was —

The provision of this information would unreasonably divert resources from the core functions of the Department.

That was perhaps not in this particular instance an unreasonable response from the government given that we were talking about 172 066 forms. As a result of that, the following year on 2 April 2020, I asked for the forms for one calendar year rather than all the forms. I was told that for the calendar year of 2019 there had been 7 870 forms. The government provided the following response to whether those forms could be tabled —

The provision of this information would unreasonably divert resources from the core functions of the department.

We know that the government is not willing to be transparent when it relates to a number of documents in the vicinity of 170-odd thousand and nor is it willing to do so if that number is lessened to 7 000. What is the threshold number of documents that the government is prepared to make available as part of its so-called commitment to gold-standard transparency? If it is fair and reasonable that 172 000 forms not be provided, can that defence still be applied in the event that the number of forms is 7 000; and, if so, what is the level at which that defence falls away?

I also draw to members' attention on these issues of governance and oversight of health services in Western Australia that in 2015, then Minister for Health, Hon Kim Hames, conceded that a new reporting mechanism was required and requested a report be prepared on an annual basis by the Executive Director of Public Health. What were they to report on an annual basis? They were to report on the gestation and reason for termination for all post-20 week terminations. This report was prepared for two financial years. The first was in 2014–15 and the second one was in 2015–16. On 17 November 2017, there had been a change in government by this stage, and then health minister, Hon Roger Cook, discontinued this report because he deemed it was no longer required. I draw to members' attention specifically the response that was provided in annual report hearings in 2018. I asked —

I refer to supplementary information No A6 provided as an answer to questions taken on notice at the 2014/15 annual report hearing in which the Committee was informed that the Executive Director Public Health had given an undertaking to provide an annual report in August each year with the gestation and reason for termination of all post 20 week termination, and I ask:

(a) was this done in the 2017/18 reporting period:

(i) if not, why not; ...

The response was —

The annual report with the gestation and reason for termination of all post 20 week termination for the 2017/18 reporting period was not done. The Department of Health was instructed by the Minister for Health that the above report is no longer required.

I then asked a further question about this issue by way of questions on notice in 2019. In this multi-part question, I asked —

... when did the Minister inform the department that an annual report was no longer required ...

A tabled paper was provided in response to that. The tabled paper is a ministerial memorandum. It is dated 16 November 2017. Very interestingly, by way of background, this briefing note says as follows —

- In 2014 the then Minister for Health requested a confidential report on Induced Abortions of 20 weeks or more gestation using information collected on the regulated Form 1 —

**Hon Alannah MacTiernan** interjected.

**Hon NICK GOIRAN:** Are we quite finished, Minister for Regional Development? I believe you are going to be making a speech a little bit later this afternoon and probably would appreciate a bit of silence while we listen to what I imagine will be your genuine and authentic response to a very distinguished and long career. If you could just afford me that courtesy, for a few moments, while I tackle this particular issue, which is not a new one. The minister might have a strong view to the opposite, which she is entitled to hold. If she wants to respond, she will get her chance in 17 minutes.

This briefing note says as follows —

- In 2014 the then Minister for Health requested a confidential report on Induced Abortions of 20 weeks or more gestation using information collected on the regulated Form 1 Notification of Abortion.
- This confidential report has subsequently been provided for financial years of 2014/15 and 2015/16. The report includes “Reason for Abortion text” which describes the medical condition of the foetus or that of the mother.

- These conditions are often rare and potentially recognisable to individual circumstances. This information is sensitive and should the Report be made public, and in particular if details of specific cases are revealed or discussed, its content could be distressing to the families involved and their healthcare providers.
- Aggregated information is publically available in the form of a Triennial Report on Induced Abortions, and through answers to parliamentary questions.

I will pause there to note that in the background to this ministerial memorandum, there is already a recognition that there is publicly available information in two forms, one being a triennial report. The question that immediately arises is: why is it triennial? If there is already an acceptance there is public interest in this information being available, why is it only every three years and not every year? The second mechanism by which this briefing note indicates that there is information made publicly available is what the authors of this particular briefing describe as “through answers to parliamentary questions”. Why does it require parliamentary questions to systemically reveal information that otherwise would be on the public record? It is for no doubt those reasons that the then Minister for Health had asked for the reports to be provided on a confidential basis every year. The briefing note goes on to report on what is referred to as the “Current Situation”. I quote —

- Multiple requests to the Minister of Health have been made to make this confidential report public.

I pause there to say—my word, there were multiple requests! I suspect that most, if not all, of those multiple requests were made by me. It has to be said, it was not for the purposes of identifying any person in Western Australia at any time. With regard to the condition that was said to justify the procedure for a late-term termination, yes, that information was sought. As we know, and as I have previously mentioned in this place courtesy of an investigation I undertook some years ago, it certainly was the case and may still be the case that we have late-term terminations in Western Australia. People have strong views about them across the community. We had late-term terminations happening for conditions compatible with life. I make no apology for continuing to ask the questions that need to be asked with respect to those terminations that take place because a baby has been diagnosed with Down syndrome. I make no apology for that. If other people have a different view about that, they are quite entitled to have that, but I think a late-term termination for Down syndrome is a matter of public interest because I do not think that is consistent with what the legislation ever intended when it was first passed. If members read the *Hansard* of the debate by members all that time back, it was for rare conditions that were incompatible with life. Members who have had anything to do with a person with Down syndrome will know that it is most definitely a livable condition. It is for those reasons that we wanted to find out the reasons to justify the procedure of a late-term termination.

The briefing note, under “Current Situation”, continues to say —

- The reports are considered confidential because they contain medical information, such as diagnosis of rare conditions, for individual patients.
- The disclosure of such specific information increases the risk of identification of individuals.

There is then a recommendation that reads —

The Director General provides this Briefing Note to the Minister for Health so that the Minister can advise the Chief Health Officer of his preference in relation to the following options:

Three options were provided —

- Option 1: Continue the Confidential Report of Induced Abortions in exactly the same format as previously produced.

I pause again to underscore the point that that confidential report was never made public. If the concern was that it was going to identify anyone, how could it identify anyone if it is never made public? The first option was to continue the status quo, if you like. Why would the status quo at least be worth maintaining? It is because at the very least, the minister of the day, whether their name was Hames, Cook or Sanderson—it really did not matter—would be able to provide some oversight of this regime. It would be a sensitive matter, but at least there would be some kind of oversight. At least the minister would then have this confidential report in their possession. Whether they want to make it public or not is another thing. I still maintain that if it does not contain the information of the individual patient, there ought to be no concerns—certainly nothing that could not be otherwise addressed by way of a redacted report. Nevertheless, that was option 1.

The briefing note goes on —

- Option 2: Continue the Confidential Report of Induced Abortions excluding the “Reason for Abortion text”.

That is quite remarkable when considering that that was the most important part. If there is a view within the house that a termination is acceptable at, let us say, 30 weeks’ gestation for any reason, then members are entitled to have that view. But I assume that there will also be a cohort who think: “No at 30 weeks and not for any condition—no.” I assume that there will be a cohort of Western Australians who will feel likewise. The reason for the text is quite important, particularly for those families with children with Down syndrome.

Then —

- Option 3: Discontinue the Confidential Report of Induced Abortions.

What did Hon Roger Cook, the now sacked health minister, do as a result of all this? We have the document here, and in his handwriting it states —

Please implement option 3.

He was given three options. Remember that the whole purpose of the Health Services Act and the amendment bill is to enshrine a strong governance arrangement with respect to health services in Western Australia. At the top of that strong governance for health services in WA is the minister of the day. In 2018, when this particular briefing note was provided to the minister of the day, it must be said that it was dated 16 November 2017—when it reached him is not necessarily apparent—and he signed it, from what I can see here, on 10 December 2017, and then at a later stage said, “Please implement option 3.” One wonders whether it was just signed one month later. Was it read? Was it understood? Was it discussed? It is not necessarily apparent. There obviously needed to be a further discussion because at a later stage it states, “Please implement option 3.”

Of all the options, it is quite remarkable that the option chosen was the one to remove an oversight mechanism. There is limited oversight as it already is. The decision was: we will have none; with respect to these things, we prefer to have none as we would prefer to think that this does not go on. It is almost as though Hon Roger Cook was saying, “I don’t want to know if there is a late-term termination for a livable condition.” Who could blame him, as it would be most troubling, particularly for any parent who has had a prematurely born child. These parents know the tremendous work and care that is taken at King Edward Memorial Hospital for Women for any premature-born baby. The care that they have is incredible. Any member who is a parent, or indeed a grandparent, and has had a premature-born baby in their family will understand just how significant that care is, and how babies can be born after 20 weeks’ gestation, and certainly after 22 weeks’ gestation and onwards, and be well cared for and live a long and fruitful life.

I would have thought that one would want to know what these conditions were that would justify such a late termination. However, the decision made was to remove the reports. Those reports no longer exist. One wonders if that is the standard that is being applied by the current government—that is, to remove oversight and lessen the oversight that exists. There will need to be some questions asked on these 99 clauses to ensure that there is an enhanced oversight regime, not a reduction.

By way of segue to the questions that will be asked in Committee of the Whole House, it will be important for the government to be prepared to answer the extent to which any of the clauses will reduce the oversight that is presently in place, in contrast to those clauses that will enhance the oversight. This government has form—not just in the examples that I have given, but even most recently even in the handling of bills before the house. I draw to members’ attention that recently, as they will recall, we had the Human Tissue and Transplant Amendment Bill 2022 pass through both chambers. That bill, which received approval from both chambers, subsequently resulted in the Minister for Health on 17 November 2022 standing in the other place and making a personal explanation about a number of matters that had been stated that needed to be corrected. There is little point in correcting the record after the bill has already passed through both chambers.

We expect the information provided to us in the passage of these health bills, whether it is the Health Services Amendment Bill 2021 or any other health bill, to be accurate. From time to time, mistakes will be made. The mistake needs to be corrected at the earliest opportunity. In this instance, the correction that was supposedly made by way of a pointless personal explanation on 17 November this year, was as a result of questions that had been asked on 27 October. Questions had been asked on 27 October and, in the meantime, the bill had received approval from both houses, and then the health minister decided to get up on 17 November 2022 and make a personal explanation about a series of mistakes—a series of errors. Admittedly, she ended the statement by saying —

I regret any inconvenience and apologise to members for this inconvenience.

It is more than an inconvenience if the house has been told things inaccurately and falsely, relies on that information and then passes a law accordingly. There is little point in making a personal explanation and trivialising it as an inconvenience to members. It is very significant. I make those remarks as a segue to the Committee of the Whole House phase to make sure that we do not run into this same problem when we consider the 99 clauses of this bill.

Deputy President, you will be aware that earlier today, the house considered the Medicines and Poisons (Validation) Bill 2022. As was remarked by the opposition at that time, we were grateful for the way in which the Leader of the House handled the bill. Nevertheless, that is another example of a matter that was foisted on Parliament at late notice. Why? It was because significant errors were made within the Department of Health in 2019. Significant errors that were made in 2019 resulted in a bill needing to be rammed through Parliament. In fact, there was so little time that even the time on the clock expired. Then we had the Human Tissue and Transplant Amendment Bill 2022, which was not subject to any bulldozing or special provisions, but, in the end, it resulted in the health minister needing to make a personal explanation for multiple false statements.

I just hope that when we get to the Committee of the Whole House stage of this bill, that type of form will not be carried over to this particular matter, least of all in circumstances in which we are dealing with governance and oversight. In the examples that I gave earlier, the former health minister, who subsequently was sacked, was given three options and chose to implement the option that would lead him to the least oversight and absolutely no transparency. There can be no transparency if there is no accountability. Transparency can follow only after accountability.

Although the opposition supports this bill, given the government's track record of hiding information from Parliament and making errors when providing information to Parliament, and the litany of reports on governance failures, a large number of questions indeed will need to be asked on this 99-clause bill.

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [3.22 pm] — in reply: I thank Hon Martin Aldridge for his support of the Health Services Amendment Bill 2021 on behalf of the opposition, and I also thank Hon Nick Goiran for his contribution. I will touch on some of the issues. Perhaps I can exploit the fact that I am on my feet by telling the house what I intend to do. We will go into committee when I finish my reply and we will come out of committee at about 10 minutes to four, as we have a message from the other place that I would like to read in before we go to question time at four o'clock.

The first matter raised by Hon Martin Aldridge was whether there is any difference between the 2019 and 2021 bills. I am advised that the bills are very similar. There are minor technical and drafting differences, including moving some definitions from various parts of the act into section 6 where the main definitions sit, some changes in drafting style, and some minor amendments to ensure greater clarity. I am also advised that we can, if it is required—members can indicate this to me when we go into committee, although I am not sure I will have it then—provide a list and I can table the changes if that would be helpful.

