

Mr Peter Katsambanis; Mr Kyran O'Donnell; Mr Mark Folkard; Mr Peter Rundle; Dr Tony Buti; Dr David Honey; Mr Zak Kirkup; Mr Ian Blayney; Mrs Robyn Clarke; Mr Simon Millman; Ms Libby Mettam; Mrs Liza Harvey; Mr Reece Whitby; Mrs Michelle Roberts

POLICE AMENDMENT (MEDICAL RETIREMENT) BILL 2019

Second Reading

Resumed from 8 May.

MR P.A. KATSAMBANIS (Hillarys) [4.17 pm]: I rise as the lead speaker for the Liberal Party on this bill and to offer our wholehearted support for it. The appearance of this bill in this place in 2019 does not cover the Parliament of Western Australia or the Western Australian governments of the day in any great glory, unfortunately. We are addressing an issue that has been around for decades. It is an issue that has caused massive harm and hurt to the people of our state whom we should be thanking rather than harming. We owe a massive gratitude to these people. Police officers did not deserve the treatment that they received in the past. It is not something that Western Australian governments over the last three decades or so have addressed. We will finally address it. Good on this government for addressing it, and good on in particular the members and the leadership of the Medically Retired Western Australian Police Officers Association, led by its president, David Bentley, and all the other members whom I and many other members of Parliament have met over the years. The Western Australian Police Union of Workers has also strongly advocated to make this bill a reality.

The Police Amendment (Medical Retirement) Bill will allow members of the WA Police Force who are no longer able to serve because they are deemed to be medically unfit to serve to retire with dignity, to retire with their head held high or to retire with an understanding that every person in Western Australia, from the government to Parliament to every member of the public of Western Australia, thanks them for their service and stands by them in an obviously difficult time, when they can no longer continue to serve. In the vast, vast majority of those cases, it was due to the service itself that an officer would need to retire because they were no longer medically fit to serve. It was because of the harm they endured in putting their body and their mind on the line every day to serve and protect the public of Western Australia.

That is the heart of what this bill is getting at today. These police officers have endured a lot in their time as police officers. All police officers do every single day. As we keep saying, they walk towards trouble when the rest of the public are walking away from trouble. When we sense trouble, we call on the police to come to our aid and they do. They face some harrowing circumstances. They not only face aggressive people, people who are lunging at them with knives, guns or other weapons, but also walk into some very parlous situations, whether it be related to domestic violence or other violence, often fuelled by drug or alcohol abuse on the part of the perpetrators. We know the consequences of that: significant physical injury, attacks, punches, stabbings and, very occasionally, shootings in a number of jurisdictions across Australia. We have understood those sorts of physical scars and that sort of damage for many years. There is also the wear and tear damage in chasing someone down the street when an officer might injure a knee or shoulder, or climbing a fence or whatever. It might not have been a direct attack but in response to a criminal situation that they suffered an injury.

They are the more easily understood injuries but the harder to understand injuries are the non-physical injuries, the mental injuries. They are horrific for many, many people. Those scars do not heal easily. I had the honour and privilege a few weeks ago to attend a special movie screening put on by the WA Police Union of a fictionalised account, if you like, of the real circumstances of a police officer who endured significant mental harm throughout their service, culminating in an attempt to take their own life. Obviously, in that case they survived that attempt, which was good, but it highlighted a number of things to me. It highlighted, first of all, just how much damage can be caused from the mental scars of the job. It also highlighted to me that we as a society, be it through leadership in any employment sense, including police command, right through to work colleagues, still do not have a full appreciation of the impacts of mental harm on people or any real way of identifying behaviour patterns or changes in behaviour patterns that indicate an underlying mental health issue. I commend the police union for putting that on. I think the movie was funded partly by the commonwealth government and put together by the Police Federation of Australia. In conjunction with that, a song was recorded by the great Australian balladeer, John Schumann of Redgum fame. He has also been a real advocate for veterans and veterans' causes and has now taken on police causes. His song is called *Graduation Day*, which graphically illustrates the impact of mental harm. That movie is called *Dark Blue*. I recommend it to anyone. I think it is available on all the websites and streaming services. As I said, it highlighted to me how much harm can be caused. At least one other member in this chamber will expand on that and possibly talk about some of the impacts closer to home on him and his family. I will allow that member to speak if he so wishes and offer him my ongoing support for the harm that service has caused.

Given there is so much physical and mental harm, the last thing we should be doing as a society is adding to that harm by sending police officers out of the police force with a shadow on their record, with perhaps the

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perception of a black mark against their record. We need to have an adequate pathway that recognises their service, recognises their sacrifice and thanks them for their service. Unfortunately in Western Australia, due to our rather antiquated Police Act that came into force in 1892, although it has been amended over the years, we have not created a pathway for medical retirement. Until now, to have a police officer medically retired so that they can enjoy all the other benefits that come with retirement, the only option available to the Western Australia Police Force and to the commissioner, who is responsible for the force, was to utilise the ubiquitous section 8 powers of the Police Act. They are, essentially, loss-of-confidence powers; the same powers used to remove dodgy police officers, corrupt police officers or simply incompetent police officers—the sort of people who should go out with their tail between their legs; the sort of people we do not want to thank or reward, because they have proven themselves by their character and their actions to not be worthy of being Western Australian police officers. We should never, ever lump in that category those officers who want to carry on serving the public but cannot because of their medical condition. We should never condemn them to go out in the same way.

