



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE COUNCIL

Thursday, 29 February 2024

Legislative Council

Thursday, 29 February 2024

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

PAPERS TABLED

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

PLAN FOR OUR PARKS PROGRAM

Notice of Motion

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

That this house commends the Cook government for the implementation of its Plan for Our Parks program, which is the largest expansion of the conservation estate in the state's history.

JOBS — GOVERNMENT PERFORMANCE

Motion

HON NEIL THOMSON (Mining and Pastoral) [10.03 am] — without notice: I move—

That the Legislative Council condemns the Cook government's failure to protect thousands of jobs, including those in our resources and value-adding sector, and calls on the Cook government to urgently —

- (a) address the massive uncertainty facing important value-adding sectors associated with our critical minerals and resources industry;
- (b) address the delays affecting our state's environmental decision-making processes;
- (c) stand up for Western Australia against the rapacious federal government as it imposes unworkable new laws and debilitating Canberra-based ideas that do not account for our unique circumstances;
- (d) show compassion for those workers directly affected by the shutdown of Alcoa's Kwinana refinery and the shutdowns and uncertainty in our nickel industry; and
- (e) start treating our workers in these communities, particularly those in the vital services sector, with respect.

This is a very important motion and I hope we have a considered discussion on it by all members of this place. Before I speak about the substantive impacts on our economy by the industries mentioned, and the action, or inaction, of both federal and state Labor governments, I acknowledge the workers who face uncertainty in their future, particularly those who live in the electorate of Kwinana and its surrounds. Their longstanding and high-value jobs are basically coming to an end. I refer also to contractors who provide services to the alumina refinery in Kwinana. I acknowledge those people because we as the Parliament of Western Australia are here to represent them.

I acknowledge also the communities of Kalgoorlie and Leinster and, of course, other communities in the goldfields. The nickel refinery that is based in Kalgoorlie has been in operation for over 50 years and has provided a great baseline of support for that community. Many workers in that community have lived there for a long time. They have relied on their employment with BHP's nickel refinery. They have provided many services and volunteer in a range of activities, such as sport, and are involved in cultural and community groups. There is great uncertainty as we move into the future following recent announcements, including ongoing announcements from BHP about job cuts. Great uncertainty now faces the value-added area within the resources sector in Western Australia.

It is with no pleasure that I stand to speak about the challenges faced in our economy—the structural challenges in Western Australia. I am concerned about the future of the state's value-added sector. The government seems to be in complete and utter denial. In fact, the Premier seems to be powerless to deal with these issues. As the motion states, the rapacious federal government seems to be intent on shutting down any value-adding in the Western Australian economy through its policies and the laws it has passed over the past couple of years to crush Western Australia's important and burgeoning value-added sector. This is a very important discussion.

I have a number of news articles here to refer to because I think they tell an important story and outline the facts. An article in *The Australian Financial Review* is headed "Alcoa refinery closure no surprise to WA premier".

Several members interjected.

Hon NEIL THOMSON: President, could people just listen in silence?

The article by Tom Rabe, the WA political correspondent, states —

Western Australian Premier Roger Cook has lashed out at those seeking to blame state and federal Labor government policies for contributing to the closure of Alcoa's Kwinana alumina refinery, saying its curtailment has been coming for years.

That is exhibit number 1. However, if we go back a little, the Premier tied himself in knots because he appeared to be completely powerless to deal with that. He is not actually powerless; he could be doing a lot more. He said in his contribution that it had been coming for years. In the discussion of the motion yesterday, my colleague Hon Peter Collier mentioned that this government still thinks it was elected just yesterday. It has been in government for seven years, going on eight years. The government, according to the Premier, has known about this for years. What has the government done about it? Nothing! In fact, it has actually held things up. It held up the mine management plan; it took forever to get that done. It has provided Alcoa no certainty for the provision of access to high-grade ores in forestry areas, which is absolutely necessary. In fact, it has done nothing to resolve the gas shortages, which have an impact on the refinery's ability to provide the high-value, energy-intensive processes that it relies on.

According to ABC news on 19 October 2023, the Premier said —

Mr Cook said the company's recent advice was that operations would not cease at the Kwinana refinery, which directly employs 900 people as well as 300 contractors, south of Perth.

The Premier is contradicting himself. He knows that it has been coming for years and has done nothing about it, and in October he said that he had been advised that it will not cease. What has the Premier been doing? He has done nothing to resolve the backlog of environmental approvals. He left getting that approval through until December—the last minute. He then came out with the review that was undertaken to pretend that something had actually been going on. In fact, more environmental approval reviews are going on, but it is too late. The government has been in power for seven years but has failed to address the delays affecting the state's environmental decision-making processes to the point that these companies can no longer continue operating here. They are starting to send this vital, energy-intensive industry to plants and operations overseas. We know that this will not be good for the environment because carbon emissions in the production facilities operating overseas, outside Western Australia, will be much higher.

On 18 January, the terrible news was presented to the public. Again, I mention the workers who now face great job uncertainty. Instead of compassion, thought, care and respect for those workers, the government is constantly blaming and trying to shame the opposition when opposition members raise issues. The Premier, the Prime Minister and Madeleine King, the Minister for Resources, abjectly failed to make the changes necessary for the critical minerals sector, which is vital for the future for our transition. Things are often talked about in this place, but nothing is done to ensure that structural economic factors are in place so those industries can flourish in Western Australia, which is the jurisdiction with the best environmental record and lowest carbon emissions per tonne of production in the world. I will speak about that and about the imminent potential closure of our nickel refinery. Because of its use of brown coal in energy generation, current nickel production in Indonesia reportedly has carbon emissions in the order of 80 times more per tonne than if operations in Western Australia were maintained.

Dr David Honey, who is in the other place, outlined some very lucid and good comments about the causes of the Alcoa closure. He is not without experience. He was the global manager of residue operations for Alcoa, a production manager at Alcoa for 3.5 years and a senior manager at Alcoa's Kwinana facility for five years. This is someone who actually knows a little bit about the operations of Alcoa. Dr Honey outlined in his article that the mothballing of the Kwinana refinery by the end of the year is a major blow to downstream manufacturing. That is fact number one: it is a major blow. There is a sense of compassion and understanding coming from Dr David Honey. He states in the article —

... State Government inaction on timely approval of a new mine plan and the pending carbon tax ... will result from Federal Labor's legislated 43 per cent carbon emission target by 2030.

There is government inaction on the mine management plan; the fact that the state government is kicking the can down the road on the third-party appeal and is not dealing with it quickly is part of the problem. Dr Honey also talks about the high-paying, high-value jobs in that area—another fact. He talks about the impact of fixed costs within operations. Again, this comes from someone who has considerable technical experience. He states that refineries only make a profit on the last portion of their production. That is another fact, from someone who understands the industry. He states —

That is why the State Government's delay in approving Alcoa's mine plan was such a large negative impact on the business. Alcoa was forced to mine lower grade bauxite ore and reduce supply to Kwinana.

Again, that is another fact. This is, in fact, a fact. The article continues —

The refinery had initially shut down 20 per cent of its capacity at the plant because of gas shortages ...

That is another fact. These are facts. I could go on. There is a number of facts here, including challenges with Australian carbon credit units and the costs to businesses operating in this vital sector. That is another fact. This was all laid out in Dr Honey's article; there are at least eight or nine major, irrefutable facts here that should have been debated with a sense of decorum, respect and intellectual inquiry, but no. What did we get from an opinion piece by federal Minister for Resources Madeleine King that appeared in *The West Australian* on 19 January, titled "Madeleine King: Stick to the facts on Alcoa"? We get this crazy, almost enraged and wildly accusatory opinion piece that I felt was well beneath the office of a federal minister of the Crown.

The article states —

It is becoming increasingly common for the intellectually flaccid and for the dishonest to “speak to their own truth” ...

I will tell members what: this opinion piece is an absolute example of the intellectual flaccidity that she refers to; it is absolutely dripping with irony. She attacks Dr Honey, saying that he sees himself as an intellectual lion and that he was parachuted into his seat. The whole article is, I am sure, an embarrassment for the Prime Minister. There is no mention of the workers. We have to dig down several paragraphs before there is any sort of recognition of the blow to local families who work there. No, she writes things like, “There isn’t a dog whistle they won’t blow.” There is hardly a single attempt to rebut the eight or nine facts that were very ably outlined by that expert on alumina refineries, Dr David Honey—just a lashing-out because, I believe, the federal Minister for Resources knows just how rapacious the Albanese government is and knows the sorts of things being hatched by Hon Tanya Plibersek in respect of some of the impositions and overarching duplications that are coming our way very shortly in plans to be forced on Western Australia’s resources industry.

We are a resources industry state, but we are more than that. We not only dig things out of the ground, but also want to take our valuable resources and produce them into goods that will be absolutely essential to driving the energy transition across the world. Instead, we are slavishly being forced against our will by the rapacious federal government with its Canberra-based ideas and ideology that is driven by maybe three or four public servants in some dark room in some department somewhere in Canberra drafting crazy policies that do not fit the situation or the facts of Western Australia. They do not recognise the uniqueness of Western Australia and that Western Australia carries the rest of Australia with its wealth, its jobs and the opportunities that it presents for the transition to a new low-carbon economy. That is the opportunity. Our critical industries are being driven off. The nickel industry is vital for that transition. The nickel refining industry should not be just a \$5 billion industry. It should be a \$50 billion industry.

It is vital to hold the alumina industry and other industries onshore through value-adding. I know many jobs have been forced offshore through the Safeguard Mechanism. What is the government doing in relation to that? Is the Premier on the phone or the plane to the Prime Minister to say that the federal government has the opportunity to carve out nickel from the Safeguard Mechanism for a time to ensure that overall global carbon emissions are reduced? The state government has the opportunity to protect Western Australia’s trade-exposed industries, but what is the Premier doing? The Premier is simply in denial. He is in complete and utter denial and seeking to blame and pillory the opposition when the opposition speaks up on behalf of workers. Then Labor rolled out Hon Madeleine King to come out with that outrageous set of comments in the paper when Dr David Honey outlined the inaction by the state Labor government in relation to the refinery in the Premier’s own electorate. This is why the Liberal Party, whether under the leadership of Peter Dutton or someone else, is on the march to target those people in the next election, because these workers are in Western Australia. Those people who had to rely on the cover of the federal coalition no longer have had that cover for virtually the whole term of this state government.

We have an ideologically driven, left-leaning, extremist government in Canberra. Meanwhile, the state government does not have the guts to stand up for the people of Western Australia. Not only that; we are not showing the compassion to workers now facing the inevitable loss of their jobs. The state government is not driving those agencies and getting on and making sure that the Environmental Protection Authority is properly resourced to do its job with environmental decisions. It is not asking, seeking, lobbying and pleading with the federal government to carve out those key value-adding industries from this ideologically driven Safeguard Mechanism. All it will do is force us out of business in Western Australia. It will drive off those high-value, value-adding components of our resources sector, which is the very component that we need to be building up right now to ensure we continue into the future. This is our problem, and the government seeks to point the finger.

I want to finish on one point. I have to leave it for the experts. I refer to a comment from the chief financial officer of Alumina Limited, Galina Kraeva, about the Kwinana refinery appearing in an article by Matt McKenzie in *The West Australian* of 27 February.

[Member’s time expired.]

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [10.24 am]: I stand to support this motion, and I do so with some practical experience. When we have a downturn in the resources sector, it has a phenomenally negative impact on the towns that are directly involved in that industry. As a born and bred Kalgoorlie boy, in 1975, as a year 11 student, I sat in my room, doing my homework and listening to the public meeting at the town hall at which the town was being told that they were going to close the Great Boulder mine because of the low cost of gold. That was true, and the feeling throughout Kalgoorlie at that time was extraordinarily negative. The rest is history, of course, because over the next two years, the price of gold accelerated through the roof and Kalgoorlie resurrected itself.

Hon Kate Doust: You and I both know, coming from Kal, it’s boom and boost anyway.

Hon PETER COLLIER: I am aware of that. If the member wants to value-add, fine, but that does not value-add.

Kalgoorlie has always come out the other end. At the moment, I fear for Kalgoorlie. I really do. I say that as a born and bred, red-dust Kalgoorlie boy. I really despair for what is going on in that town. We have always survived; Kalgoorlie has always survived. My sister and her family are very prominent members of the Kalgoorlie community. My sister has a newsagency near the town hall, my brother-in-law is a builder up there, my nephew is a cabinet-maker, and a lot of my old school friends are up there. I hear this day in and day out.

I go back to Kalgoorlie regularly. When I went back with the Standing Committee on Estimates and Financial Operations last year for the inquiry into the financial administration of homelessness services, I was in despair. I sat and looked at Hannan Street. About two-thirds of the shops were shut. It is absolutely awful. There is one facility there for women who are the victims of domestic violence. I really despair. I walked around and talked to people, and that feeling of optimism is evaporating from that town. One thing that was really palpable was the fact that when I got on the plane to go up there, all the other passengers were fly-in fly-out workers. That never happened. Kalgoorlie was not a FIFO town, but it is now. What is happening in Kalgoorlie as a direct result of that is there are no houses. People can try, but they cannot get a house in Kalgoorlie. That is causing massive social dislocation and problems. What bothers me is that now, the demise of the nickel industry will make things even worse in Kalgoorlie. I am hearing this over and over again. This is coming from experience. I have been there; I have lived there. My family is there. My fabric is Kalgoorlie. I live and breathe the town, and I genuinely fear for what is going on.

One of the most prominent issues in Kalgoorlie at the moment is law and order. Crime is completely out of control in Kalgoorlie. Business owners, mums and dads and children themselves do not feel safe either in their businesses or their homes. That is a fact. Successive public meetings have been held with residents desperately asking the government to do something about it.

I will give a few examples to show that, again, this is based on facts. Members may say that it is a political statement, but it is not; it is based on facts. Contrary to the bleating of the Premier and the Minister for Police over the last 12 months, crime has not declined in Western Australia, particularly in the regions. The only thing that has declined is drug use, and that is because after COVID there were no drugs coming into the state. Everything else has been accelerated. What is worse is that the five-year average of domestic violence has gone up by 40 per cent over the last year. Let us have a look at how much crime has declined in regional Western Australia. In 2020, pre-COVID, there were 56 044 offences in regional Western Australia. Last year, there were 75 121 offences. That is hardly a decline. I turn to the statistics for Kalgoorlie, the place in point, for 2020 compared with 2023. There were 1 309 offences in 2020 and 2 100 last year. Members do not need statistics to confirm what is happening in Kalgoorlie. I challenge members opposite to visit Kalgoorlie and talk to people in Hannan Street; they will tell you exactly what is happening. There were 129 non-family assaults in 2020 compared with 209 last year; 29 threatening behaviour offences in 2020 compared with 49 last year; 37 dwelling burglary offences in 2020 compared with 53 last year; and 279 stealing offences in 2020 compared with 523 last year. People in Kalgoorlie feel helpless. The Premier and the Minister for Police went to Kalgoorlie with fanfare and put out a media release about a regional team, which comprised a couple of dozen police officers for a month, to say “Yes, we’ve fixed the problem.” The police officers marched up and down Hannan Street and the number of criminal offences declined, but then the government pulled those officers out. That is like putting a bandaid on a broken arm; that is not solving crime. Massive social issues exist in Kalgoorlie. That will not solve the problem. More law enforcement officers are needed in Kalgoorlie on a permanent basis.

In January, there were 12 police officer vacancies in Kalgoorlie. The police advertised to fill three of those vacancies. The reason they only advertised three positions is that there are no houses in Kalgoorlie for the police; it is the same for nurses and teachers. There is simply no accommodation. The government must address the systemic issues of accommodation and not having enough police officers to address crime. Kalgoorlie is bleeding and these issues are prominent in that wonderful town.

I was gobsmacked when earlier this week I read an opinion piece by the police minister, “Blue line of quality in police a force to be reckoned with”, in which he gives police officers wonderful accolades. I could not agree more; I have nothing but the utmost respect for our police. I love the shadow police portfolio. Getting to know police officers across the length and breadth of the state has been wonderful, but they feel helpless. Again, can I be accused of political posturing? No. In 2022, 473 police officers resigned. According to the minister, the number of resignations has slowed down, but 404 police officers resigned last year against an average of 150. That is hardly something the government should hang its hat on. After reading the final paragraph of the article, I know that the minister needs to get out more. It reads —

Little wonder the police are having no trouble attracting new recruits, with more than 4280 local and overseas applicants responding to the latest campaign.

WA is one of the best places to live in the world. The WA Police Force is keeping it that way.

Right! Let us look at those figures to see whether there is any accuracy in that. As I said, I have absolute confidence in our police force, but its members are in despair. All members opposite need to do is talk to some officers. I can tell them right now that they are talking to me. I am not talking about one or two officers—a tsunami of officers has

talked to me. I regularly meet with representatives of the WA Police Union. The despair among members of our police force is palpable. Yesterday I asked how many recruits there were last year. We keep hearing that hundreds of officers are coming into the force. The answer was that there were 3 122 applicants to the force. That is great and commendable. I asked how many people went through the academy and became police officers. The answer was 377. That is great. One would assume that that is in addition and, if we include the average rate of attrition of 150 officers, we will still end up with an increase of 150 police officers. Wrong! I asked how many police officers resigned last year. The answer was 403. We are going backwards. Last year, 377 new officers came through the pool, but 403 resigned. Not only do we not have more police officers, but we also have fewer police officers than we did the year before, yet we were going to have 950. The problem with that, as far as the officers are concerned, is that the number of resignations is not slowing down; rather, it is increasing, because another 35 officers resigned in January this year. The minister needs a reality check. There are systemic issues within our police force that will not go away. The issue of crime is real, and it is destroying the fabric of our towns, particularly in Kalgoorlie. These issues must be addressed otherwise they will continue.

HON LOUISE KINGSTON (South West) [10.34 am]: I rise to support the motion put by Hon Neil Thomson. Firstly, I want to bring the timber industry issue to the fore again. I will not stop talking about this until we find a solution for the people who have lost their jobs in regional Western Australia. Many times, my questions have been unanswered and many times, the government has said that it is saving the forests. It has said that some of the questions I have asked are an insult to its Forest Products Commission staff. I find that a lot of the information provided is an absolute insult to the foresters and the stewards of these forests who have been in charge of them for hundreds of years. Not many industries out there can claim that.

Every time I have asked for reports to be presented on why the government has closed down the timber industry, nothing has been presented. We have presented many, many reports and a lot of information. Apart from the fact that it is an independently audited and sustainable process done through government every year, the Intergovernmental Panel on Climate Change cites that sustainable forest management, along with sustainably produced forest products, are key solutions to fighting climate change. It does not make any sense. Had the government come out and said, “Okay, we’re going to reduce it and products will still be available for furniture manufacturing and such things”, it would have been good, but it did not. Now we do not even know how much we are going to get out of ecological thinning; we do not know what that looks like. We are now well into a new forest management plan and the government will change the Conservation and Land Management Act so that people will not be able to sell products for commercial gain, which does not make any sense. Theoretically, there could be some really good timber coming out of the forest to provide to various components of the industry. We do not even know what that will look like. That is the problem. How do we give people in business in regional areas confidence that they can invest as they change into a supposed new industry that is meant to be out there, but nobody is able to tell us what it looks like? That remains to be seen.

As is always the fallback position, and has been since I moved to Manjimup in 2001, the government says that it will just go with tourism. That would be fabulous, except that all our climbing trees are closed and nobody can tell us when they are going to reopen, why they have closed and why a solution cannot be found. A wonderful facility just opened, which the minister mentioned yesterday, with the fantastic new climbing ropes. Those people invested based on the Gloucester Tree being open, and it is not. It beggars belief that every time this happens, there is never a plan in place. The government says that we will just move to tourism, but there is no money invested in helping us to do that when it is not keeping our attractions open that are already there. That is a bit of a problem!

The redirection of royalties for regions money could have helped us over the last seven years, but we have instead seen it invested in everything but royalties for regions projects. Obviously, we are facing a change in the voting system for the upper house, and centralised decision-making will further disempower regional people. The situation in regional areas is very different from where these decisions are made. There is a lack of consultation. The government comes in and says there will be gold standard transparency. I have given some really good examples of how we cannot even see the reports that helped the government make the decision on closing the industry. That lack of transparency, consultation and understanding the real issues of people in regional areas is palpable. I ran a community resource centre, so I dealt directly with those people. When the announcement was made with no consultation and no knowledge for the industry, they were unable to find information and there was a lack of crisis counselling, something I have raised before. I still cannot believe hearing that announcement when I was driving down the freeway that day, being involved in the timber industry and not knowing anything about it, and neither did anyone else. That has been raised over and over again.

As I travel around, I talk to a lot of different people and groups. Being in small business myself and having navigated the increasing compliance and regulation, people—particularly small businesses—are overwhelmed with the difficulty of trying to keep those doors open. We talked about the cost of living being extraordinarily high, but there is a cost to running a business. We are now in competition with a global economy and are trying to look at how other countries have so much simpler and easier ways. We are trying to get our products out.

The supply chain during the COVID pandemic was an absolute nightmare. It actually benefited some of our businesses in our town, which was fabulous. They went back into manufacturing parts and could actually do it

quite a bit cheaper. We had been importing rubbish with absolutely dreadful quality. We are very blessed to have had the prosperity that we have had for such a long time, but it comes at the cost of not understanding the people who fall through the cracks. That can be seen now with the housing crisis situation. There was a lack of investment during this time into social housing to help those less fortunate.

On one of our recent trips with Foodbank of Western Australia, we were told about the increase in demand for its services. It is hard to understand why we continue to go down this path and do not understand the situation, particularly in regional areas. I interjected yesterday to talk about centralisation, how it has caused so many problems and how we could solve them by decentralising and getting decision-making back into those areas that offer so many opportunities for people who are really struggling, particularly in the city.

We need to focus on productivity and look at what the impediments to it are. We need to talk more to the people out there who are really struggling and we need to sit down and have long conversations with them about what is not working in their lives. It is all fabulous; all those things always focus on how wonderfully everything is going. We know, from this side, from being out there and talking to people, that that is not the case. It is the case that they are not being heard by the government. They do not get a chance to put their stories forward and be heard. That is the value of having us on this side. I keep bringing that up. There are only a few of us, but by listening to us and understanding what we are saying, it is valuable to the government because it can make better decisions. It ensures that everybody is catered for and has a voice. It is very difficult doing that in a very small group.

I am really pleased that I got to start in opposition because it is a fabulous thing for me to be able to speak up loudly for the people of my electorate. It is a fabulous electorate—all the way from Albany to Mandurah—and the diversity within that south west region is incredible. I am based in Albany but I live in Manjimup and I get to go to different places and meet different people right through that area. They consistently tell me that they are frustrated and struggling to find solutions. This is probably the issue: we have taken the decision-making away from the people who are using the laws and regulations that we make. It is a centralised approach and a top-down approach—I say this often. I have always espoused for a bottom-up approach, rather than top-down—that is why we find problems. We are speaking loudly on behalf of those people to ensure that they continue to be heard and that their issues are raised over and over again until we find solutions.

HON SUE ELLERY (South Metropolitan — Leader of the House) [10.44 am]: I have listened intently. What is missing from the debate so far is the contest of ideas. Let us consider each of the limbs of the motion before us today. Where is the Liberal Party's policy on value-adding for critical minerals and resources? Where is the Liberal Party's policy on approvals processes? Where is the Liberal Party's policy on industrial relations or respect in the workplace? Where is the Liberal Party's policy on diversifying our economy? Where is the Liberal Party's policy on manufacturing here in WA? Where is the Liberal Party's policy on forestry? Where is the Liberal Party's policy on social housing? Where are the Liberal Party's policies on all the matters that members opposite have raised today? Where is the Liberal Party's policy on crime? Where is the Liberal Party's policy on police numbers? Where is the Liberal Party's policy on crime in regional Western Australia? Where are they?

We do not have any policies from members opposite, but we do know, based on the events of this week, where they go looking for policy ideas. We know exactly where Hon Dr Steve Thomas went looking when he wanted a policy fix, as he described it, for Collie. Whom did he turn to? He turned to Brian Burke. When Hon Tjorn Sibma wrote back to the disgraced former Premier, what did he invite him to do? Hon Tjorn Sibma invited him to contact him about policy matters. The Liberal leader, Libby Mettam, the member for Vasse, would have us believe that Hon Tjorn Sibma invited him to contact him just about constituent matters, but if we read the email from Hon Tjorn Sibma, which, it seems to me, he spent a significant amount of time constructing, we find that he invited him to contact him to discuss electoral, legislative and policy matters.

I know that the Leader of the Liberal Party has had a shocking week this week, as her ineptitude to manage her team was laid bare for all of us to see. She spent the first two parliamentary sitting weeks of the Legislative Assembly for 2024 trying to pin something inappropriate on the Cook government, only to reveal that she did not even check with her own team to see whether they were actually following the policy that she was setting out and trying to base her whole attack on. Not only that, but also she did not check with her own people. This is the extent of the discipline that exists in that team. The Legislative Assembly finished on Thursday. On Friday, Hon Tjorn Sibma wrote back to Brian Burke saying, "Please contact me about policy ideas." Seriously, could she have had a worse week? She wants us to believe that Hon Tjorn Sibma contacted the writer of that email, the disgraced former Premier, just as a constituent. Hon Tjorn Sibma invited him to contact him about legislative and policy matters. We can see from the debate this morning that members opposite have no policy ideas, but we know where they are looking for them.

I have heard the new deputy leader, who I thought would rise today, Hon Steve Martin, comment publicly that it is too early to release policies. This time next year, we will be two weeks away from voting day. The polls will be open.

Hon Samantha Rowe interjected.

Hon SUE ELLERY: Yes, about that—probably about 10 days or so.

Here is a word to the wise: members opposite need to give the people of Western Australia something to vote for. Their job in opposition is not just to try to bring us down.

Hon Neil Thomson interjected.

Hon SUE ELLERY: I love Hon Neil Thomson's enthusiasm for doing that. He has not struck a blow yet, but he is very enthusiastic about it, so kudos to him for that. Members opposite need to do more than try to bring us down. They need to present the people of Western Australia with an alternative, and they are nowhere near doing that.

The Cook Labor government will always do what is right by WA. We have the strongest economy in the country. We have a balanced budget that will give us the capacity to address many of the challenging issues that are ahead of us. We are making things more affordable by cutting people's electricity bills and capping train and bus fares. We are delivering TAFE courses for the jobs of today and tomorrow. We are diversifying the economy. We are ensuring that we can actually build things here in Western Australia.

I want to talk a bit about the difficulties that the resources industry has been through in the last month or so amid BHP's recent decision. It is always disappointing to hear about that, but we have a range of measures in place to assist workers who are disadvantaged or displaced by those sorts of decisions. I want to talk about the nickel industry. It is a very difficult time for the nickel industry. It is not just the normal boom-and-bust cycle that the nickel industry has experienced in the past; there are serious structural issues. The Cook government made the decision to support the industry through the nickel financial assistance program—a conditional 50 per cent repayable royalty rebate scheme—which the industry has welcomed. We will continue to work closely with the companies, the Chamber of Minerals and Energy and the Association of Mining and Exploration Companies to ensure that Western Australian jobs are protected. It is important that our nickel industry is supported through the current market conditions. We welcome the federal government's announcement that it will put nickel on the critical minerals list, which will enable those companies to access billions of dollars' worth of commonwealth funding. We are of course disappointed by Alcoa's decision to curtail production at Kwinana, but we have put measures in place to assist those workers. I will talk about those measures in a minute.

What fascinates me about this motion is that the Liberal Party is trying to be critical of the government about the uncertainty facing workers, but this is the same party that does not want the federal government to do anything about the uncertainty that casual workers face. It cannot have it both ways. It either wants to do something about the uncertainty facing workers or it does not. No group of workers in our economy has more uncertainty about what they can do when they or their children are sick because casual workers do not have the certainty of provisions around their entitlements.

Hon Neil Thomson: There will be a lot more casual workers after they lose their jobs at Alcoa. It's very, very sad.