Hon Martin Aldridge also raised the matter of new section 36D and the independent governance review. New section 36D will provide the ability for health service providers to act as agents for each other. The bill does not seek to validate any arrangements made. The honourable member asked a question about that. At present, the intention is to continue with the amendment, but, as I indicated by way of interjection when the honourable member was on his feet, we may have a slightly different position when we come back to complete the bill in 2023.

The independent governance review made a recommendation to amend the act to formalise Health Support Services as the central point for procurement in the WA health system. The government is considering this recommendation and we will respond to all the recommendations. Nevertheless, what is in the bill before us reflects our policy now—that there is benefit to the WA health system for health service providers to be able to act as agents for each other and that the ability to act on behalf of each other should not be limited to the type of procurement that Health Support Services is responsible for. The specific example provided of when it might be beneficial for one health service provider to contract on behalf of another or each other is the Child and Adolescent Health Service's expertise in child-related matters and services that other health service providers may wish to leverage off.

The member referred to clause 28, which deals with the definition of compensable, and raised two concerns. The first was about how it will work in practice, considering there may be a long time between the injury and the claim and payment of the claim. I am advised that once it is determined that a person is compensable, they will be classed as such and have a compensable charge raised for health services received. It will be monitored for payment from either the person who has received compensation or directly from the compensation payer—for example, the insurance company. In respect of information sharing, there will not be information sharing of a patient's health information with insurers. Instead, the department will seek information from patients about any claims made for compensation.

The honourable member also raised the issue of health service providers that are having financial difficulty. The amendments will provide a more workable system for those in financial difficulty and improve on the processes that are currently set out in the act. There will be no formal requirement for the department's CEO to notify the minister if a health services provider believes it is in financial difficulty. However, the department CEO meets regularly with the minister, and health service providers also meet regularly with the minister, so the issue would be able to be raised in any of those meetings.

In respect of boards and employment matters, I note the honourable member's comments about boards being perhaps too busy to be involved in employment matters. The policy position on boards, as the governing bodies, is that they should be the employing authority. They can delegate their functions to lower levels within the health service provider. Currently, this is achieved by authorisations. However, the amendments to the act will make it clear that boards are, and should be, the ultimate employing authority.

In relation to information about land transfers provided to the member following the briefing, I can confirm that land and property that did not transfer under the act was predominantly property held within the health portfolio. That includes the 41 sites in the name of the Crown or state but for which Health is allocated responsibility.

I note and appreciate Hon Nick Goiran's appreciation of health workers in the system, particularly with the challenges faced during the pandemic. He made some references to the act and to the bill before us and then he canvassed a range of other matters. I think it is appropriate to note for the record that the point that the honourable member was

making—I do not think I am verballing him—around, for example, terminations and information about terminations and the link to the bill before us was about oversight. I think that is the connection that the honourable member is making, so that is the approach I will take when the member asks questions about this when we go into committee. There might be a point at which my judgement is that the member’s line of questioning is more than oversight and is about a matter that is not within the bill before us. That is the approach I intend to take.

Hon Nick Goiran raised questions about the Corruption and Crime Commission and the Public Sector Commission. In response to the integrity risks raised in the CCC reports of the last few years, the director general has established policies under a binding integrity policy framework. That framework includes, but is not limited to, the integrity governance policy that requires health service providers to establish and document the integrity governance arrangements that are endorsed by the governing body, such as the health service provider board, and ensure they are evaluated and amended as required. These integrity governance arrangements include structures, systems and processes to ensure that integrity risks are identified and managed appropriately.

The fraud and corruption control policy requires health service providers to establish and implement a fraud and corruption control panel endorsed by their local governing body to ensure that risks of fraud and corruption are regularly assessed and identified risks are addressed and managed appropriately by the health service providers. The Department of Health and health service providers have local risk management functions in place to support risk management activities. The governing body of a health service provider—whether the board in the case of board-governed health service providers or the chief executive in the case of chief executive-governed health service providers—has responsibility for ensuring that risk management mechanisms are implemented in their organisation. As part of good management, health service providers address risks identified by various oversight bodies, such as the CCC or the Auditor General. The department CEO sets policy frameworks and has the power to issue directions to health service providers through mandatory policies, and the Minister for Health may also issue directions regarding health service provider performance.

Hon Nick Goiran referred a couple of times to the Deputy Premier as the “sacked Minister for Health”. I want to make this perfectly clear. It was on the record at the time from both the Premier and the Deputy Premier themselves: Deputy Premier Roger Cook requested a change of portfolio, and he got it. There is a fundamental difference between that and a sacking, which the honourable member might remember happened to Rob Johnson, who got a letter from the Premier telling him he was sacked: “Don’t come Monday; see you later.” That is a sacking. What Roger Cook did was different. After 10 years in the portfolio—he had it in opposition as well; it may have been more than 10 years—he requested a change in portfolio, and he got it. That is the difference.

With those comments, I thank members again for their support of the bill and their contributions, and I commend the bill for the house.

Question put and passed.

Bill read a second time.

#### *Committee*

The Deputy Chair of Committees (Hon Jackie Jarvis) in the chair; Hon Sue Ellery (Minister for Education and Training) in charge of the bill.

#### **Clause 1: Short title —**

**Hon NICK GOIRAN:** The explanatory memorandum indicates that the Health Services Amendment Bill seeks to improve the functioning of the WA health system and to overcome what are referred to as operational burdens. What are these operational burdens that have necessitated the amendments being proposed in the bill?

**Hon SUE ELLERY:** By way of example, the restrictive delegation power in section 15 of the Health Services Act, whereby the minister is only able to delegate to the department CEO, means that it is only the minister or the director general who can approve property transaction. Although the health ministerial body has the power to enter into joint arrangements, joint arrangements do not allow health service providers to lease or licence the property or deal with it as though they were the interest holder or management body. That means that the health ministerial body—that is, the minister or the DG—must approve all dealings with land and property owned or vested in the health ministerial body but actually controlled and managed, for all practical purposes, by the health service provider.

Section 37 of the act requires all disposals of land to be approved by the minister or the director general. Disposals include entering into subleases, terminating leases of private property, assigning leases, lease variations et cetera. Responsibility for clinical and wider commissioning only is assigned to the director general. The reality is that the director general only retains formal responsibility for the most significant, higher risk capital works. A series of delegations are required to assign to health service providers responsibility for other capital works and commissioning.

With respect to some provisions that were not able to be effectively operationalised because there was ambiguous interpretation, the redraft of provisions will ensure that health service providers can effectively recover fees and charges from patients who receive treatment as public patients but subsequently receive compensation for the injury or illness that was treated by the health services provider.

**Hon NICK GOIRAN:** What is the volume of the property transactions and property dealings, referred to as operational burdens, that have been encountered and necessitate the amendments proposed in the bill?

**Hon SUE ELLERY:** I am not sure that I can give the member a measured number, with a portfolio the size of the Department of Health. It is the single biggest agency in Western Australia and it delivers services everywhere in Western Australia, so it is a sizeable asset portfolio. I am not sure that I have anything more specific. I will see whether the advisers can find anything, but I do not think that I can give the member a measurable number. No, I cannot.

**Hon NICK GOIRAN:** I note that we only have 12 minutes left. There is no chance of us moving off clause 1 in that time. Given that, can the minister take it on notice to ascertain the number of property transactions and property dealings? The basis for the question is this: the explanatory memorandum indicates that these are burdens and the implication is that the burdens are so large that they then justify them going to somebody other than the minister or the director general. In principle, that is sound, and I do not quibble with that, but I would like to understand what the size of this burden is. On the one hand, if it was one or two transactions over the course of the year, I would probably make the case that it is fine for the minister and the DG to keep doing it. If on the other hand we are talking about thousands of transactions, understandably the minister and the director general have a heap of other matters that they need to deal with. If that could be taken on notice over the break, that would be great. I say that by way of a comment and foreshadow it as something that will be pursued when we return. That is the operational burdens, but the explanatory memorandum refers also to administrative burdens. What is the distinction between operational burdens and administrative burdens?

**Hon SUE ELLERY:** I will take a step backwards first: I am happy to give an undertaking that we will explore what information we are able to provide about the size of the burden of managing properties and changes of lease. I will give the honourable member the example of the WA Country Health Service, which I am told manages around 500 properties, mainly for staff accommodation. They are leased and subleased and changes might occur during the course of the year that relate to the different leases. That gives a sense of the size of it. I give the member an undertaking that I will come back with a better description of the size than I am able to provide now, but it might not be a precise number. It may be that in 2019 it was X changes and in 2020 it was Y changes. What was the second question?

**Hon Nick Goiran:** It was the distinction between what is referred to as operational burdens and administrative burdens.

**Hon SUE ELLERY:** I am not sure this is a precise definition. Administratively, we are talking about when a number of changes need to be made; for example, lease arrangements. An administrative process must be gone through. Operationally, it is how that is put into effect: what is the practical way the measure can be implemented? That is not a precise definition and we cannot say, “This applies to this number of amendments, and that applies to that number of amendments”, but it gives the member a broad sense of it.

**Hon NICK GOIRAN:** Is the package of those things that we talk about as operational burdens and administrative burdens all related to the property transactions and property dealings issue?

**Hon SUE ELLERY:** I think we can say at the outset of this discussion that they go across the relevant parts of the policy changes in the bill. We have discussed those around land, but there would be some with capital works and commissioning as well, as there would with the employing authorities. Arguably, when it comes to the recovery of compensables, there may be administrative changes as well. There might be some where it is both administrative and operational, and there might be some where it is just one or the other.

**Hon NICK GOIRAN:** The explanatory memorandum refers also to the rectification of drafting errors. Is there a convenient list of those drafting errors that can be tabled?

**Hon SUE ELLERY:** We do not have a list here, but given that we will be talking about this again, we will undertake to provide that. However, if it is useful now, before we break, to table the difference between the 2019 legislation and the bill before us now that I referred to in my second reading reply, I am happy to do that now.

**Hon Nick Goiran:** That would be one less question to ask.

**Hon SUE ELLERY:** Yes. I will table this document, headed “Health Services Amendment Bill 2021 —table of drafting changes from Health Services Amendment Bill 2019 to Health Services Amendment Bill 2021”. I am advised that some things in this table are indeed grammatical and typographical changes.

[See paper [1933](#).]

**Hon NICK GOIRAN:** Reference was made also to certain parts of the act that have not been operationalised effectively. Is there also a list of those?

**Hon SUE ELLERY:** I am advised that it is mainly in the area that relates to the compensable arrangements. I am advised that what was in there referred to regulations but no head of power to recover the money.

**Hon NICK GOIRAN:** I note that I now have in my possession the table of drafting changes from the Health Services Amendment Bill 2019 to the Health Services Amendment Bill 2021. Was a governance review commenced of the Health Services Act 2016?

**Hon SUE ELLERY:** Yes, that featured in the second reading stage speeches and I referred to the independent governance review in my reply to the second reading debate. For completeness, that report was provided to the minister in August this year and tabled on 25 October 2022. The panel made 55 recommendations. They do not involve any change to the structure of the system manager and health service provider board governance, but the government is working through and developing its response that it will give in due course, and consulting stakeholders before undertaking any further reform based on the recommendations in that review.

**Hon NICK GOIRAN:** Is it possible at this early stage to indicate whether any of those 55 recommendations have an implication on any aspects of the bill presently before the house?

**Hon SUE ELLERY:** One was referred to during the second reading stage speeches—that is, the capacity of health service providers to act for each other in certain circumstances. I cannot tell the member what the government's position will be on that as government has not finalised its position on that matter.

**Hon NICK GOIRAN:** With respect to the consultation that was undertaken on the bill presently before the house, the Leader of the House has indicated that the government was starting some consultation as a result of the report that was tabled on 25 October 2022 before it finalises its position on the governance review. Has the same group of stakeholders been consulted on that matter as have been consulted about the Health Services Amendment Bill?

**Hon SUE ELLERY:** The independent governance review was open more generally, including for public comment, so it was indeed much broader than for the bill before us now.

**Hon NICK GOIRAN:** Which stakeholders were consulted on this bill?

**Hon SUE ELLERY:** In respect of this bill, it was Treasury, the Public Sector Commission, the State Solicitor's Office, the Department of Planning, Lands and Heritage, Landgate, the Mental Health Commission, the Department of Finance, health service providers and the Queen Elizabeth II Medical Centre Trust.

**Progress reported and leave granted to sit again, on motion by Hon Sue Ellery (Leader of the House).**

#### **ANIMAL WELFARE AND TRESPASS LEGISLATION AMENDMENT BILL 2021**

##### *Receipt and First Reading*

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

##### *Second Reading*

**HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary)** [3.51 pm]: I move —

That the bill be now read a second time.