Sadly, as I said, until now that has been the pathway, and it has been the only available pathway. I met with medically retired police officers who told me that their injuries—physical or mental, or a combination of both—are still harming them, but added to that harm and their concern is the way they left unrecognised, with a section 8 question mark hanging over their heads. We know that the officers who served with them and anyone who knows them do not have those questions, but the fact remains that they went out on a loss-of-confidence power—and that has never been good enough. The Police Amendment (Medical Retirement) Bill 2019 will fix that. Good on the government for doing it. As I keep saying in this place, I want to stand up, whether I am on this or the other side of the house, and say that the government is doing the right thing by Western Australians; and in this particular case, it is doing the right thing by critically important Western Australians, Western Australians who have our bipartisan support; that is, the men and women of the Western Australia Police Force, who go to work every day to protect the public of Western Australia. That is why we support these provisions.

The bill removes the concept of disability from section 8 and creates a new part of the Police Act, part IIC, “Medical retirement”, and obviously creates a new head. New section 33ZA, “Summary of Part” reads —

This Part sets out a scheme under which members who are medically unfit can be retired specifically on medical grounds (rather than being removed under Part IIB).

Part IIB being the section 8 loss-of-confidence powers. The bill sets out how the scheme will work—the affected member of the police force will be examined by the medical board—and it sets out how the medical board will be constituted. When the Commissioner of Police forms the opinion that a member is medically unfit, the bill states what notice period the police commissioner must provide for the officer to respond, if the officer has a different view. A whole series of steps are being introduced for procedural fairness to ensure that officers can be retired without fearing that they have not been given the appropriate opportunity to address the concerns of the Commissioner of Police. The bill also sets out the powers of the commissioner and the maintenance payments that can be made. Interestingly, it also provides the police commissioner with the power to revoke a decision. I asked some questions about this during the briefing—I thank the minister and her staff for that briefing—and I got a good response through the minister’s office. That power is there because after the process is triggered—I will talk about the process of appeal to the Western Australian Industrial Relations Commission—the police commissioner may come across new information, and when new information comes to light that the decision was not properly made, it will be easier for the commissioner to revoke the decision rather than continue with the appeals process. That power is available until the appeals process is exhausted.

When a member of the police force is served with a notice by the police commissioner saying, “We think you’re medically unfit”, that member can tender their resignation. Given the cases that I have heard of, that will probably happen because although the scheme is couched in an adversarial way, often there is no adversarial issue. The officer who is medically unfit will accept that they are medically unfit. They will go through the process, the commissioner will issue them with the paperwork, which they will accept, and they will move on. Occasionally—we might talk about this briefly in consideration in detail—it may become adversarial, but in most cases the matter will be resolved by mutual agreement. The only difference will be that the officer, as I said earlier, will go out with their head held high and with dignity, not under the section 8 loss-of-confidence powers.

Division 3 of new part IIC creates a power of appeal because such a decision by the Commissioner of Police is a decision made by an employer about an employee, and through procedural fairness an appeal can be made to the WA Industrial Relations Commission. The appeal body will be constituted by no fewer than three industrial commissioners, at least one of whom is either the chief commissioner or the senior commissioner of the Industrial Relations Commission. That is fair and it indicates that this is a pretty serious process. It is likely that these things will happen rarely; if they are not rare, constituting an appeal body with no fewer than three industrial

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commissioners would add a significant amount of work to the WAIRC. I raised that in the briefing and the response was interesting, and I will talk about that in a moment. There are provisions in the bill for new evidence and the like. The bill gives powers to the WAIRC to make various directions, as it should, and there are transitional provisions and the like. In many ways, from a procedural fairness point of view, part IIC, the medical retirement part, is modelled on part IIB, which sets out the procedural fairness requirements that are to be used when utilising the ubiquitous section 8. Although the reasons for the retirement might be different, that model is right because we have a tried and tested system and it has worked relatively well.