Hon SUE ELLERY: If Hon Neil Thomson is really worried about addressing the uncertainty facing workers, let us see the Liberal Party's industrial relations policies. I have seen those policies in the past, honourable member. Workplace agreements introduced by your side of politics led to a downward spiral of working conditions and wages. You led the way; you can take pride in that! Under Graham Kierath, workplace agreements were introduced into Western Australia, and they were later adopted nationally by John Howard. Do members know what happened? We heard people say, "I don't want my kid's first job to have such uncertain conditions and to be so lacking in any protection." They voted with their feet by voting for Labor. Members opposite keep talking about the uncertainty for workers. They should put their policies on the line and show Western Australia where they stand on any one of the issues identified in the limbs of the motion before us today. We have not seen one policy on any of those matters. The people of Western Australia have a right to know what the alternative government is. Some of that was revealed by Libby Mettam this week. She showed that her capacity to lead is based on having absolutely no discipline from her troops. There are not many troops for her to corral.

Hon Darren West: There should be none!

Hon Samantha Rowe: Maybe Basil can get more discipline out of them.

Hon Jackie Jarvis: Oh, Basil! Yes—the saviour!

Hon SUE ELLERY: I had a thought when I could not sleep on Tuesday night—I can never sleep on the Tuesday night of the first sitting week—that maybe there is some really Machiavellian twist going on and it is all about bringing Basil in from the outside.

Several members interjected.

Hon SUE ELLERY: Maybe it is that.

Hon Jackie Jarvis: A great plan.

Hon SUE ELLERY: Maybe it is a great plan. It was then revealed that Hon Tjorn Sibma, whom up until this point I had considered a fairly sensible, strategic thinker—that has been blown out of the window—actually responded —

Hon Peter Collier: What was the motion again?

Hon SUE ELLERY: The motion is about a bunch of things that the opposition has no policies on. That is what the motion is—a bunch of things that the opposition does not have a single policy on. The opposition wants Western Australians to vote for it, but it gives them nothing to vote for!

Hon Peter Collier: It's been seven years, and you are still obsessed. I would be a bit worried.

Hon SUE ELLERY: There are not enough of you to obsess about.

Several members interjected.

Hon SUE ELLERY: I am trying to give you political advice. God knows why I am doing it! I am trying to tell you that you have to do two things: you have to bring us down and you have to provide the alternatives.

Several members interjected.

The PRESIDENT: Order! Just settle the chamber a little bit, please. It is getting a little bit active there.

Hon SUE ELLERY: Thank you, President; I take your wise advice.

The opposition needs to do two things. It needs to bring down the government and it needs to provide an alternative.

I want to go back and talk about Kwinana and all the things the government has done to support those workers. This includes working collaboratively with Alcoa and the Rockingham Jobs and Skills Centre.

An opposition member interjected.

Hon SUE ELLERY: What? You do not want us to help the workers? I thought you cared about the workers.

Hon Neil Thomson: Keep the jobs in the first place. We hear words like “collaborative” here. That's about the best you can come up with.

Hon SUE ELLERY: Let us talk about the Liberal Party's description —

Hon Peter Collier: Oh, here we go!

Hon SUE ELLERY: Do you not want to hear from the member for Vasse? We know you do not want to hear from the member for Vasse because you pay no attention to her.

Hon Peter Collier: Okay; keep going.

Hon SUE ELLERY: The member for Vasse said the government's policies played a significant part in the Alcoa decision. However, Alcoa said —

... suggestions that curtailment at the Kwinana refinery was a result of government policy “overlooked commercial realities”.

Also —

“Politicisation of the matter is an unfortunate distraction at a time when the focus should be on caring for our people and others impacted.”

That is not me; that is Kwinana Alcoa saying that. Maybe the opposition should listen to what it has to say.

I want to touch on the BHP nickel mine closure as well. I indicate that the government will provide assistance to workers who need it there as well.

I want to touch on that arm of the motion on the federal government's industrial relations proposals that I have not heard any members opposite talk about yet. I make the point again that members cannot talk about supporting workers and in the same motion call out laws that provide certainty and improve conditions for workers. It is worth noting that Australia has seen the strongest jobs growth for the first year of any federal Australian government. The sky has not fallen down on the jobs market. Wages are growing at the fastest rate for a decade. But it is the case —

Hon Steve Martin: It is slightly less than inflation.

Hon SUE ELLERY: Oh! Was that the new Deputy Leader of the Liberal Party I heard? I will take your interjection.

Several members interjected.

Hon SUE ELLERY: I want the deputy leader to talk about his policies, but he will not. He has not even stood up. Give me a social housing policy—come on! Give me one social housing policy!

Several members interjected.

Hon SUE ELLERY: Give me one original social housing policy idea.

Hon Steve Martin: There's that obsession again.

Hon SUE ELLERY: Give me one! The deputy leader cannot because he does not have any.

Hon Peter Collier: You're nearly there.

Hon SUE ELLERY: I have one minute and 40 seconds. I want to quickly talk about environmental approvals reform. The Labor Party understands better than any other party that the government has a dual responsibility to uphold the highest possible standards of environmental protection and to ensure that the economy continues to grow by ensuring job creation as well. Our economy is growing, and one of the consequences of that—the successes, if you like, of attracting major job-creating projects—is that it has put unprecedented strain on the environmental approval process. That is why the Premier announced that the government will be overhauling its environmental approval system in a move to unlock billions of dollars of investment. Under the direct oversight of the Premier, the Treasurer and the Minister for Environment, some of the key reforms that are being implemented are to allow the Minister for Environment to direct the EPA to assess a project of state significance within a specified time frame; allowing other government approval processes to run in parallel; expanding the EPA's board to include more skill-based members; and requiring the EPA to have a statement of intent. We are investing \$18 million to reduce the bottlenecks and allow for the rapid deployment of additional resources for critical approvals. This government will always do what is right by Western Australia. I look forward to hearing a policy—any policy—on the matters outlined in the motion before us from members on the other side, where it is a policy free zone.

HON WILSON TUCKER (Mining and Pastoral) [10.59 am]: I would like to talk about the motion today for the next 10 minutes and focus on the rapacious federal government changes, including the right to disconnect. I will touch on this story a little and perhaps bore members by referring to my previous life as a software engineering manager for Amazon. At that time, it was the largest employer in the world, with about 500 000 employees.

Several members interjected.

Hon WILSON TUCKER: I do not have much time for interjections today.

I had a full-time contract with the expectation that working overtime was basically something that people had to cop on the chin. We were not tied to a standard nine-to-five model. People were given flexibility about when they showed up to work. If people worked more effectively in the afternoon, that was fine. Some engineers who I was looking after would not crawl out of bed until after 10 o'clock and they would show up at 11 o'clock, but they would still get their work done. There was also an expectation that people were on call. As an engineering manager looking after multiple teams, I was essentially looking after business functionality or services, and those services could be very critical. When another team requested certain information, we would do some computation and provide it to that team. Running a marketplace website has potentially hundreds of thousands of these little discrete business services that need to operate and if one goes down, potentially, the whole site or part of the site could go down. On days like the Black Friday sales, that could cost the business millions of dollars per minute. It is critical that these teams operate and that people respond to those incidents. There are different models such as the follow-the-sun policy whereby as the sun shifts around the planet, teams wake up and hand over to another team while also being on call and responsible. Managers could be paged in the middle of the night. As a manager, I was on an on-call escalation rotation. Sometimes my phone would start buzzing at 3.00 am. It did not matter what day of the week it was or whether it was a Sunday, Christmas Day, Boxing Day or whatever. I had to respond to those incidents very quickly.

My concern is that the government is being too prescriptive about the relationship between employers and employees and what that could mean for the innovation of companies. It will potentially give companies pause for thought if they are looking at expanding their operations within WA. In the last few years, and certainly after the pandemic, we have seen an increase in Western Australia in the presence of large enterprise technology companies—the FANG companies, including Facebook, Amazon, Google—and Microsoft. Microsoft has about 1 000-plus employees, Google has an office here and Facebook has a few employees. I have also seen some Apple engineers running around, particularly those working in Broome. The influx of those people is fantastic. It is good for the tech sector and for innovation. It is good to have skilled workers coming to WA, but I am concerned that some of these changes to the industrial relations laws will give some companies like the FANG companies and others with a similar operating model pause for thought when looking to expand their operations in WA. I hope that the government is looking at those unintended consequences of the changes to the industrial relations laws and that members are echoing those concerns to their federal counterparts if it could result in stifling scalability and the ability to attract larger companies to WA.

With the last five minutes I have remaining, I would like to talk about a four-day working week, which is related to industrial relations law changes. Members have all probably seen the front page of *The West Australian* today. I remind members of an excellent op-ed penned last year by yours truly calling for —

Hon Kate Doust: Nothing like some self-promotion, my friend!

Hon WILSON TUCKER: That is right. That is why we are all here, member!

The op-ed called for a trial of a four-day working week in the public sector. If the government had listened to me at the time, we would potentially have a different headline today. Maybe it would be another cane toad, a Premier sitting on a throne or a Scrooge McDuck in the money bin, instead of the backlash the government is facing in having to negotiate with the unions. I put on the record that I am very supportive of the Community and Public Sector Union–Civil Service Association of WA's push. Everything the union has raised about the four-day working week

is completely valid. We are talking about productivity increases and health, wellness and lifestyle benefits. There are no losers when it comes to a four-day working week; it is just win-win. It is a win for the employer and a win for the employee. That is lost in translation.

Hon Kate Doust interjected.

Hon WILSON TUCKER: I am sorry, member, I do not have time for interjections.

The kneejerk reaction here when talking about reducing hours for employees is that it is bad for the employer, but there have been university studies across the world and jurisdictions are trialling this, and the overwhelming evidence shows that it is a win-win—productivity across the board is increased and employees are being given the benefit of a more flexible working arrangement and the better lifestyle that comes with that.

I cast members' minds back to a debate we had in this place last year on a motion I moved about a four-day working week and a call for a trial in the public sector. Some of the comments that were made then are very pertinent today. Hon Matthew Swinbourn, who I think was the lead speaker for the government of the time, said —

It is hard to see why it would be necessary to proceed on a four-day working week —

I think the member can probably see the benefit of the four-day working week now given today's headline in *The West* —

given the breadth of flexible working arrangements that are already available for public servants and government officers; however, from this government's perspective, if the unions representing those workers are advocating for that kind of thing and it forms part of their log of claims when bargaining with the government, the government will give due consideration at each of the appropriate enterprise levels and make a decision as to whether it is possible for that group of workers.

I hope the government gives due consideration to the unions, which have certainly expressed a desire in the last couple of days for a four-day working week. Hon Matthew Swinbourn went on to say —

The government's position is that it is not opposed to a four-day working week. If unions are keen to pursue that through bargaining, the government will take that on board ...

I hope the government will take that on board. I hope the government is open to possibilities of coming to the table and following the evidence and community sentiment on adopting a four-day working week.

Hon Kate Doust was interjecting today and she was —

Hon Kate Doust: So you are taking my interjections now, are you?

Hon WILSON TUCKER: I am going to read out Hon Kate Doust's interjection during the debate on my motion.

Hon Kate Doust: We all know interjections are unruly!

Hon WILSON TUCKER: I thank Hon Kate Doust for her interjections. I will talk about her previous interjection. This is the member's interjection during that debate —

Member, I am just going to ask: are you sort of making some assumptions that government workers automatically want a four-day week? I mean, how do you assess the demand for this type of change?

I think the front page of *The West* has shown us that there is that demand; I think it is quite clear.

Hon Kate Doust: That was a valid question at that point, was it not?

Hon WILSON TUCKER: It was, absolutely, but I think the demand has presented itself in the fullness of time. There is certainly a lot of demand at the moment. Hon Kate Doust went on to say, "If the government is interested" —

Several members interjected.

Hon Sue Ellery: Ignore us!

Hon WILSON TUCKER: I will just ignore members interjecting.

The ACTING PRESIDENT (Hon Dr Sally Talbot): Hon Wilson Tucker, that is really good advice that you just gave yourself. Address me.

Hon WILSON TUCKER: In the last minute, I would like to say that if the government is interested in bargaining with the unions and coming to an agreement, I have two excellent reports penned by students through a student research program who looked at trialling the four-day working week in the WA public sector. They are excellent reports. I am here to serve. I am here to help. If the government is serious about moving this forward, I can steer it in the right direction. I believe there is a wealth of evidence in other jurisdictions such as Portugal and Scotland, which are also looking at trialling this in the public sector. There is a wealth of evidence here that the government can look at. I hope that it comes to the table, reaches an agreement and ultimately implements a four-day working week within the public sector.

HON STEVE MARTIN (Agricultural) [11.09 am]: I rise to support this excellent motion from my colleague Hon Neil Thomson. I will start by referring to a few of the remarks from the Leader of the House. The Leader of the

House referred to our lack of response on federal industrial relations laws, so I read the motion again slowly, just to double check. Federal industrial relations are not mentioned in the motion, but there is a line in the motion to which I am almost certain the Leader of the House referred when she talked about industrial relations laws. It calls on the Cook Labor government to —

stand up for Western Australia against the rapacious federal government as it imposes unworkable new laws ...

The Leader of the House knew what we were talking about. She clearly knew that we were talking about the industrial relations laws. That is where I will start.

Hon Sue Ellery interjected.

Hon STEVE MARTIN: It is good that the Leader of the House agrees with us on those federal industrial relations laws and that she agrees with the head of Wesfarmers, as we see in the media today. The new industrial relations laws, to be very clear, are unworkable and they do not suit Western Australia.

I will move on to this excellent motion from my colleague, Hon Neil Thomson, to talk about the broader mining sector. We heard from Hon Kate Doust that Western Australia is used to a boom-and-bust cycle. We know that. For decades the mining sector in particular, and Western Australia in general because we are so strongly linked to the mining sector, has gone through a boom-and-bust cycle. But then we heard from the Leader of the House that this is clearly not a boom-and-bust cycle for the nickel industry. Indonesia's nickel production has increased and the value of green nickel apparently does not matter. If the market can get it cheaper out of Indonesia, it will take it out of Indonesia. That is what has happened and the nickel sector here is facing a structural difference. That is the first thing I want to mention.

In our patch in the Agricultural Region, as members opposite will know, the mining sector is incredibly important. Even the wheatbelt, which was given that name for a very good reason decades ago, is a very prospective area in Western Australia. Mining exploration is going on right across the wheatbelt and the great southern from the Ravensthorpe nickel mine to the Boddington mine and all the gold mines in the Yilgarn, Katanning and Narembeen. All sorts of activity is happening in the midwest with regard to the mining of iron ore and other minerals. It is a very prospective sector and it is important to recognise the impact of changes to the mining sector. Clearly, this change in the nickel industry will have a huge impact on those workers in that sector at the moment, but what has happened at Ravensthorpe, for example, will also impact those small towns. If we are talking about boom-and-bust cycles, Ravensthorpe is the perfect example. BHP burnt \$2 billion and then it turned the lights out and walked away. A few years later it came back to run the mine, but now it is in recess again. In the towns and communities of Hopetoun, Bremer Bay, Ravensthorpe and even Esperance, which has fly-in fly-out workers, we are seeing a massive impact, so we feel for them. It is important that the government quickly does whatever it can in that sector.

Yesterday, I attended the Property Council Australia's "Vision for the State" event. Premier Roger Cook was the guest speaker with 700 of us sitting on the edge of our seats waiting for something new. Obviously, a large announcement was coming. It was to be the vision for the state. An assembled media pack from every television network and all the journos were waiting for the drop. Every one of those 700 people in the room were anticipating what Roger Cook would deliver. It was the possibility of a new ferry system on the Swan River. The lead item from the Premier's statement in front of 700 movers and shakers was new ferries on the Swan River. It was extraordinary. I wandered past Geof Parry from Seven news afterwards and I said, "Geof!" He said, "I know, mate, I know. But I have to run with it because he said it." I turned on the news last night and there it was—vision for the state; a new ferry service in Perth. The entire vision for the state, except the bit at the start when he mentioned how much royalties he does suck out of regional WA, was a vision for Perth. He referenced Kwinana and Rockingham over and over again—we know where he is from—but it was about Perth. It was about Metronet and the suburbs of Perth.

The reason I raise the Premier's performance yesterday is that he mentioned what this motion refers to. The mining, resource and value-added sectors rely on investment from government to set up areas around the state where value-adding can occur, particularly with renewable energy. I have lost count but I think the Premier, Hon Roger Cook, mentioned Oakajee three times in his outline for where the state would be leaping ahead in the renewable space and the value-added space. Members opposite would also know from the agriculture region what Oakajee is. It is a spectacular paddock. It is a lovely paddock. It is one of the best bits of Chapman Valley land in the state. I think—I do not know this for a fact—that somebody is still growing some lovely wheat crops and running some sheep on that paddock, because that is what Oakajee is. There is no \$400 million for the Westport program. There is no plan like there is in the suburbs of Perth for a lovely facility at Westport. It got seven million bucks a couple of years ago for a road. I do not know where the road goes to. I do not know what the road is for. At the end of that little bit of road there are no serious interconnecting roadworks happening. There are no roadworks to get in and out of Oakajee. There is no rail line to get anywhere near Oakajee. There is no water supply in the midwest that would service Oakajee. And there is no port.

Hon Darren West: There's already a port in Geraldton.

Hon STEVE MARTIN: Yes, there is. That is a very good point. The honourable member has reminded me that there is a port in Geraldton; there absolutely is not in Oakajee.

Madam Acting President, how many times do you imagine the Premier mentioned the Geraldton port yesterday in his speech? He did not mention it once. The midwest will thrive and move ahead through the Oakajee facility—that lovely paddock. If that sector is going to move ahead in the next decade—or the next five years if we are talking about 2030 for some of those targets—and if the hydrogen thing is real, that paddock needs some work and it needs it in a hurry.

I am nearly out of time, but I want to touch on one leg of the motion that interested me—the unworkable new laws and debilitating Canberra-based ideas that do not account for the state’s unique circumstances. It would be remiss of me if I did not mention the Western Australian live sheep trade, which is being smashed by the proposed ban coming from the Labor Party in Canberra. Unlike the nickel sector, which has been smashed in the market by cheaper nickel out of Indonesia, the live sheep trade is about to be smashed by our government. It is profitable and sustainable and it employs Western Australians. None of that matters; it is about to be shut down by federal Labor. That is a classic example of unworkable new laws and debilitating Canberra-based ideas that do not account for our unique circumstances. Western Australian sheep growers have unique circumstances and this policy from the Labor Party in Canberra will be a devastating blow for those small communities and workers in the livestock sector.

There are a couple of other matters. One of the responses given to the question of why we can do away with the livestock sector is that we can use the processing sector. The federal Labor government decided to stop Qatar flying 15 000 sheep a week out of Perth, which would have been catered for in boxed meat from WA processors in the bellies of planes. Canberra Labor said, “No. Hang on. Absolutely not!” It wants the processing sector to thrive and take the place of the live sheep trade, but it cannot be done in planes to Qatar and to markets in the Middle East—absolutely not.

There is a heap of others. The ute tax is a great idea. The three biggest selling vehicles in Australia are utes; I will not name them, but they are utes. This emissions regime will suddenly add to the price of utes. The biosecurity levy is another great idea out of Canberra that adds \$50 million to the bill for farmers. There is a heap of wonderful ideas out of Canberra!

HON KATE DOUST (South Metropolitan) [11.20 am]: I have only a couple of minutes. It is really good that this motion was moved as we approach the Labour Day public holiday next week. When all of us in this chamber talk about Labour Day, we should be reminded of the industrial atrocities the conservatives committed at the state and federal levels over many decades. The Leader of the House has alluded to some of them. I want to come back and talk about a couple of things.

Paragraph (c) of the motion mentions the “rapacious” government. If we look at the definition of “rapacious”, it is about being predatory or greedy, but that is not the capacity in which this federal government introduced legislation that closes a number of loopholes to protect workers. I pick up on the idea of long-term casual workers being able to have permanency; I think that was a substantial and significant change that would have been a long-held desire for those of us who worked in the trade union movement. I give a tick for that one.

The idea that workers can turn off their phones or their emails and focus on their family life after work—I put a tick on that one. I am not too sure why that is so bad. The Business Council of Australia said that their employer bodies can deal, work and cope with this. I do not know what the negativity is about. I say to Hon Neil Thomson that if he feels, in opposition, so passionately about workers, he should join a union. I am sure that my colleagues in the Construction, Forestry, Mining and Energy Union, the Australian Workers’ Union or the Transport Workers’ Union of Australia will consider his membership in detail.

We are talking about legislation that covers corporations in this state. The mining and resources sectors have corporate companies that are not covered by state legislation. Although the government might have a view on certain elements of it, ultimately, it is a federal decision that will be accepted and worked through for the benefit of workers.

Yes, it is an absolute tragedy that Alcoa’s Kwinana site is closing. It has been open since 1963 and is almost as old as I am. Many family members and friends have worked there. I grew up in the area and have seen the significant benefits of Alcoa in the Rockingham–Kwinana area over many generations. The government is doing everything it can to work with Alcoa to enable the workers to be retrained, reskill and redeployed into other parts of the company or other workplaces. The opposition has absolutely politicised and weaponised the situation without the facts. I applaud my colleague Hon Madeleine King for drawing out and putting into place the reality of what has happened. I acknowledge Alcoa for coming out so quickly and giving David Honey a kick for not being truthful or factual about the situation.

I want to pick up on Hon Wilson Tucker’s comments about his experience. In high-value, independent gig economies that have developed separately, workers do not have rights, can be sacked at any moment and do not have the legal protections that a lot of workers have and are certainly not unionised. Those arrangements might work for his sector of the industry, but they do not work for everyone else. I want to talk about what this government has done to protect retail workers on the front line. The government has responded to calls to protect frontline workers who have been

copping abuse, threats and intimidation as part of their work. Retail is a very vulnerable industry with a high female quota, and the government has now announced—in response to petitions from people in the sector—that it will change the law to put in place legislative protections and penalties for people who abuse those workers. The Labor Party has a strong history of doing everything it can to protect workers. That is not the case for conservatives.

It was quite amusing to see this motion come from Hon Neil Thomson, who does not understand how industrial relations work, the duality of the systems in place and what needs to be done to protect workers. He has obviously had an epiphany in opposition. I hope it survives until he eventually gets to government.

Motion lapsed, pursuant to standing orders.

FAMILY AND DOMESTIC VIOLENCE

Motion

HON LORNA HARPER (East Metropolitan) [11.25 am] — without notice: I move —

That this house —

- (a) recognises the role of intervention programs for perpetrators as an important measure to address family and domestic violence in WA; and
- (b) commends the Cook government's record of investment of more than \$300 million since 2017 in family and domestic violence initiatives, including recent investments in intervention programs for perpetrators.

I rise today to again discuss family and domestic violence and the issues it creates not just here in Western Australia but across Australia and the world. We cannot talk about family and domestic violence without first reminding ourselves what it is. It is an ongoing pattern of behaviours intended to coerce, control or create fear within a family or intimate relationship. It includes physical harm or threats of physical harm; financial, emotional and psychological abuse; sexual violence; or any other behaviour that causes the victim to live in fear. It is not just face-to-face; it can be done over the telephone or by email. Any action that causes another person to live in fear is family and domestic violence.

Many adults and children live with perpetrators who use coercive patterns of control, and they may not realise that what they are experiencing is actually family and domestic violence. We cannot ignore the fact that gender inequality is a huge driver of family and domestic violence; that women do not at all times have the power needed in the home to protect themselves and their children; or that men will control decision-making in the house over finances, friendships, who women can talk to, where they can go, how much money they can spend on shopping, and what they can do in life.

We know that in our culture it is not unusual for people to think that this is private business and that because it is occurring within the home and within the marriage, we should just ignore it. But there is a famous quote, “The standard you walk by is the standard you accept.” We do not accept that family and domestic violence should happen at all to anyone.

Although family and domestic violence affects victims of all genders and backgrounds, the vast majority are women and their children. One in six women have experienced violence from an intimate partner—one in six! If members have a look around this chamber, they will see that there are more than six women in this chamber, thanks to the last election and the Labor Party. Members are potentially sitting in a room with victims of family and domestic violence. We know we are sitting in a room with victims of family and domestic violence. We know there are women in here who are survivors. One in 16 men are also victims of family and domestic violence and we cannot forget that. But we ultimately cannot forget that, overall, the perpetrators of family and domestic violence are men.

It is really weird to be talking about what we are doing for the perpetrators of family and domestic violence. There is a part of me, as a woman, that thinks, “Ugh. Really?” But then, there is also the part of me that thinks logically and says, “Well, do you know what? If we have a leaking roof, we can put as much money into buying as many buckets as we like to catch that water; or we can invest in trying to fix the leak.” We will try to fix the problem. By investing in it, trying to fix the problem and assisting perpetrators of family and domestic violence, we will save potential victims. That is extremely important. We need to remember that on average, every nine days one woman is killed by a current or former partner. We need to remember that domestic and family violence is also a leading cause of homelessness; many perpetrators have been victims of family and domestic violence in their childhood; people with a disability are more likely to experience physical and sexual violence; and, unfortunately, there is a high prevalence of family and domestic violence in our Aboriginal communities.

Part of the McGowan–Cook Labor government's strategies is to introduce *Path to safety: Western Australia's strategy to reduce family and domestic violence 2020–2030*. Part of the guiding principles is that perpetrators are solely responsible for their actions. We live in an era when there is information everywhere. We cannot really go through life and say we did not know. We know, for example, that smoking is bad for us and that it costs an extraordinary amount of money. We then make a conscious decision about whether we smoke. We know that violence

against others is wrong. We know that trying to control somebody through fear, intimidation, sexual, physical or emotional violence is wrong. There is no excuse. Perpetrators are responsible for their actions. We also know that every one of us has a role in stopping family and domestic violence.

We need early intervention for men, and one of the new initiatives is encouraging men to help other men. This is really important, especially if the victim of family or domestic violence is a female. Another man talking to another man would come across better than a woman trying to tell a man he has done wrong. It sucks a bit that that is what it is, but we have to use the tools we have to get the best results we can. A new joint initiative will be trialled in five locations across Western Australia. The initiative has been partly funded by the commonwealth government and a project has been awarded to Communicare. It is part of the \$3.3 million in funding being provided to the Western Australian government under the Australian government's innovative perpetrator responses initiative. The trial will see men's workers partner with family and domestic violence response teams in Northam, Bunbury, Midland, Joondalup and Fremantle over the next three years to engage male perpetrators. Family and domestic violence response teams will be co-located with police, child protection staff and non-government organisations and family and domestic violence advocates.

Communicare will provide interventions and individual sessions based on a perpetrator's use of violence and patterns of offending, offering tools and strategies to support them to make positive changes in their lives. The trial aims to improve responses to perpetrators, reduce reoffending and improve victim-survivor safety. It is never the victim's fault. The perpetrator always has sole responsibility for their own actions.

I am pleased that there has been a massive \$72.6 million investment to try to help stop family and domestic violence in Western Australia. This investment has been informed by discussions with the Family and Domestic Violence Taskforce, and the significant funding boost will go towards programs to support victim-survivors and to intervene with perpetrators and work towards stopping violence before it starts. The investment will include a \$5 million two-year public education campaign to promote understanding in the wider community and challenge outdated and dangerous views, because until we adjust the lens and bring those who use violence and coercion more clearly into view, until we intervene at the source of the problem, this cycle of family and domestic violence will continue. If we as a society do not call out bad, poor and violent behaviours and let people know that this is not acceptable, again, that is a standard we are accepting, and I do not believe there is a person in this house who would accept that standard. Violence does not solve anything. It is the cause of so much that goes on in our society.

Perpetrating family and domestic violence is a choice made by the perpetrator. Family and domestic violence occurs in all communities and cultures. It occurs to people of all ages. It occurs to people of all socio-economic groups. It does not matter whether someone lives in a mansion on the river or in a one-bedroom unit in any of the smaller suburbs in Perth or Western Australia. It does not matter who someone is or where they come from; we are all potentially victims of family and domestic violence. It occurs to people of all educational levels and professions. We have seen in the news the perfect couple—people we thought everything was going well for—and then it comes out in headlines splashed across the newspapers that they are going to court. It does not matter who someone is or where they come from; you, somebody you know or somebody you love could be a victim of family and domestic violence.