I am pleased to introduce the Animal Welfare and Trespass Legislation Amendment Bill 2021. The bill was introduced into the previous Parliament as the Animal Welfare and Trespass Legislation Amendment Bill 2020. The 2021 bill I am reading in today is identical to the 2020 bill that was introduced into the Legislative Council during the fortieth Parliament.

The bill will amend three primary acts: the Western Australian Criminal Code, the WA Restraining Orders Act 1997 and the WA Animal Welfare Act 2002. This bill has been prepared in response to a number of incidents occurring nationally and across our state when people have trespassed on land used for commercial animal food production, and interfered with those businesses, purportedly to draw attention to inhumane animal husbandry practices. There is a need to protect our agricultural sector and, in particular, regional farming families from the adverse economic, biosecurity and personal effects of this type of trespass. It is also evident that the WA community cares very strongly about animal welfare. There is a clear need to maintain community confidence in the animal welfare practices employed by our agricultural sector. High consumer confidence in animal welfare has the added benefit of securing the long-term viability of commercial animal food production. The bill responds to these complex issues by bringing together a number of law reform measures in a single package. I will address each of these in turn, starting with the reforms set out in parts 3 and 4 of the bill.

**Criminal Code and Restraining Orders Act amendments:** The amendments to the Criminal Code and the Restraining Orders Act are aimed at deterring trespass on land used for animal-source food production. The bill increases the applicable criminal penalties and improves accessibility to misconduct restraining orders in specific circumstances. The current maximum penalty for trespass under section 70A of the Criminal Code is imprisonment for 12 months and a fine of \$12 000. The bill seeks to amend the Criminal Code to provide for circumstances of aggravation when in the course of or as a result of the trespass on an animal-source food production place, an offender interferes with, or intends to interfere with, animal-source food production; or assaults, intimidates or harasses, or

intends to assault, intimidate or harass, a person in the context of their engagement in animal-source food production or a family member of the person. That the trespass occurred on an animal-source food production place is a key element of the aggravated offence. This is defined to mean an abattoir, a knackerie or an animal-source food production facility, and is intended to capture traditional family animal farms, piggeries, poultry barns, feedlots, abattoirs and knackeries.

Finally, the offence must be committed in circumstances of aggravation. The first circumstance of aggravation is that the person has interfered with animal-source food production. This includes negatively impacting biosecurity, damaging or stealing property, or releasing or causing animals to escape. The second circumstance of aggravation is that the trespasser intimidates, harasses or assaults a person engaged in animal-source food production or a family member of such a person. The reference to “family members” recognises the reality that farms are often family homes as well as commercial operations. This circumstance of aggravation applies only when the intimidation, harassment or assault occurs in the context of the person’s engagement in animal-source food production. This is designed to exclude disputes of a purely personal nature. This offence has been narrowly framed with the deliberate intent of minimising the risk of unintended impacts. The amendments introduced by this bill are not aimed at stifling protest; instead, they are intended to deter or prevent trespass that has an adverse effect on relevant commercial operations or that unreasonably targets persons engaged in such operations.

It is also important to note that the new offence contained in this bill does not propose to expand the circumstances in which a person commits the offence of trespass. When a person has a lawful right to access land or to enter property, the offence of trespass is not committed and the proposed circumstances of aggravation do not apply. This principle applies in the industrial context; for example, a person exercising the right of entry under division 2G of the Western Australian Industrial Relations Act 1979 or part 3-4 of the commonwealth Fair Work Act 2009 does not commit trespass and will therefore not be affected by the new measures. The government has been very considered in drafting this new offence to ensure that it is appropriately directed.

The proposed maximum penalty for the new offence of aggravated trespass is two years’ imprisonment and a fine of \$24 000. This is double the usual maximum penalty for trespass, reflecting the seriousness of the conduct. If a court does not impose a term of imprisonment, it must impose a minimum penalty of a community order and a fine of at least \$2 400, unless exceptional circumstances exist. A community order made pursuant to the minimum penalty must contain a direction prohibiting the offender from attending specified kinds of places—for example, animal farms—and a requirement that the offender undertake unpaid community service. A person who commits another offence while subject to a community order or who breaches a condition of the community order may be resentenced for the original offence. This will allow penalties to be escalated for repeat offending to the maximum penalty of two years’ imprisonment and a \$24 000 fine.

In addition to the harsher penalties available under the proposed new Criminal Code offence, part 4 of the bill will amend the Restraining Orders Act to make it easier for a person who has been, or may in the future be, affected by aggravated trespass to obtain the protection of a misconduct restraining order.

Animal welfare amendments: I now turn to the amendments to the Animal Welfare Act, contained in part 2 of the bill. The Animal Welfare Act creates powers of entry and inspection for the purposes of investigating animal cruelty. At present, these powers do not allow for the implementation of a monitoring program and permit only general inspectors to enter a place either by consent or when the inspector reasonably suspects that an offence has been, is being or is likely to be committed. These powers are inadequate to meet the community’s expectations; namely, the appropriate authorities have, and exercise, the necessary powers to monitor for compliance with animal welfare standards in animal-source food production.

The powers-of-entry provisions in this bill are limited to designated inspectors employed by the Department of Primary Industries and Regional Development and may be exercised only when monitoring activities in abattoirs, knackeries and intensive production places. An “intensive production place” is defined to mean a non-residential place where intensive food production is carried out. This definition will ensure that the powers of a designated inspector do not extend to a residence. Limiting the powers of entry in reference to intensive production places, abattoirs and knackeries will also help to ensure that inspections are targeted towards higher risk production methods. This specifically excludes extensive farming operations for which grazing is a key component of the animal food production system.

The proposed amendments will provide a level of assurance to concerned members of the public that animal welfare standards in these types of establishments can be properly monitored by the appropriate authorities. Taken together, these reforms address the difficult question of how best to encourage transparency in and extend protections to commercial animal farming operations. Most of us here in WA consider ourselves to be animal lovers and do not want to see animals being mistreated. However, we equally do not support the activities of those who trespass on agricultural land, causing distress to animals and farmers and their families as well as negatively impacting on biosecurity.

The government has released the report of the independent review of the Animal Welfare Act. It was pleasing to see that the independent panel has put forward a number of recommendations that will both modernise the

Animal Welfare Act and reflect the community expectation for a more proactive approach to compliance activities by inspectors. The bill we have developed, although focused on a narrow set of primary production activities, is consistent with those recommendations.

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

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

[See paper [1934](#).]

Debate adjourned, pursuant to standing orders.

### QUESTIONS WITHOUT NOTICE

#### NATIVE FOREST — LOGGING — TRANSITION PACKAGE

#### 1321. Hon Dr STEVE THOMAS to the Leader of the House representing the Premier:

I refer to the Premier's quote on page 4 of today's copy of the *Collie River Valley Bulletin* saying that "everyone loves free money" while spruiking his cash splash in Collie, and witnessed by the Minister for Regional Development.

- (1) While the Premier is splashing around free money, will he provide more to the timber industry businesses that his government's policies have brought to their knees?
- (2) Does this free money come from and therefore belong to Western Australian taxpayers?

#### Hon SUE ELLERY replied:

I have three questions on the same theme, honourable member. They are equally hilarious.

**Hon Alannah MacTiernan:** At least it's not on PFAS.

**Hon SUE ELLERY:** Yes.

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

- (1)–(2) The McGowan government has allocated \$80 million for a just transition plan to assist workers, businesses and communities linked to forestry transition to new industries when native forest logging ends in 2024. This includes \$19.3 million for workforce transition programs to provide financial support to native forestry workers and help them secure new employment; \$26.9 million for business transition programs to provide financial support to businesses to pivot, diversify or close once protections for native forests increase; and \$30 million for industry and community development programs to assist small businesses in the native forest region to grow, diversify or attract new industries and stimulate regional economies. In addition, \$350 million has been allocated to expand WA's softwood timber plantations, creating and supporting sustainable jobs in the south west.

#### PERTH CHILDREN'S HOSPITAL — JOHN HOLLAND

#### 1322. Hon Dr STEVE THOMAS to the Leader of the House representing the Premier:

I refer to the Premier quoted on page 4 of today's copy of the *Collie River Valley Bulletin* saying that "everyone loves free money" while spruiking his cash splash in Collie, and witnessed by the Minister for Regional Development.

- (1) Is the \$38 million the state paid to John Holland to settle the Perth Children's Hospital lawsuit also from the pile of free money?
- (2) Why was the settlement confidential a week ago and made public yesterday?
- (3) If the amount of the settlement can be revealed, why can the details not also be revealed so that we can have gold-standard instead of lead-standard transparency?

**Hon Stephen Dawson:** Whose baby was it? The Liberal–National government.

#### Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I note the Deputy Leader of the House's comment about who started the Perth Children's Hospital and what happened.

- (1)–(3) I refer the honourable member to the statement made by the Minister for Finance in the Legislative Assembly on 30 November 2022. The former Liberal–National government commenced this project in 2013, which was then followed by countless revised completion dates, before finally the McGowan government was elected and did what the former Liberal–National government could not do—take control and deliver the project for people of Western Australia.

As the Minister for Finance has stated, the terms of the settlement are confidential. The state takes its responsibility to the confidentiality clauses seriously and has adhered to them appropriately, and as such no further statements on the settlement will be issued.

## COMMUNITY RESOURCE CENTRES

**1323. Hon COLIN de GRUSSA to the Minister for Regional Development:**

I refer to the community resource centre network.

- (1) What additional resources, if any, have been provided to CRCs in the south west to bolster staff to assist workers impacted by the hardwood forestry shutdown?
- (2) If it is none, will the minister sign off an act-of-grace payment to ensure that CRCs in the south west are adequately resourced, secure and best placed to assist their communities?

**Hon ALANNAH MacTIERNAN replied:**

I thank the member for the question.

- (1)–(2) I have to say that we enormously value our CRC network and I think we have worked tirelessly to ensure that CRCs have new opportunities and secure funding going right through into the future. It is true that we have identified that a number of CRCs in the area of the forestry industry could have a role and are well positioned to assist with that transition program. We are currently working on additional funding that will be provided to those key south west CRCs to ensure that they will be able to provide this new level of service to those regions.

While I am here, can I just thank all the fabulous CRCs that we have dealt with over the last six years. They have been truly tremendous.

## OMBUDSMAN'S REPORT — LEGAL SERVICES COMPLAINTS COMMITTEE

**1324. Hon NICK GOIRAN to the parliamentary secretary representing the Attorney General:**

I note we are celebrating the Attorney General's birthday today.

I refer to the unreliable answer to my question without notice 1090 of 27 October 2022 in which the Attorney General falsely told the house that "There is no such document", when in fact he had written to the Ombudsman on 29 August 2019, something that the Attorney General is yet to apologise to the house for, despite having had at least two occasions on which to do so.

- (1) Was the complaint of six years that the Attorney General refers to in his letter brought to his attention by the practitioner in question?
- (2) If no to (1), who made the Attorney General aware of it?
- (3) Is the Attorney General aware if the complaint remains on foot?
- (4) What was the outcome of the complaint?

**Hon MATTHEW SWINBOURN replied:**

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

- (1) No.
- (2) It was the Honourable Chief Justice Peter Quinlan, SC, in his former capacity as Solicitor-General.
- (3) The complaint is not on foot.
- (4) The outcome of the complaint is subject to a strict suppression order by the President of the State Administrative Tribunal, the Honourable Justice Pritchard.

## COMMUNITY CHILD HEALTH NURSES

**1325. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Health:**

I refer to the answer provided to question without notice 1308 asked yesterday, which stated that the Child and Adolescent Health Service and WA Country Health Service each have approximately 20 FTE child health nurse vacancies. Will the minister list the child health centres that have vacant positions?

**Hon SUE ELLERY replied:**

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

As child health nurses are not allocated to individual child health centres, the Child and Adolescent Health Service and WA Country Health Service are not able to provide a list of centres that have vacant positions.

## STATE TENNIS CENTRE — RELOCATION

**1326. Hon PETER COLLIER to the parliamentary secretary representing the Minister for Sport and Recreation:**

- (1) Is there any intention of the government to move the State Tennis Centre from its current site in Burswood?

- (2) If yes to (1), what is the preferred location for the STC?
- (3) If no to (1), will there be any refurbishment of the STC given the numerous structural issues that exist with the current facility; and, if not, why not?

**Hon SAMANTHA ROWE replied:**

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

- (1)–(3) The Department of Local Government, Sport and Cultural Industries is currently working with Tennis West to undertake a review of the 2018 State Tennis Centre business case. The review will identify and evaluate options to meet the future needs of Tennis West and the State Tennis Centre.

PRESCRIBED BURNING — FRK\_092

**1327. Hon Dr BRAD PETTITT to the minister representing the Minister for Environment:**

I refer to prescribed burn FRK\_092, which I understand took place yesterday, and community reports that this burn turned into a wildfire.

- (1) Will the minister please table the full documentation for prescribed burn FRK\_092?
- (2) Did prescribed burn FRK\_092 exceed the boundaries of the planned burn or become uncontrolled at any point?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. I have an answer, but I have just seen an error. I will get it checked during question time and provide it at the end of the day, if that is okay.

PRIVACY LEGISLATION — POLITICAL PARTIES

**1328. Hon WILSON TUCKER to the parliamentary secretary representing the Attorney General:**

I refer to a report in *The West Australian* today that revealed that WA Labor electorate officers are collecting private information from constituents, including potentially private medical information, and entering it into the Labor Party's campaign central database. In light of this troubling revelation, will the government's review of privacy legislation be expanded to include the use of private information by political parties?

**Hon MATTHEW SWINBOURN replied:**

I thank the member for some notice —

Several members interjected.

**The PRESIDENT:** Order! It is question time, not cross-chamber chatter.

**Hon MATTHEW SWINBOURN:** Thank you, President. As I was saying before I was rudely interrupted by others, I thank the member for some notice of the question. The following answer has been provided to me by the Attorney General.

As has been the case for decades, all registered political parties and members of Parliament are provided with regular updates to the electoral roll for their electorate, as per the Electoral Act. This information is part of the electoral management system to assist members of Parliament to manage constituent inquiries and workflow in their offices, and to communicate with their electorates to serve their communities.

CANNABIS INTERVENTION REQUIREMENT SCHEME

**1329. Hon SOPHIA MOERMOND to the minister representing the Minister for Police:**

I refer to the cannabis intervention requirement scheme.

- (1) How many CIR notices were issued by the WA Police Force in 2021 and so far in 2022?
- (2) Of the CIRs issued, how many people were aged between 14 and 18?
- (3) What is the recidivism rate for people who complete CIRs?
- (4) What is the annual budget for costs associated with the cannabis intervention requirement scheme?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following answer is provided on behalf of the Minister for Police. The Western Australia Police Force advises the following.

- (1) In 2021, 2 152 CIR notices were issued, and in 2022, there have been 1 749.
- (2) In 2021, 579 were issued to people aged between 14 and 18; in 2022, there have been 509.
- (3) The recidivism rate of this cohort has not been the subject of a specific study and is unable to be determined by the Western Australia Police Force.

- (4) The CIR scheme is contributed to by the WA Police Force and the Mental Health Commission. The annual budget costs allocated to this activity across both agencies is not immediately available. The honourable member may wish to place the question on notice. There is a note that the figures given in response to questions (1) and (2) are provisional and subject to revision.

CANNABIS — LEGALISATION

**1330. Hon Dr BRIAN WALKER to the Leader of the House representing the Treasurer:**

I refer the Premier, in his role as our state Treasurer, to the announcement by the state government of extended retail trading hours over Christmas, beginning on Saturday, 10 December.

- (1) Is the government aware of data from the United States, released last month by web-based analytics company Weedmaps, showing that in jurisdictions that have legalised cannabis, sales increased over the holiday period by as much as 30 per cent, adding many thousands of dollars to local economies?
- (2) Given this festive potential, will the Treasurer give Western Australians an early Christmas present by instructing Treasury to report on the potential impacts of cannabis legalisation on the WA economy, be it at Christmas or throughout the year, with an aim to tabling a report in Parliament before Santa gets much older?

**Hon SUE ELLERY replied:**

I almost feel bad giving the honourable member this answer, because that was the cutest version yet he has given of getting cannabis related to everything. But on behalf of the Treasurer, I advise the following.

- (1)–(2) No.

EMERGENCY SERVICES — REPEATER SITES

**1331. Hon MARTIN ALDRIDGE to the Minister for Emergency Services:**

I refer to question on notice 653, answered on 10 May 2022, regarding the Western Australian emergency radio network repeater sites.

- (1) Has the Department of Fire and Emergency Services built the capability to monitor repeater sites and detect failure or service interruption remotely?
- (2) How many radio technicians, by FTE, are ordinarily employed by DFES?
- (3) How many radio technicians, by FTE, are currently employed by DFES?
- (4) Noting the finding of the Shepherd review that DFES had no documented procedures for requiring Western Power to restore power in emergency situations, has this been rectified ahead of the high-threat period?

**Hon STEPHEN DAWSON replied:**

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

- (1) Department of Fire and Emergency Services radio communications service repeater infrastructure does not currently have the technology to remotely monitor the health and performance of repeaters.
- (2) Ordinarily, there are 10 radio technicians.
- (3) Currently, there are eight radio technicians. DFES is actively recruiting for the vacant positions and has recently engaged a first-year apprentice radio technician.
- (4) DFES has conducted a review of Western Power's exemption conditions in conjunction with representatives from Western Power. This exemption provides Western Power with the ability to undertake power restoration during a total fire ban. Power restoration work is determined by Western Power after it conducts its own risk assessment on a case-by-case basis. DFES does not rely on the reinstatement of power to ensure WAERN coverage.

LANDGATE OFFICES — SALE

**1332. Hon NEIL THOMSON to the minister representing the Minister for Finance:**

I refer to reports in WAtoday from 29 November concerning a lease incentive of \$29 million being provided to the state government by Georgiou as part of the Landgate building sale.

- (1) When will the lease incentive be paid to the state?
- (2) Is there a guaranteed time frame for the general and external upgrades to be completed?
- (3) If yes to (2), what is that time frame?
- (4) Will the state be entirely responsible for tendering out the fit-out for those floor spaces leased by the state government?
- (5) If no to (4), how much of the \$29 million will then have to be returned to Georgiou for fit-out costs?

(6) Does the complicated sale arrangement represent gold-standard transparency?

Several members interjected.

**The PRESIDENT:** Order!

**Hon STEPHEN DAWSON replied:**

I understand that the honourable member was advised by email that the minister was taking personal leave from Parliament today and, therefore, no answers would be available to new questions without notice submitted today.

FORESTRY — HARDWOOD — FURNITURE MANUFACTURING

**1333. Hon STEVE MARTIN to the minister representing the Minister for Environment:**

I refer to the recently released draft forest management plan.

- (1) Does the FMP make any reference to Western Australian furniture manufacturers and their requirement for native Western Australian hardwood?
- (2) How much hardwood has been allocated to Western Australian furniture manufacturers so that these businesses can continue to create high-quality designs that are unique to our state?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. This answer was current as at 19 October. I am not sure whether that makes any difference.

- (1) No.
- (2) The forest management plan does not determine the purpose for which timber made available from forest management activities that improve forest health, or clearing for approved mining operations, is used.

WATER CORPORATION — WATER PIPES — INGLEWOOD

**1334. Hon Dr STEVE THOMAS to the minister representing the Minister for Water:**

I refer to the Water Corporation's upgrade of pipes along Beaufort Street, Inglewood between Central Avenue and Dundas Road, the Minister for Regional Development's old stomping patch, which commenced on 21 August 2022, and to the minister's answer to question without notice 1278 asked on Tuesday, 29 November 2022.

- (1) Will the minister now ask the Water Corporation to contact owners of businesses in the affected area to assist them with submitting loss-of-business claims?
- (2) If not, why not?
- (3) How long will the claims take to process?

**Hon ALANNAH MacTIERNAN replied:**

I thank the member and I wonder whether this is the new PFAS!

**Hon Dr Steve Thomas:** It is the new iron ore.

**Hon ALANNAH MacTIERNAN:** The Leader of the Opposition is nothing if not predictable! I have an answer here from the Minister for Water.

- (1)–(3) The Water Corporation has proactively engaged with businesses regarding this section of work on Beaufort Street since 2020. There has been regular communication with each business and they have been invited to attend working groups as well as face-to-face meetings with both the corporation's community engagement team and the contractor. This communication has included information on the loss-of-business claim process. Businesses making an application are guided through the loss-of-business claim process, which includes details on how to submit a claim and the timing of the process. Estimated time for the claim process is up to three months.

SCHOOLS — FOETAL ALCOHOL SPECTRUM DISORDER — FUNDING

**1335. Hon COLIN de GRUSSA to the Minister for Education and Training:**

I refer to the disability resource system and resourcing for education in schools.

- (1) Can the minister confirm that there is no specific funding for students who have or are suspected of having foetal alcohol spectrum disorder?
- (2) In the past year, has the minister been approached to meet directly with FASD advocates on the topic of FASD funding for students, and can the minister please detail any such meetings and the outcomes committed to by the minister?
- (3) When will the disability resource system next be reviewed, and will the review consider additional funding and resources for students who have attention deficit hyperactivity disorder, FASD and level 1 or level 2 autism spectrum disorder?

**Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question. I think it is worth noting that the way that funding is provided to schools to support students with disability is not allocated by condition. A funding pool is allocated according to a whole different set of criteria.

- (1) The student-centred funding model provides for funding allocations to schools based on the learning needs of individual students. Students with a disability attract more funding under the model, with eight categories of disability funded. Although there is no specific category of funding for foetal alcohol spectrum disorder, funding is provided under the categories of intellectual disability and severe mental disorder, which are related to manifestations of FASD. Students with additional learning needs also attract additional funding through an education adjustment. From 2023, public schools will be provided with \$31.9 million in extra education adjustment funding over the next four years to support students with additional learning needs who do not have a diagnosis of disability in developing their literacy and numeracy skills. The “Support for students with diverse learning needs” web-based hub contains a suite of resources to support students with diverse learning needs, and was updated in 2018 to specifically address FASD. This includes FASD professional learning that provides school leadership teams and staff with activities that build educators’ knowledge and understanding of FASD, examines how FASD affects learning and provides effective classroom strategies that support students with FASD.
- (2) No.
- (3) There is no plan for the disability resource system to be reviewed. The student-centred funding model’s individual disability allocation funding rates are adjusted for cost escalation on an annual basis.

TRANSPORT — TRELIS — CORRUPTION AND CRIME COMMISSION

**1336. Hon NICK GOIRAN to the parliamentary secretary representing the Attorney General:**

I refer to page 27 of *A review of the Department of Transport’s management of unlawful access to TRELIS*, published by the Corruption and Crime Commission in August 2021, which states —

The Commission proposes to report on the implementation of these recommendations in 12 months’ time.

- (1) Has this report been completed?
- (2) If yes to (1), what were the findings and will the Attorney General table the report?
- (3) If no to (1), has it commenced; and, if so, when is it expected to be completed?

**Hon MATTHEW SWINBOURN replied:**

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

- (1) No.
- (2) Not applicable.
- (3) On 5 May 2022, the Corruption and Crime Commission advised the Department of Transport of the upcoming review, and on 26 July 2022 the department provided the commission with a detailed submission. This is currently under review. The commission anticipates the recommendation review will be finalised mid to late 2023.

VACCINATION RATE — CHILDREN

**1337. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Health:**

I refer to the answer provided to question without notice 627 asked on 10 August 2022 regarding the Public Health Amendment (Immunisation Requirements for Enrolment) Act 2019 and the statement that “the evaluation has commenced and is due to be completed in October 2022.”

- (1) Has the evaluation been completed?
- (2) If yes to (1), will the minister table a copy of the evaluation; and, if not, why not?
- (3) If no to (1), when is the evaluation anticipated to be completed?

**Hon SUE ELLERY replied:**

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

- (1) No.
- (2) Not applicable.
- (3) The evaluation report is in draft stages and is anticipated to be published in 2023.

## POLICE — RESIGNATIONS

**1338. Hon PETER COLLIER to the minister representing the Minister for Police:**

How many police officers resigned in November 2022?

**Hon STEPHEN DAWSON replied:**

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

The Western Australia Police Force advise that 128 officers resigned.

## BANKSIA HILL DETENTION CENTRE AND UNIT 18, CASUARINA PRISON — STAFFING

**1339. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Minister for Corrective Services:**

I refer to youth detention. How many shifts among staff at Banksia Hill Detention Centre and unit 18, respectively, have gone unfulfilled in —

- (a) August 2022;
- (b) September 2022;
- (c) October 2022; and
- (d) November 2022 to date?

**Hon MATTHEW SWINBOURN replied:**

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

Figures for vacant shifts each day are unavailable due to the numerous complexities around determining staff requirements.

## FIRE AND EMERGENCY SERVICES — ELECTION COMMITMENTS — 2021–22 STATE BUDGET

**1340. Hon MARTIN ALDRIDGE to the Minister for Emergency Services:**

I refer to the minister's media statement of 26 November 2022 titled "New protective clothing for firefighters issued as preparations for summer fire season continue" and the answer to question without notice 736 asked on 15 September 2021.