We all know victims of family and domestic violence, but I do not think that we all know perpetrators, because the perpetrators seem to be hidden. I do not know. We know there are victims, so where are the perpetrators? I am sorry, it just occurred to me while I was thinking about it. We talk about people who have been murdered, but we do not shine enough light on the perpetrators. We need to help people. We need to ensure that we stop these cycles. We do not want another woman to be killed in the next nine days. As we have seen in the news, in New South Wales, tragically, a young couple were killed by an ex-partner. We have seen it across the news. We need to stop this. We need to say to perpetrators, "We see you. You cannot hide from us. We will continue to look at you. Whether you use a pen or a fist, a dollar or social media, whatever you use, we are going to come after you, and we are going to make sure that you either change your ways or the full letter of the law will come down on you." Again, perpetrators are solely responsible for the choices they make and their actions.

My thoughts are with all victims of family and domestic violence. We stand with you, and we will always stand with you.

HON DONNA FARAGHER (East Metropolitan) [11.39 am]: I will keep my comments brief because I appreciate that this is private members' business, but it is important that the opposition makes a few remarks about this motion, and I am pleased to be able to do so today. I absolutely agree with Hon Lorna Harper; violence in any form is absolutely unacceptable and family and domestic violence in any form is absolutely unacceptable. We as the opposition, and I as a member of this place, will absolutely support measures that aim to prevent family and domestic violence from happening in the first place. We will absolutely support interventions program and effective safety initiatives that support victim-survivors, who are mainly women—but not in all cases, as Hon Lorna Harper said—and children. I will come to children in a moment.

The motion specifically refers to intervention programs for perpetrators as an important measure to address family and domestic violence. Behaviour change programs, if we can call them that, are obviously central to that. As Hon Lorna Harper said, there have been a couple of recent announcements at both the state and commonwealth

level about around men's behaviour change programs. The commonwealth is funding a trial that is being undertaken in five locations—Bunbury, Joondalup, Fremantle, Northam and Midland, which, of course, is in my and Hon Lorna Harper's electorate. There is also a \$3.1 million program based in regional WA, focusing on Albany, Bunbury and Northam. I understand that it is somewhat similar to the trials that are underway and will provide assistance and counselling services to men who use controlling and abusive behaviour in family relationships. As I understand, those locations were determined after service gaps were identified and to complement existing services offered to victim-survivors. I, like others, will obviously follow the trial that is underway with a great deal of interest. It is my strong hope—I am sure it is the same for everyone—that the results of that trial will lead to a reduction in reoffending and improved safety and, if it works, an expansion to other parts of the state.

In discussing this issue more generally, it is important in debates like this to recognise and thank the absolute dedication and commitment of mainly non-government organisations and individuals who work in this space each and every day supporting victim-survivors. They also support victim-survivor families and work in areas of early intervention. In my electorate, Orana House, Starick and a range of other organisations are doing absolutely amazing work. I am fond of and close to Starting Over Support. It is committed to supporting women and their families when they leave a refuge and effectively start over. The reality for many victim-survivors is that they leave with nothing; they leave their relationship and home with nothing. It can be incredibly hard when they leave a refuge or crisis accommodation and move into a new home. Starting Over Support, an initiative of People Who Care, effectively provides the contents of a home for its clients, ranging from all the furniture to the cutlery, crockery and cooking and cleaning utensils—everything they need to start over. These organisations do wonderful things each and every day and we do not recognise them enough.

I want to reference paragraph (b) of the motion more generally with regard to the issue of family and domestic violence and how it relates to children. Having visited organisations working in this space, it has become clear that there are very good supports for children. But the opportunity to do more to support the specific needs of children who have experienced family and domestic violence has been raised with me. At times, the impact of family and domestic violence on children is seen through the lens of the parents and caregivers—the mum or dad and the perpetrator. We absolutely need to look at the family as a whole, but it is also important to address the fact that children have specific needs. That has been raised with me. I refer to a paper titled *Stepping up for kids* released by the Australian Child and Adolescent Trauma, Loss and Grief Network, and the Australian National University. This report highlights the fact that sometimes the devastating impact of family and domestic violence on children can be minimised, not necessarily purposefully. As the report discusses, a number of myths sit around the space of children and young people. I will read the myths because we have all heard them. The report states —

Myth 1: Children who are not physically hurt themselves are not affected by family violence.

...

Myth 2: Children and infants are 'too young' to remember incidents of violence, and are therefore not affected by it.

...

Myth 3: Children and infants who have not 'seen' family violence, e.g. witnessed their mother being hit, are not affected by it.

...

Myth 4: All members of the family will be affected in the same way.

...

Myth 5: Children are passive victims of family violence.

The fact is that such violence can have a profound impact on a child's life in terms of not only physical and emotional harm, but also their broader health and wellbeing and their educational and developmental outcomes, let alone the broader impact of financial and housing instability and insecurity and other negative outcomes. I encourage the government to look into this space. I do not raise it to be critical; I have taken the opportunity to do so on an important motion such as this. It is simply a reflection on some conversations I have had with people working in this space and I raise it as a genuine opportunity for us to look at this issue, because it relates to the areas of prevention, intervention and response. As the report states —

Myth 3: Children and infants who have not 'seen' family violence, e.g. witnessed their mother being hit, are not affected by it.

...

Noise travels, and children hear.

We have talked about perpetrators and behaviour change programs, and will probably hear more in speeches from other members, but at the end of the day, no-one should be invisible when it comes to tackling family and domestic violence. Thanks for the opportunity to say a few words today.

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [11.47 am]: I rise to voice my support for this excellent motion brought forward by Hon Lorna Harper that we recognise that violence in any form is unacceptable and that family and domestic violence is the most insidious, occurring in places where women and children should feel safe. I want to thank Hon Donna Faragher for her excellent contribution, expressing her support for the measures that have been put in place and for taking the opportunity to recognise service providers, of which there are many that operate in this space on both a voluntary and paid basis. I acknowledge Hon Donna Faragher as a passionate advocate for the protection of children and early childhood education. I look forward to reading that paper, *Stepping up for kids*. I thank the member for bringing it to our attention.

We have an excellent minister in Hon Sabine Winton and for the first time ever, we now have a minister dedicated to the prevention of domestic violence. I think it is important, as Hon Donna Faragher mentioned, that we look at all those aspects. Obviously, Sabine Winton is not only the Minister for Prevention of Family and Domestic Violence but also the Minister for Early Childhood Education; Child Protection; Community Services. I know that these matters are front of mind for her at all times.

As we heard from my colleague Hon Lorna Harper, more than \$300 million has been dedicated to this space. I think it has gone up significantly. I note the media statement on 29 November announcing the Cook government's additional \$72.6 million investment. It says that the funding builds on the state government's additional investment of more than \$300 million since 2017. This funding is for a number of measures.

I might go back in time a little to August last year. Members in this place will certainly remember that there was a bit of a turning point in August—it was reported in *The West Australian* on the last day of August—when we saw a shocking spate of fatal attacks in this space. It is uncomfortable that sometimes it takes these very tragic circumstances to really bring the community together in calling for change. As we know, back in August a two-hour summit organised by the Centre for Women's Safety and Wellbeing brought together the community and police.

I want to read a quote from the Minister for Prevention of Family and Domestic Violence, Sabine Winton. She described the lived experience accounts she heard as powerful and a privilege to hear. She said that the recent deaths of women to family and domestic violence were horrific, absolutely tragic and unacceptable and that they needed to stop. As she said at the time, one act of domestic violence is too many. The Leader of the House, in her capacity as Minister for Women's Interests, was also involved in the summit. She described what she heard in those firsthand accounts as harrowing but important. I thank both Minister Ellery and Minister Winton for stepping up to that initiative.

That summit, of course, then led to the announcement of a special taskforce only a couple of weeks later, on 12 September. It was a key ask of the sector that came from the crisis meetings. The taskforce that was pulled together in September provided advice on the development of the \$72 million package that we announced in November. Although a lot of these programs will run over a number of years, I congratulate Minister Winton for pulling together these packages very quickly.

I want to highlight one member of the taskforce. Damian Green heads Stopping Family Violence, which is the peak organisation for groups that deliver men's perpetrator programs across Western Australia. The Department of Communities provides core funding to Stopping Family Violence, with funding to the tune of \$400 000 provided last year. It supports a professional network of providers that specialise in men's behavioural change programs. The organisations that deliver these programs include Anglicare, which runs a number of perpetrator programs in the justice system; Centacare; Communicare, which runs the Breathing Space program; Relationships Australia; and Stronger Families. All these organisations work cooperatively with the Department of Justice. Stopping Family Violence also supports the development of a perpetrator response framework. This is one of the key asks that came out of that really important summit last August. Again, we have really stepped up in making sure that we provide support. As Hon Donna Faragher said, there is always more to do. Government is working closely with the community, and a whole-of-community response is needed.

We know that by the time family and domestic violence offenders get to prison, those behaviours are already entrenched and it is much harder for them to change. I really want to congratulate the minister, who has brought forward early intervention programs after feedback from the taskforce. There is \$3.1 million to establish three new men's behavioural change programs in Northam, Albany and Bunbury. As Hon Donna Faragher said, we look forward to seeing the results of those pilot programs.

As Hon Lorna Harper mentioned, as part of the \$3.3 million in funding, we have family and domestic violence response teams located in police stations. They include police officers and workers from the Department of Communities and the community service sector. As Hon Lorna Harper also mentioned, additional funding was provided for new men's workers to be rolled out in Bunbury, Northam, Midland, Joondalup and Fremantle. Offenders will be assessed on their future risk of violent offending and offered case management and intervention. We have certainly come a long way from a policeman knocking on the door, saying, "Keep it down in there", and then leaving the family to its own devices. The whole community is coming together to work out what to do to assist the most vulnerable in our communities.

I know that a number of members want to speak, so I will end by saying that the Cook government is committed to working with those with lived experience of family and domestic violence. We are committed to early intervention and education programs, and to working with the community to do what we can to keep women and children safe.

HON SANDRA CARR (Agricultural) [11.55 am]: I rise to speak in support of the motion moved by my colleague and friend Hon Lorna Harper. I am very pleased that she brought this motion forward for us to consider today, given that International Women’s Day, on 8 March, will have come and gone before we sit again. That is why I am wearing purple today; I do not usually dress in disco purple, but I wanted to have the opportunity to mention International Women’s Day and encourage people to support that day. We are very fortunate to have a number of really exciting things happening in Geraldton on International Women’s Day. One such event is being organised by a young woman by the name of Jodi Reilly—I say “young”, but she is my age; it probably depends on one’s perspective of what young is, but to me she is young and vibrant. Jodi is a life coach in Geraldton and is organising a sunrise swim, meditation and coffee catch-up for women. Lots of other great things will be happening in Geraldton, including the women in business breakfast. Angela Teale, head of engineering operations for SKA-Low in the Murchison region, will be the speaker at the breakfast. She is a fascinating woman.

The Mid West Development Commission will also hold a masterclass with Professor Petra Tschakert—please excuse my terrible pronunciation of her name! Professor Tschakert is a geographer and sociologist, and she will be talking to people about global energy futures and transitions. Desert Blue Connect, a fantastic organisation that is working in the FDV space, will also hold a quiz night. I will talk a little bit about that organisation later. I have mentioned all of this so that we can see that a really strong, cohesive group of women are working together in really important and significant roles in our community. However, the need for things like International Women’s Day and the role of women in the community is sometimes questioned. People sometimes argue with me that the role and status of women has been elevated, but there is still so much to be done, and I am pleased that our government is doing some of the work.

When I was a young woman in the late 1990s, there was a song in the charts called *Smack My Bitch Up*. It was accompanied by a music video that depicted drunken and drug-fuelled sexual violence and violence in the community. I have spoken before about the term “toxic masculinity” and that I feel very uncomfortable with that term. When I was a schoolteacher teaching both boys and girls, I found that the boys felt defensive when they heard that term. They felt like they were being accused of being toxic because of the very nature of their gender. I always thought that the term should be “toxic socialisation”, because when videos like that get made and groups like that put out songs, we are all responsible. People should have been called out for buying the album and listening to the song. I remember people around me listening to that music and laughing about it. They did not really appreciate the gravity of the behaviour that it was endorsing in our society. I argue that we need to look at toxic socialisation, because violence in our community, particularly family and domestic violence, is a whole community responsibility. Everyone should be in the chamber to listen to this debate. I know that there is urgent parliamentary business to attend to, but this is a crisis in our community. It does not seem that people are giving it enough attention or even necessarily realising some of the impacts of their own social behaviour and comments.

I am pleased to note the Cook government’s *Path to safety: Western Australia’s strategy to reduce family and domestic violence 2020–2030*. It is really important work. The government has put in some excellent cash and programs to address perpetrator behaviour, in particular. I am really pleased about the focus on perpetrators as that recognises that perpetrators are solely responsible for their actions and that we cannot victim blame. Men and boys are integral to the solution—the way they talk to and socialise with each other, and the way we socialise with and have the confidence to say things to them. The federal *National plan to end violence against women and children 2022–2023* recognises —

Nearly one in 3 Australians agree that women who do not leave a relationship in which violence is occurring hold some responsibility for the abuse continuing ...

We have a problem. We have a crisis in our community when that is the attitude that people hold. Where are the people who ask why he does not he stop? Where are the people who do not turn away when they hear concerning sounds coming from their neighbour’s house? Where are those people? Where are the people who are having quiet conversations with colleagues when they say inappropriate things? I say again, addressing family and domestic violence is the whole community’s responsibility. Every time you ignore it, or you do not address it, or you let a comment go, you are part of the problem, whether you want to acknowledge it or not.

I am sure members have heard of Chanel Contos. She wrote a book called *Consent Laid Bare: Sex, Entitlement & the Distortion of Desire*. She posted a question online asking people about sexual assault during their school years. The post went viral, and about 7 000 people responded describing incidents or experiences that constituted rape. One of the outcomes of that was this book. The book is very popular and has been a big hit amongst women. Please tell me how women, and educating women, will stop people being raped and stop them experiencing family and domestic violence? It is the education of our males that is important. Ms Contos was instrumental in establishing the Teach Us Consent campaign. That consent education has now been agreed to by all federal ministers and incorporated into curriculums. We can see all that is happening. That is fantastic work by Chanel Contos and all those people who

participated in the campaign. It is outstanding work. The campaign incorporates comprehensive consent education, including things like gendered stereotypes and understanding coercion and power imbalances. This is integral to changing behaviours, and it is really great that it is coming into our education system.

One issue that really concerns me is what I call the missing middle. There is a group of people who have not been subjected to this education. This group of people is probably the same age as the women who are really embracing the consent laid bare education. These people, particularly male perpetrators, will probably find themselves in trouble as women become better educated and more confident about identifying, reporting and seeking prosecution for what they now know, without any shadow of a doubt, are illegal behaviours that are being committed against them. That group of men is in trouble. It is our responsibility through the way that we socialise them to make sure that they are aware. If we do not, we will find our brothers, our sons, our footy clubmates and our uncles having charges brought against them for things that we failed to educate them about properly. It is a really important consideration.

I refer to the WA Centre for Rural Health in Geraldton survey, funded by a Healthway grant, and published in 2021, *Conversations for change—Local community attitudes and exposure to violence survey (LCAEVS): Report on baseline (2019) survey*. The survey discovered that young people aged 15 to 24 years—remember, this was in 2021, so I am talking about that missing middle—subscribe to myths such as violence is caused by things like alcohol and are less likely to identify abusive behaviours. There is a missing middle. There is a group of people we need to be very careful to make sure that we are educating. I was very excited and pleased to hear the federal Minister for Education, Hon Jason Clare, talk about a national student ombudsman for university campuses. A lot of women across a range of states have been working to make sure that we look at the fact that one in six university students has been sexually harassed, and one in 20 has experienced sexual assault while at university. It is all great work, and it is really great that there will be a national ombudsman.

The thing that concerns me a little bit about that is that it is not enough. It is not enough to say, “Oh, you know, we’ll address these things when they’ve been reported”. Why not put it at the beginning? Part of enrolling and undertaking a degree at university should include a program that says what rape, coercion, assault, disrespect and microaggression look like. If we educate people, they will go out into the workforce empowered, responsible for their actions and far less likely to cause these kinds of assaults. Why does that matter? It is because on the Counting Dead Women Australia Facebook page, which counts the number of women murdered by domestic violence each year in conjunction with a group called Destroy the Joint, so far this year the number of women who have been murdered is 10. It is not even the end of February. When I say we have a crisis, I am not joking. We have a serious problem of violence against women in family and domestic violence circumstances in this country. I am pleased that our government is working to address it, including by introducing the strangulation laws in the Family Violence Legislation Reform Bill that recognise that a person who uses strangulation against their partner is seven times more likely to murder their partner. Some good work is happening on the laws to monitor the perpetrators of violence. This work is very important, and we cannot underestimate it.

HON KLARA ANDRIC (South Metropolitan) [12.05 pm]: I, too, rise to make a contribution to this motion today. I begin by thanking Hon Lorna Harper for bringing the motion to the house this afternoon. As the minister who responded on behalf of the government mentioned earlier, family and domestic violence is an insidious blight on our society. It can be described as an ongoing pattern of behaviours that are essentially intended to coerce, control and create fear within a family or in an intimate partner or another type of relationship. The forms of domestic violence are quite complex. However, the many forms they come in include emotional or psychological abuse, physical abuse, sexual abuse, financial abuse, social isolation, spiritual abuse and technology-facilitated abuse. Often it encompasses all of those. However, it is not always as obvious to outsiders as one might think. Although it encompasses all of those forms of abuse, that does not mean it is limited to only those forms of violence.

Essentially, domestic violence is a form of power control by the fear that it causes its victims. Even if a victim can cover the bruises on the outside, the pain and anguish on the inside never goes away. Abuse is not limited to physical assaults; it comes in various forms, shapes and sizes, with varying degrees of severity. Often victims are unable to talk about it because they are paralysed and feel ashamed. They feel ashamed because they are a victim of the abuse. They are also confused about what to do and many times cover-up for what they essentially know is not right. We know that domestic violence does not discriminate. As Hon Lorna Harper outlined earlier in her speech, many times it is hidden behind closed doors and, because of that, it does not discriminate. A person’s background, ethnicity, job, education or even the suburb they live in does not matter with regard to who either the offender or the victim of the domestic violence is.

I truly believe that it is incumbent on each of us, but especially those of us in Parliament, to work towards putting a stop to domestic violence. I commend the Cook Labor government for its ongoing investment in and policies toward the intervention and prevention of family and domestic violence. The prevention of family and domestic violence has always been a focus of the WA Labor government. I commend the government for its significant legal reforms that include the automatic recognition of violence restraining orders from other states and a new standalone offence for non-fatal strangulation, which is part of the package of family violence legal reforms. Laws against nonlethal strangulation and suffocation recognise that such an attack is one of the strongest indicators of an increased risk of a homicide occurring. Someone putting their hands around another person’s neck is the ultimate act of power in family violence. Commissioner for Victims of Crime, Kati Kraszlan, said that it can, in fact, kill.

The new laws will enable people with multiple family and domestic violence offences to be declared serial family violence offenders and enact tenancy reforms to support victim-survivors.

Before the election of this government in 2017, there was no portfolio for the prevention of family and domestic violence, as the minister mentioned. As we know, the portfolio was first introduced in 2017 when the McGowan Labor government announced its state cabinet in March that year, with Minister Simone McGurk taking responsibility for this incredibly important portfolio. In July 2020, the McGowan state government announced the 10-year strategy to reduce family and domestic violence, and under Labor family and domestic violence was finally taken seriously. The Cook Labor government has diligently continued with that vision that has been ongoing since the election of Labor in 2017.

Escaping domestic violence is not simple because victims cannot simply remove themselves from the situation. In many cases they frequently face a lot of malicious repercussions from the perpetrator they are trying to escape from, and certainly that is often the case with many constituents I have met with over the course of my short time as the member for South Metropolitan Region. The government recognises this and has announced several new intervention initiatives to help victims remove themselves from those situations as quickly and safely as possible.

In October 2023, we made major and really important announcements that legislation would be introduced to make GPS tracking mandatory for offenders under any community supervision order imposed at bail, sentencing, parole and post-sentencing. Those who choose to remove a GPS tracker will face a mandatory minimum imprisonment of six months. I welcome the announcement. It will give many of the victims, including many I have worked with closely in my electorate, further assurances, and it will assist them to feel that little bit safer. It means that any family and domestic violence offender who initially breaches their restraining order will face further retribution if they offend again.

Following the announcement, we had 14 new specialist family and domestic violence officers introduced to the frontline response team across our state. As we all know, those frontline workers on the ground do the most important work in supporting victims of family and domestic violence. Those officers are part of the Cook government's \$10.7 million commitment to bolstering frontline response to victims in WA. The Family and Domestic Violence Taskforce builds on the government's commitment to address family and domestic violence matters.

In November 2023, a further \$72.6 million was announced to fund crisis beds, one of the primary and essential services we need for prevention, intervention and recovery initiatives. As mentioned by the minister, it builds on the government's investment into family and domestic violence prevention of now more than \$300 million since 2017. Among some of the initiatives to receive further funding from the new investment, with a further \$3.1 million, is our Safe at Home program. The Safe at Home program is operated by centres like the Lucy Saw Centre. It assists women and children who are victims of domestic violence to stay in their own home when it is safe to do so. I have worked very closely with the Lucy Saw Centre and Andrea Mia centre in the South Metropolitan Region, and I look forward to continuing my work with them. On a closing note, I am very pleased to be part of a government that takes domestic violence seriously and strives toward prevention and support for all victims in our state.

HON SOPHIA MOERMOND (South West) [12.15 pm]: Thank you to Hon Lorna Harper for bringing forward this excellent motion and repeatedly speaking out for women in this chamber. One of the comments made by Hon Lorna Harper was about how perpetrators remain invisible in our society. The media contributes to this greatly. We see statements like: "Woman raped in Kings Park", versus, "Man raped woman, again in Kings Park". That happens all the time. Even when we talk about groups of perpetrators, as seen in paedophilia rings recently, the headline will read, "A group of people were arrested". When we look at the sex of that group of people, it is men. When a woman gets arrested for a crime, it is often clearly mentioned in the headline that a woman was the perpetrator. It is interesting to see how the media is complicit in making perpetrators invisible.

The other factor that I have spoken about quite a lot in this chamber is porn, which contributes to the ongoing violence against women and children. The early exposure of boys to porn, which sits at about eight to nine years of age—girls are now being affected by that, too—creates a range of unhealthy sexual behaviours. That is when choking comes in, as mentioned by the honourable member. Consent is confused—when we look at consent in porn, often a woman might say, "No, no, no", but the man will continue. That means that saying "No" was simply irrelevant. Porn actresses get paid to make themselves look desirable and make it look like they are enjoying what is happening to them; therefore, it becomes more difficult for boys to see and read pain in women's faces. This is an interesting factor that is often overlooked.

Porn has also been implicated in child-sex abuse and grooming brains into enjoying paedophilia. The porn industry understands that certain types of sexual violence keep people engaged—by people I mean it is still mostly men who watch porn. They have different categories for different brains. Every time a person watches porn and orgasms, they get a massive dopamine hit. That rewires people's brains. To maintain getting those dopamine hits, viewers need material that is more and more extreme. We see that women in porn are starting to look younger and younger, and the acts committed against them become more extreme as well. It grooms both boys and girls into thinking that that is normal sexual behaviour.

The pornification of our society is obvious in our advertising, and we see this in outfits available for little girls. Just recently I saw an item I was particularly horrified by. It was taken off a company website called Shein. It had advertised fishnet stockings for baby girls, with little ribbons at the top. It was removed. Child sex dolls keep popping up on different websites as well, but they are slowly being removed. Imagine the horror of a mother finding her daughter's face on one of those dolls, and that has happened several times. Increasingly, we are seeing more violent depictions and sexual objectification of women on clothing. Recently, a bunch of babies' onesies were removed from a website, and I am not allowed to say these words in this chamber, but, basically, on romper suits, it reads "I have sex on the first date" and other sayings like that. I find that horrifying. In reducing male violence against women, pornography definitely needs to be addressed as well, and I would like to see more done about that.

HON DAN CADDY (North Metropolitan) [12.20 pm]: I do not have much time to speak on this motion, but I want to tell a personal story today. I have spent a lot of time with a young man who is dealing with the aftermath of family and domestic violence. I am fortunate because I can say, hand on heart, in the 17 years I lived at home, I did not witness once my father even raise his voice to my mother, so just to speak to this young man was a learning experience for me, and I think it is an important element to tease out. As a child and then a young adult, much of the behaviour modelling is a conscious decision and much of it is subconscious. How does this happen? Not every child is fortunate enough to have lived my experience, but every young man has the opportunity to self-reflect, reflect on the senior males in their life and, despite what is filtered into them subconsciously, make a decision for that not to be who they become.

This young man who I have been speaking to is one such a young man. I know him well. He is not a relative of mine, but he is someone who, at the age of 18, opened up to me about his experiences and his upbringing, and he has used me as a sounding board for his desire to be the best man that he can be. He watched his father's abusive behaviour towards his mother for years, and it was only really as he became a young man himself that he realised just how insidious it was. This is critical, and I think it goes to one of the myths about family and domestic violence that Hon Donna Faragher spoke about. He did not realise it was that for a long time because his father never hit his mother, but he stood over her, he raised his fist, he certainly threatened to hit her, and he denigrated her through actions and language, but because he never hit her, it took this young man a long time to realise that this was not just a normal adult relationship. This is without the coercive financial control and other controlling behaviours also in the background that as a child one does not necessarily see or pick up on.

Why did he seek out another man similar to his father's age to speak to? It was because he was driven by the desire to never become the man that his father is. On the one hand, it is incredibly sad that he feels so incredibly let down by the one man in his life who he should be looking up to, well into adulthood, and should be modelling his life on. But on the other hand, I admire him. I admire his strength, and I am in awe of the presence of mind shown by this young man to recognise that at his young age this is an issue and to actively take steps to ensure that this cycle will not repeat itself. I see no evidence of it in him or in him being like this, but he is petrified because of what he has experienced. To use his words, "I don't ever want to be the monster that my father is." Therefore, I want to take this opportunity today, without naming him but he knows who he is, to say: good on you. I am proud to know you. I am glad that you reached out, and I will be there to talk this through with you for as long as needed.

I also wanted to talk a little about financial coercive control, but I may put that into a member's statement or speak to that at some stage later.

HON LORNA HARPER (East Metropolitan) [12.24 pm] — in reply: I rise very briefly to say I do not know whether people have seen the newspapers today, but I give our condolences to the family of the victim of domestic violence from Kununurra who has spent months in hospital and who died today. It is just another reminder that we need to be there, we need to call it out and we need to be aware of it. As Hon Sophia Moermond said, and she is right, a woman was not raped. A man raped her. We need to make sure that we use the right language and that we call it out and not walk past what is happening. Thank you.

Motion lapsed, pursuant to standing orders.

CORRUPTION, CRIME AND MISCONDUCT AMENDMENT BILL 2023

Second Reading

Resumed from 28 February.

HON TJORN SIBMA (North Metropolitan) [12.25 am]: It is always a little awkward to reprise remarks given on a previous day. However, to maintain the flow and to recap, I was speaking to an important document of this Parliament concerning the resourcing, capability and structure of the Corruption and Crime Commission. From memory, I believe that I was referring to the March 2022 report of the Joint Standing Committee on the Corruption and Crime Commission, whose chair is the member for Kalamunda, titled *The Corruption and Crime Commission's unexplained wealth function: The review by The Honourable Peter Martino*. That report canvassed another report and assessment conducted by Hon Peter Martino. Towards the end of the chair's comments, he refers to Mr Scott Ellis, who was the acting commissioner of the CCC—the only acting commissioner.

The report states —

In September 2021 Commissioner McKechnie told the committee that consideration should be given to appointing a second acting commissioner but the commission is at the stage where a deputy commissioner is required. This was said in the context of discussing the Department of Justice's current project to modernise the *Corruption, Crime and Misconduct Act 2003*. The power to appoint a deputy commissioner should be considered during that project.

My question for the parliamentary secretary, if he is able to provide a response in his reply, is: whether or not the origin of this bill, insofar as it relates to the creation of a deputy commissioner role, was advocated for by the Department of Justice or by the Corruption and Crime Commissioner, Mr McKechnie? It appears very much that this was a matter under serious consideration and, to a degree, within the confines of the normal public sector approach to these things—the quiet advocacy. The origin of this idea seems to go back more than two and a half years at least in its current form.