- (1) Why is the state government delivering just 3 200 personal protective clothing sets and not the 4 100 sets previously stated?
- (2) By what dates will career and volunteer firefighters receive the new personal protective clothing?
- (3) Why was this PPC not delivered prior to the start of the high-threat period?
- (4) Does the state government have plans to review and replace level 1 PPC; and, if so, how much funding is allocated to this?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The \$4.9 million personal protective clothing replacement program delivers on an election commitment from the McGowan Labor government.

- (1) I am advised that the Department of Fire and Emergency Services conducted an audit to confirm original numbers, which identified that 3 091 sets were required.
- (2) DFES career firefighters have received their new PPC allocation. Volunteer firefighters will begin to receive their new PPC early in the new year.
- (3) New level 2 PPC has been delivered to career firefighters prior to the high-threat season.
- (4) DFES has upgraded the material used for the level 1 tunic to meet the new Australian Standards. Replacement of level 1 PPC is through fair wear and tear and is funded internally.

## 20-FOOT OR EQUIVALENT UNITS — DERAILMENT

**1341. Hon NEIL THOMSON to the Leader of the House representing the Minister for Transport:**

Of the 6 300 20-foot equivalent units per week that travel on interstate rail, as reported in the annual report of the Department of Transport, how many have been delayed due to the derailment in Victoria on 14 November?

**Hon SUE ELLERY replied:**

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

Due to the number of industry sources that need to be consulted, it is not possible to provide reliable details of the impacts of the derailment in the terms sought in the given time frame.

## FOREST PRODUCTS COMMISSION — FIRE MANAGEMENT

**1342. Hon STEVE MARTIN to the minister representing the Minister for Forestry:**

I refer to the Forest Products Commission's fire management measures.

- (1) For each of the last three financial years, what was the total expenditure by the Forest Products Commission on fire management measures in state forests?
- (2) For each of the last three financial years, what were the fire management measures and where were they undertaken?

**Hon ALANNAH MacTIERNAN replied:**

I thank the member for some notice of the question. This answer, of course, was prepared some time ago. The following information has been provided by the Minister for Forestry.

- (1) Native forest fire management activities in state forests are undertaken by the Department of Biodiversity, Conservation and Attractions as the land manager. The Forest Products Commission's fire management activities in state forests focus on the direct or indirect protection of pine plantations. That expenditure is as follows: in 2019–20, \$2 346 699; in 2020–21, \$3 717 246; and in 2021–22, \$3 041 963.
- (2) Major fire management activities are carried out across the entire Forest Products Commission estate. Key aspects of fire management over the last three financial years were: liaison with DBCA, local government, DFES and forest industry partners; protection burning with DBCA on its lands adjacent to FPC plantations; hazard reduction burning of plantation logging slash and needlebeds on a targeted basis; firebreak and fire trail maintenance in and around plantations; and maintenance of a wildfire response capacity to protect plantation assets and support Western Australia's inter-agency fire structures.

## BIODIVERSITY, CONSERVATION AND ATTRACTIONS — WEEDS

**1343. Hon Dr STEVE THOMAS to the minister representing the Minister for Environment:**

I refer to the 2021–22 annual report of the Department of Biodiversity, Conservation and Attractions—it is still a terrible name—that says on page 29 that —

Operations to prioritise, review and manage priority environmental weeds continued throughout the State, including through collaborative efforts with traditional owner and community groups.

- (1) How much did the department spend on these operations in 2021–22?
- (2) Which priority weeds did the department eliminate or reduce the incidence of on lands it managed?
- (3) Which priority weeds did the department handball the management of to recognised biosecurity groups or other community groups?

I hope there are arum lilies in the response!

**Hon STEPHEN DAWSON replied:**

I thank the honourable Leader of the Opposition for some notice of the question.

Unfortunately, it is not possible to provide the information requested in the time frame. I request that the member place the question on notice.

## SCHOOLS — FOETAL ALCOHOL SPECTRUM DISORDER — FUNDING

*Question without Notice 1335 — Correction of Answer*

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [4.29 pm]: Earlier today, I answered a question from Hon Colin de Grussa. It was numbered C1463. In that answer, I referred to the year 2018. It should have been 2019. I correct that now and apologise to the house for the error.

## QUESTION ON NOTICE 976

*Paper Tabled*

A paper relating to an answer to question on notice 976 was tabled by **Hon Sue Ellery (Leader of the House)**.

## CHILDREN IN CARE — WHEREABOUTS UNKNOWN

*Question without Notice 1268 — Answer*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services)** [4.30 pm]: I would like to provide an answer to Hon Nick Goiran's question without notice 1268 asked on Tuesday, 29 November. The answer is as follows.

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

- (1)–(2) A risk profile for children missing from the care of the Department of Communities is provided by the Department of Communities. That risk profile is then reviewed, and may change at any time dependent on the known risk factors, by the Western Australia Police Force missing persons unit.
- (3)–(4) There are currently no high-risk absconders recorded by the Western Australia Police Force. The Department of Communities has made four referrals of missing children in care to police.

**PRESCRIBED BURNING — FRK\_092**

*Question without Notice 1327 — Answer*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services)** [4.30 pm]: I have an answer to the question asked earlier by Hon Dr Brad Pettitt that I did not have earlier. It is a very long answer. I seek leave to have it incorporated into *Hansard*.

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

- (1) Due to the complexity of the prescribed fire plan and the large number of documents contained within the plan, I am happy to include this information in a briefing by the Department of Biodiversity, Conservation and Attractions (DBCA) to the Member.
- (2) FRK\_092 Peak Roe Crossing is a mixed-fuel burn which was initially commenced on 3 November 2022, with subsequent ignitions up to and including 29 November 2022 that were undertaken to maintain burn security. Fire escaped the boundaries of the burn at approximately 1.30pm Wednesday, 30 November 2022 under the influence of strong northerly winds.
- Due to forecast conditions leading into yesterday (DBCA) was actively monitoring and patrolling the southern boundary of the burn with contingency resources in place, an interagency Level 2 incident management team was also available to support if it had been required.
- DBCA has documented contingency plans in place for all prescribed fire plans that identify appropriate strategies to implement in the event of any significant escapes or hopovers occurring as part of a prescribed burn. Initial containment of the hopovers at the Peak Roe Crossing burn were hampered by issues associated with limited access and difficult terrain including waterlogged areas.
- The prescribed burn was planned to be undertaken at this time of year in consideration of the fuel and soil moisture levels and environmental values of the area.

**WATER CORPORATION — WATER PIPES — INGLEWOOD**

*Question without Notice 1293 — Answer*

**HON ALANNAH MactIERNAN (South West — Minister for Regional Development)** [4.30 pm]: I would like to provide an answer to Hon Dr Steve Thomas's question without notice 1293 asked yesterday to me representing the Minister for Water.

I seek leave to have it incorporated into *Hansard*.

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

- (1) The Water Corporation is continuing to evaluate costs for the entire Beaufort Street Pipes for Perth Project. The final cost will be made available upon completion and close-out of the Project.
- (2) The contract has a specified timeframe for the construction schedule and is typically six weeks from start to finish for each of the stages.
- (3) The Practical Completion date at the time of tender for the section between Central Avenue and Dundas Road was September 2022. Work on this section was started later than planned in the original tender schedule and hence the original planned finish date was not met. The majority of work in this section is now complete, with the road reopened on 15 November 2022. Final reinstatement work is ongoing.
- (4) The delay in the start of this section is largely due to various latent conditions on site and COVID 19 impacts on resourcing and material supply.
- (5) Liquidated damages can be applied to the contractor for delays.

**QUESTION WITHOUT NOTICE 1022 — MINISTERIAL RESPONSE**

*Matter of Privilege*

**HON MARTIN ALDRIDGE (Agricultural)** [4.31 pm]: I rise under standing order 93 to raise a matter of privilege. This matter is directly related to the matter of privilege raised by me on 22 November 2022 in relation to question without notice 1022. President, in your ruling on the following day, 23 November 2022, you said that it was not for you to undertake a detailed inquiry into the correctness of an answer. You further directed me to exercise other options still available to verify the answer and to obtain the information sought. I want to emphasise that my concern and the basis for now raising a second matter of privilege in relation to this issue is not the non-provision of information to Parliament, but that the information provided was inaccurate, false and misleading. I now present to you further information obtained following the ruling of 23 November.

On 25 October 2022, I asked a question without notice to the Minister for Emergency Services. The question sought in parts (1) and (3) to know the total disbursement from the \$104.5 million disaster recovery package in relation to tropical cyclone Seroja and, of that, the total amount that had been disbursed in grant applications. The answer provided by the Parliamentary Secretary to the Attorney General was that \$25.42 million had been disbursed to date.

On 17 November 2022, the Minister for Emergency Services, when asked to confirm and clarify the answer, responded in answer to question without notice 1161 and said —

The answer to Legislative Council question without notice 1022 is correct.

Yesterday, 30 November 2022, I received an answer to question on notice 1060 from the Minister for Emergency Services. The answer confirmed that of the disaster recovery funding arrangements grant programs, a total of just \$3.84 million had been disbursed to disaster-affected persons, businesses and local governments.

Further, President, I draw your attention to an article in today's *Farm Weekly* entitled "Government probed on cyclone recovery funding spend" by Bree Swift. In that article, the minister himself has provided information that casts further doubt on the accuracy of the answer to question without 1022. I quote from the article —

On November 17 The Nationals WA spokesperson for emergency services Martin Aldridge ... asked the minister to confirm the accuracy of the answer provided in parliament on October 26 that "\$25.42 million of the \$104.5m DRFA package has been expended to date", to which Mr Dawson said the answer was correct.

However when asked by Mr Aldridge, "who advised the minister that \$25.42m of the DRFA package had been expended to date", Mr Dawson replied "no one has ever stated that \$25.42m of DRFA funding has been expended".

When asked the same question by *Farm Weekly* earlier this week, Mr Dawson said \$11.7m of funds had been spent under the DRFA.

The article goes on to say —

The minister confirmed that a total of 764 grant applications had been submitted across the four recovery grant programs; Recovery and Resilience Grant, Small Business Recovery Grant, Primary Producer Recovery Grant and the Cultural and Heritage Asset Clean-up and Repair Grant.

"As of 28 November 2022, \$3,313,862.22 has been distributed to 176 applicants who have completed eligible clean-up, repairs, or resilience works and submitted their receipts," Mr Dawson said.

President, I table that article.

[See paper [1936](#).]

Several members interjected.

**Hon MARTIN ALDRIDGE:** I now quote from *Hansard* —

It is critical that, in our Westminster system, we understand the roles of everybody. The legitimate exercise of executive power requires the informed consent of the electorate. How do we get the informed consent of the electorate? It is based upon people being elected to the Parliament who have an obligation—indeed, a duty—to hold the executive government to account for its decisions and actions. That executive government operates through the cabinet and the cabinet is made up of executive officers of the Crown, who are also required to be members of the legislature. Those ministers are responsible to Parliament collectively for the decisions and actions of cabinet, and individually for their particular portfolios. Being accountable in the context of parliamentary democracy is essentially the requirement of executive government to fulfil its obligation to explain its decisions and actions in a timely, accurate and honest manner. This requires the provision of information, and much of that is provided in the Parliament through the tabling of papers and, importantly, through parliamentary questions and the answers provided to those questions. Accurate and timely information to Parliament and its transparent dissemination is essential. Secrecy, obfuscation, avoidance and inaccuracy, whether deliberate or not, and dishonesty, are in fact the enemies of our parliamentary democracy.

Those were the words of the Leader of the House, Hon Sue Ellery, in moving a matter of privilege in March 2016, and I agree entirely with them.

Acting President, I have now presented further information that demonstrates that the answer to question without notice 1022 is inaccurate, false and misleading. I submit to you that the Legislative Council has been substantially obstructed, and this warrants referral to the Standing Committee on Procedure and Privileges for inquiry.

**The PRESIDENT:** I point out that I am actually the President. I will take that on advisement.

#### HON ALANNAH MacTIERNAN

##### *Valedictory Speech — Personal Explanation*

**HON ALANNAH MacTIERNAN (South West — Minister for Regional Development)** [4.37 pm] — by leave: I must admit that I was hoping to avoid this. My plan, which I had all mapped out, was that in early January I was going to come back, resign and slink away. It is very embarrassing to have this fuss again. This is my third valedictory. They say never say never, but I will tell you that I will absolutely swear that this will totally be my last valedictory.

Interestingly, it was almost 30 years ago when I first stood in this place, on the other side, to give what was then called a maiden speech. I am almost as nervous now as I was then, although I was much better prepared then because I had spent three weeks writing it rather than trying to put this together in the last hour.

In that speech, I called for the abolition of this house. It was not that I just favoured ordinary unicameralism; I was a great supporter of a thing called mixed-member proportional representation, as they have in the German Parliament and in New Zealand. They have single member constituents and list members sitting together. However, I really have changed my mind on this. Our dear Leader of the House, Hon Sue Ellery, tells me that I have been institutionalised, but I really have changed my mind about this. I actually think that there is a real purpose here. I think the structure that we have—with a lower house in which government is formed—is a better structure. In single-member electorates, the mainstream opinion is expressed, and that provides the stability to form government. I have often seen the difficulty in mixed-member proportional parliaments of having to cobble together a coalition. I do not think that is good for the stability of democracy. In our system I think we get it right, particularly with the electoral reform that will be brought forward in this place, and I note the debate on it this morning. I think the upper house has the ability to provide a greater array of community opinion.

With the reforms that will be proceeded with at the next election, I think we are going to see a more nuanced range of interests. I know there are some members opposite who think that the only dichotomy is city versus country. I do not think that is accurate. I think what we will see is a much greater diversity of opinion, where there are people in the city and people in the country. They probably will not be supporting daylight saving in any large numbers, Hon Wilson Tucker, but certainly legalised cannabis, for example. I think we will find that that will be a party and a cause that will survive into the next election. Hopefully, we are going to see a very dynamic democracy taking shape in this place. It might well be that at some point in the future we have to go back to the people and maybe reduce the size of this place, but I think this is going to enhance and empower democracy. It will allow new parties to emerge. It will give new parties the opportunity to form and evolve. I do not think our party is one that does not evolve. We come with a set of shared values, with everyone having an opportunity and a place in the sun, and we have been able to evolve how that is expressed. What we are going to see happen in this place is going to be immensely interesting, and I wish everyone here the very best of luck in dealing with that fluorescence of democracy.

I do not want to go over the ground I may have covered in some of my earlier valedictories, except to say that it really is an extraordinary privilege to have been able to represent the people of Western Australia, in both the state Parliament and the federal Parliament. I am immensely grateful for the faith that has been placed in me by the Labor Party and by the voters. I know I have always tried very hard to honour that faith and put my heart and soul into the job, but I have to say I have been really taken aback by the volume and kindness of the messages I have received from right across the state. Punters and business leaders from Armadale to Albany have sent me absolutely beautiful messages since I announced my departure. I hope it is not just that they want to make sure that I go! I promise that I will properly thank everyone after I complete this sprint to the finish line in my ministerial role. We have a lot to do in the next few days.

I want to thank the Premier, Mark McGowan, who invited me back to Parliament in the lead-up to the 2017 election. I really thank him for his astute and disciplined leadership, and for the political acumen that has given us in the Labor Party an opportunity over the last six years to win the support of the people of Western Australia and to move the state forward. I really think that the work that we have done in restoring financial management while making strategic investments and courageous decisions about developing our state has been fantastic. I want to particularly thank him for his support and preparedness to prioritise the voluntary assisted dying legislation. I know that was one of the things that motivated me to come back into Parliament when I was asked. This issue has been strongly supported by the community for so many decades, but it was too much of a political hot potato for anyone to take up. Premier and all the team, I think that we can all be very proud that we grasped the nettle and we dealt with that.

I want to speak a little about my portfolio. I have been totally engaged with this portfolio. I had an opportunity this morning to talk about regional development and our magnificent teams out there in our regional development commissions, but I want to make a few comments about agriculture and hydrogen. It was fantastic today, on my last day in Parliament, to be able to announce with the Premier the \$320 million new research and development and biosecurity science facility that we are building out at Murdoch University. This is the culmination of five years' work. It has been an issue that has been kicked into the long grass over the last two decades, but we have worked incredibly hard to get the support for agriculture, to get this facility. It is really going to benefit industry going forward, because the two ways in which government can best assist our extraordinary farmers in all their hard work is to provide that research and development into agriculture and to provide first-class biosecurity. It is fantastic that we will have a facility that will literally be world-class. This is the culmination of the work that we have been doing over the last six years to really rebuild that capability in the department after the great contraction, and it has not been easy. Certainly, the machinery-of-government process has been a challenging but incredibly important one. I think that we have certainly got through that process, and we can see, once again, this department becoming a really exciting place to work, where innovation and energy just oozes out from all those people in our department.

I want to thank the Premier and all my colleagues who have supported the money that we have been able to put into agriculture. Every budget, we have got a big allocation, whether it is the \$131 million that stopped the department

from falling off the fiscal cliff that it had been headed for, the \$48 million for research in grain, or the \$25 million to kickstart an amazing collaboration with all the universities and the CSIRO. The thing that probably excites me the most is the rejuvenation and rebuilding of our research facilities in the country, whether it is the Frank Wise Institute of Tropical Agriculture in Kununurra, the Carnarvon and Merredin research stations or the extraordinary work at Katanning to make sheep environmental. I am so glad I have been able to get the support of my colleagues to do that.

Of course, the government has had fabulous partnerships such as the processed oats partnership and the wine partnership—my colleague here would tell me I had to mention wine. It is true that I am known as the patron saint of wine! We have been able to do extraordinary things such as resourcing InterGrain and securing the fabulous Australian Export Grains Innovation Centre. This has been such a satisfactory and important endeavour for what is the second-biggest industry in WA after the resources sector.

As well as doing that, I have been inspired by those farmers who wanted to explore new possibilities and were looking at how carbon farming and carbon sequestration could change their farming systems. Those farmers have been looking at how we understand the complexity of our biological system and our soils so that we can develop farming systems that are less dependent on chemical imports and can be more productive and produce food and fibre that can attract a premium. It was very important that the government supported those farmers and that we were prepared to back them in. They do not have the large agricultural industries necessarily backing them because it is by nature something that will reduce their reliance on many of the agrichemicals. The government backed them, but we did not stop rebuilding all the conventional stuff. We got money—\$30 million through the agriculture climate resilience fund and the land restoration fund to back those forward-thinking pastoralists, those great people from the southern rangelands and great farmers right across the south west land division who wanted to explore these possibilities.

I understand that change is hard and that some advocacy groups were not happy that we were backing those farmers who wanted to explore these new farming systems. Despite the grief, I have to say, I would do it again. I really believe that great future opportunities arise from understanding and unleashing the power of the biology of the system. Rather than being presented, as unfortunately it is in some sectors, as the problem child in the climate change debate, agriculture can in fact be a major contributor and a major part of the solution. I welcome all to come to one of my final acts, the Meaty Matters: Cows and Climate conference on 13 December at which we will explore all the extraordinary opportunities we have to make farming the twenty-first century solution for many of the issues we face.

It has also been fantastic to have the opportunity to develop the groundwork for a renewable hydrogen industry in WA over the past five years. Western Australia has an extraordinary opportunity to be a global leader in generation. We do not want to be just dig and ship; we want to ensure that the lower energy prices and the availability of renewable hydrogen can translate into upstream and downstream processing. We can finally have energy that is cheap enough to make it possible for us to produce iron and steel and to process many of our other minerals. Again, I thank my colleagues in cabinet for supporting me. To date, \$167 million has been allocated to this industry from state coffers. We have made some real progress on some of these regulatory matters. I cannot pretend that the job is all done. I really hope that we can continue this endeavour into the future, because this really is another fantastic opportunity for us to build an industry that is going to enable us to transition out of our dependence on fossil fuels.

Of course, as everyone always says, and they say it always because it is so true, you could not do this work without the support of all of your colleagues. Again, I want to thank all my ministerial colleagues. So many of the things that we have done have been jointly progressed. Also, I thank the staff of the offices of the other ministers. There are just so many fabulous people. I do have to give a shout-out to one particular guy, and that is Dave Coggin. He has just been an amazing support to our team. Talking about parliamentary colleagues, I should also give a special shout-out to Darren West. I do remember when Hon Darren West first appeared at a Labor Party meeting sometime in the 1990s. He certainly created quite a titter of excitement amongst some of the younger female delegates. He was a pretty good-looking dude in his day! I am sure he has not lost any of his charm.

My chief of staff, Cole Thurley, instructed me this morning that I was to mention him. Because I always do what I am told, I am mentioning Cole. No, really. As I have often said to Cole, I just could not have done this job without him. People like Cole, who have come from the public sector and are smart and committed to good public policy, are people whom we absolutely need to value. I thank Cole for being so smart, strategic, incredibly hardworking and not averse to a bit of minister–staff biff. He has kept in there.

I also want to thank Mark Scott, even though the Premier did recently poach Mark from me. Mark was with me from my days in federal Parliament. I recruited him off the street. He then came over as part of the team. I cannot tell you just how completely fantastic he has been. That friendship with him has been so incredibly important to me.

Daniela Mattheys, my deputy chief of staff, has done such an extraordinary job in both the hydrogen area and the first four years of the Collie transition, when our beautiful friend Mick Murray was the member. I did not know whether Daniela was going to survive four years of hand-to-hand combat with Mick, but we got through it and we are doing fabulous things in Collie. I also thank Shelley and George. Shelley Court also came from the other office, and George Foulkes-Taylor, who have been our team up here in Parliament, together with the fabulous Kris Doherty and Ollie Pincott—a great little team that has represented me and helped all the ministers here in the Parliament.

I have also got Rica Graham, my fabulous executive officer. I cannot mention all of my staff members. We are going to have a big shindig in a couple of weeks, dudes. There will be plenty of time for that. I also give a shout-out to Guy Wroth, Claire Hanson and Jo Taylor in the electorate office.

Again, I just want to acknowledge all those public servants. We go through these cycles. We talk about fat cats and bureaucrats and we diss our public sector, and we do that to our detriment because we cannot be a good government without good people. We have to make work in the public sector something that is financially worthwhile and also satisfying. We all have an obligation here to talk up those people who choose to work in the public sector.

I have to give a special shout-out to Terry Hill, who did me an immense favour by getting off his yoga mat, getting back into the saddle and helping us get all the Department of Primary Industries and Regional Development team very well focused for the future.

I have made some absolutely great friendships over the last seven years, from joining the campaign in 2016. Obviously, there were lots of people who I knew already, but we campaigned in those northern suburbs. I need to give a particular mention to the “crouching chief”, if I can say something as politically incorrect as that—Sabine Winton. We had a fabulous time together campaigning. We ended up sitting on Santa’s knee and being photographed by security guards who had swapped sides and came around to support us. Sabine, it has been fantastic knowing you. On that same campaign was Hon Kyle McGinn. When I first saw him come into an event, I gave him the rounds of the kitchen because of his outfit! He took that in good faith and since then has been the most sartorially splendid, fabulous member in Parliament. In 2016, I was working with Lara Dalton. I first mentioned she should go into Parliament back in 2014. We did not win that one, Lara, but we went on to do that. We had a fabulous time with Kevin Michel, doing our Thelma and Louise across the Pilbara during that campaign.

In 2021, it was fantastic to be able to direct the campaigns for Rebecca Stephens in Albany and Caitlin Collins in Hillarys. It was fabulous and brilliant to see these great young women hit their straps. During my time in the Labor Party, I have always had those older people who supported me, mentored me and encouraged me. It is always fantastic to have the opportunity to pay that forward.

I must thank the strongest faction in the Labor Party. It is not one that everyone knows. It is the group called “Chicks from the Sticks”, who are the Assembly members from regional WA—Divvy, Lara, Jodie, Jane, Lisa and Rebecca. Peter Foster, I believe you have joined. I will not say how we incorporated you into the group but you did a fabulous rendition at the last love-in. I am proud to be the patron of the chicks and to be the big chick. Sorry; I forgot Ali Kent, who was just fantastic. Ali, it was great to campaign with you through that last election.

To Sue and Steve, it has been fabulous working with you and this whole team. We have worked very hard and very well together. It has been fantastic, all of you, even when we have had our ritual Thursday morning boxing match with our friends on the other side. I hope people will step up and keep that spirit going.

I want to, of course, thank my family, even though I promised that I would not say that I will spend more time with them. As always, I thank my fantastic family for all their support and really having to put up with a lot having a person in the family, the matriarch perhaps, as a member of Parliament.

Guys, truly, it is time for me to go after 26 years in the Parliament and 13 years in the ministry. I really look forward to so many other people having the opportunity to step up to that role. As for me, I am heading off for some great new adventures. Thank you, all.

[Applause.]