Furthermore, the report states that the Corruption and Crime Commission —

has made a submission to government for funding to undertake its unexplained wealth function over the next 5 years. It seeks funding just short of \$5 million a year to fund 20 full time equivalent officers ...

I take it that that submission from the CCC was provided to the government in or around late 2021 or early 2022. It is very unusual ordinarily for any statutory authority or agency of the government to advise even a committee of a submission that it has put to a government for budgetary consideration, let alone canvas the barest outline of the resource draw, being the actual quantum of funds and the likely requirement for FTEs. That is actually a bit unusual. What I seek to do additionally, if the parliamentary secretary does not mind, is to find out whether those considerations were made in tandem with the concept of proving up or developing the deputy commissioner role or whether they were effectively made in parallel. What I am attempting to get to—I have asked previously in both the original briefing and the refresher briefing—is whether it is the object, be it undisclosed, that the deputy commissioner role of the Corruption and Crime Commission will take principal carriage of operationalising or overseeing the unexplained wealth function or whether this is still a delegable function that might come to the deputy commissioner. I am just attempting to ascertain the connection between those two things. There might be some relationship, there might be no relationship, or there might be a possible relationship.

The second matter, which I think was addressed in either the last budget or perhaps the midyear review—I cannot quite remember off the top of my head, but I remember seeing something—is to what degree has the unexplained wealth function or capacity within the CCC been funded by government. I believe a budget announcement was made. If that is the case, and I think it is, that is all well and good. However, the organisation does not run on announcements alone. Is it possible to provide some information on whether the roles of the 20 FTE, I think it is, with a range of specialties—forensic accountants and the like—have been filled yet? What is the gap and is it likely to be filled?

The issue of inquiry I have had in parallel to this, bearing in mind the progress of this bill through the other place and this house, is: why has it taken so long to provide authority for the creation of a deputy commissioner function if indeed giving the CCC all the tools it needs in its toolkit to get on with the job is one of the primary objects of the bill? My assertion is that it is really not the principal objective of the government, although this is what the government is saying it is doing. The principal objective of the Attorney General, and through him, the government, is to change the appointment process, which will take place hereon in. In a question without notice on 15 June 2023 about the Corruption, Crime and Misconduct Amendment Bill 2023, I asked —

- (1) With whom did the drafters of the bill consult on the drafting of clause 6 of the bill, in particular proposed section 9C, which will have the effect of avoiding the previous safeguarding requirement for majority and bipartisan agreement among the membership of the Joint Standing Committee on the Corruption and Crime Commission to facilitate the appointment of a proposed Corruption and Crime Commissioner?
- (2) On whose instruction was this proposed section drafted?

It may well be that it was the Department of Justice conveying a view from the Attorney General through to the Parliamentary Counsel's Office to draft that proposed section of this bill in that particular way. I would like to understand whose fingerprints are on the aspects of the bill that relate solely and utterly to the creation of the deputy commissioner role because that seems to be a pretty uncontroversial, straightforward organisational amendment. However, the process of an appointment seems to be where the political tradecraft makes itself evident. The Attorney General, through the honourable parliamentary secretary, answered —

- (1)–(2) As the member will recall, an identified flaw in the current appointment process is that it is susceptible to inappropriate manipulation, as a single member of the Joint Standing Committee on the Corruption and Crime Commission may indefinitely block the appointment of a candidate recommended by the nominating committee chaired by the Honourable Chief Justice of Western Australia. The government approved the drafting of a bill to address this flaw.

That is just part of the answer, but I think herein lies the problem: this bill is premised on a complete and utter inversion of the facts. Members will note that I am struggling to maintain the course of this argument within the standing orders' allowed parameters because I have not said that the bill is premised on a word beginning with an "L", and I am not calling anybody a liar—if members catch my drift.

Hon Sue Ellery: It took me a minute.

Hon TJORN SIBMA: That is okay; I have a few minutes left, Leader of the House.

It is an absolute mistruth to state that the previous appointment process was flawed in any way. It was not flawed, but it did not deliver the outcome that the then Premier or Attorney General wanted. Guess what? That process of going through a pool of three or so applicants or nominated persons was devised expressly for this purpose: so the preferred nominee of a Premier or Attorney General would not be just waved through. It was evidence of the process working as it was supposed to work, but it was very inconvenient, and that inconvenience provided the government with a political opportunity, which I have already described as a very scurrilous, demeaning, defamatory and incorrect process. I thought that the government had left it there but, unfortunately, it did not and this bill emerged.

I must say that, generally speaking, although we have opportunities and occasions in this house to trade fire with one another, the rule is that the quality of the debate and the decorum of the house are largely maintained to a degree that would do the other place and its membership benefit to learn from. I do not necessarily want to read back into *Hansard*, word for word, the second reading speech of Hon Paul Papalia, Minister for Police. He repeated slurs, allegations and lies, but he was never called up on it. He demeaned one of my colleagues in this place, Hon Peter Collier, especially, and through that he demeaned all the colleagues I presently serve with or previously served with in this Parliament. The fact is that a process of this Parliament—approved and agreed to by the Labor Party and the previous Labor government—somehow proved itself inconvenient to the then Premier's political purposes. Throughout this process, there have been murk, slurs and defamation. We have not taken up or issued concern notices on the defamation. The privileges conferred by this Parliament have been abused and traduced. The great irony for me is that, as a member of the Standing Committee on Procedure and Privileges, I was upholding the virtues that were daily being made a mockery of by the then Premier of this state, Mark McGowan, and that continue to be made a mockery of by the present state Attorney General, John Quigley. That explains why I do not go in for the full lionisation of the Attorney General: I think he still has to be held account for some historical sins.

That, my dear friend the parliamentary secretary, brings me to the conclusion of my contribution to the second reading debate. Let me reiterate: providing the Corruption and Crime Commission with the necessary organisational structure and additional roles, functions and capabilities is a very good idea. It is a long-held and long-remarked upon idea, and I am pleased that we are finally getting around to it, but I am mostly and egregiously displeased about the continuing political tinkering and silly games that the government, particularly through the Attorney General, continues to indulge in. It needs to be called out, and if there were any people of integrity here, they would call it out as well. We do not write out bipartisanship easily, but that is what the government will be doing upon the passage of the Corruption, Crime and Misconduct Amendment Bill 2023. It is completely unnecessary and avoidable, but that is the game that the government plays with every bill that comes from the Attorney General, in particular. It says one thing and absolutely does another thing, and hopes that no-one is looking too hard and that no-one will call it out.

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [12.41 pm] — in reply: I thank the honourable member for his contribution to the second reading debate on the Corruption, Crime and Misconduct Amendment Bill 2023. He gave me some forewarning of the nature of his contribution, and I think he will appreciate that, as is my practice with such matters, I will not jump into the political toing and froing but rather focus on the substance of the bill before us and some of the more technical aspects that the member has raised, particularly with regard to adjustments to the appointment process through the committee. I will try during my reply to provide answers to some of the questions the member has asked, but they may have to be dealt with in further detail during Committee of the Whole House, so if I miss any of those answers, it will not be because I do not want to answer them. The member asked some quite technical questions around funding arrangements and those sorts of things, and it might be easier if I have access to my advisers at the table; I will see what comes to me.

The member in his contribution to the debate yesterday talked about the absence of a requirement for bipartisanship in the commissioner appointment process being discordant, and he contrasted it with the appointment process for another important oversight position, the Auditor General. I think it is important here to set out the process for the appointment of the Auditor General; it is quite important to understand the difference between the two positions. Although the member has made his point, it will be better to set this out in as matter-of-fact way as we can.

The Auditor General appointment process requires consultation with the Standing Committee on Estimates and Financial Operations. I do not want to misrepresent the member, but I think he said in his contribution that it also requires the concurrence of the parliamentarians involved in that committee. However, as the member indicated during his speech, he was working from memory and did not have the luxury of having the legislation before him, so I will detail the provisions of the Auditor General Act 2006, which sets out the appointment process for the Auditor General.

That act requires the Treasurer to consult with the Public Accounts Committee and the Standing Committee on Estimates and Financial Operations—obviously, the Public Accounts Committee is a Legislative Assembly committee and the Standing Committee on Estimates and Financial Operations is a Legislative Council committee—as to the appropriate selection criteria before applications for the position are sought. Importantly, at that stage, the roles of those two committees do not relate to the individual applicants; they are about the selection criteria.

The act also requires the Treasurer to consult with the parliamentary leader of each political party that has party status. Off the top of my head, I think that means parties with more than five members within Parliament, so currently that would include the Liberal Party and the Nationals WA. The Treasurer must consult with the party leaders within the Parliament, then the Public Accounts Committee and the Standing Committee on Estimates and Financial Operations. However, the act does not set out either the form of any such consultation or the outcomes required from the consultation before the Treasurer can recommend the appointment by the Governor. There is no capacity in the appointment of the Auditor General for there to be an effective veto by either of those two committees, and it does not require the concurrence of the leaders of the major political parties. The veto part, if I could call it that, is the difference between the process we are talking about here. Obviously, consultation with party leaders is not a requirement under this act for the appointment of the Corruption and Crime Commissioner. Regardless of the views of the relevant committees or whether the party leaders agree with the appointment, the appointment may go ahead. Nothing in the act provides the committee and the party leaders with any approval power in relation to the appointment. That is similar to the situation with appointments for other oversight bodies in Western Australia. For instance, the Public Sector Management Act 1994 provides that the Minister for Public Sector Management shall consult the parliamentary leader of each party in the Parliament before recommending that the Governor appoint a person as a Public Sector Commissioner. Again, no requirements are specified as to the form of the consultation process or any particular outcomes that are required from the consultations. Parliamentary party leaders have no legislated approval power, bipartisan or otherwise, in relation to the appointment.

The Parliamentary Commissioner Act 1971 requires that the Parliamentary Commissioner for Administrative Investigations, more commonly known as the Ombudsman, be appointed by the Governor. There is no legislative requirement for any parliamentary input at all into the appointment of the Ombudsman. We do not accept the honourable member's point of view or suggestion that removing the bipartisan requirement would make the appointment process for the Corruption and Crime Commissioner discordant or somehow out of kilter with the appointment process for other bodies. I think even with the amendment to the process that we are talking about, it will perhaps be of a higher standard of oversight than provided by those other two bodies. I think it is important to reiterate that it is consistent with the processes in New South Wales and Victoria. We can go into more detail on the appointment processes that apply in the other states. If I recall correctly, only Queensland requires a bipartisan and majority requirement for the appointment of its equivalent person to its anti-corruption-type body.

The member also asked: what is the identified problem with the current process, which requires bipartisan support of the Joint Standing Committee on the Corruption and Crime Commission? As I noted in my second reading speech, we see that the key problem caused by the bipartisan support requirement is that it enables a single member of the committee, whether it be a member of the government or the opposition leader's party, to block an appointment indefinitely regardless of the views of the committee, regardless of the stringent nominating process and, potentially, regardless of the outcome of consultation between the Premier and the Leader of the Opposition. We take the view that it is inappropriate that a single member's unilateral action or inaction could override the will of the committee and the appointment process. I note that there is an amendment relating to this matter standing in the honourable member's name on the supplementary notice paper. We will get to our position on that. The honourable member can appreciate that we are not going to support his amendment. It cuts across. We will address our reasons in more detail when that amendment is moved.

We need to understand, and it is important to put on the record, exactly what "bipartisanship" means. It is not a colloquial term; it is a technical term. It has a specific meaning under the act. "Bipartisanship" means the members of the Premier's political party who are on that committee and the members of the Leader of the Opposition's political party. If we think about the make-up of the current Joint Standing Committee on the Corruption and Crime Commission, we see that it is constituted of two Labor members, one Liberal member and one Nationals WA member. To receive bipartisan support, both Labor members would have to agree with or approve the appointment, and the National Party member would have to agree because, as we know, the Leader of the Opposition is Shane Love, and he is a member of the National Party. I think the concept of bipartisanship, which is commonly understood to be concurrence between, in this case, a Labor government and an opposition, is not quite the same as what is technically required. For example, the Liberal Party member in that role may not agree, but there could still be a majority. If the two Labor Party and one Nationals WA members agree, then they have majority and bipartisanship, and what the Liberal member says could be of no consequence. Of course, that will still be the case, with respect, but we are proposing that three of the four would have to exercise their veto power, and that would leave a single member out if one member was inclined to not exercise their veto power. It kind of flips it a little bit.

If we want to talk about it in technical terms, again, this is about how a future joint standing committee might be constituted. Of course, there is a possibility that there may not be multiple members of a political party on that

committee. All four members could be from different political parties. It could be the case that the committee of a future Parliament might constitute one Labor, one Liberal, one National and one Greens member, for whatever reason, or a crossbencher; therefore, the import of the bipartisanship would effectively change as well. We are trying to have a simplified system in which that committee would exercise a positive act in refusing or vetoing a particular person, rather than the current arrangements.

The opposition does not agree with that; it has its reasons. I do not think we are ever going to have a meeting of minds on that. I do not accept that it would politicise the process any more than it is currently politicised. I think there is an argument that once we get members of Parliament—politicians—involved in any decision-making of this kind, there will always be a political element to it, but, going forward, I do not think it would be inherently more politicised than any other process. As I said, we have picked up the model here that applies in other jurisdictions.

I think we also must understand that the last part of the recruitment process is the act of the joint standing committee. Members of that committee are not involved in the actual recruitment and selection of candidates; they are simply there as a matter of oversight to exercise their role at that last point. We have the nominating committee and the esteemed members who are part of that; the Premier will then make a choice out of the three names submitted to the Premier and forward that name to the joint standing committee.

The member also expressed concerns about funding and said that he had yet to see a submission to fund the deputy commissioner role. In a briefing, he asked about the likely costs of the position. Subsequent to the briefing, he was provided with information on the salary range of the position, which will vary depending on the immediate previous role of the appointee and other incidentals that are likely to be incurred, such as a vehicle and the employment of an assistant. I can confirm that the salary determination for the deputy commissioner is set out in the bill at clause 26, and we can unpack that a little more if and when we get to that stage. The Corruption and Crime Commission may make a funding submission for such a position in the future should this bill be enacted; however, of course, it is not possible for such funding to be provided unless and until that happens, which is why the honourable member has not seen any such funding request to date.

I have some additional notes here; I will check them. The member also asked about the origin of the idea to establish the deputy commissioner position. I have noted in my second reading speech that the suggestion that such a position might be required, depending on the workload of the commissioner, was first raised by the Standing Committee on Legislation. It was also raised in a number of reports by the joint standing committee and during the course of consultation between the department and the commission during the project to consider reforms for the modernisation of the act. I think I have some more detailed notes here, and I think it is important to go through that to really set the scene.

I am now putting the issue of the appointments process to one side and talking about the deputy commissioner position. To set the scene of how it is we came here—it is a long story, to be frank. Section 185(2) of the Corruption, Crime and Misconduct Act 2003 provides that certain crucial powers and duties, such as the power to conduct examinations and make exceptional powers findings, must be exercised personally by the commissioner to ensure accountability in their exercise.

During the passage of the then bill in 2003, the Standing Committee on Legislation proposed that consideration be given to the establishment of a position to whom the commissioner may delegate some of the powers invested in him or her as the workload of the Corruption and Crime Commission grew. It is important to understand conceptually that the commissioner cannot delegate any of those powers. It may be different for other comparable positions. The only way that we can assist the commissioner is with the appointment of an acting commissioner, which has generally been accepted as a suboptimal response. This proposal was further considered in the statutory review of the act in 2008, which was conducted by Gail Archer, SC, as she was then. Her review noted the significant growth in the commissioner's workload since 2003 and recommended that the act be amended to allow for the appointment of a deputy commissioner who could exercise the functions of the office of the commissioner at the direction of the commissioner and who could act in the absence of the commissioner. The call for a deputy commissioner has been repeatedly echoed by the Joint Standing Committee on the Corruption and Crime Commission in 2011, 2012, 2014, 2020 and, most recently, 2021. Although the joint standing committee reports often refer to such a position as an assistant commissioner, it is clear from the descriptions within the reports that the term also encompassed what the Archer review referred to as deputy commissioners; that is, persons who are able to exercise the functions of the commissioner as well as act as the commissioner in his or her absence.

The establishment of the role of deputy commissioner in this bill will facilitate impartial decision-making within the CCC and help avoid perceptions of bias. Hon Peter Martino observed that in the exercise of the CCC's unexplained wealth function, it is highly desirable that the commissioner who is considering an application for an examination order has not been involved in any earlier decisions about the use of the CCC's investigative powers in the same matter. In this way, a decision about whether to make an examination order will be made impartially and will not be inadvertently influenced by earlier involvement in the investigation. This comes to Hon Tjorn Sibma's questions about the potential role for the deputy commissioner in the unexplained wealth function. Again, we can unpack that more during the committee stage. To this end, the Martino review recommended that there be at least

two people who can concurrently exercise the power of the commissioner to ensure that decisions made in the exercise of unexplained wealth functions are made impartially. Although the Martino review focused on the CCC's unexplained wealth powers in particular, similar considerations should be given to the CCC's exercise of the serious misconduct functions to ensure impartial decision-making and accountability. Accordingly, this bill provides for a deputy commissioner to assist in the ongoing management of the workload of the commission and support impartial decision-making.

The gestation of this bill has been long. Hon Tjorn Sibma indicated that the opposition alliance has no issue with the creation of the deputy position. It has been sensibly recommended. It is very hard to pin down the event that precipitated the creation of a deputy commissioner position because this has been so well recommended and advocated for that it is like its time has come. In his second reading contribution, Hon Tjorn Sibma sought an explanation of why it has taken so long to debate this bill. I cannot really give an explanation of that from the time that the legislation committee made its suggestion in 2003. Sometimes these things take a long time. We are here now; the bill is before us.

The passage of this bill, subject to the house exercising its role, will precipitate the creation of that position. It is obviously the government's intention to recruit a person to fill that position. We are not providing for it in the bill just to have it there. By its very nature, the recruitment process in this type of area can be a long one. We will not necessarily fill the position in the short term, but there is obviously a desire to get on with it. I do not have anything more to add.

Sitting suspended from 12.59 to 2.00 pm

Hon MATTHEW SWINBOURN: I commend the bill to the house.

Question put and passed.

Bill read a second time.

Committee

The Chair of Committees (Hon Martin Aldridge) in the chair; Hon Matthew Swinbourn (Parliamentary Secretary) in charge of the bill.

Clause 1: Short title —

Hon TJORN SIBMA: I commend the parliamentary secretary for moving from second gear into third gear so swiftly!

Concerning some of the elements around this bill, I ask the parliamentary secretary what the overall time line was for its formulation. I ask him to do this without betraying any issues that contravene the principle of cabinet confidentiality. However, as I have already read into the record—because they are on the public record—it was very clear that work has been underway to generate what has eventuated in this bill at least since June 2021, when the initial Mr McKechnie amendment to the Corruption, Crime and Misconduct Act was debated and follow-up references were made to the engagement that the Joint Standing Committee on the Corruption and Crime Commission had had with both the commissioner and the acting commissioner of the CCC. Its origins were from at least two sources. The first was the fixation that the Attorney General has had for some time about the appointment process, and the second was the necessity of creating a position that was eventually settled on and framed as the deputy commissioner. A little work was done after that, and that work was discussed in a public forum going back almost two and a half to three years. Over the course of the three years, before this bill was introduced into the other place in June last year, who was consulted? Who led the consultation? What feedback, if any, was conveyed throughout that consultation process? How would I find evidence of that consultation being listened to, enacted and given life to in this bill?

Hon MATTHEW SWINBOURN: I think it is important to put the time line for its development into a broader context. A body of work has been undertaken on the substantive Corruption, Crime and Misconduct Act. I think that is a matter of public record. The government has indicated that it is working on and contemplating other amendments to that act, which it has not yet brought to Parliament. I am told that is a complex piece of work. Given that there is an impetus, as I reflected on in my second reading reply, for the development of the deputy commissioner's role that goes as far back as the 2003 debates on the original bill, we think it is important to proceed with this matter.

I refer to the comments made by Justice Martino and the Corruption and Crime Commissioner. Hon Tjorn Sibma in his second reading contribution brought to the fore the commissioner's views about the necessity of a deputy-type role. We proceeded with that part of reform to the act by bringing that measure in now. We will probably not meet minds on this, but that also gave rise to the issue of the appointment process. The deputy commissioner's appointment process is identical to that of the commissioner, except that the nominating commission must consult the commissioner about names for the deputy position. We can get into that when we deal with that part of the bill and also consider the member's questions about why that is. We are addressing what we see to be the deficiencies of the current process for the commissioner by amending it together with this one, because the process for the deputy commissioner and the commissioner is essentially the same.

Again, my understanding is that this is in the context of recommendations to introduce a deputy commissioner role from the Gail Archer report and from the Joint Standing Committee on the Corruption and Crime Commission on a number of occasions. It says here that the Department of Justice consulted the CCC itself on the preparation of the bill currently before us. It also worked with the Parliamentary Inspector of the Corruption and Crime Commission and the Public Sector Commissioner and provided them with progressive iterations of the bill during the drafting process. As the member can imagine, that consultation was conducted on a confidential basis, given the nature of the positions involved, so I am not in a position to say that X issue was raised and that the government has responded with Y. We sought their feedback on the development of the bill, and they provided it, and to the extent that we can, we believe we have addressed it in the bill. However, I cannot get into any more detail than that because of the confidential nature of the consultations. Obviously, the Corruption and Crime Commissioner is an independent, statutory office holder. He can express his own views as he likes, as can the parliamentary inspector. I do not think the Public Sector Commissioner would do such a thing, given the nature of her role.

Hon TJORN SIBMA: If I hear the parliamentary secretary correctly, consultation about the bill and how it might be drafted was limited to interactions between the Department of Justice and three bodies—that is, the Corruption and Crime Commission, the Parliamentary Inspector of the Corruption and Crime Commission and the Public Sector Commissioner. Can I understand what the purpose of the interaction or consultation with the Public Sector Commissioner might have been? I understand and accept that the parliamentary secretary is not at liberty to, and nor should he, provide detail about the substance of that consultation, but can he identify why the Public Sector Commissioner’s view was taken on the suitability or appropriateness of the instrument that we are giving consideration to now?

Hon MATTHEW SWINBOURN: The consultation with the PSC was to provide her with draft copies of the bill, not to determine whether there was a desirable policy outcome. It was about some of the technical aspects of creating a new statutory office that the PSC would obviously have some interaction with, including on things like remuneration and what is appropriate. That was the purpose of sharing the iterations of the bill with the PSC. It was not to say, “Do you think it is a good idea that we proceed down the path of appointing a deputy commissioner or changing the nomination and endorsement process in that regard?”

Hon TJORN SIBMA: That is fair. It is fair to categorise the consultation as a confidential version of the draft bill being provided to the Public Sector Commissioner, with perhaps an explanation of the purpose of the bill and a request that the office of the Public Sector Commissioner read it and provide some commentary on those aspects that the parliamentary secretary has identified. That is fine, because that seems to be a reasonable office to consult, now that the parliamentary secretary has put it that way. Can the parliamentary secretary confirm when—it does not need to be a specific date—the Department of Justice provided the Public Sector Commissioner with a draft version of the bill?

Hon MATTHEW SWINBOURN: In terms of the initial description that Hon Tjorn Sibma gave about the purpose, it was to get feedback from the perspective of the Public Sector Commission on technical matters in the draft. The honourable member referred to a letter or something like that. I cannot say what form it took, but I am advised that it would have happened in about the middle of 2022. I cannot be more specific about the date.

Hon TJORN SIBMA: That is fine; I thank the parliamentary secretary. I presume that the other two parties that were consulted—to the degree that they got a draft copy of the bill and a request that relevant aspects be the focus of their attention for possible comment and amendment, if necessary—were the Corruption and Crime Commission and the Parliamentary Inspector of the Corruption and Crime Commission. Is it reasonable for me to assume that the CCC and the parliamentary inspector were provided with a copy of the draft bill around the same time, the middle of 2022?

Hon MATTHEW SWINBOURN: Around that time, member; I cannot be more specific than that. I have already given the broader context, in that there is a larger body of work happening with this legislation. The CCC is the agency that is the subject of the act, so, in terms of engagement, there has been more detailed and ongoing work with the CCC. There is a little bit of cross-pollination, but it was in and around that period.

Hon TJORN SIBMA: I think that is a reasonable assumption. I understand the distinction—that there was an overall conversation about certain objectives and outcomes and then a conversation in parallel, although I am not sure whereabouts in the time line, about the specifics of the bill. I understand that. Would it be fair for me to assume that it was determined appropriate for the Department of Justice to consult with those three organisations because, to some degree, they have skin in the game in terms of the potential outcomes following the passage of this bill or will be involved in the delivery or oversight of the outcomes of this bill in some way?

The CHAIR: Parliamentary secretary.

Hon MATTHEW SWINBOURN: Thank you, deputy chair. Sorry, you are not a deputy chair; I will take that back, chair. I will get it right! Do you prefer to be called “chairman”?

The CHAIR: Chair of Committees.

Hon MATTHEW SWINBOURN: Thank you, Chair of Committees.

I do not think we are quite comfortable with Hon Tjorn Sibma's use of the phrase "skin in the game" because it might chuck everyone in the same basket. Obviously, with respect to the PSC, it is quite technical. Its primary concern is not the broader policy considerations and internal operations of the CCC; it is the appointment of statutory officeholders.

Obviously, this bill governs the Corruption and Crime Commission's activities and sets the parameters of what it does, so, absolutely, it has skin in the game. I think that is appropriate. I think it would be fair to say that the parliamentary inspector has an interest in what generally happens with the CCC, but some of the issues here probably go beyond what they are truly interested in their role as the Parliamentary Inspector of the Corruption and Crime Commission. I do not want to say that it was provided as a courtesy. It was more about being judicious. I think we will have an explanation once I know where the member's question is going.

Hon TJORN SIBMA: Do not worry. The parliamentary secretary would not be the first to express some sort of alarm or discomfiture at the turns of phrase that I turn out every now and again. If it comforts him in any way, he is not the only one to offend against the Chair of Committees today; I parked in his car bay! Getting the naughty boy chat is not something that is unusual for me. I have probably committed a bigger sin against the Chair of Committees today than the parliamentary secretary has by getting his title confused. I find it a little bit cumbersome.

The parliamentary secretary referred to a word that we both agree is important and relevant, and that is the word courtesy. I thought his description of why these organisations would take an interest in the draft bill was very fairly expressed. I think the Parliament also takes an interest in these sorts of matters. The Parliament has obviously taken a very strong interest in recent history in the appointment process of the commissioner of the CCC.

I presume that the Department of Justice provided courtesy drafts of the bill to those three organisations and no other organisation or individual other than the Attorney General and his office.

Hon MATTHEW SWINBOURN: That is correct.

Hon TJORN SIBMA: I take offence to this. I just wish to confirm that not even a courtesy copy was provided to the Joint Standing Committee on the Corruption and Crime Commission?

Hon Matthew Swinbourn: No, member.

Hon TJORN SIBMA: Was there not a courtesy briefing between the Attorney General and the Leader of the Opposition on this bill?

Hon MATTHEW SWINBOURN: No—not before the bill put before Parliament.

Hon TJORN SIBMA: I think this is absolutely clearly indicative and, in fact, the normal practice engaged upon by the Attorney General in his consideration of what consultation constitutes. We saw that most recently with the Electoral Amendment (Finance and Other Matters) Bill 2023 last year that consultation was effectively a briefing on the bill after the bill had been introduced. That is a matter of record, but I want to put it on the record again, because when I hear the word consultation uttered, especially by the Attorney General, I get a little worried. This is not criticism of the parliamentary secretary or the fine people at the table with him. That is not my question. My question is about comparable appointment processes as they apply in other Australian jurisdictions.

I think the argument being made is that the government's proposal is consistent with what occurs in New South Wales and perhaps Victoria. However, the present appointment process, particularly the specific need to involve bipartisan consultation or support, exists in Queensland. Does the parliamentary secretary have a document that summarises the different appointment processes in the different jurisdictions?