### COMPLIMENTARY REMARKS

**The PRESIDENT:** This is a rather traditional member’s statement, so I will start with the Leader of the House.

*Statement by Leader of the House*

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [5.06 pm]: I want to thank the members of the parliamentary staff who do an exemplary job of looking after us, particularly those who work in this chamber under the leadership of the Clerk, Sam Hastings, and the Deputy Clerk, Paul Grant, whom we rely upon for advice and assistance literally on a daily basis. Of course, I also thank you, President, for your guidance and the way in which you have approached your role.

This has not been a normal year because, for the first time during the COVID-19 pandemic, we saw large case numbers in Western Australia. I particularly want to thank the President and her team for her leadership in getting us through that period. High vaccination rates, appropriate personal hygiene and social distancing measures meant that although staffing in Parliament and our respective offices was stretched at various points in the first half of this year in particular, we got through that challenging period and still managed to get our work done in the Parliament.

I want to thank the Leader of the Opposition, Hon Dr Steve Thomas, with whom I continue to have an excellent working relationship as we work through the many business management issues of the house. Equally, I thank Hon Colin de Grussa, Leader of the National Party and opposition Whip, for his assistance and good working relationship this year. On behalf of the government, I thank all members of the Liberal–Nationals alliance. I thank

the members of the crossbench: Hon Dr Brian Walker and Hon Sophia Moermond of the Legalise Cannabis WA Party; Hon Wilson Tucker of the Daylight Saving Party; and Hon Dr Brad Pettitt of the Greens. Noteworthy of a mention was watching Hon Dr Brian Walker weave legalising cannabis into the debate again today; he has weaved it into every debate. Today, for those who might have missed the question he raised, he noted changes to the retail trading hours over Christmas in Western Australia and he linked that to a study that allegedly shows the impact of legalising cannabis on the retail industry. A notable highlight that happened on another day was when he informed the house during a fisheries motion of the mental health benefits of cannabinoids on fish. As I have said before, my aim has been to work with each of the party leaders in a respectful way. Most times we have been able to manage the house in a collegiate way and I thank everybody for their assistance. To members of the government team, thank you for your flexibility, your tireless work ethic and your continued outstanding effort every single day.

So that she can join her guests, I want to turn to the fabulous Hon Alannah MacTiernan. I think the house just showed the level of respect in which she is held. Despite being put under pressure, very occasionally, from those on the other side and various members of the fourth estate from time to time, Alannah is a fierce advocate for the issues she supports. She is a great cabinet member, she tests every issue and she argues every point. She is fearless. For those who were around during the voluntary assisted dying debate, because of the way that debate was managed, being a matter of conscience, there were no pairs. Despite going through a period in her personal life that for ordinary mortals would have meant they would maybe spend some time at home, that was never going to happen with Hon Alannah MacTiernan. She was here every day for every vote that was required. Very occasionally, she would let slip the effect that the impact of chemo was having on her. Despite that, she was here every single day. I have never seen anything like it. I became absolutely convinced that she is invincible and nothing is going to kill her. If that period of time did not, then, frankly, nothing will, so hats off to you, my friend, for your extraordinary endurance during a really difficult time. I want to thank you. We will have the opportunity as members of cabinet to thank you at a subsequent opportunity, and I know that the Labor Party in many forms will take the opportunity to thank you as well. I will completely understand, Alannah, if you need to join your guests.

I was talking about the members of the government team and I had thanked them broadly. Being a member, particularly a backbencher government MP, can be difficult because the job of government MPs is to get the legislative business of the government through the house. That means that we are the ones who have to be disciplined about who speaks, how much time we use and how much time is allocated to government members. Government members have limited opportunities to make a contribution. As demonstrated this week, we did not proceed with the motion on notice, for example, even though many members wanted to speak, and it is an important issue for us to talk about. It is not uncommon for me to say at our meetings that I want members to be prepared to speak, I want them to do the research, I want them to have all their material ready and I want them to be absolutely ready not to do it when I say, “Thanks very much for doing all that extra work but now I specifically do not want you to use that work you have done.” I want to thank members for their contributions and for the work that they do. I appreciate the pressures that they are under. When any government member has been asked to perform a role or do a job, they have acquitted themselves in a professional and exemplary manner. I want to place my thanks on record. It is the case for any leader in government that they have special people to whom they give special tasks from time to time. They know who they are. When I send them a text message saying that I have a job for them, they know in their deepest souls that they should not reply to that text because they know it will perhaps be something unpleasant, but they reply to the text anyway, and they step up each time.

He has had to leave the chamber on urgent parliamentary business but I want to acknowledge and thank my deputy, Hon Stephen Dawson, for his support, assistance and leadership. I want to thank the parliamentary secretaries. Hon Matthew Swinbourn has joined those known as a “very hardworking parliamentary secretary”, and I am inclined to agree with them. Hon Samantha Rowe is the latest recipient of the “Nick Goiran whisperer award”. Hon Kyle McGinn is not going to win that award. He takes the honour—he probably wrote this or bribed Kris to write this—as having possibly the best mullet the Legislative Council has ever seen. It is appalling, and I am not a fan. I thank Hon Darren West, our favourite and only working farmer in the Parliament. I also thank the government Whip, Hon Pierre Yang, who has had his work cut out for him to manage the numbers in the house and balance pairs several times this year when COVID has taken its toll on people’s ability to attend the Parliament. I also thank Hon Shelley Payne, who assists him with that work.

I want to thank the staff in my ministerial and electorate office as well. In her comments, Hon Alannah MacTiernan mentioned the three amigos in our ministerial office, just outside the chamber. At any given time, there are usually six people in there. When there are other advisers here on a particular piece of legislation, there will be more. We three ministers try to do our work in there, and the three amigos, Kris, Ollie and George, work well together to keep us appropriately fed, watered and entertained. They know when to shut up—they know the Sue Ellery look—and they know when to try to lift our spirits because we are just about ready to stab ourselves in the eye because of something that is going on in here. I want to thank them as well.

I sincerely wish everybody a peaceful and joyous festive season. Please enjoy the time with your family and friends. Please rest, recharge and stay safe. Merry Christmas.

Members: Hear, hear!

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [5.16 pm]: I join the Leader of the House, Hon Sue Ellery, in thanking all members for their contributions throughout the year. It has been an interesting and, in some ways, difficult year, but I think the Legislative Council can still be held in high esteem. It is certainly the house that scrutinises legislation. It is the house that makes changes and it is the house that I think upholds the standards that people in Western Australia expect, so I am very proud to be a member of it.

President, I would like to thank the staff, but I suspect that you may do so in a more technical way. I do not intend to list a great list of names because I always miss somebody when I do that. I thank the new Clerk and the Deputy Clerk and wish them well. I thank the clerk assistants and all those people in the chamber who assist us on a day-to-day basis. On behalf of the opposition, I pass on our thanks to all the catering staff, security staff, building staff, parliamentary education staff and, of course, most importantly, the library staff, without whom many of us would not be able to do the jobs that we do. All those people make sure that Parliament runs, under the auspices of the Speaker and your good self, President. They all make us look better than we generally are, even Hon Kyle McGinn and his mullet! They do a fantastic job. Hansard also do a fantastic job and we thank them because they do not mention anybody's haircut when they make their contributions! All those staff have been absolutely fantastic.

I would like to particularly thank the Leader of the House, Hon Sue Ellery, and the Deputy Leader of the House, Hon Stephen Dawson, for the positive and constructive way in which we managed to maintain the working relationship between the government and the opposition, and the goodwill that they have displayed all year. I will not say it has been a pleasure, but it has been a positive, constructive and mostly pleasurable experience to work with those people to make sure that the Council runs in a good and well-mannered way. I appreciate the effort that they go to. In fact, I appreciate the effort of all the ministers, in particular, and the hardworking parliamentary secretaries, whom I will come to in a minute.

As I point out to the media not infrequently, at the moment, this is the only house that changes legislation. It does so not because the opposition and crossbench control the vote but because of the standard of debate and the willingness of the government to see reason when the opposition makes a point that is considered sound. There has been quite a lot of that in the last couple of years. Due to the work of Hon Martin Aldridge, Hon Nick Goiran and others, the government has accepted amendments to a number of bills. Those members would not have proceeded without the government's acceptance of the legitimacy of the arguments. The amendments go under the name of the government, but the legislation is improved, and that demonstrates to me the value, if it needs demonstrating, of the Legislative Council. I am glad to see that Hon Alannah MacTiernan has moved away from the unicameral system. I do not think we want to emulate the politics in Queensland, particularly. I think the Legislative Council, month in, month out and week in, week out, proves its value and worth to the people of the state. That is something that every member present can take pride in. I thank the government for that.

We have some very hardworking parliamentary secretaries on the other side. Hon Matthew Swinbourn has obviously taken over the role of wrangling with Hon Nick Goiran, which is not the easiest thing in the world to do. The way they interact in a positive and productive manner is very impressive. I am not sure that the parliamentary secretary's preselection has been improved by that! I do not think anyone has beaten Hon Kyle McGinn's record from the year before of getting a fisheries bill through in 25 or 30 minutes. I timed it—it was 26 minutes. If anyone can beat that, that is the challenge that has been set. The new step up and go-to person, particularly when the Leader of the House is away, is Hon Samantha "Rowdy" Rowe. She has stepped up as well. I wish them all luck in the lottery that will be the ministerial reshuffle. They are all making a big contribution. Where would we be without Hon Darren West's contribution as the fourth parliamentary secretary? He has been at a disadvantage in that he is the parliamentary secretary to a minister who sits in this house. That has limited his opportunities, but we look forward to him perhaps stepping up a bit next year, depending on who the new Minister for Agriculture and Food is. We have not ruled out Hon Darren West. We will see where he ends up.

We learnt a lot about ourselves and each other over the last 12 months, and I want to make a few comments in that regard. I have to say that the cross-party faction of Steves has again performed very well: Hon Stephen Dawson, Hon Stephen Pratt and Hon Steve Martin have all done a magnificent job. There are some concerns, though, about some other representative groups. I am a little concerned, I have to say, about being a member for the South West Region at the moment. Of the six members for the South West Region, I am not sure whether we have ever seen two temporarily suspended from the service of the Parliament and one who is about to retire. It is looking a bit thin on the ground for members for the South West Region. That is a bit concerning. I note in the media today there was concern about whether the fourth, fifth and sixth candidates on the Labor ticket for the South West Region are prepared to step up. It may be that we have not heard the last valedictory speech from Hon Alannah MacTiernan yet. She might have to continue to serve until a replacement can be found. That would be some continuity for the South West Region at least. It would be great to see —

**Hon Jackie Jarvis** interjected.

**Hon Dr STEVE THOMAS:** The two of them are feeling fit and well, I hope. I am not sure any other region has suffered the losses that the South West Region has suffered this year. We hope to pick up our game later. I am not sure whether we are an endangered species in the South West Region.

Compared with last year, there has been a lot less colour in some of the Labor Party members' suits this year. I remember a couple of distinctive red suits, one of which came out at this time last year. I will have to leave those members alone. We have become a bit more grey in the Legislative Council, which is not necessarily a good thing. A couple of things have changed.

Members might not remember that last year I commented on Hon Pierre Yang taking points of order. I searched how many he made this year and note that he took one in February and one March but has not taken a lot since, which is great. I said last year that I hoped one of his points of order would be upheld. We are still waiting for that. I notice that he is in semi-retirement in that regard.

It seems that he has handed the mantle to Hon Jackie Jarvis and Hon Sandra Carr, who have decided to step up and take the mantle. The good news is that there is some consistency because none of their points of order has been upheld either. There is some consistency, which is good to see. I like to see consistency in the Legislative Council. That is a very good thing.

I am very pleased to see my good friend Hon Peter Foster here. I thought we might lose him from this place as the potential member for North West Central. I thought he was looking very closely at having a crack at that, but he did not quite make the jump.

I have become a lot better this year at pronouncing Hon Ayor Makur Chuot's name, and I look forward to us working together on our Parliamentary Friends of Africa group. The opposition wishes you well with your family situation over the next few months and hope that you have a great outcome.

Several members interjected.

**Hon Dr STEVE THOMAS:** I will continue to practise how to pronounce Hon Ayor Makur Chuot's name. I have not become a lot better at pronouncing Hon Tjorn Sibma's name, just quietly. That name is still problematic. On behalf of the opposition, and I suspect also the government, I am sure all members wish him well.

**Hon Sue Ellery:** I'm sure he is watching.

**Hon Dr STEVE THOMAS:** He may well be watching from his recuperative bed. For those members who are not aware, last week I sent him home because he looked terrible, but he did not make it home and went to the emergency department and has since had his appendix removed. I spoke to him yesterday. He is fine and will make a full recovery. He left it a bit later than he should have done, which is one of those things. For those who do not know, the appendix is a vestigial organ that hangs off the large bowel. We are not sure what use it has in human beings. It serves a better use in animals, but we can debate that another time.

Several members interjected.

**Hon Dr STEVE THOMAS:** I will come to cannabis in a bit. The appendix is a vestigial organ. A couple of years ago, I gave Hon Tjorn Sibma the nickname "punchy", because occasionally he is a bit fiery, but given that he has now lost part of his bowel, I might have to change that to "short arse".

Several members interjected.

**Hon Dr STEVE THOMAS:** I did tell him in advance that I was going to say that, so he will be waiting and watching in due form.

We also have our good friends in the Legalise Cannabis Party, Hon Dr Brian Walker and Hon Sophia Moermond. Hon Sophia Moermond is also a member for the South West Region, so if she would try to stay in the Parliament from now on, that would be very useful. It is great to see those members continually reflecting upon the capacity of cannabis to save the state. I think this state's financial situation is not too bad, but if there is anything further that cannabis can do, I am sure we will all be at least partially supportive. That would be great to see.

It was good in the past week to see Hon Wilson Tucker debate daylight saving.

Several members interjected.

**Hon Dr STEVE THOMAS:** That was fantastic. This sticks in my memory. I will never forget the comment from Hon Wilson Tucker that the problem with the daylight saving referendum is that it was held in summer, which is the only time that daylight saving occurs. I thought that was great. That particular comment is going straight to the pool room. I thought that was fantastic.

President, before I finish, I want to thank the members of the opposition alliance, and in particular my deputy, Hon Colin de Grussa. I think we have proved that the opposition can work as a team and get the job done. I am very proud of the work that the Legislative Council opposition team has delivered in the last year. I think it is fantastic. Our new members have certainly stepped up. The support from Hon Martin Aldridge is always greatly appreciated. We also appreciate that Hon Nick Goiran carries the burden of the majority of the legislation, much to the chagrin of the hardworking Hon Matthew Swinbourn.

**Hon Matthew Swinbourn:** I prefer him to you!

**Hon Dr STEVE THOMAS:** I will remember that! I also thank in his absence, because he is away on urgent parliamentary business, Hon Peter Collier, who remains a great adviser and support to me. I also thank Hon Donna Faragher, who, despite her red hair, is the calming influence of the Parliamentary Liberal Party and keeps us all on the straight and narrow. She is the common sense and the voice of reason behind the party room.

I want to reiterate the message of Hon Sue Ellery and say that the opposition wishes the government and the crossbench members a peaceful and relaxed Christmas break. We know that when we come back in 2023, the debates will probably be fiery again. I very much look forward to seeing who will do the Thursday morning biff, as I think the Minister for Regional Development called it. Heaven forbid, the opposition likes to play a very straight battle, but I know the government fires up a bit. I look forward to the great debates. I think we have had a high standard of debate in this chamber. I would hate to let that slip next year. Everybody has got a little bit tired and we are perhaps a little stretched, but it has been a good year. I welcome the opportunity to greet you all back here next year. It would not be one of these long addresses if I did not mention, specifically for Hon Lorna Harper, Scrooge McDuck. I wish you a wealthy and Scrooge McDuck Christmas. May his wealth rain upon you. We will debate the Scots next year.

Thank you, everybody, and have a great and safe break. Drive safely throughout the regions, and if you are on holidays, remember that the South West Region is the best one of the lot.

**HON WILSON TUCKER (Mining and Pastoral) [5.30 pm]:** I will not take up too much time, because I realise I am standing between everyone and a few drinks in the courtyard. I would like to say that I hope everyone has a relaxing holiday period. As members are relaxing, sitting on the metaphorical beach that I painted last night, please take those words to heart and think about what legislative changes we can put in place to really enhance the WA experience. The Leader of the House missed my contribution; I have spoken about daylight saving.

**Hon Sue Ellery:** Sure you have!

**Hon WILSON TUCKER:** I will continue to speak about it and I plan to make more contributions in 2023.

We are halfway through this term and it has gone extraordinarily quickly—a little bit scarily so. As a single member, I do not have the luxury of sitting in a caucus and having the competition of ideas, although I have a lot of internal machinations and debates in my head. However, I have received some good advice throughout the last two years, which I think is quite apt to share. Firstly, Hon Kate Doust said to get onto your feet and use the opportunities that you have, which I thought was very apt. The Leader of the House spoke about needing to seize opportunities because our term goes very quickly. It does go very quickly; we are already two years in. I thought those were very true words.

The last one was from former Governor Hon Kim Beazley. I had the honour of meeting Kim Beazley—I am just going to call him Kim Beazley; I am not sure what his exact title is. At the start of the term we had a very fancy high tea party to officiate the election of the President. I was running late to that meeting and I received a very pointed message from the Leader of the House, saying, “Wilson, where are you?” I was ushered through the Governor’s house into this very fancy room with everyone seated there—all the party leaders, the Governor and his lovely wife. I walked through and all eyes turned to me. The Governor, Kim Beazley, was very gracious. He put his hand up in the air and he waved me through, saying, “Young man, please take a seat.” I was very fortunate to spend that hour having a conversation with Kim.

More recently, when Hon Kate Doust was awarded the Parliamentarian of the Year Award, Kim Beazley was there. At the end of that award ceremony, I sidled up next to him and had a chat. Kim mentioned that it is an honour and a privilege to be in Parliament, and that we should try to maximise every day that we are in this place. That is something I try to put to the forefront as I come to this place, because we do get bogged down in the weeds and machinations, but, fundamentally, it is an honour to be here.

I thank everyone for their support. Regardless of what side of the political spectrum you sit on, I hope everyone spends some time recharging their memory banks, perhaps while on a beach drinking a beer, and can come back refreshed for 2023.

**THE PRESIDENT (Hon Alanna Clohesy) [5.34 pm]:** Members, I will conclude our remarks, and in support of Hon Wilson Tucker suggest that this year has gone very quickly. That is not a sign of my age; it is a sign that everyone is experiencing how quickly the year has gone. What a busy and productive year it has been for this chamber. We sat for 19 weeks, or approximately 54 days; we have passed 46 bills; and we have dealt with more than 1 290 questions without notice and almost 660 questions on notice, and that does not take into account questions as part of the budget estimates and annual reports processes. On those metrics, it has been a really very busy year indeed. Add to that mix the important work we all do in parliamentary committees—the many meetings, hearings and reports published—and we get an even fuller picture of a very busy Parliament.

In addition to all that work, we have mourned the passing of Her Majesty the Queen and congratulated His Majesty the King. We held a joint sitting of Parliament and welcomed the Prime Minister of the Cook Islands, ministers and officials to the Parliament; we opened the Edith Cowan foyer; we have acknowledged diversity and inclusion in the Parliament and in the community; we have held numerous members’ information seminars; we have welcomed

back the general public and school groups as visitors to the Parliament; we have facilitated the artist-in-residence program in conjunction with our friends at Edith Cowan University; and we have hosted numerous ambassadors and high commissioners, and much more.

Of course, little of this work would have been possible without the corresponding work of the incredible team of the Department of the Legislative Council, comprising the committee office, the administration office, the procedure office and the executive team, ably led by our Clerk, Sam Hastings. It is difficult to reconcile that Sam was formally appointed to the role of Clerk of the Legislative Council and Clerk of the Parliaments only in April this year, such is the professional and conscientious way in which he undertakes his duties in relation to all members.

Members: Hear, hear!

**The PRESIDENT:** It will be a different chamber early in the next sitting period, when our Clerk takes well-earned long service leave. We will continue to receive the high level of advice and service we have come to expect through the Deputy Clerk stepping into the Acting Clerk role, and we will welcome back Ms Liz Kerr to the Acting Deputy Clerk role.

To each member of the Legislative Council team, thank you for your work, your energy and your commitment this year. I know it is highly valued by not only me, but also every single member in this chamber. All this was done in the context of the changing nature of the COVID pandemic. This provided more and different challenges to our whole parliamentary team, and the way they adapted to and pivoted in their roles—pivot is a COVID word!—was exemplary.

I extend special thanks to all in the Parliamentary Services Department, including Building Services, including the gardeners and cleaners; Catering Services, including those in the dining rooms, the bars and the staff cafeteria; Finance; Human Resources and payroll; Information Technology; Library and Information Services, including the education office; and Reporting Services, including Hansard—hurray for Hansard!—and the audiovisual team; our Reception Services; and, not to forget at all, our Security service team. To each of you, you have made an important contribution to the running of the Parliament this year, and we sincerely thank you.

Circling back to our chamber, our work in this place also would not be possible without the work of the Deputy President and the Deputy Chairs of Committees. You have each ensured that debate occurred as fairly and as smoothly as possible, and I thank each of you for your contributions. To the leaders and members of all the political parties, thank you for your cooperative work throughout the year: Hon Sue Ellery, Hon Dr Steve Thomas, Hon Colin de Grussa, Hon Dr Brian Walker, Hon Wilson Tucker and Hon Dr Brad Pettitt.

To all members of the chamber, thank you. I hope you are proud of the contributions that you have made this year, as I believe you ought to be. No doubt next year will be equally busy, and it certainly will bring challenges that we probably have not even thought of, if this year is anything to go by, but I am certain that with good planning and good management, we will see next year through together.

Members, I wish you a well-earned rest and good times with your loved ones, and a safe and happy Christmas.

Members: Hear, hear!

*House adjourned at 5.41 pm*

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**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.

**MINISTER FOR WATER — REGEN STRATEGIC — CONTACT****975. Hon Tjorn Sibma to the minister representing the Minister for Water; Forestry; Youth:**

Please advise if the Minister and/or any staff member or placement within the Minister's Office has had any contact or meetings with representatives of registered lobbyist ReGen Strategic between 1 January 2021 and 30 June 2022, and if yes:

- (a) what were the dates of the contact(s)/meeting(s);
- (b) what was the name of the client being represented during the contact(s)/meeting(s);
- (c) what was the nature or subject of discussion during the contact(s)/meeting(s);
- (d) were other people present during these contact(s)/meeting(s); and
- (e) what were the names of all people present during these contact(s)/meeting(s)?

**Hon Alannah MacTiernan replied:**

ReGen Strategic was established on 20 July 2022. Prior to this, ReGen Strategic was registered on the WA Register of Lobbyists as CGM Communications.

Contact or meetings of a professional nature between representatives of CGM Communications and the Minister and/or staff between 19 March 2021 (commencement of term) and 30 June 2022 is provided below.

<b>Date</b>	<b>Client</b>	<b>Contact method</b>	<b>Minister and/or staff present</b>	<b>Topic of meeting/ contact</b>
20/5/2021	Gascoyne Gateway Limited	Email/meeting	Luke Clarke	Discuss GGL proposal to develop port in Exmouth. Victoria Green, CGM Communications
31/5/2021	Avid Resources	Phone	Luke Clarke	Seeking a meeting with WC and asked if this office would like to be involved (declined). Daniel Smith, CGM Communications
12/7/2021	Avid Resources	Phone	Luke Clarke	Raised concerns Avid have with Water Corporation. Advised Avid should discuss any concerns
1/9/2021	Strike Energy	Email/meeting	Luke Clarke	Proposal to construct a fertiliser facility near Geraldton and water needs of the proposal. Simon Ward, Associate Director of Government Relations, CGM Jack Eaton, CGM

The Minister and/or staff may have had contact with representatives of CGM Communications for administrative purposes only or in a personal or social nature.

**MINISTER FOR HEALTH — REGEN STRATEGIC — CONTACT****976. Hon Tjorn Sibma to the Leader of the House representing the Minister for Health; Mental Health:**

Please advise if the Minister and/or any staff member or placement within the Minister's Office has had any contact or meetings with representatives of registered lobbyist ReGen Strategic between 1 January 2021 and 30 June 2022, and if yes:

- (a) what were the dates of the contact(s)/meeting(s);
- (b) what was the name of the client being represented during the contact(s)/meeting(s);
- (c) what was the nature or subject of discussion during the contact(s)/meeting(s);
- (d) were other people present during these contact(s)/meeting(s); and
- (e) what were the names of all people present during these contact(s)/meeting(s)?

**Hon Sue Ellery replied:**

- (a)–(e) ReGen Strategic was established on 20 July 2022. Prior to this, ReGen Strategic was registered on the WA Register of Lobbyist as CGM Communications.

Contact or meetings of a professional nature between representatives of CGM Communications and the Minister for Health; Mental Health and/or staff between 19 March 2021 (commencement of term) and 30 June 2022 is provided in the paper to be tabled.

[See tabled paper no [1935](#).]

The Minister for Health; Mental Health and/or staff may have had contact with representatives of ReGen Strategic (previously CGM Communications) for administrative purposes or in a personal or social nature.

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