Hon MATTHEW SWINBOURN: I do not have a document as such, but it is quite straightforward. I will tell the member what it is. In New South Wales and Victoria, the proposed appointment proceeds unless a majority of the parliamentary committee vetoes the appointment. I think I indicated that in my second reading reply. In Queensland, it requires the bipartisan and majority support of the parliamentary committee, which is similar to the current process. In South Australia, the Attorney-General must advertise the position throughout Australia and obtain approval and not receive within seven days written notice that the Statutory Officers Committee does not approve the appointment. In Tasmania, the Integrity Commission is headed by a chief commissioner who is appointed by the Governor on the advice of the Attorney-General. Before a person is appointed as chief commissioner, the Attorney-General is to consult with the Joint Standing Committee on Integrity. The form of the consultation is not set out in legislation and there is no prescribed mechanism for either veto or approval by the committee. In the two smaller jurisdictions of the Australian Capital Territory and the Northern Territory, both territories have a unicameral Parliament, and the relevant legislation makes provision for all members to vote on the proposed appointment. In the ACT, a person may be appointed as commissioner only if the Parliament approves the appointment by a resolution passed with a two-thirds majority. In the Northern Territory, the Chief Minister must table the proposed appointment, which would then be considered and voted on by the Parliament.

Hon TJORN SIBMA: Thank you, parliamentary secretary. I will identify that the New South Wales and Victorian —

Hon Matthew Swinbourn: It is just a majority. That is what we are doing here.

Hon TJORN SIBMA: Does the parliamentary secretary happen to know the size of those committees and whether they comprise either an odd or even number of parliamentarians?

Hon MATTHEW SWINBOURN: We do not have access to that. It would obviously be a matter of public record under their standing orders or in their resolutions, but we do not know at the table what the size of those particular committees is.

Hon TJORN SIBMA: Thank you. To be fair to the parliamentary secretary, I think he addressed this next matter in his second reading reply. We found ourselves in a particularly vexatious situation some years back. The Attorney General describes that as reflecting a flawed process, but others are of the view that this is the way the process was designed to work. In my contribution to the second reading debate, I acknowledged that perhaps some of the trouble we have encountered owes a little to the fact that the body of the Joint Standing Committee on the Corruption and Crime Commission comprises only four members. That is why I also asked about the process of consultation and whether parliamentary officers or the members of the Joint Standing Committee on the CCC might have seen a copy of this bill.

If the government and the Attorney General in particular were so wrought by what he considered to be a flawed appointment process resulting from the legislation, I thought that he would also have contemplated that this was an opportunity for the Parliament to amend its standing orders and either increase or decrease—I would say increase—the membership of this committee to become a five-member committee. That would be akin to the Standing Committee on Procedure and Privileges, but obviously that has not occurred.

Can I understand whether any consideration was given to other methodologies or opportunities to amend the so-called flawed process, or was this the one that was settled on? Whose brainchild was it? Did it emanate from the Department of Justice or did it come from the attorney's office?

Hon MATTHEW SWINBOURN: Without getting into stuff that is subject to cabinet confidentiality—the formulation of these sorts of bills is covered by that process—it is within the context of the broader review of the Corruption, Crime and Misconduct Act, that stuff going on and the impetus to bring about the deputy commissioner's role. When it came to this process, an evaluation was done of what other jurisdictions were doing and what we do with other similar statutory officeholder positions—we have talked about the positions of the Ombudsman, the Auditor General and the Public Sector Commissioner in regard to that sort of stuff. These things do not just land. Hon Tjorn Sibma has been in this position himself, of course. There is obviously some work that happens. We cannot necessarily point the finger and say something was this person's bright idea, although sometimes that happens. As I said, there was work done. Research was undertaken by the Department of Justice and there would have been propositions for a recommended path. This is what we have landed on.

Coming back to the member's point on the joint standing committee and whether consideration is being given to changing the standing orders, to be fair, that is a matter for the Parliament rather than the Department of Justice or executive government.

Hon Tjorn Sibma: I appreciate the distinction. To add to the question, has the Attorney given that consideration?

Hon MATTHEW SWINBOURN: It would be fair to say in the big scheme of things that thought has been given to that, but that is not what we landed on in relation to these things. To be quite frank, it is still open to the Parliament to do that. The privileges and procedures committees of both houses would first look at that. I am not quite sure how that works with the joint standing committee and who would precipitate that. There would have to be agreement between the houses and conferencing between the different bits and pieces to make that all happens. I am not even sure it is a less complicated process to go through that earnestly and not just barge it through Parliament. Again, we are focused here on what we want to do with the appointments process for the commissioner, and following that, the deputy commissioner.

Hon TJORN SIBMA: I would like to be reminded of the government's definition of "bipartisan". In his reply to the second reading debate, I think the parliamentary secretary said something along the lines of the word "bipartisan", or the concept of bipartisanship, as it relates to the present bill not being what he assumes that I assume it means.

For my benefit, can the parliamentary secretary provide his working definition and explain why it is considered by the Attorney General to be a superfluous or disposable concept in relation to the appointment of a commissioner and a deputy commissioner to the Corruption and Crime Commission?

Hon MATTHEW SWINBOURN: I take the member to section 3 of the current act, which is "Terms used; relationship with other Acts". It states —

bipartisan support means the support of —

- (a) members of the Standing Committee who are members of the party of which the Premier is a member; and
- (b) members of the Standing Committee who are members of the party of which the Leader of the Opposition is a member;

To answer the member's question about why we think we should not proceed with bipartisanship in that regard, we could contemplate circumstances in which there is no member from an opposition party in the committee. It is possible but not necessarily probable, from a technical point of view. The constitution of the committee in future Parliaments may mean there is only one member from each of those categories. That is probably not something that the member will agree with, but crossbenchers may have the view that the requirement for bipartisan support devalues and discounts the contribution of members of the committee who are not from the same party as the Premier or the Leader of the Opposition. I think the member made the point that that would mean that the current views of the Liberal Party members of the committee do not fall into the definition of bipartisan support; however, clearly, they could constitute part of the majority.

Having said that, given the current constitution is two Labor members, one National and one Liberal, the views of the Liberal member are effectively nugatory because if there is bipartisan support between two Labor members and the National Party member, then there is majority support as well. We are advocating for a less technical approach in this bill, but in our view, it does not devalue the important work of the committee. I do not think that what we are doing is particularly novel—for the want of a better phrase. We have kind of stolen the homework of New South Wales and Victoria in the ways that they deal with their committees. We are not aware of any great controversy about their processes. I accept that the member does not agree with that and the position of the opposition alliance is to not agree to that; however, as I said, I do not think that what we are doing here is a radical departure from the current role of the Joint Standing Committee on the Corruption and Crime Commission in the appointment process.

Hon TJORN SIBMA: If we accept the Attorney General's proposition that the present process is demonstrably flawed because the original request or attempt to reappoint Mr McKechnie to serve another term as Corruption and Crime Commissioner was thwarted through the operation of the statute, what guarantee is there in the current bill that there will not be a flaw?

Is the flaw, really, that the government did not get its way—I think that is absolutely the case—or is the flaw that we had this process whereby the government required people not of the government's party to agree to the suitability of the appointment of an individual? How should we rationally accept that the model provided here by the Attorney is flawless? Is it flawless? Is it perfect? Will it deliver more easily and more readily a preferred candidate or will it not?

Hon MATTHEW SWINBOURN: I will quibble with the “demonstrably flawed” part of what the member said. I do not have access to all the things that the Attorney General said on these matters, but if I can come to what we say is the nub of our argument about the legislation being demonstrably flawed, this relates to the fact that under the current model, one member of the committee can frustrate the whole process. The majority of the committee could support a candidate and one member of the committee could not, and then there is no outcome because the committee cannot resolve the matter because one person's view overrides the views of the rest of the committee. If that is the desired outcome, the test for the committee should be unanimous support for the person rather than having the capacity for a single person to override the decision; it kind of cuts against each other. That is what we are trying to address here.

We are certainly not turning the committee into a rubberstamp on this matter. It will mean that three members of the four-person committee, as it is currently constituted, will have to positively exercise their right of veto and, in doing so, three of the four members are, therefore, sending their view back to the Premier of the day that the person who has been put forward is unacceptable to the committee, and the committee is bound by that particular decision—as opposed to what we say is the likely outcome whereby a single person or potentially more than one person overrides the decision. We do not absolutely know this because the committee does not report on how it makes its decisions, but, by deduction, I am saying that it was a single person in the last case. But I do not know because I am not a member of the Joint Standing Committee on the Corruption and Crime Commission.

Hon Nick Goiran: Well, we know that that's not the case because the member for Kalamunda used parliamentary privilege to breach committee confidentiality and tell us exactly —

Hon MATTHEW SWINBOURN: How he voted.

Hon Nick Goiran: No, not how he voted; he decided to, essentially, name and shame Hon Jim Chown and Hon Alison Xamon, and it was outrageous when he did that at the time.

Hon MATTHEW SWINBOURN: I do not want to get into the ins and outs of that issue. The point is that we are trying to deal with what we say is the existing demonstrable flaw in the process, and my point is that the issue still exists that one person on that committee can frustrate the appointment process. That is where we are coming from. We are saying that the model of the exercise of a veto that we are now pushing to adopt—I was going to say void but I have my v's around the wrong way—is a positive act by the members of the committee. We also recognise that we are attaching that positive act to a time frame, which is 14 days plus the possibility of an additional 30 days; therefore, the matter could be dealt with in that period.

I understand that the opposition does not agree with that and no amount of talk from me is going to change its position. I am just explaining the government's position.

Hon TJORN SIBMA: I actually thought the interjection from Hon Nick Goiran was very helpful because it helps to reinforce that, effectively, the whole construction and argument taken on by the Attorney General is based on a falsehood and a misrepresentation of the facts. I understand, as well, that in debate in the other chamber, a suggestion was made by the Attorney General that one of those members of the then Joint Standing Committee on the Corruption and Crime Commission was under investigation themselves. Is that true?

Hon MATTHEW SWINBOURN: I am not sure what the Attorney General said in the other place. I do not have the *Hansard* at hand right now. I am sure that the member could take me to it if he wished, but from my point of view, getting into those particular things does not carry the debate any further. Whether or not the CCC was investigating anybody is not knowable because we do not know to what degree the CCC is conducting any investigation. I do not want to cast any idea, from my point of view, and at this table right now, about whether the CCC was investigating any members of that committee, any members of this chamber or anything else like that. The CCC will report back to Parliament about its activities when it is appropriate. Investigating does not mean that there has been or will be a finding against the act of corruption or misconduct. It is a process, so I do not know. I am not saying.

Hon TJORN SIBMA: It is good to be cautious when dealing with these kinds of issues. I only wish that the attorney was as judicious as the parliamentary secretary, because he has a track record of being very creative with the facts—very creative indeed.

Another limb to the argument in defence that this is somehow a flawed process is that this single member can derail an appointment. Is it true that under this bill the majority of the committee will be required to exercise a veto?

Hon Matthew Swinbourn: Yes.

Hon TJORN SIBMA: Would it be a flawed process if we had a 2–2 split on the appropriateness of the appointment of an individual? If I am to be consistent with the attorney’s logic, that would appear to be the case, because according to the Attorney General—I think this is the most generous and honest way one could construct his argument—it is a flaw when the government does not get its person. What would happen in the event that committee opinion is tied in relation to suitability of a proposed candidate for the position of either the deputy commissioner or the commissioner? Is there a potential flaw, is there the potential for an impasse and what action would result?

Hon MATTHEW SWINBOURN: The first thing to put on the record is that the name that is put forward by the Premier —

Hon Nick Goiran: The three names.

Hon MATTHEW SWINBOURN: No, the Premier puts forward only one name.

Hon Nick Goiran: It’s three.

Hon MATTHEW SWINBOURN: The Premier receives three names from the nominating committee and then forwards one of those names.

Hon Nick Goiran: They’ve always forwarded three names and provided one recommendation, unless the practice has changed.

Hon Tjorn Sibma: Are you proposing to change that practice?

Hon MATTHEW SWINBOURN: No, the practice has not been changed.

Hon Nick Goiran interjected.

Hon MATTHEW SWINBOURN: Unlike the honourable member, I have not had the privilege of sitting on the joint standing committee, so I do not have any insight into what happens internally.

Hon Nick Goiran: Eight long years.

Hon MATTHEW SWINBOURN: I am not sure what Hon Nick Goiran did to be punished in that way, but I am sure he deserved every one of those eight years!

The point I am trying to make is that the names that are furnished to the committee have been through a vetting process. First, they have to meet certain criteria to be suitable to apply in the first place—being eligible to be a Supreme Court judge in one of the states or territories of Australia. Second, they must have been through the nominating committee that is constituted by the Chief Justice of the Supreme Court, the Chief Judge of the District Court and a selected member of the community, usually of some standing. The member opposite can cast whatever shade he likes on the role of the Premier of the day in a particular appointment process, but it is the role of the Premier to put forward his or her preferred nominee. The committee’s role is one of oversight, not selection, if I can put it that way. The committee is there to be the last step if there is a good reason, I would hope, to not appoint a particular person.

We were all here in 2021 when we debated the five clauses of the bill that named the current incumbent as the CCC commissioner. We ventilated a lot of these arguments at that time. I am not sure I can add anything further to the merits or otherwise of those arguments in this debate to take this matter any further than we can. One of the questions Hon Tjorn Sibma asked, which I think deserves an answer, was in relation to a 2–2 split. Under the current arrangement, it would effectively mean that majority support was not obtained and, therefore, approval did

not happen. However, because it requires a majority veto, the 2–2 split proposed by the government would not have the consequence of blocking the progression of the nominee because a majority is required to exercise the veto—three of the four to exercise that veto for it to take effect. It changes things—it flips it around—so it is possible for the nominee to proceed to be endorsed by the committee with a 2–2 split.

Hon TJORN SIBMA: I want to afford the parliamentary secretary the courtesy of drawing to his attention a contribution in *Hansard* by the Attorney General on 29 August 2023 on why we were debating the bill to begin with. The Attorney General said —

What has brought us to this point is that which the Leader of the Opposition and the member for Cottesloe deny over and over; that is, the reappointment of the Honourable John McKechnie, KC, was stymied by a corrupt Liberal, Jim Chown, who was on the standing committee and under investigation.

As the parliamentary secretary has said, we could not possibly know that for good reason, but how is it that the Attorney seemed to know that?

Hon MATTHEW SWINBOURN: Thank you. I cannot take it any further. The member can make the points he wants to make, but I cannot explain it, any more than any of us could get into the mind of the Attorney General and explain it. It is a matter for the Attorney General and for opposition members in the other place to pursue if they so desire, but I cannot take it any further in this debate because the member is asking me to speculate.

Hon TJORN SIBMA: I am not asking the parliamentary secretary to speculate. I just want to put on the record that it is one of two interpretations. Either the Attorney General completely made it up and used it as the justification for accepting the bill that we are now contemplating or he was telling the truth but could have been made aware of this only through some unlawful or inappropriate means. Which is it? This is not a question for the parliamentary secretary to answer; it is an answer that the Attorney General should give. Frankly, either he is lying about it or information that he should not know about was made available to him. Why should he not know? It is because there needs to be absolute independence and separation between the chief law officer and the Corruption and Crime Commission. As I discovered and reported—I am a member of the Standing Committee on Procedure and Privileges and I referred to its sixty-first report yesterday—there seemed to be some interesting interaction between the Attorney General and the CCC that we would describe, at a minimum, as inappropriate. That absolutely colours our interpretation of the motivations for introducing this bill and our response to it. Despite all that, we are big enough to recognise that the important aspect of the bill we are dealing with is allowing the creation of the role of deputy commissioner so the CCC can go about its business and do its job properly.

As the parliamentary secretary is a person of great integrity and capacity, I am sorry he has to listen to this harangue, but it encapsulates exactly why we are so concerned. At the end of that, my question is: can anybody explain why the Attorney General gave the description or explanation in the way he did in the other place in August last year?

Hon MATTHEW SWINBOURN: I cannot take it any further. I think the member's point was more rhetorical in some respects, but he cannot possibly think that we can answer what he just asked.

Hon NICK GOIRAN: I will take this up. If we do not take it up now, perhaps members opposite could indicate to me when would be a more appropriate time to take it up. As I understand from Hon Tjorn Sibma, during debate on this bill in the other place prior to its passage here, the Attorney General of Western Australia accused a former member of this house of corruption and used that as the justification for the bill. At the very least, he implied that that member stymied the appointment of a CCC commissioner and that is why this bill is necessary. If this matter's genesis is alleged corruption by a former member of the Legislative Council, I would like to know about it, and I imagine that the other 35 members of the Legislative Council would also like to know about the alleged corruption of the former member. Saying that on the public record with the protection of parliamentary privilege is no small allegation for the Attorney General of Western Australia to make. As far as I know, Hon John Quigley has not made the same remarks outside the chamber without the protection of parliamentary privilege, but he very bravely decided to do so in the Legislative Assembly during debate on this bill.

His long-suffering, hardworking parliamentary secretary represents him in debate on this bill and on other matters in this chamber. Hon Tjorn Sibma, other members of this place and I do not have the luxury to cross-examine Hon John Quigley about his allegations of corruption against a former member of the Legislative Council. The only person to whom we can pose these questions is Hon Matthew Swinbourn, in his capacity as Parliamentary Secretary to the Attorney General. I share Hon Tjorn Sibma's sentiment: we sympathise with Hon Matthew Swinbourn for having to fulfil this role; he has this duty to perform. We have no options other than to either drop this matter completely and pretend that the Attorney General never said what he said or pose these questions and ascertain the veracity of these claims. To be very clear, if it is the case that a former member of the Legislative Council has acted corruptly, I distance myself entirely from that member, and I could confidently say the same for my parliamentary colleagues and all members in this place. We would all distance ourselves entirely from any former member of the Legislative Council who was found to have acted corruptly. That is not the point here; the point is that the Attorney General has clearly said that this is the case. We want to know whether there has, indeed, been an investigation or whether that claim is a complete fabrication by the Attorney General.

Let us remember that this is a minister of the Crown and former—perhaps still practising—legal practitioner with form. There is a pattern of behaviour with this member of Parliament. He has a long history of flagrant exaggeration. He is widely regarded—sometimes in a positive light—as being a “flamboyant” member of Parliament. There is nothing wrong with being a flamboyant member of Parliament, and I am sure he is not the only one to have fallen into the trap of exaggeration from time to time; it is an easy trap for any of us to fall into. But to assert that a former member of this house, who currently has no capacity to defend himself with parliamentary privilege, has been corrupt and had been under investigation by the Corruption and Crime Commission is a serious allegation.

I ask the parliamentary secretary—rhetorically, at this time—whether it would be okay for me to simply say the same about any of the honourable members opposite? Would any members of the WA Labor Party recoil if I were to say that one of them or one of their colleagues had been under investigation by the CCC because of their corrupt behaviour? This house, which is currently in order, would be in uproar the moment I did so, and I could understand why. If that were to be the reaction of members opposite if Hon Tjorn Sibma or I were to make such a claim, why is it okay for the Attorney General, who is responsible for this bill, to do exactly that in the other place and for us to be expected to just live with it? It is not okay. I ask: does the parliamentary secretary have any information presently before him that could verify whether Hon Jim Chown was under investigation by the CCC, as asserted by the Attorney General?

Hon MATTHEW SWINBOURN: I will make some short comments about this line of inquiry from the opposition, particularly given the high esteem in which they hold the privileges and rights of Parliament. The matters raised by Hon Nick Goiran about the conduct of the Attorney General are matters for the Legislative Assembly. It is with the Legislative Assembly’s Procedure and Privileges Committee, and it is a matter for the member’s colleagues in the other place to pursue directly with that committee, if they wish to make accusations of the kind that Hon Nick Goiran is making here. It is not for me or any of us to impugn the Attorney General in respect of that relationship in the other place. That is a matter for the Legislative Assembly. We would guard jealously from the Legislative Assembly the rights of our own members in respect of matters of privilege and any allegations of impropriety on their part in the performance of their functions. I do not intend to get into the ins and outs of the Attorney General’s comments in the other place insofar as members opposite have raised the matter. I have already indicated to Hon Tjorn Sibma the degree of my knowledge of the matters to which the honourable member has referred and I cannot take this matter any further than that. He is entitled to make any rhetorical points he wishes to make on those things, but I am in no position to take it further.

The DEPUTY CHAIR (Hon Stephen Pratt): Before I give the Leader of the Opposition the call, I have been listening to the line of questioning and it is starting to stray from the provisions of the bill, and I ask that members please bring it back to the provisions of the bill.

Hon PETER COLLIER: Deputy Chair, I take your point and I take your counsel and I will adhere to that. But I have to say something on this; I just have to. I was the recipient of comments from the Attorney General and the Premier over a period of time on this issue. It became personal.

Hon Darren West interjected.

Hon PETER COLLIER: You are not the Presiding Officer, thank you! No, not the parliamentary secretary, sorry; I am talking about the member behind him.

Hon Darren West: You said you’d take counsel and you’re not taking counsel.

Hon PETER COLLIER: Quite frankly, honourable member, you are one of the people who should not be opening their mouth in relation to this issue because you made similar claims in this chamber.

I want to put it on the public record. The parliamentary secretary is right in the point that he has raised. I have a great deal of respect for him, and I appreciate that he cannot respond to the comments that we are making. I appreciate that. But also, I want the parliamentary secretary and members in this place to understand our frustration. Yes, I know it is debate in the other place and we have no control of debate in the other place. But for the record of Parliament, I want to reinforce once again that every ounce of motivation that the opposition took on this issue, when this whole tardy exercise was being carried out in the Legislative Assembly and the public arena, was for the protection of the privileges of Parliament.

To assert that we were terrorists or corrupt, which was articulated on a regular basis, and then to tarnish one of our former members and accuse them of being corrupt is just unacceptable. It really is unacceptable. As I have said over and over again in this place, our motivation—not only ours, but that of all other seven parties in the previous Parliament—is to protect the privileges of Parliament. All other seven parties agreed. The only party that did not agree with our position was the Australian Labor Party. Every other party agreed with our position on this issue.

Hon Darren West: It doesn’t mean anything.

Hon PETER COLLIER: I beg your pardon. It is exactly that attitude that frustrates us. If you do not mind, you are not the Presiding Officer.

Several members interjected.

Hon PETER COLLIER: Thank you, parliamentary secretary. As I said, I have not said a word in this debate; I am not holding up this debate. But I heard the parliamentary secretary's comments about the Legislative Assembly. I have had plenty to say on this on numerous occasions, but I just could not let that one go. I want to state once again that our motivation on this issue was always the protection of the privileges of Parliament. There was no corruption. There was no terrorism. There was no underhand activity and, as far as I know, there was absolutely no illegal or corrupt activity on the part of a former member. If the Attorney General has evidence to the contrary, I ask him to bring it forward.

Other than that, I speak on behalf of all those members who voted on this issue to say once again that our motivation in this whole issue was entirely driven by the protection of parliamentary privilege.

Hon NICK GOIRAN: I thank the Leader of the Opposition for that excellent contribution. I go back to my question, which was: Does the parliamentary secretary have any information to verify that Hon Jim Chown was under investigation? Is there any information before the parliamentary secretary at all? I accept the parliamentary secretary's response; if I was sitting in his chair, I would say the same thing about the privileges of the two houses, so I accept that. But in terms of the actual question posed, which is whether the parliamentary secretary has any information to verify that he was under investigation, it seems that the answer is no.

Hon Matthew Swinbourn: By way of interjection, I have nothing before me at the table. The member cannot draw any conclusion beyond that.

Hon NICK GOIRAN: I will draw a conclusion; of course, the parliamentary secretary can rebut that conclusion if he likes. The conclusion I draw is that the Attorney General's representative in this chamber—the only person in this chamber qualified to represent the Attorney General in this matter on this bill with the benefit of advice—is unable to produce any evidence. There is nothing before him at this time to support what the Attorney General has said. That is the conclusion I draw. Does that mean there is no evidence in the ether, outside this chamber, that might be speedily brought into the chamber by the Attorney General and his advisers and brought to the attention of Hon Matthew Swinbourn so that he might table it? Of course, it is possible. Hon Tjorn Sibma might assist me somewhat at this time by indicating to me the date that Hon John Quigley made these remarks.

Hon Tjorn Sibma: It was 29 August.

Hon NICK GOIRAN: Last year.

Hon Tjorn Sibma: Yes.

Hon NICK GOIRAN: Since August last year, the Attorney General has had plenty of time to provide one piece of information to his hardworking parliamentary secretary so that he would be able to support not some mystical question, but something that he has actually said on this matter in the other place. We have all been to parliamentary committees; we have seen the huge files that public servants bring. They come well prepared to answer questions. I note that Hon Matthew Swinbourn has a significant file in front of him, as do the hardworking advisers with him, and yet we are told that nowhere in those documents is there anything to suggest that Hon James Chown was under investigation—nothing.

The DEPUTY CHAIR (Hon Stephen Pratt): Order, member! I will remind you again to bring the line of questioning back to the provisions of the bill. I think that this issue has been canvassed and the parliamentary secretary has answered it to its fullest.

Hon NICK GOIRAN: Thank you, honourable deputy chair. I take it from that that the inference is that the remarks made by the Attorney General in the other place were out of order and irrelevant to the debate with regard to the matters before us, because if the members of this place cannot address that, that must be the case for the Attorney General.

In light of that, I draw to the attention of the parliamentary secretary the thirty-first report of the Joint Standing Committee on the Corruption and Crime Commission from November 2016. It is titled *The efficiency and timeliness of the current appointment process for commissioners and parliamentary inspectors of the CCC*. At chapter 4, page 48, the report states —

It has been the practice in this Parliament —

I pause here to indicate that the Parliament in question is the Parliament from 2016 —

for the Premier to attach the Chief Justice's report from the nominating committee when he writes to the Committee with his recommendation for the appointment of a Commissioner or PICCC. The Committee has found this useful and on occasion has interviewed more than one nominee.

That is on the public record from 2016. My question to the parliamentary secretary is this. That practice was clearly in place in 2016. Has that practice continued since 2016? Particularly under Premier McGowan and Premier Cook, the two Premiers who have followed the Premier in 2016 referred to here, has that practice continued, and is it the intention for that practice to continue irrespective of the outcome of this bill?

Hon MATTHEW SWINBOURN: As Hon Nick Goiran highlighted, that was the practice of the Premier of the day. I am representing the Attorney General; I do not have advisers from the Premier's office at the table, so I cannot provide an answer as to whether that was the practice. There was only one recruitment process for a commissioner between the 2016 report and now, and there is much controversy about that process and John McKechnie. It is a matter of fact that it happened. I do not have access to that information. Given that I was not on that committee—neither was Hon Nick Goiran—I would not have known about that. The two members of this chamber who were on that committee are no longer members of this chamber. I do not have that information available. We can make efforts to try to secure it, but I doubt that we would be able to do that before the end of the afternoon. I am not trying to be difficult; we do not have access to that information.

Hon Nick Goiran: By way of interjection, is it possible to indicate whether the practice is intended to continue in the future?

Hon MATTHEW SWINBOURN: Again, that is a matter for the Premier and the Premier's office. That is not dictated by the act; it is a convention, if I can call it that. Again, we would have to consult with the current Premier's people, and I doubt whether they have turned their minds to it because they have not been put in the position of appointing anybody to the commission, either as commissioner or as acting commissioner, since the new Premier came on board. It is in Hon Nick Goiran's hands.

Hon NICK GOIRAN: This bill will create a new office of deputy commissioner. As I understand it, the process of appointing a commissioner and the intended process of appointing a deputy commissioner are one and the same.

Hon Matthew Swinbourn: There is one minor difference. The commissioner will be consulted about the appointment of a deputy commissioner by the nominating committee.

Hon NICK GOIRAN: Will the process of appointing a deputy commissioner involve providing the report of the nominating committee to the Joint Standing Committee on the Corruption and Crime Commission?

Hon MATTHEW SWINBOURN: Neither the bill nor the act dictates that; it is a convention that has happened in the past. I can only take the member back to what I said before, in that we do not have advice from the Premier's office about what that convention might entail and whether it has turned its mind to that in recent times. I do not want to speak too far out of turn, but that is the sort of thing that the Premier's office will turn its mind to when that situation arises. I cannot give an undertaking one way or the other; I do not know at this particular junction. As I said, I could seek further advice, but at this late stage on a Thursday afternoon, I do not think we would get that advice to the member before we stop dealing with this matter today.

Hon NICK GOIRAN: Whether or not the full report from the nominating committee is provided to it—I make it clear that I support the past practice strenuously—the current practice of the involvement of the Joint Standing Committee on the Corruption and Crime Commission is that it will have a role in the appointment of both the Corruption and Crime Commissioner and, as a result of this bill, a deputy commissioner. We currently have acting commissioners. I believe that is still intended to continue.

Hon Matthew Swinbourn: We will still have acting commissioners, and there is currently an acting commissioner.

Hon NICK GOIRAN: Acting commissioners are also appointed in a way that involves the joint standing committee. That has been the case in the past and will continue under the statute.

Hon Matthew Swinbourn: The appointment process is not initially changing. This bill will extend the time for an acting commissioner in terms of not having to go through the formalised nominating committee process. That is dealt with further in the bill.

Hon NICK GOIRAN: Yes, that is for a continuing one, but a new one will still be subject to the oversight of the joint standing committee. That has been the case for the commissioner. That is the case for the Parliamentary Inspector of the Corruption and Crime Commission, who is also subject to oversight by the committee with the nomination process.

Hon Matthew Swinbourn: Nothing in the bill will impact on the process for the parliamentary inspector.

Hon NICK GOIRAN: No; that is right. Also, for an acting parliamentary inspector, the Joint Standing Committee on the Corruption and Crime Commission, the oversight committee, will continue —

Hon Matthew Swinbourn: That will not change either.

Hon NICK GOIRAN: That is right. In each of those instances, there is a role for the special CCC oversight committee of both houses of Parliament—a joint standing committee that has been entrusted by Parliament to oversee these important recruitment processes by executive government. It is a very interesting interaction with the judiciary, which is clearly a participant in the role of a nominating committee as it provides a recommendation through to executive government, in particular the Premier, who then will deliver that to the oversight of the Parliament through the joint standing committee. We have three branches working together to make these very important appointments. As a side note, one does wonder whether something like that might be appropriate for the appointment of judicial officers, but that is a debate for another day.

We can see, and the parliamentary secretary has conceded, that this process, which involves the joint standing committee, will continue, albeit with modifications. In other words, the joint standing committee will continue to have a role with these appointments. It will have a role in the appointment of a deputy commissioner. There has been plenty of discussion between the parliamentary secretary and Hon Tjorn Sibma about the very high profile dispute that arose between the government and the joint standing committee in the previous Parliament regarding the reappointment of the current commissioner. There have been plenty of appointments to the roles of commissioner, acting commissioner, parliamentary inspector and acting parliamentary inspector, other than the reappointment of Mr McKechnie, which is the genesis of the bill that is before us—or at least the part of it that will change that process. Have any other disputes emerged between executive government and the joint standing committee that has led to the Premier's recommendation not proceeding?

Hon MATTHEW SWINBOURN: On the member's behalf, I have interrogated the advisers at the table on this particular point. I suspect that given his previous eight years on the committee, he knows more than they do about whether there has been any issue between the committee and executive government, as he described. To the best of our knowledge, nothing of the magnitude—if I can describe it as that—of the McKechnie appointment happened, but we are not particularly privy to whether there was some toing and froing with the Premier. We have some sense that there may have been something way back in the annals of history, but there is nothing that we can speak with any confidence about.

Hon NICK GOIRAN: That is interesting. There is information before the Joint Standing Committee on the Corruption and Crime Commission that will clearly be subject to the confidentiality provisions for the respective joint standing committee. Of course, even a former member of that committee would not be at liberty to disclose those things. It is understandable, then, that the current government and its advisers may not have that information. In fact, they ought not to have that information available to them.

There is, of course, information that is in the public domain. I will draw to the parliamentary secretary's attention the thirty-first report, published on November 2016, which I referred to earlier, entitled *The efficiency and timeliness of the current appointment process for commissioners and parliamentary inspectors of the CCC*. Page 48 was where I was earlier. The parliamentary secretary will recall that I quoted from that page as follows —

It has been the practice in this Parliament for the Premier to attach the Chief Justice's report from the nominating committee when he writes to the Committee with his recommendation for the appointment of a Commissioner or PICCC. The Committee has found this useful and on occasion has interviewed more than one nominee.

That is where I got up to when we finished a little earlier.

Chapter 4 ends with this sentence. It states —

In one case, it recommended —

I will pause there to say that "it" is a reference to the Joint Standing Committee on the Corruption and Crime Commission —

to the Premier that he appoint a person other than the proposed candidate due to a specific operational reason for the Commission.

I know exactly what that matter was because I was the chair of the committee at the time. Without divulging what I cannot discuss, I simply make the observation that it is on the public record that the joint standing committee recommended to Premier Barnett that he appoint a person other than the candidate he had proposed. There is a suggestion that it would somehow be unprecedented for the joint standing committee to have a different view to the Premier of the day. I am not suggesting that Hon Matthew Swinbourn has said that, but I am just saying that anyone who holds that view about that suggestion is manifestly incorrect. The public record confirms that this has happened on at least one other occasion that we know of.

If I then consider this matter, it is not difficult for members to infer that when the committee said on page 48 of its thirty-first report on November 2016 that it found this useful, and, to paraphrase, that on one occasion it said to the Premier of the day, "No, we don't support your recommendation", that it is obviously referring to the period between the 2013 state election and the 2017 state election. In fact, it is obviously referring to the period from the 2013 election until this report was tabled in 2016, right at the end of that particular Parliament. Sometime during the four-year period of that Parliament, the Joint Standing Committee on the Corruption and Crime Commission said to Premier Barnett that it did not agree with his recommendation.

There are members opposite who enjoy looking at the composition of committees when we consider committee reports, so they will be interested to know that it is a matter of public record that in this particular case, apart from myself as the chair, the deputy chair was the then member for Albany, Mr Peter Watson, MLA, and the two members of the committee were Hon Adele Farina and Mr Nathan Morton, who was the then member for Forrestfield. Again, it does not require a political genius to discover that that means that, at that time, there were two members of Parliament who were members of the Liberal Party and two members of Parliament who were members of the

Labor Party. Those four members of Parliament—two Liberal members and two Labor members—must have said to the Premier of the day at some point that they did not agree with his recommendation. What is not on the public record is whether that was a unanimous finding of the committee—that is, whether three members of the committee said to Premier Barnett that they did not agree with his recommendation or whether two members said that.

I make this point: the composition of the joint standing committee is a matter entirely for the two chambers of Parliament. The other place appoints two members and this house appoints two members. It has always been the case that there have been two members of the Liberal Party and two members of the Labor Party, until such time as the geniuses within the WA Labor Party in the last Parliament decided that two members of the Labor Party from the other place would be appointed to the committee. It had never happened before. It had always been one Labor member and one Liberal member from the other place. But after Labor won the election in 2017, the geniuses at that time thought it would be a very intelligent thing to stack the Joint Standing Committee on the Corruption and Crime Commission. Of all the committees to try to stack and make political, this is the one that is supposed to fight corruption and has always been bipartisan. When I was the chairman of this committee, the deputy chair was the then member for Perth, John Hyde. John and I constantly joked about it. You probably could not get two more opposite members of Parliament. We still joke about it to this day. We are still in regular contact. We put our political allegiances aside because we had a job to do on behalf of the Parliament and the people of Western Australia on the oversight committee of the Corruption and Crime Commission in Western Australia, and it worked well. But in 2017, the geniuses in the Labor Party thought that they would stack the committee and appoint two members of the Labor Party from the Legislative Assembly, and then, of course, two members from this place were appointed. As it happens, one was from the Liberal Party and one was from the Greens.

I again make the point that it is for the Parliament of Western Australia and the two chambers to decide who is going to serve on this committee. Again, it does not require great political intellect to realise that in an ordinary Parliament, the government of the day will have the most influence over what that looks like. The government of the day will be able to choose either a fair and proper process that will facilitate bipartisanship with regard to the anti-corruption commission or to politicise the process. In 2017, the Labor Party decided to stack the committee with two Labor Assembly members. As a consequence, there was only one Liberal member on the committee instead of two, as had always been the case previously, as there had always been two Labor members when Labor was in opposition. Members opposite will need to forgive members on this side for taking umbrage at the Attorney General's statement that the entire problem happened during that Parliament, when it was actually the Labor Party that caused the problem in the first place. Imagine, for a moment, that two Labor members and two Liberal members had been on the committee during that Parliament, and there had been no Greens member. I mean no disrespect whatsoever to Hon Alison Xamon, who was one of the most hardworking and outstanding parliamentarians I have had the honour of serving with.

The DEPUTY CHAIR (Hon Stephen Pratt): Hon Nick Goiran.

Hon NICK GOIRAN: We disagreed on many things, but I absolutely respected her work ethic and integrity. She was a very fine member of that committee. However, it was odd and bizarre that somebody from a minor party was appointed to that committee in light of previous convention and history. Let us imagine for a moment that there had been two Liberal and two Labor members on the committee, as was always the case prior to that. If the appointment of Mr McKechnie had been rejected at that time, it would have been impossible for the honourable Attorney General to say that it was because one person had stymied that process. The only reason he was able to say that is that as the law stands at the moment, one member of the government and one member of the opposition must agree to the appointment. If we do not get that agreement, we do not have bipartisanship. If there is only one member of the Liberal Party on the committee and they say no, it follows that bipartisanship cannot be achieved. What if two Liberal members had been on the committee and one had held a contrary view? The genesis of this bill and the rhetoric from the Attorney General would have evaporated overnight. That disturbs me greatly.

As I said at the time, that was not the way to make the appointment, but the arrogant Attorney General and the arrogant Premier at the time, Mr McGowan, knew everything. They always knew everything. They probably still think that they know everything. They insisted on that process, which has brought this bill before us. As Hon Tjorn Sibma said, we support the appointment of a deputy commissioner, which is half of the bill before us. Of course I support that; it was a recommendation of the committee that I chaired. We made that recommendation on multiple occasions. I am glad to see that it will finally happen. It is beyond me why the government undermined and disturbed the very fabric of the anti-corruption oversight committee all because of the arrogance of the Premier of the day and the Attorney General back in 2017.

What government members probably do not realise is that once this change is made, they will have to live with it. Mr Quigley is getting ready to jet off into retirement, but he will leave a legacy for whichever party is in opposition here. Members opposite seem to think that that will never happen to them, but we will wait to see. One day, Labor members will be on this side of the chamber and they will say, "Gee whiz, it's pretty hard to get any bipartisanship with regard to the anti-corruption commission, all because we had to follow the party line and do what Mr Cook and Mr Quigley told us to do with regard to the appointment of the Corruption and Crime Commissioner. It will

not matter whether we think the best candidate will go forward, because our party will never have three-quarters of the members on the committee.” The then Liberal government will be able to appoint whomever it likes, without needing to stack the committee. That is the outcome that we will deliver.

The problem is: why are we doing this in the first place? What grave injustice has occurred that would justify disturbing the system like this? I have taken time to draw to the attention of the parliamentary secretary that it is indeed not unprecedented—I hasten to add that I am not suggesting the parliamentary secretary said that it was—that the Joint Standing Committee on the Corruption and Crime Commission can reject the application or the recommendation of the Premier of the day and say, “Look, with all due respect, we think there’s another way.” This is why I encourage the government, once this bill inevitably passes, to continue with the process of providing the nominating committee’s full report to the joint standing committee. The committee cannot do its job properly if it is blindfolded. If the committee gets only one recommendation, and it does not know the other two names that were put forward, it cannot properly do due diligence and due justice to the process. It simply cannot do that because it has only one name and has to say either yes or no to that name and cannot then weigh up the benefits of the other names. The committee may be aware of certain operational information and specific operational reasons why another person may be better suited and why the recommended person would not be suitable. I hope the process and practice, which, as the parliamentary secretary says, is up to the Premier of the day, has not stopped. If it has, I hope that it is reinstated forthwith, in particular for the appointment of a deputy commissioner.

Moving to the appointment of a deputy commissioner. Is the parliamentary secretary able to indicate to the house whether anyone has been approached for that role?

Hon MATTHEW SWINBOURN: The technical answer to the member’s question is no. I do not know whether anybody has had conversations and told someone that they might be good as a deputy commissioner. I am purely speculating there. The process will be formalised in the sense that, firstly, the role currently does not exist, so there is no role to offer anybody, and, secondly, once the position is created and filled, there will be a process in the act outlining how that will happen. This will include advertising the position, the nominating committee and all those sorts of things. If the member is suggesting that it has been promised to anybody, I can tell him that is not the case. We are creating the position statutorily, and then a process will commence once there is a budget for it.

Hon NICK GOIRAN: Is the qualification to be a deputy commissioner the same as a commissioner?

Hon Matthew Swinbourn: Yes.

Hon NICK GOIRAN: Is the only difference in the process that the commissioner, Mr McKechnie, will be consulted with about the proposed recommendation?

Hon Matthew Swinbourn: Yes.

Hon NICK GOIRAN: Will that consultation with the commissioner be on just the final recommendation or will all three names be put to the Premier?

Hon MATTHEW SWINBOURN: We were trying to clarify exactly what the consultation obligation on the nominating committee will be. That is why we took a bit of time. I take the member to proposed section 9B(3), which states —

Before submitting a list under subsection (1), the nominating committee must —

- (a) advertise throughout Australia for expressions of interest; and
- (b) if the Premier’s request specifies that the list is for the purpose of recommending the appointment of a person as Deputy Commissioner under section 9A(1) and there is a Commissioner appointed under section 9A(1) — consult with the Commissioner.

The legislation does not really dictate in that regard the nature of the consultation with the commission. Obviously, that will be a matter of comity between the nominating committee and the commissioner. The nominating committee may choose to consult early in the stage for some reason or it may decide to furnish the proposed names, but that will be a matter for the nominating committee. Given the stature of the people involved, I am sure that will be done with the necessary degree of, as I say, comity between them.

Hon NICK GOIRAN: The parliamentary secretary was referring to clause 6 on page 6 of the bill. What is the intention? I accept that the scope of the consultation is not absolutely clear, but is it the government’s intention that the commissioner of the day should be consulted about the list, as set out at proposed section 9B(3)(b)? Will the consultation be about the list or about the recommendation? Given that it is not clear, it would be preferable if it was made expressly clear. In the absence of that—I assume, there is also no appetite to agree to an amendment to make it clear—what is the intention, at least?

Hon MATTHEW SWINBOURN: To put it in its fullest context, the commissioner will not have a veto power. I think it is prudent that the commissioner of the day, who will be working with any deputy commissioner, will be involved at a very early stage and be able to give feedback to the nominating committee about any potential candidates. Whether that is at the point at which the three names that are proposed are put forward or whether it is at

an earlier stage will be a matter for the nominating committee to determine what is appropriate in those circumstances. Obviously, the earlier the consultation is, the better so that the nominating committee will not go down the path of investing time and energy on interviewing people whom the commissioner might identify as clearly inappropriate for whatever reason. I think that would develop over time between the two by way of convention and practice.

As the member knows, although there have been several appointments over the years, this is a relatively infrequent event because commissioners, and we hope deputy commissioners, have, off the top of my head, a five-year appointment period, and sometimes they continue on. Without putting it into someone else's responsibility, it will depend on who the Chief Justice of the Supreme Court is and what their practices and styles are. There is obviously a secretariat that helps to support this. As the member can appreciate, we want this to be done earlier. I am also advised that this practice is consistent with some of the other jurisdictions, which is partly why we have seen fit to replicate it. In Victoria, the Independent Broad-based Anti-corruption Commission Act requires the concurrence of the IBAC commissioner before the minister can recommend the appointment of deputy commissioners. Queensland's act requires consultation with the chairperson on the appointment of the deputy chairperson and ordinary commissioners of the Queensland Corruption and Crime Commission. In New South Wales, the chief commissioner of the Independent Commission Against Corruption must be consulted on persons to be appointed as commissioners. The concurrence of the chief commissioner is also required before the appointment of an assistant commissioner. Obviously, the constitution of those bodies does not entirely replicate what we do in Western Australia but the process largely reflects—I do not really want to say “best practice”—common practice around the country.

Hon NICK GOIRAN: Interestingly, the parliamentary secretary indicated that IBAC in Victoria requires the concurrence of the commissioner. Why has the government chosen in this instance to go with consultation rather than concurrence?

Hon MATTHEW SWINBOURN: I do not really have a very strong answer to why the government went down this path rather than that path in the way the member has framed his question. On assessment, it was really what was deemed to be appropriate in reaching that level. We thought consultation was appropriate in the circumstances and that concurrence was not necessary. Given the stature of the people involved, if the Corruption and Crime Commissioner expressed grave concerns about a person, it would be reasonable to expect that the nominating committee would not go there. If the commissioner expressed that kind of view, we would be very surprised that they would then take it further. Having said that, there is many a slip 'twixt the cup and the lip on these sorts of things, as they say. It is not impossible that the commissioner could express a view about certain candidates but the nominating committee did not agree and proceeded anyway, but we did not think it was necessary for the commissioner to give their endorsement. I suppose there is also another question. I do not know whether this was part of the consideration about whether the concurrence of the commissioner creates a sense of—what is the word?—fealty, if I can call it that, between the deputy commissioner and the commissioner, given that there is a degree of independence between the roles. Having had the commissioner give a person the tick of approval, if I can put it that way, might not be the culture or relationship we want to develop for the way the CCC works.

Hon NICK GOIRAN: If there is a complaint of misconduct against the Corruption and Crime Commissioner, it is presently handled by the Parliamentary Inspector of the Corruption and Crime Commission. If there is a complaint of misconduct against the deputy, who will handle that?

Hon MATTHEW SWINBOURN: It will be the parliamentary inspector. I think the member will agree that that is appropriate.

Hon NICK GOIRAN: This will be the last question on clause 1. Is the maximum tenure for a Corruption and Crime Commissioner two five-year terms?

Hon MATTHEW SWINBOURN: I suspect the member already knows the answer to that question, as he almost always does; however, five years plus an additional five years is correct. In anticipation of where the member is heading, it is the same for the deputy commissioner.

Hon Nick Goiran: It is or it isn't?

Hon MATTHEW SWINBOURN: It is the same. The bill proposes —

Schedule 2A — Terms and conditions of service of Deputy Commissioner

1. Tenure of office

Subject to this Act, the Deputy Commissioner holds office 17 for a period of 5 years and is eligible for reappointment 18 once.

It is two periods. The provisions that relate to the commissioner in the current act under “Schedule 2 — Terms and conditions of service of Commissioner” state —

1. Tenure of office

Subject to this Act, the Commissioner holds office for a period of 5 years and is eligible for reappointment once.

Hon NICK GOIRAN: The parliamentary secretary will recall, because he had carriage of the bill, that an extraordinary piece of legislation was passed that specifically dealt with the reappointment of the current commissioner. Does the fact that he was reappointed via what I would call an extraordinary legislative instrument rather than the ordinary process set out in the statute change the restriction on his tenure? Is he still able to serve only a maximum of two five-year terms and he is currently serving the second of those five-year terms?

Hon Matthew Swinbourn: Yes, we agree with you.

Hon WILSON TUCKER: I was not in the chamber during the second reading debate; therefore, I did not get a chance to put forward my position on the bill. Clause 1 is that opportunity. The parliamentary secretary might be shocked and filled with horror to know that I will not support the passage of this bill. We have had some behind-the-scenes discussions, so I do not think my position will be a surprise. My take is that what has been fleshed out quite thoroughly by the opposition, which is that it will diminish the role of Parliament in the selection process, will make it much harder to veto and block an appointment. I think that having a member from one party cross the floor against the party line and use the power of veto will be much harder and there will be a much higher bar to overcome in the future. I know that committees are supposed to be independent of political parties, but we all know that there is inherent bias in all of us as humans so I do not think that process will be completely independent, and it will therefore be much harder to block that appointment, which will shift the onus from one of approval to one of veto and raising that bar.

When we talk about how we landed in this position of debating the government's intentions and motivations in moving to change this process, we say we are not going to see eye to eye. The position of the government, the Attorney General and the Premier was that the selection process in the last term of Parliament was broken and it did not work as intended. My take is that it did work as intended; it is just that Labor did not like the outcome of that process, and so here we are, two bills later, completely changing the process. Within the current process that is in place, what other avenues did the government use to try to get into the minds of the committee members or have an understanding of whether the process was working as intended?

We have had some behind-the-scenes discussions about the possibility of moving a motion in Parliament to potentially request the minutes of the meetings of the joint standing committee to try to get an understanding of the thought process of some members and whether any political bias was coming into play, thereby short-circuiting the process and not looking at the viability of the candidates at the time. That seems like a legitimate process that could have been followed previously. What other avenues did the government look at rather than completely throwing the process in the bin and changing it to the position that we are dealing with now? There is a question here, parliamentary secretary. Was a motion contemplated around trying to get the minutes of the meeting of the joint standing committee in the previous term of Parliament?

Hon MATTHEW SWINBOURN: I cannot speak to that because I just do not know what that was. That was in the previous Parliament. I was neither the parliamentary secretary and nor was I involved in that matter. The discussions I had with the member behind the chair were more in the sense that all parliamentary committees remain accountable to the chamber from which they are created; therefore, by substantive resolution, the chamber could require the minutes of a particular committee to be furnished to the chamber and all those sorts of things. That is the rule for all committees and the Joint Standing Committee on the Corruption and Crime Commission is no different; it is a child of both chambers of Parliament, and it is really up to Parliament if it wishes to make further inquiries to do that. It was not up to the government to do that. Any member could have done that at that time, but that is really speculating about those things and getting into the details of those events that happened before. I am reluctant to get into those details because I do not have perfect knowledge of all those aspects. I have already been corrected previously on a particular point because some members here are more intimate with the details than me.

I am intimate with the provisions of the bill currently before the chamber, and I am happy to answer questions on its provisions, but getting stuck into that sort of stuff is a rabbit hole that I have almost fallen into once today, and I am perhaps trying to avoid falling into it twice.

Hon WILSON TUCKER: The parliamentary secretary mentioned that the government can compel Parliament to request the minutes of the meeting of the joint standing committee. Are any other avenues open to learn the reasoning behind the decision made by those members?

Hon MATTHEW SWINBOURN: In a general sense, all committee deliberations are confidential, but not all committee deliberations are included in the minutes. Strictly speaking—this is advice that the member might want to take to the clerks, which is what I said to him before—a member of a particular committee could be brought before the Standing Committee on Procedure and Privileges and examined in that regard, but we are really getting deep into the weeds of parliamentary procedure. The best people for the member to discuss those sorts of elements with are probably the clerks of the house, who advise us about those sorts of things, or he could even speak to the President about the almost theoretical nature of that process. I do not represent the Parliament. I am here to represent the Attorney General. They are parliamentary processes on which a Parliament or a chamber could make resolutions.

Hon WILSON TUCKER: Thank you, deputy —

Hon Matthew Swinbourn: Chair.

Hon WILSON TUCKER: Thank you, deputy chair. It has been a long week, and it is still going. I will not labour the point for too much longer. I will probably jump in on some of the other clauses, but it seems like the government made a pretty big assumption that this process was broken and some members were acting with bias or unscrupulously and affecting the approval of a legitimate candidate. What does the government base that claim on? As we have heard, the committee is a sort of black box for legitimate reasons, so that it can act independently. But it seems like a very big assumption to make and then quite a strong reaction to end up with a process in which the role of Parliament is diminished. What was the basis for the government's position that the previous process was broken?

Hon MATTHEW SWINBOURN: I have to disagree with some of the points that the member made. In his opening contribution, he said that we are proposing to completely change the process. We are not completely changing the process. We are dealing with one important aspect of that process. The process for appointing commissioners and deputy commissioners to the Corruption and Crime Commission starts with the Premier notifying the Chief Justice, who is the chair of the nominating committee, of the need to appoint a new person to the CCC as a commissioner or deputy commissioner. Advertisements are then sent out across Australia for expressions of interest by suitably qualified people. None of that is changing. The only change to the nominating committee's process will be with respect to the appointment of a deputy commissioner, and that the nominating committee must consult with the commissioner about the appointment of a deputy commissioner. We are not changing any other stuff. We are just dealing with the introduction of a new deputy commissioner position. The nominating committee will still furnish three names to the Premier of the day, who will then put forward their preferred nominee out of those three names to the Joint Standing Committee on the Corruption and Crime Commission. The change is that instead of requiring majority and bipartisan support, the committee must actively veto the appointment. We are not completely pulling the process apart at all. The committee will still have oversight and the capacity to reject a nominee, and that is the important part of that process. As I said, we do not agree with the member on those things.

When we lifted up the hood of the CCC in terms of this process and wanted to create a deputy commissioner position, we contemplated the process by which we would appoint that deputy commissioner. It was appropriate that that process be essentially identical to that used to appoint a commissioner. This is our opportunity to address the concerns that we and the member have identified with the very end of that process, which is the flawed part that requires majority and bipartisan support. Hon Wilson Tucker is a member of the crossbench. He is a member of a minor party. It is possible that he, Hon Dr Brian Walker, Hon Sophia Moermond or other members could be part of the Joint Standing Committee on the Corruption and Crime Commission. Under the current system, the member would not be included in the additional requirement of bipartisanship. That would diminish the role of the member on the committee because it would elevate the role of the Leader of the Opposition's political party, the Nationals WA, and the government. In Hon Nick Goiran's long contribution, he gave his view that the committee should be constituted in the way that it was in the past, with only members of the Labor Party and the Liberal Party. He outlined what would be appropriate in future. The requirement for bipartisanship does not affect that quarter of the benches here. Hon Wilson Tucker does not support this clause, but the government saying that we should go to a veto model would elevate each member of that committee to the same status in terms of their role in deciding whether a person is approved or not approved. I do not think that would diminish the role of Parliament; I do not agree with that comment either.

Hon Dr BRIAN WALKER: I take this opportunity to put on the record our stance on the changes, which I am sure will be passed. There is a fundamental change in the way the committee and the Parliament are being treated. It had been the case that the standing committee reviewed and made a recommendation to the Premier. That is appropriate because it is a committee of Parliament that will work independently of personal insights of the Premier. It also needs to be said that when we speak about bipartisanship, it is a misnomer because we are looking here at electoral levels of around one-third for the Labor Party and one-third for the Liberal Party, at least in past years, and one-third for other parties. We are not really looking here at bipartisanship; we are excluding the opinion of one-third of the population and assuming that a bipartisan, two-party preferred political model is the only valid political model. That takes away the right of people to have an opinion equal to all parts of Parliament. The changes will also give the Premier, as the executive, the role of being the one who will make the decision, rather than Parliament. That is a dangerous precedent because then we will be allowing one member of an elected Parliament, the Premier, to have the sole choice and the sole power. If we take this as a precedent and extend it into other areas, we will get into a very dangerous political state. Although I appreciate the intent of the changes and I appreciate the honour of all involved, I think the intent, as I have often said before, will have hidden, unforeseen and unintended consequences. That is a danger for our democracy. Although this provision may well pass, I hope that future Parliaments will review and revert it because I would dearly like to see Parliament, not one person, maintain control. The parliamentary secretary might want to comment on that, but it is merely my rhetorical point of view being put on the record.

Clause put and passed.

Clause 2: Commencement —

Hon TJORN SIBMA: It would not be a proper committee examination if we did not at least make an attempt to ask a question at clause 2, just to demonstrate that we do not tip all our energy into clause 1. This is a straightforward clause, but what will be the operational implications of this commencement clause in relation to when the process by which a deputy commissioner might be sought and that position stood up organisationally within the CCC might commence? Does the government have a view as to when it would be desirable to have that position of deputy commissioner filled?

Hon MATTHEW SWINBOURN: Obviously, with the way the commencement clause is drafted, there will be no proclamation, so the provisions will come into effect almost immediately following royal assent, or the next day.

The member is most interested in when we will get a deputy commissioner. I cannot be certain about when that will happen. The government's view is certainly that there should be a deputy commissioner. We have not commenced this process, but, as we have indicated before, there are budget considerations. It really becomes an operational question for the commission to say when it might be ready to proceed with that. Of course, then the Premier must formally notify the nominating committee to start the recruitment process. I cannot tell the member how long that will take because it will depend on the number, quality and suitability of candidates who come forward, yadda yadda yadda. The member is most familiar with this, so I do not need to browbeat him with it. Obviously, there are some monetary considerations because it has to be funded, but we expect that this would all happen as soon as it is practicable over the coming months.

Hon TJORN SIBMA: Thank you. The parliamentary secretary was being very generous in answering that question because, strictly speaking, it was not to do with the bill's technical aspects but its implications. Is any budgetary allocation already available to the Corruption and Crime Commission to fill this position or will that have to be met through its regular budget allocation for the next financial year? In short, we do not yet have a shell with the money ready to fund that position. I take it from the parliamentary secretary's contribution that the CCC, the Department of Justice or whatever will have to go through the regular Expenditure Review Committee process and make a business case for the position, and because we do not have a budget yet, we do not know the outcome. Would that be fair?

Hon MATTHEW SWINBOURN: The member is right. I think the member said that there is no shell of money.

Hon Tjorn Sibma: A shell position—almost like an office without a person in it.

Hon MATTHEW SWINBOURN: The CCC could conceivably fund it out of its existing budget if it has space for it. I do not know whether it does. If it needs additional funding, it cannot ask for money for that position until this is the law of the land, but once the bill has passed, it can then make approaches to government through the normal processes. This includes going outside the normal budget process, given that this has been passed through Parliament. I think that gives the member the answer he is looking for. A pot of money is not currently set aside to be allocated to this role.

Clause put and passed.

Clauses 3 and 4 put and passed.

Clause 5: Section 9 amended —

Hon NICK GOIRAN: Page 4 of the bill is one of two pages that deal with clause 5. I am particularly interested in line 12. The instruction from Parliament to Parliamentary Counsel at clause 5(3) is —

Delete section 9(3), (3a), (3b), (4), (4a) and (4B).

I return to the report I referred to earlier when we considered clause 1—the thirty-first report of the Joint Standing Committee on the Corruption and Crime Commission of the thirty-ninth Parliament from November 2016, titled *The efficiency and timeliness of the current appointment process for commissioners and parliamentary inspectors of the CCC*. At page 48 there is a recommendation, the second recommendation made by that committee; there were three recommendations in all in that report. Recommendation 2 reads —

The Attorney General prepare an amendment to sections 9(3a)(a) and 9(3b) of the *Corruption, Crime and Misconduct Act 2003* to:

1. remove the role of a nominating committee in the appointment process for Commissioners and Parliamentary Inspectors; and
2. in lieu thereof, mandate that the Premier propose one name from a list of three people to the Committee for its bipartisan and majority support.

I see that the instruction at clause 5 of the bill will give effect to that recommendation insofar as it will remove the role of the nominating committee, but the following clause, clause 6, seems to re-institute the nominating committee. Given that recommendation 2 was that the nominating committee role be removed, why has it been retained?

Hon MATTHEW SWINBOURN: I have not had an opportunity to read that report and the recommendations that the member is referring to, so I do not want to besmirch that committee in terms of the work it did on that. I am also not familiar with the committee's line of reasoning with regard to why it made that recommendation. I think the easiest way for me to answer the question of why the government has not removed the nominating committee is to say that we still see value in what the committee does, and we certainly see value in the involvement of those esteemed people in the identification of suitable candidates to fill the roles of Corruption and Crime Commissioner and Deputy Corruption and Crime Commissioner. I understand that there may have been a view that it was a difficult position to put those judges in, but I do not know; as I said, I have not read that report, so I do not know what the line of reasoning for that recommendation was. I am sure the member can enlighten me, if he thinks it is important to do so. But to get back to the nub of his point, why did we not remove it? It is because we still see value in that body in the appointment decision-making process.

Hon NICK GOIRAN: What value do they provide to the process?

Hon MATTHEW SWINBOURN: I think the value is that they are people of such standing in our community that their motivations for who they put forward as the chief corruption investigators in this state, the commissioner and the deputy commissioner, cannot be impugned. We already had comments made about the politicisation of the process at the other end. It would be extremely difficult to talk about anybody involved in a nominating committee being in a political role, and, therefore, they act as gatekeepers in some respect of what gets to the Premier of the day. If we remove them and just had the Premier of the day, I do not know that we would necessarily have the rigour and the independence and, potentially, we might get people impugning the nominees because they might be considered to be someone's mate or things of that kind.

I hope that addresses what the honourable member thinks. Obviously, he was part of recommendation 2 of the report and he has a countervailing view for his own reasons, but that is the value we see in it.

Hon NICK GOIRAN: To be clear, what the parliamentary secretary said regarding my role on that committee is true. That said, I am somewhat relaxed about this matter. It is a case of simply receiving the evidence that has been provided to the parliamentary committee at the time, faithfully reporting it to Parliament and saying that, on balance, the preponderance of evidence suggests that this role is no longer necessary. It is clear from the evidence that was provided to the committee that there was not a great deal of enthusiasm on the part of the then Chief Justice. The then Chief Justice's submissions are found from page 40 of the report. Hon Wayne Martin, who was at the time the Chief Justice, was invited by the joint standing committee to provide a submission to the inquiry. He was also later requested to comment on the submission provided by the parliamentary inspector at the time, who at the time was the late Hon Michael Murray, QC, and subsequently provided a supplementary submission to the inquiry. Members can familiarise themselves with that. Certainly, Hon Justice Wayne Martin was not enthusiastic about it and it led to finding 21, which was —

The Chief Justice and the Chief Judge do not support the inclusion of serving judicial officers in the appointment process ...

Has either the current Chief Justice or Chief Judge been consulted on their ongoing involvement in this process, which will now involve, of course, the deputy commissioner?

Committee interrupted, pursuant to standing orders.

[Continued on page 564.]

QUESTIONS WITHOUT NOTICE

LIVE ENTERTAINMENT INDUSTRY — SUPPORT PROGRAM

59. Hon PETER COLLIER to the parliamentary secretary representing the Minister for Culture and the Arts:

I refer the minister to grants provided through the Getting the Show Back on the Road program.

- (1) What was the acquittal process involved for recipients of these grants?
- (2) Was there a requirement that all funds provided through these grants be directed specifically to the recipients; and, if not, why not?

Hon SAMANTHA ROWE replied:

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

- (1) The Getting the Show Back on the Road original program ran from 3 November 2020 to 30 June 2021, and the GTSBOTR+ program ran from 31 July 2021 to 30 June 2022. The program was a risk-share program to cover a portion of applicants' gross box office losses due to COVID-19 to ensure the survival of the sector. There were two types of acquittal processes. Under the original program, when an application was pre-approved for coverage of an event, it received an up-front partial payment. If the event was not further impacted by COVID-19, the recipient submitted their actuals and the acquittal was assessed and finalised. The program was subsequently revised in July 2021 and there were no up-front partial payments.

Under both programs, when an application was pre-approved for coverage of an event that was then further impacted by COVID-19, in line with the specific guidelines, a claim was lodged and assessed. If the claim was approved, payment was made and the grant acquitted.

- (2) For both programs, an approved claim was paid to the applicant that applied to the program. The contract required that the recipient warrant that any such information provided was true and correct. All approved claims had to comply with the objectives of the program. The objectives of the GTSBOTR+ program were to support the planning of live events in WA during a COVID-19 impacted period; encourage the safe continuation of public ticketed cultural, arts, agricultural, sporting and culinary events; and support event organisers in meeting their payment obligations to their employees and suppliers, thereby supporting the live events industry.

YOUTH DETENTION — INFRASTRUCTURE REVIEW

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

I refer to the secure facility being constructed at Banksia Hill Detention Centre to replace unit 18, Casuarina Prison.

- (1) What will be the total cost of this facility?
 (2) How many detainees will the facility house?
 (3) When will the facility be completed?

Hon SUE ELLERY replied:

On behalf of the minister representing the Minister for Corrective Services, I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Corrective Services.

- (1) As announced by the Cook government in November 2023, \$1 million has been allocated for the detailed planning and development of a business case that will assess options for the construction of a new youth detention facility for consideration by the government. The business case will further plan the location, capacity, cost and indicative time frames of this new facility.
 (2) The business case will determine the expected number of beds in the new facility for consideration by the government.
 (3) The business case will provide indicative time frames for completion of the new facility.

KIMBERLEY MEAT COMPANY — VOLUNTARY ADMINISTRATION

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

I refer to revelations that the Kimberley Meat Company has entered voluntary administration. What action is the minister taking to minimise the potentially devastating impact of the closure of Western Australia's only northern abattoir?

Hon JACKIE JARVIS replied:

I thank the member for the question. I, too, heard media reports today that the Kimberley Meat Company has gone into administration. I did hear a rumour of that yesterday afternoon, and I took the opportunity to speak to some large pastoralists in the region to try to understand what concerns they may have. It is obviously very early days. The Kimberley Meat Company received significant government support after the Kimberley floods. We provided financial support to manage the transfer of cattle from Kununurra and Wyndham by sea to allow cattle to go through the Broome port to the facility, which is near Derby. I do not have to hand the financial support that was offered back then. At this stage, it is obviously early days. I have heard talk that there are commercial entities interested in buying that facility, and I understand that the facility had been on the market and offered for sale. I have certainly asked the agency to keep me informed as a matter of urgency.

INSURANCE LEGISLATION AMENDMENT (MOTOR VEHICLE CLAIMS HARVESTING) BILL 2023

62. Hon TJORN SIBMA to the minister representing the Treasurer:

I refer to the Insurance Legislation Amendment (Motor Vehicle Claims Harvesting) Bill 2023. Considering the stated aim of the bill is to curtail predatory claims harvesting behaviour, how many incidents of this type of activity have been prosecuted under the Civil Liability Act 2002?

Hon SUE ELLERY replied:

On behalf of the minister representing the Treasurer, I thank the honourable member for some notice of the question.

Previous legal advice has indicated that the Civil Liability Act provides a number of exceptions that enable claims harvesters to continue their current practices.

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE —
ANNUAL GOVERNMENT PROGRESS REPORTS

63. Hon DONNA FARAGHER to the minister representing the Minister for Child Protection:

I refer to the answer provided yesterday to question without notice 47 about the tabling of the 2022 progress report on Western Australia's implementation of recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse, and to the minister's statement that she intends to table the report in the first half of this year. Why has there been a delay in the tabling of the 2022 progress report?

Hon JACKIE JARVIS replied:

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

Working to the 10-year implementation program proposed by the royal commission, the 2022 Western Australia progress report marks the halfway point of the program and includes cumulative progress against the recommendations for the first five years. The progress report is subject to cabinet processes due to its cross-departmental responsibilities.

GRIFFIN COAL — GRANTS

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

I refer to the initial \$19.5 million grant of taxpayer money to insolvent and foreign-owned Griffin Coal on 20 December 2022, with the financial assistance agreement based on requests from receivers to manage operational expenses.

- (1) How was the initial extraordinary figure of \$220 million as a funding stream to insolvent and foreign-owned Griffin Coal arrived at by the Cook government, and who or whom within government modelled this figure?
- (2) Was the FAA or process agreement executed on this extraordinary \$220 million bailout of Griffin Coal?
- (3) If yes to (2), who are the signatories and on what date was it signed?

Hon SUE ELLERY replied:

On behalf of the minister representing the Minister for State and Industry Development, Jobs and Trade, I do not seem to have a copy in this file. I will ask everyone else to check. I am sure someone is watching. If the answer comes in before the end of question time, I will provide it then.

INDUSTRY — CLOSURES

65. Hon NEIL THOMSON to the Leader of the House representing the Premier:

I refer to the collapse of energy-intensive industries, including the shutdown of Alcoa's alumina refinery at Kwinana, the threat of closure of the nickel refinery in Kalgoorlie and the risk of offshoring cement manufacture in Western Australia.

- (1) What representations in writing, if any, has the Premier made to his commonwealth colleagues to carve out vulnerable and low emissions industries from the safeguard mechanism under the allowable provisions for trade-exposed industries?
- (2) If none have been made, why not?
- (3) If representations have been made, can the Premier table those representations?

Hon SUE ELLERY replied:

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

- (1)–(3) We are disappointed by Alcoa's decision to fully curtail production at the Kwinana alumina refinery, and our thoughts go out to the hundreds of workers who will be impacted. That said, I reject the premise of the question. Alcoa said the decision was made due to the facility's age, scale and operating costs, as well as market conditions, and not government policies as the Liberal Party falsely accuses.

Matt Reed, Alcoa's executive vice president and chief operations officer, said suggestions that curtailment at the refinery was the result of government policy "overlooked commercial realities" and that "politicisation of the matter is an unfortunate distraction at a time when the focus should be on caring for our people and others impacted."

TREE REGISTERS

66. Hon Dr BRAD PETTITT to the minister representing the Minister for Planning:

I refer to the minutes from the Town of Bassendean council meeting on Tuesday night, which include an amendment from the minister to significant tree registers.

- (1) Does the government intend to stop all local governments from having significant tree registers that include trees that are not registered by landowners?
- (2) If yes to (1), will this policy apply only to new schemes, or will it also apply to local government schemes that already include trees that were registered without landowners' permission?
- (3) Given that this government scrapped the strategic assessment of the Perth and Peel regions in December 2022, which would have protected 170 000 hectares of urban bushland, and recently rejected bids from the City of Nedlands and the City of South Perth to require development approval to remove significant trees from private land, what is this government doing to increase the tree canopy and protect mature trees across the Perth metropolitan area?

Hon JACKIE JARVIS replied:

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

- (1)–(2) The state government supports the establishment of voluntary significant tree registers through local planning schemes as a mechanism to protect trees on private land.
- (3) The Cook government has committed to prepare an urban greening strategy that will take a whole-of-government approach to promoting and enhancing tree canopy and greening across the Perth and Peel region. This builds on several other initiatives introduced by the current state government such as the Design WA suite of state planning policies, which include provisions that require and incentivise retention of existing trees, new tree planting, deep soil zones and soft landscaping along with communal and private open space in low to higher density developments.

PUBLIC HOUSING — FIXED-TERM LEASE TERMINATIONS

67. Hon WILSON TUCKER to the minister representing the Minister for Housing:

I refer to the Department of Communities practice of utilising “without grounds” terminations at the end of a fixed-term lease to evict public housing tenants. In the last 24 months, how many public housing tenants have been subject to a without grounds termination?

Hon JACKIE JARVIS replied:

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

“Without grounds” is a limited legal term and does not mean that there are not substantiated reasons for a fixed-term tenancy not being renewed. A fixed-term tenancy may end for a range of reasons, including when a fixed-term tenancy is renewed, a tenant moves on to a periodic tenancy, a transfer is requested by the tenant or when a tenancy has not been renewed for reasons including significant community safety concerns, illegal use of premises or prolonged non-occupation of the property. The Department of Communities data reporting does not capture individual reasons for which a fixed-term tenancy may end. As such, providing this data would require a manual review of individual case files and is not considered a reasonable use of government resources.

CANNABIS — OFFENCES

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

I refer to recent data released by the Victorian Crime Statistics Agency that suggests that Aboriginal and Torres Strait Islanders are far more likely to be arrested for cannabis offences than to receive a caution compared with the rest of the population. Similar figures were published by the New South Wales Bureau of Crime Statistics and Research last year.

- (1) Does the minister have access to data in WA that shows the number of arrests, as opposed to cautions, for cannabis possession, broken down to show the proportion of Aboriginal and Torres Strait Islanders in each category?
- (2) If he does, are those figures publicly available, will he share them with the house; and, if no to either, why not?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question and answer on behalf of the minister representing. The WA Police Force advise the following.

- (1)–(2) No. The offence for possession of prohibited drugs under section 6(2) of the Misuse of Drugs Act 1981 does not specify the particular drug type on the police incident management system. Therefore, determining the number of charges when the prohibited drug is cannabis would require manual data interrogation and would be extremely resource intensive.

AGRICULTURE (BIOSECURITY PROTECTION) LEVIES BILL — FEDERAL GOVERNMENT

69. Hon SOPHIA MOERMOND to the Minister for Agriculture and Food:

I refer to the bill on a biosecurity levy on farmers that was introduced into federal Parliament this week, which will impose yet another tax on Australian farmers, including Western Australian farmers, who are already currently struggling with several pressures including extreme weather conditions reducing harvests, price gouging by the major supermarket buyers and pressure to reduce chemical use and comply with greenhouse gas emission targets.

- (1) Does the Cook government support the bill?
- (2) Has the Cook government been in consultation with farmers about the bill?
- (3) Has the Cook government communicated with federal Labor about the bill; and, if so, what have the communications entailed?

Hon JACKIE JARVIS replied:

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

- (1)–(3) Biosecurity is critically important as the risks and pressures are increasing nationally and globally. The bill is before the federal Parliament and is a matter for federal Parliament.

AEROMEDICAL SERVICES — CHIEF HEALTH OFFICER'S INQUIRY

70. Hon MARTIN ALDRIDGE to the parliamentary secretary representing the Minister for Health:

I refer to the *Chief Health Officer's inquiry into aeromedical services in Western Australia*, which was finalised over 18 months ago, in June 2022.

- (1) In relation to recommendation 1 of the inquiry, which was supported by the state government, has an independent implementation group been established to develop a strategic plan for aeromedical services in WA?
- (2) If yes to (1), who are the members of the implementation group, and can the minister please table the terms of reference?
- (3) If no to (1), why not, and what is the anticipated time line for the state government to address this recommendation?

Hon PIERRE YANG replied:

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

- (1)–(3) Implementation of the government's response has commenced through the state health operations centre, which will include an aeromedical desk and new functions to improve the coordination of patient transport services across the state.

FIREARMS — BUYBACK PROGRAM

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

I refer to the minister's media statement issued on 14 February 2024 regarding the firearm buyback scheme, which states that firearms can be surrendered at any Western Australia Police Force station.

- (1) Is the Beverley Police Station accepting firearms under the buyback scheme?
- (2) If not, why not?
- (3) Since the buyback scheme commenced on 21 February 2024, is the minister aware of any WA Police Force stations not accepting firearms for surrender, and if so, can he please identify which police stations and why?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I answer on behalf of the minister representing the Minister for Police.

The WA Police Force advises —

- (1) Yes.
- (2) Not applicable.
- (3) All police stations within Western Australia will accept firearms subject to the buyback scheme.

CHILDREN IN CARE — WHEREABOUTS UNKNOWN

72. Hon NICK GOIRAN to the minister representing the Minister for Child Protection:

I refer to the answer on 27 February 2024 to my question without notice.

- (1) For the calendar year of 2023, did the minister and/or the CEO receive daily reports about how many children in the care of the CEO were recorded as missing?

- (2) If no to (1), why not?
- (3) If yes to (1), why has the minister declined to provide information to Parliament on how many children who were in the care of the CEO had their whereabouts recorded as missing in 2023?
- (4) Will the minister deliver a notice forthwith to the Auditor General under section 82 of the Financial Management Act 2006?

Hon JACKIE JARVIS replied:

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

- (1) Yes.
- (2) Not applicable.
- (3)–(4) As advised, the information requested by the member is not held centrally, and therefore could not be produced in the time frame provided by the member. More time is needed to verify data and consult with WA Police, as per the memorandum of understanding. The minister will endeavour to provide the member with the information on the first day of the next sitting block.

PERTH CHILDREN'S HOSPITAL — AISHWARYA ASWATH — INDEPENDENT INQUIRY REPORT

73. Hon PETER COLLIER to the parliamentary secretary representing the Minister for Health:

I refer to the independent inquiry into Perth Children's Hospital's Aishwarya review.

- (1) How many times has Aishwarya's CARE Call been accessed since its introduction?
- (2) Has a supernumerary team been put in place? If so, when did it occur? If not, why not?
- (3) How many additional nurses are now employed at PCH and how many of these are allocated to the emergency department?

Hon PIERRE YANG replied:

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

- (1) It has been accessed 327 times.
- (2) Yes. The implementation of the supernumerary team commenced in February 2023 with the final phase, phase 4, completed in October 2023.
- (3) In the period 1 February 2023 to 31 January 2024, PCH recruited 293 new nurses, and of these, 74 were in the emergency department.

POTASH ROYALTY REBATE

74. Hon COLIN de GRUSSA to the Leader of the House representing the Minister for Mines and Petroleum:

I refer to the potash industry royalty rebate scheme established in the 2022–23 state budget.

- (1) How many companies have accessed the scheme to date?
- (2) What have been the total rebates paid under the scheme since its establishment?
- (3) Is there any consideration to extend the scheme beyond the current cut-off for first sales of 2027?

Hon SUE ELLERY replied:

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

- (1) It has been accessed by one company.
- (2) The total rebates paid are \$111 399.68.
- (3) No.

CORRECTIVE SERVICES — ORDERS

75. Hon TJORN SIBMA to the minister representing the Minister for Corrective Services:

Can the minister advise as of 1 January 2024 how many offenders were subject to —

- (a) a community based order;
- (b) an intensive supervision order; and
- (c) a suspended imprisonment order?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question and I answer on behalf of the minister representing The Department of Justice advises as follows.

- (a) As of midnight 1 January 2024, there were 2 279 offenders subject to a community-based order.
- (b) As of midnight 1 January 2024, there were 790 offenders subject to an intensive supervision order.
- (c) As of midnight 1 January 2024, there were 1 288 offenders subject to a suspended imprisonment order.

During the time between data extractions, Corrective Services staff continue to quality assure data entry, but this can result in minor corrections over time.

METROPOLITAN CHILD DEVELOPMENT SERVICE — SPEECH PATHOLOGISTS

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

I refer to the metropolitan Child Development Service—MCDS.

What is the current median wait time to access a speech pathologist through this service for children in the primary years of schooling?

Hon PIERRE YANG replied:

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

The current median wait time is 11.1 months.

GRIFFIN COAL — FUNDING STREAM

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

I refer to the additional extraordinary figure of a \$220 million funding stream to the insolvent Griffin Coal.

- (1) Who or whom, including of the receivers, managers, lenders or shareholders, requested the figure of \$220 million and for what detailed operational rationale or scope?
- (2) The government has stated ad nauseum, “We will continue to work with parties to find a commercial solution to support longer term operations.” Will the now extraordinary \$260 million taxpayer-funded Griffin bailout payments be recovered once “commercial solutions” are resolved?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question and answer on behalf of the minister representing.

- (1)–(2) The government announced on 1 December 2023 that to prevent a sudden mine closure and ensure a managed transition for Collie, the government was allocating \$220 million to support continued operations at Griffin until June 2026. The figure was determined by the Department of the Premier and Cabinet and the Department of Treasury taking a range of factors and inputs into account. This funding announcement delivers certainty for the mine workforce, industry and the community to enable a sensible and managed transition.

PERTH AND PEEL STRATEGIC ASSESSMENT —
NATURE POSITIVE — COMMONWEALTH REFORM**78. Hon NEIL THOMSON to the parliamentary secretary representing the Minister for Environment:**

On 22 December 2022, the Minister for Environment announced via media release that the state government would discontinue the strategic assessment of the Perth and Peel regions—SAPPR.

- (1) Did the intention of the federal Labor government to introduce Nature Positive reforms have any bearing on the decision to abandon longstanding and bipartisan attempts to reduce duplication between the state and federal environmental approvals processes?
- (2) Is the abandonment of the SAPPR an acknowledgement that the state has given up on environmental approvals reform?

Hon DARREN WEST replied:

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

- (1) No.
- (2) Improving environmental approvals systems under the Environmental Protection Act 1986 is a key focus of the Cook government. In December last year, the Cook government endorsed a review of the environmental

approvals system undertaken by Dr Paul Vogel and Mr David McFerran. The review found that approvals processes have become overly complex, time-consuming and costly, holding back economic development without any benefit to the environment.

Several members interjected.

The PRESIDENT: Order!

Hon DARREN WEST: Recommendations made by the review will overhaul the environmental approvals system and unlock billions of dollars of investment into major job-creating projects. The government has commenced implementation of the recommendations, many of which build on existing work.

SHORT-TERM RENTAL ACCOMMODATION INCENTIVE SCHEME

79. Hon Dr BRAD PETTITT to the Minister for Commerce:

I refer to the short-term rental accommodation incentive scheme announced on 9 November 2023.

What number of property owners have taken up the scheme in Western Australia since the announcement?

Hon SUE ELLERY replied:

I thank the member for some notice of the question.

As at 29 February 2024, there are a total of 149 applications. Of these, 115 applications have been completed and submitted, with a further 34 applications in progress. Payments can be processed to eligible applicants once proof of a tenancy agreement has been provided. Since the commencement of the STRA, 62 grants have been paid, reflecting an additional 62 properties added to the long-term rental market.

DATA PROTECTION — LEGISLATION

80. Hon WILSON TUCKER to the Minister for Innovation and the Digital Economy:

I believe someone will answer on the minister's behalf.

The PRESIDENT: The Leader of the House has the matter in hand, I understand.

Hon WILSON TUCKER: In 2019, the government announced that it would consult on new data privacy legislation, and, in 2022, that a bill was being drafted. Since 2019, there have been repeated high-profile data breaches, including the accidental or malicious breach of state government agency data. When can the public expect the government to introduce a bill that will protect their private data?

Hon SUE ELLERY replied:

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

Drafting of the privacy and responsible information sharing legislation is still in progress. The timing for the introduction of legislation in the WA Parliament is a matter for cabinet to determine.

WESTERN POWER — POLE-TOP CLEANING

81. Hon Dr BRIAN WALKER to the parliamentary secretary representing the Minister for Energy:

I refer the minister to a spate of recent power outages caused by fires atop power poles.

- (1) Does Western Power still conduct pole-top cleaning on a regular basis across the metropolitan area?
- (2) If yes, how regularly is such cleaning undertaken, particularly during this time of year, when even the lightest of rainfalls might reasonably be expected to cause issues and outages?

Hon DARREN WEST replied:

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

- (1)–(2) Western Power does not conduct line washing in the metropolitan area.

INDUSTRIAL HEMP — AGRICULTURAL COLLEGES

82. Hon SOPHIA MOERMOND to the Leader of the House representing the Minister for Education:

I refer to the colleges of agriculture across the state, including in Denmark, which I recently visited, and the great work that they do in educating our young people on subjects such as cropping, livestock, aquaculture, and building and construction.

- (1) With the increasing interest in industrial hemp as a crop both here in Australia and overseas, would the minister consider integrating the current research from the hemp variety field trials conducted by AgriFutures Australia and the Department of Primary Industries and Regional Development and allow industrial hemp to be grown at an agricultural college in Western Australia?
- (2) If so, would the minister consider also allowing students to process the hemp bast, hurd or seed into viable building or food products as a way of diversifying agricultural opportunities in Western Australia?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question. I, too, have been to the WA College of Agriculture Denmark campus; its students produce wonderful products.

- (1) However, each of the Western Australian colleges of agriculture has an agricultural advisory committee made up of agricultural industry representatives. The role of the committees is to provide advice on a range of industry matters, including what crops to grow. As at 29 February 2024, four of the five Western Australian colleges of agriculture report that their agricultural advisory committees have not considered introducing the growing of industrial hemp into the farm program. In 1996–97, the Western Australian College of Agriculture in Denmark undertook a trial with the Department of Agriculture to grow a single industrial hemp crop. No further crops have been grown.
- (2) The vast bulk of raw produce is sold to the market, as the Western Australian colleges of agriculture do not have processing capabilities onsite.

*SCHOOLS — PRINCIPAL'S GUIDE TO BUSHFIRE:
PREPARE YOUR SCHOOL FOR THE BUSHFIRE SEASON*

83. Hon MARTIN ALDRIDGE to the Leader of the House representing the Minister for Education:

I refer to the *Principal's guide to bushfire: Prepare your school for the bushfire season*.

- (1) How many schools does the policy apply to?
- (2) Of those identified in (1), how many schools have —
 - (a) an extreme-risk rating level; and
 - (b) a very high-risk rating level?
- (3) What funding is available to schools in 2023–24 to mitigate very high and extreme bushfire risk?
- (4) Given that these schools are required to pre-emptively close when the fire behaviour index is forecast to exceed 75, does the department consider the risks associated with children remaining at home, potentially unsupervised, during periods of extreme fire danger?

Hon SUE ELLERY replied:

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

- (1) There are 162 public schools currently rated as extreme or very high on the bushfire zone register.
- (2)
 - (a) There are 59; and
 - (b) there are 103.
- (3) The Department of Education has a budget totalling \$1 450 200 to prepare bushfire risk assessment and treatment plans as part of mitigating the bushfire risk for public schools primarily rated as extreme or very high on the bushfire zone register.
- (4) The safety of students and staff is the department's foremost priority. Although the department does everything possible to keep schools open, when an extreme alert is issued by the Department of Fire and Emergency Services, the Department of Education considers bushfire risk ratings and the fire behaviour index when deciding whether to pre-emptively close a school.

BRIDGETOWN CAMP SCHOOL

84. Hon LOUISE KINGSTON to the Leader of the House representing the Minister for Education:

I refer to concerns raised with my office about the status of the Bridgetown camp school.

- (1) Is the Bridgetown camp school currently operational and accommodating school camps?
- (2) If no to (1), why not?
- (3) Was the lease with Fairbridge, which expired on 31 December 2023, renewed?

Hon SUE ELLERY replied:

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

- (1) No.
- (2) The lessee, Fairbridge Western Australia Inc, is not operating the camp on the basis of low throughput.
- (3) The Department of Education is in negotiation with Fairbridge regarding renewed lease terms and conditions across a number of camps, including Bridgetown.

Several members interjected.

The PRESIDENT: Order! We are nearly there, members. Can we let the honourable member ask his question.

VACCINE SAFETY SURVEILLANCE SYSTEM — ANNUAL REPORT

85. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Health:

I refer to the answer to question without notice 1428 answered on 14 November 2023.

- (1) Has the minister received or created any documents since receiving the 2022 Western Australian Vaccine Safety Surveillance annual report?
- (2) If yes to (1), will the minister table those documents?
- (3) If no to (1), will the minister deliver a notice to the Auditor General under section 82 of the Financial Management Act 2006?
- (4) When will the 2023 WAVSS annual report become available?

Hon PIERRE YANG replied:

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

- (1) No, the minister has not created any documentation, nor has she received any from the Department of Health, in relation to the 2022 WAVSS annual report.
- (2)–(3) Not applicable.
- (4) It will be available in July 2024.

PERTH CHILDREN'S HOSPITAL — AISHWARYA ASWATH — INDEPENDENT INQUIRY REPORT

86. Hon PETER COLLIER to the parliamentary secretary representing the Minister for Health:

I refer to the independent inquiry into Perth Children's Hospital—the Aishwarya review.

- (1) How many of the 30 recommendations have now been fully implemented?
- (2) How many have not commenced?
- (3) When will all 30 be completed?

Hon PIERRE YANG replied:

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

- (1) There have been 26.
- (2) There has been zero.
- (3) Outstanding recommendations are being implemented as a priority, with some impacting long-term transformational change that will be ongoing.

HEALTH — CHILD HEALTH NURSES — FUNDING

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

I refer to the answer provided to question without notice 1560 asked on 30 November 2023 regarding existing funding agreements between the WA Country Health Service and non-government organisations to provide child health nurse services, which states —

The WA Country Health Service is in the final stages of extending the service agreements with contracted service providers.

- (1) Have new funding agreements between WA Health and the non-government organisations referred to in that answer been completed?
- (2) If yes to (1), can the minister advise when the new agreements will expire and the total amount of funding allocated to each organisation?
- (3) If no to (1), why not?

Hon PIERRE YANG replied:

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

- (1) Yes.
- (2) The answer to (2) is in tabular form and I seek leave to have it incorporated into *Hansard*.

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

Organisation	Total funding for CHS 01/01/2024 – 31/12/2028*	Service Agreement expiry date
Geraldton Regional Aboriginal Medical Service	\$1,271,447.25	31/12/2028

Kimberley Aboriginal Medical Service	\$2,472,428.09	31/12/2028
Ngaanyatjarra Health Service	\$1,465,339.91	31/12/2028
Ngala Community Services	\$1,659,891.04	31/12/2028 (Initial three-year term, with two one-year extension options available, giving a final expiry date of 31/12/2028)
Nganngganawili Aboriginal Health Service	\$686,045.56	31/12/2028
Paupiyala Tjarutja Aboriginal Corporation (Spinifex Health Service)	\$901,086.40	31/12/2028 (Initial two-year term, with three one-year extension options, giving a final expiry date of 31/12/2028)
South West Aboriginal Medical Service	\$938,544.16	31/12/2028
TOTAL	\$9,394,782.41	

*Including GST and indexation estimated at 3% per annum.

- (3) Not applicable.

GRIFFIN COAL — GRANTS

Question without Notice 64 — Answer

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.02 pm]: On behalf of the Minister for Emergency Services, I have an answer to the question asked by Hon Dr Steve Thomas earlier and I seek leave to have it incorporated into *Hansard*.

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

- (1) The figure was determined by the Departments of the Premier and Cabinet and Treasury, taking a range of factors and inputs into account.
- (2) The Griffin Coal Process Agreement that was executed on 14 August 2023 remains in place.
- (3) Not applicable.

LIVE ENTERTAINMENT INDUSTRY — SUPPORT PROGRAM

Question without Notice 29 — Answer

HON SAMANTHA ROWE (East Metropolitan — Parliamentary Secretary) [5.03 pm]: I would like to provide an answer to Hon Peter Collier's question without notice 29, which was asked yesterday, and I seek leave to have it incorporated into *Hansard*.

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

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

- (1) This question should be directed to the individual organisations. Live Entertainment WA (LEWA) is an industry group which represents the live entertainment industry in Western Australia. Applicants were not required to provide information relating to their association with LEWA (or any other entities) during the application process.
- (2) Payments for the GTSBOR and GTSBOR+ programs are outlined in the table below.

Recipient	Total GTSBOR/GTSBOR+ Grant Payments	Description/Purpose
Mellen Touring Pty Ltd & Mellen Promotions Pty Ltd	\$1,737,256	Financial assistance for losses against 14 concerts that were negatively impacted by the COVID-19 pandemic.
Zaccaria Concerts and Touring Pty Ltd	\$1,812,968	Financial assistance for losses against 15 concerts that were negatively impacted by the COVID-19 pandemic.
Powerslide Pty Ltd (T/A Boomtick Events)	\$524,906	Financial assistance for losses against 2 concerts that were negatively impacted by the COVID-19 pandemic.

Point of Order — Question without Notice — Answer

Hon PETER COLLIER: With regard to a question I asked yesterday, I was going to get a response from the Minister for Police.

The PRESIDENT: Thank you. There being no further answers, we turn to order of the day 2.

CORRUPTION, CRIME AND MISCONDUCT AMENDMENT BILL 2023*Committee*

Resumed from an earlier stage of the sitting. The Deputy Chair of Committees (Hon Dr Sally Talbot) in the chair; Hon Matthew Swinbourn (Parliamentary Secretary) in charge of the bill.

Clause 5: Section 9 amended —

Committee was interrupted after the clause had been partly considered.

Hon MATTHEW SWINBOURN: Hon Nick Goiran asked me a question just before we were interrupted, but for the life of me I cannot remember what the substance of it was. I believe the answer was no, but I do not want to commit to that unless the member wants to ask me again. I am sorry; I was ready to answer it but now it has just gone.

Hon NICK GOIRAN: The question was on the extent of the consultation with the current Chief Justice and the current Chief Judge and whether they support the continuation of them having a role in the appointment process. I made reference to finding 21 of the Joint Standing Committee on the Corruption and Crime Commission's thirty-first report of November 2016, which reads —

The Chief Justice and the Chief Judge do not support —

Among other things —

the inclusion of serving judicial officers in the appointment process for Commissioners and Parliamentary Inspectors ...

That references the former Chief Justice and former Chief Judge. I was simply seeking clarification on the views of the current Chief Justice and the current Chief Judge.

Hon MATTHEW SWINBOURN: The correct answer to the member's question is no. We did not consult with the previous Chief Justice or former Chief Judge of the District Court whom the member mentioned. During the clause 1 debate, when I think the member was away on urgent parliamentary business, we talked about the consultation that was undertaken. Consultation on this bill was undertaken with the Corruption and Crime Commission, the Public Sector Commissioner and the Parliamentary Inspector of the Corruption and Crime Commission. The consultation was limited to that. There was some debate about what this would mean for each of those. In summary, there was much greater consultation with the CCC, given that the bill relates to it and also that more work is being undertaken on reforming the CCC act; I think that is a matter of public record. The consultation with the Public Sector Commission was primarily about providing draft copies of the bill to the PSC for its feedback and whether it had any issues that it wished to raise on a technical basis, because its interest is in the appointment of statutory officers rather than on the policy considerations. I think the way we described our interaction with the parliamentary inspector was that it was done as a matter of courtesy to the parliamentary inspector. As I said, we ventilated those issues with Hon Tjorn Sibma.

Hon NICK GOIRAN: It is curious that the Chief Justice and the Chief Judge are involved in this and will be given extra work as a result of this legislation in their roles on the nominating committee. With all due respect to the PSC and even the learned parliamentary inspector, they have nothing to do with this. I think it is good practice for the government to consult with the parliamentary inspector whenever making changes to the Corruption and Crime Commission Act anyway, but it is curious that the people who have either limited or no necessity to be consulted have been consulted while those who have a critical role and will be given more work have not been consulted whatsoever. That said, even though it is clear that the Chief Justice and the Chief Judge were not consulted about this bill, does the government know, or has it discussed with the Chief Justice and Chief Judge, whether it can support the continuation of the nominating committee process?

Hon MATTHEW SWINBOURN: The simplest answer is no. We have not sought their views about the continuing existence of the nominating committee process and their involvement in it.

Hon NICK GOIRAN: It is pretty sloppy stuff by the Attorney General because it takes a lot of time for these bills to come to the Parliament, and then it takes some time for them to be prioritised and passed. While we are dealing with the express provisions of the appointment of the commissioner, deputy commissioners et cetera, one of the fundamental recommendations and findings of the joint standing committee have effectively been ignored. They may not have been ignored deliberately but they have been ignored in practice. So here we are. This was a report from 2016. We are now in 2024 and the government of the day has no idea what the Chief Justice and the Chief Judge think about this issue. On page 43 of this report the committee went on to discuss whether there were any constitutional difficulties or hurdles with the involvement of the Chief Justice and the Chief Judge.

The parliamentary secretary and other members will be able to familiarise themselves with the legal opinion of Mr Ken Pettit, now King's Counsel, set out at page 43 of the report. In short, the conclusion drawn by Mr Pettit and the committee is that there are no limits imposed and no legislative amendments are required. However, immediately after that in the report is a section dealing with the arrangements for appointing a royal commissioner, and in short,

because time is quickly marching on this afternoon, the arrangements for appointing a royal commissioner, as the parliamentary secretary will appreciate, do not involve this complex process that we are continuing to enshrine here. Royal commissioner appointments simply involve the Premier or the government of the day. As has been noted in this report that is a fairly uncomplicated and efficient process and it does not involve a nominating committee in the sense of the Chief Justice and Chief Judge et cetera.

We have already discussed, and the parliamentary secretary already has it on the record, that the government has decided not to deal with this issue, whether accidentally or on purpose, and the parliamentary secretary has made it clear that the government sees some value in the role of the Chief Justice, for example, in the continuation of this. This draws to my attention the submission that was made by Chris Shanahan. He is very experienced in this jurisdiction. In fact, on multiple occasions he was acting commissioner. Page 47 of this report draws to the attention of Parliament his submission. He was the one who said on the evidence provided to the committee that the government should continue to have a nominating committee. That would be consistent with the view of the Cook Labor government. In particular, he thought that the role of the Chief Justice was important. I quote from his submission from 3 June 2016 that states —

... the role of the Chief Justice as the head of the nominating committee is likely to attract more candidates from amongst senior members of the Bar and the profession generally than would otherwise be the case, it ensures the propriety and importance of the appointments.

These are all consistent themes emerging from Mr Shanahan, and consistent with what the parliamentary secretary said earlier about the value of having the Chief Justice and others involved. If the government chooses to take Mr Shanahan's view, rather than the view of the then Chief Justice, Wayne Martin, it really should take the whole of Mr Shanahan's view and not cherry-pick. The report states —

Retaining the role of the Joint Standing Committee in the appointment process, and the need to ensure its bipartisan support for a candidate, are also supported by Mr Shanahan.

Bipartisanship is supported by Mr Shanahan. I do not want to spend any more time talking about bipartisanship because we have already spent a bit of time on that; however, here he talks about it being "bipartisan support". We are not talking about bipartisan support anymore; we are talking about an absolute majority of the committee vetoing the process. That is a very distinct, substantive difference from what we have had before. As I said earlier, that is all because there was a situation during one Parliament in which the government decided that it would have only one Liberal on the committee. Even though it is Parliament that ultimately decides, it would have been done on the recommendation of the government of the day. I think that committee currently has —

Hon Matthew Swinbourn: There is one Liberal, one National and two Labor members.

Hon NICK GOIRAN: One Liberal, one National and two Labor members. We could perhaps make a case for that, but even then it causes complications. I appreciate that this Parliament is complicated in that respect. The situation in 2017 led to the problem that we have here. As a result, we are effectively throwing the baby out with the bathwater, we are getting rid of bipartisanship and we do not worry about whether there is bipartisan support anymore. We simply say, "The government of the day will have its way, unless an absolute majority of the committee decides to veto it." That is not the same thing as bipartisan support.

The DEPUTY CHAIR (Hon Dr Sally Talbot): Member, I would ask you to consider whether you have asked your question, in which case I am going to have to report out. I would not like you to have to repeat all this when we come back.

Hon NICK GOIRAN: I understand you need to report out.

The DEPUTY CHAIR: Have you asked your question?

Hon NICK GOIRAN: No.

The DEPUTY CHAIR: Would you like to quickly ask your question?

Hon NICK GOIRAN: The problem is that it will not be quick.

The DEPUTY CHAIR: The parliamentary secretary could dwell on that. Okay; I note the time.

Progress reported and leave granted to sit again, on motion by Hon Matthew Swinbourn (Parliamentary Secretary).

GOVERNMENT MEMBERS — COMMENTS

Statement

HON NEIL THOMSON (Mining and Pastoral) [5.18 pm]: I want to rise to express my dismay and concern at some of the responses from the other side in matters related to the non-government business discussion earlier and with respect to my question without notice concerning the shutdown at Alcoa refinery and potentially the shutdown of the nickel refinery in Kalgoorlie.

One of the issues that I find quite staggering is that today in her response to my question without notice the Leader of the House said —

Matt Reed, Alcoa’s executive vice president and chief operations officer, said suggestions that curtailment at the refinery was the result of government policy “overlooked commercial realities” and that “politicisation of the matter is an unfortunate distraction at a time when the focus should be on caring for our people and others impacted.”

With all due respect to Mr Matt Reed—I have met him and certainly my impression of him is that he is a very professional person—that is fine and he can make that comment. What I find quite staggering is that the Labor government then uses that comment, which I understand was probably crafted by the public affairs division of Alcoa, to try to somehow defend and shut down debate in this place when matters of public interest have been raised by the elected members of Western Australia in defence of the loss of thousands of jobs in Western Australia. I am sorry. This issue has to be politicised. This is what we are here to do. We are here to present their arguments and question the government’s decisions on its policies. Government members cannot hide behind a comment that was probably crafted by the public relations department within Alcoa. They cannot hide behind it; they need to answer the questions. I find this particularly staggering coming from a Labor government. This government is supposed to be out there defending the workers. It has gone so far from its original heritage. No wonder we are seeing a shift with working people switching to the conservative side. That is a trend that is happening now. We saw that trend happen in the United States under Donald Trump with his election as president. We have seen this trend worldwide. The so-called left progressive or those parties that were established 100 years ago for working people have now become so tied up and tied in with the elites of this country that they forget to go back to their roots. All we are doing is asking some questions about the policy settings and why these closures are occurring.

An article by Matt McKenzie on 27 February in *The West Australian* titled “Analysts put the blowtorch on Alcoa’s \$3.4 billion Alumina takeover bid” states —

Shares in Alumina Limited have fallen 5 per cent despite yesterday’s move by US partner Alcoa to buy the business, with chief executive Mike Ferraro revealing “disappointing” results.

Let us go over to the comments, which I was about to get to earlier, but I ran out of time. This is very important. It continues —

Alumina chief financial officer Galina Kraeva said production of alumina—the key input to make the aluminium used in jets and electronics—fell by 1.5 million tonnes to be about 10.3mtpa in 2023.

This is the kicker. Here is the truth that comes out. This is coming from a partner, the chief financial officer, in the Alcoa business. It continues —

She said that reflected lower bauxite grades being processed and the curtailment of one of the five digesters at the Kwinana refinery.

She said —

“Curtailment was initially in response to a statewide-shortage of natural gas and then was extended to provide more time to work through the mining approval process ...

A curtailment happened because the approvals process had been delayed. This issue was raised by the chief finance officer with regard to the partner of Alcoa. The article continues —

Bauxite grades fell after the company was forced to continue mining depleted deposits amid the approvals battle.

That goes back to the first point she made about ore quality. Those three facts, which were raised by Dr David Honey in the other place, for which he was pilloried, have been identified and exposed by the chief finance officer, and those facts should be responded to.

My question without notice was about not just Alcoa, but also BHP’s nickel refinery. There was no response from the government at all. It just trots out these comments and hides behind them: “Nothing to see here, folks. You’re just politicising it.” Well, that is our job! The government has to answer our questions. We are His Majesty’s opposition and members opposite are His Majesty’s government, which needs to respond to questions put by His Majesty’s opposition.

This is what Mike Henry, the most senior person in BHP, is saying. Let us get the truth out here. The article in the *Financial Review* of 28 February states —

BHP sheds jobs, axes white-collar teams in global reset

Specialist teams are being disbanded to streamline the business and cut costs after chief executive Mike Henry said wage inflation in Australia was “especially problematic”.

That was not all Mike Henry said. Rachel Pupazzoni from *The Business* for ABC news put together a very good video in which Mike Henry, the CFO of BHP, who knows what he is talking about, said that unfortunately the settings here in Australia do not support maximum efficiency. Today we saw the government hiding behind a smokescreen

in the form of a quote that was probably pumped out by the public relations area of that agency after some discussion. The government should answer the questions and get down to the policy settings. It is failing the hundreds, if not thousands, of workers who are probably having restless nights worrying about their future. Government members should take my advice and get back to their roots. They should start thinking about the people who matter in Kalgoorlie and Kwinana. They should start thinking about it and examining themselves and what they are and are not doing to destroy our value-added industries in Western Australia.

TAYLOR SWIFT

Statement

HON DARREN WEST (Agricultural — Parliamentary Secretary) [5.27 pm]: Oh dear! It has been a strange and very unusual week, and what I am about to do is not going to make it any less unusual, so apologies in advance. Members may have noticed that a pop performer named Taylor Swift has been in the country this week. For those members who have not heard of Taylor Swift, she is a very popular musician who has performed a series of concerts around the country this week, one of which was attended by over 90 000 fans at the MCG. I think she performed three concerts at the MCG that attracted about 280 000 fans. She was also in Sydney this week. Unfortunately, she did not perform in Perth for our local fans to see and support, but she was here on her last tour. We had World Wrestling Entertainment in Perth last weekend, which was wildly successful. But, members, I am far from being called a “Swiftie”. I put that out there right now. I am a person whose beer of choice is Emu Export and whose karaoke go-to is more Cold Chisel, Jimmy Barnes and the Angels than is or ever will be Taylor Swift.

Can I say how impressed I have been. I took it upon myself to learn a little more about Taylor Swift and the phenomenon she has become. I must say that I have been totally impressed with what I have seen. I will confess here in front of everyone that the weekend before last I was in the tractor on the farm spreading lime and I decided to listen to some Taylor Swift music on Spotify to see whether I could understand what the fuss was all about. I quite enjoyed a lot of the music. I had heard a lot of the songs before but did not realise they were Taylor Swift tunes. She is an inspiration to a generation of young women. She is wildly successful. She believes in lifting people up. The concerts are all about feeling good and enjoyment and bringing people together. Is that not a nice change in the world? I note the contrast between this statement I am making now and the one before it. It is good to see. I am thoroughly impressed.

I am not calling myself a Swiftie yet, but I have been really impressed with what Taylor Swift has been able to achieve. Part of me is glad that it is over and the Taylor Swift train has moved on, as I think are a lot of others.

Hon Jackie Jarvis: You’ve gotta shake it off!

Hon DARREN WEST: Yes, there are a hundred good lines that we could use; thank you, minister. It has been enlightening to have Taylor Swift in Australia. She does great work for young women and their confidence and their capacity to achieve their dreams. I have a daughter who also is not a Swiftie, but her generation has been highly inspired. I am sure there will be a spinoff from the inspiration she has provided to women and that they have the confidence to pursue their dreams, as Taylor Swift has done, and do it very successfully. I think that in the years to come a lot of young women will continue to further their careers and look back at the inspiration that was given to them by Taylor Swift.

Well done, Taylor! Next time you come to Australia, please come and see Perth.

CLIMATE CHANGE

Statement

HON DR BRAD PETTITT (South Metropolitan) [5.31 pm]: Today is the last day of February and it has been a pretty extraordinary February from a climate change perspective. Members are probably aware that this February, Perth broke a range of heat records that have stood for a long time. There were seven days over 40 degrees—almost double the previous record of four in about 1985. On Monday last week, the 15 hottest places on earth were all in Western Australia, including poor old Carnarvon, which reached 49.9 degrees.

Hon Neil Thomson: I was there!

Hon Dr BRAD PETTITT: The member was there. It also reached 47.7 degrees in Geraldton. It is pretty extraordinary when we look around the world and realise that 12 of the 15 hottest temperatures recorded last Monday were right here in WA. Of course, climate change is playing out globally. A range of things have happened since we last sat in this place that I think are worth putting on the record. For the first time, the world breached its 1.5 degree Celsius warming over a 12-month period. The target in the Paris Agreement is about 1.5 degrees, but over the past 12 months, and for the first time, we have breached that. Perhaps those temperatures we saw in February will be remembered by our grandchildren as some of the cooler temperatures they experienced.

According to the European Union’s Copernicus Climate Change Service, 2023 was the hottest year on record. Antarctica sea ice reached a record low for the third year in a row. Disturbingly, over the past couple of months we have seen reports that the Atlantic Ocean’s circulation is reaching what scientists call a devastating tipping point.

The Guardian reports that a study has found —

Collapse in system of currents that helps regulate global climate would be at such speed that adaptation would be impossible

That is the opinion of global scientists.

Over the summer, since we have been away from this place, we have seen increasingly rapid climate change happening everywhere. I hoped and expected that we would see this government respond to that. It is disappointing to find nothing—I am happy to be corrected—from the Minister for Climate Action or others about this. There was not a single media statement or even anything on social media over the summer that talked about climate change. How is that possible? I know that I have said this before: how are we again silent on this issue in the face of the overwhelming evidence? It is pretty extraordinary. I get why. One other thing we saw since we last met was a government announcement of new legislation; there will be no 2030 target and no targets until 2035, which is more than 10 years away, a critical decade. For some reason, we feel that our special circumstances here in WA mean that we do not have to act. Just before Christmas, after two years of waiting, Labor released the *Sectoral emissions reduction strategy for Western Australia*, which is literally so thin and so lacking in substance or proper planning to get emissions down that it is barely worth the paper it was printed on. Perhaps the only emissions that were reduced were captured in the 40 pages of that report.

It is very frustrating to see so little action on the back of this summer. Heatwaves like the one we just experienced are the new normal, and we need to start getting serious about that. We also need to start getting serious about increasing renewable energy, getting off gas, helping people adapt and improving social housing. People live in some of our suburbs without air conditioning or insulation; we need to help them cope with these temperatures. We need to get serious about planting more trees and protecting the mature trees we have. We need to get serious about helping people in our institutions and prisons, like Roebourne Regional Prison and unit 18, by installing air conditioning in cells. We need to get serious about not letting the Woodsides and other big gas corporations of the world do what increasingly feels like writing government policy for their own profits.

Last week, I joined about 100 other peaceful protesters who were gathered outside Woodside. What I came away with was that it was a very normal, good, peaceful protest. There was lots of singing, drums and things people would expect. What was remarkable was that it seemed that about as many police as protesters were there for a very peaceful protest. People were arrested very quickly for behaving peacefully and, in fact, sitting on the ground. I thought to myself: is that really our action on climate change? The state prioritises putting police resources into arresting climate protesters rather than doing what is right. I think the protesters and climate activism of today will be compared with the types of civil disobedience that have been so crucial throughout history. My only hope is that the government starts to listen to these people. I was very proud to be there and support them.

Finally, there is really good stuff happening. I do not want to be despairing. If we look around the country and the world, good things are happening in this space. I am especially impressed by what happened in the US with President Biden's Inflation Reduction Act, which is about 18 months old and has already seen about \$1.2 trillion of investment into renewable energy, and that investment is probably likely to snowball to about \$3 trillion from industry as a result of the government's investment. Already 272 new green technology projects are up and running, including 91 batteries and 81 wind and solar projects. We are seeing a huge transformation across the world, even in China. In the last 12 months, China has put in more solar power than the rest of the world combined. A huge amount is happening in this space.

I know that the WA government does not like using sticks; it likes using carrots. The Inflation Reduction Act is a really good example of using carrots to get industry going. I cannot help but compare that with what is happening in our renewable energy space, which frankly has stalled. Have a look to see what new renewable energy projects are in the pipeline. I can tell members what they are, and I do not even need one hand: Flat Rocks wind farm, King Rocks wind farm and one small solar project. That is it. Western Australia is normally 10 per cent of everything in Australia. At the moment, we have three per cent of possible projects but only one per cent of probable projects because we keep putting our foot on the hose. One example of that is the recent idea that we are going to charge new renewable energy projects \$100 000 for every megawatt that they want to put in. That is the complete opposite of what is happening in places like the USA and the other states.

We have a huge opportunity to get on and do this and we need to encourage it. I think we need to wake up. There is a lot of rhetoric that we are going to be the new renewable energy superpower; that is not what is happening. We need to understand that the rhetoric is not being matched by action or by investment, jobs and all the other things that should be going with it. We need to wake up and realise that we need to do things differently. There is talking about climate change, and there is actually allowing, encouraging and investing in the kind of renewable energy projects that will make WA prosperous into the future.

In the last minute I have left, I want to talk about something much more local. During the break my daughter and I—she has just started year 1 and she is loving it—went to see something at the Perth Cultural Centre. We stopped and had some sushi by the wetland. The wetland was almost dry and she asked, “Daddy, what’s going on?” I explained

that there was a plan to demolish the wetland and pave over it, and she was outraged. She asked, “Where will the birds go to drink? Where will the frogs go?” I said, “That’s a really good question. I don’t know.” She was so outraged that she went to school the next day and wrote a few letters with her friends. I want to acknowledge my daughter, Aoife, and her friends Ruby and Harry. They all wrote to the government in their year 1 writing—I am happy to table these, if appropriate—asking that the government does not drain the pond near the Western Australian Museum; there is some wonderful year 1 spelling here! They explained that, otherwise, we might be fired! I tried to explain that that is not quite how government works and that we could not be fired until next year, at the election! But that is their plea, and I seek leave to table these three letters from six-year-olds in White Gum Valley, please.

[Leave granted. See paper [2988](#).]

FAMILY AND DOMESTIC VIOLENCE

Statement

HON SANDRA CARR (Agricultural) [5.41 pm]: I rise to make a couple of comments about things that I did not get to include in my contribution to debate on the motion earlier today. I simply ran out of time, but there is so much information I would have liked to share. I mentioned in my contribution that so far this year, 10 women had died as a result of family and domestic violence in our community, and there is potentially another one to be counted before we have hit the end of February, which is tragic.

I was contemplating that throughout the day and thinking about it being International Women’s Day on 8 March, before we sit again. My horror was compounded by the comments made by Pauline Hanson about what she calls violence restraining orders; here they are called apprehended violence orders. I feel absolute horror hearing her comments, which diminish the seriousness of all forms of family and domestic violence and violence against women and children. I had to read it a number of times to see whether I was reading it accurately—to see whether that was something that a woman in our community could actually say. She did.

My colleague Hon Darren West was talking about Taylor Swift a while ago, and there is a line that Taylor Swift has uttered in the media at times: there is a special place in hell for women who do not support other women. As Hon Darren West was speaking, it just reminded me of that line from Taylor Swift. The consequences of saying something like that are not just that people’s feelings are hurt or that I feel a bit of horror and disgust as I sit here; they are also that violence continues, that women continue to die, and that the people who are doing those things, who breach AVOs, continue to think that that is okay. It endorses that, it enables it, it allows it, and you, Pauline Hanson, are part of the problem.

House adjourned at 5.44 pm