At the briefing, I was told that over time, we are likely to see about a dozen or 13 such medical retirements from the police force each year. At the moment, there may well be a bit of a bank-up. I imagine there are a few people sitting around waiting. Knowing the character of police command and the police commissioner, they would be aware that this legislation is coming into place and would be holding off on medical retirements for as long as possible. I hear anecdotally that that is what they are doing. Perhaps in the first year or so, we might see a spike in medical retirements, but that will be for good, not bad reasons; namely, to give police an opportunity to retire under part IIC, as they deserve to be retired, rather than under a section 8 notice. We will see over the fullness of time. Given what we know about police work, I do not think that the numbers will go down. Our police face increasing dangers; there are absolutely increasing dangers out there. It is a sad fact of life that when they go into the job, they go into it with the best of intentions and do not anticipate, like the lead character in the movie that I mentioned earlier, going to a dark place because of the negatives of the job. They see the positives of the job—the camaraderie and the working together to protect the public of Western Australia—but the job comes with its downsides. I do not see those downsides coming down; I see them going up. That is just a fact of life. It is an issue that we, as a society, need to address, particularly in the mental health space. We are always going to get trips and falls, especially when police officers are chasing someone and trying to jump fences and the like. We are, unfortunately, always going to get aggressive people attacking police officers. There will always be those physical injuries, whether they go up or down in a particular year. That is probably going to be pretty similar from year to year, but unless we do something as a society to address the mental aspects of the job, they are only going to get worse, and the first thing we need to do is recognise that.

We have done well with mental health across our community; we have improved. Organisations such as Beyond Blue and the like have alerted us to mental health, including workplace mental health, but we have to get to a stage at which everyone is watching out for their colleagues. We have the ubiquitous R U OK? campaign every year, and it is a good campaign. But what we need is a deeper understanding beyond R U OK?, so that we can assess and talk to people and help them. It is not a medical assessment; it is just a call: “I think my friend whom I work with every day needs a bit of help. What can we do?” We need to address that as a society; otherwise I think these stats—the dozen or so a year—will probably start increasing over time.

I am told that the last appeal on medical retirement on section 8 grounds was in 2014 and that there were not any from 2015 to 2019. That was part of the information provided after the briefing, and I thank the Minister for Police and her office for getting that information. I am told that that particular appeal was not upheld and that the retirement continued after the case had been heard by the Western Australian Industrial Relations Commission. However, as I was saying earlier, that goes to show that the WAIRC process is pretty cumbersome. Three members of the commission hear each case, so we do not want dozens and dozens of such matters clogging the WAIRC; otherwise we will probably need to have more people appointed and more resources put in place. But it goes to show that, if past experience is any guide, we are not going to have a plethora of new applications to the WAIRC. As I said earlier, a lot of these cases—I would expect the majority; I would be interested to hear the minister’s view, either in her reply or during consideration in detail—would be completely non-adversarial. They would be in agreement. The officer would know that they are not well, the commissioner would sign off on the paperwork, and then the process can commence. They can leave with dignity, they get a good send-off, and obviously they get some compensation, which is the next part of the puzzle that I will speak about.

We know that medically retired police officers have had an opportunity to look at this bill and to provide comment. The WA Police Union has provided comment and has indicated to us that it is happy with the bill. The majority of the procedural fairness provisions are really modelled on existing provisions in the Police Act that apply to other people, so in many ways they are already tried and tested; there is no point in reinventing the wheel. As a result, the opposition has great confidence that the bill will actually work and do what it is intended to do. If it does not work, I hope that we can come back—again, in a bipartisan spirit—and fix any bits that do not work. But I hope we do so a lot sooner than we got around to dealing with medical retirement as a separate issue from section 8, because that was not good enough—by any of us, or by any of the people who sat in our places before us. It just was not good enough, and even an apology now to all the people who have been medically retired under section 8 would not cut the mustard; it is as simple as that. They have been made to suffer unnecessarily. As members of

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Parliament, when we get it wrong, we should be strong enough to stand up as a group, as a collective, and say that we got it wrong, and then fix it, which is what we are doing here.

When this issue became an issue after the last state election, the then Leader of the Opposition, the member for Riverton, and I gave a rock-solid commitment to the medically retired officers we met with—both privately and at a rally they held on the steps of Parliament—that when any legislation was introduced, we would support it and we would not hold it up. That is what we are doing here. I know the current Leader of the Opposition, the member for Scarborough—given her longstanding work with police officers—is also fully supportive of that. We all are here in the Liberal Party. I think every member of this Parliament is fully supportive.

Another piece left in all of this has been unaddressed for at least 25 years, if not longer; the member for Burns Beach and the member for Kalgoorlie would probably know better than I do.

Mr M.J. Folkard: For the section 8 process?

Mr P.A. KATSAMBANIS: No, for the compensation process. I see the member for Burns Beach shaking his head. Police compensation is the next piece. We know that the workers' compensation legislation does not apply to police officers in this state. This is the only state that does not have a form of compensation available to police officers, whether through a carve-out of the traditional workers' compensation scheme that applies specifically to police officers, or a standalone scheme. Again, it has not been addressed for at least 25 years.

The previous government provided a framework bill late in the piece, in late 2016. I know that it did not satisfy everybody. It certainly did not satisfy the police union at the time, but I would like to think that it was the start of a process that should be continued. I know that the current government, when in opposition, made a commitment to introduce that scheme. I also recognise that it is difficult to craft a scheme that preserves all the current benefits that police officers have through industrial agreements, and gives them some compensation into the future, without unnecessarily upsetting the good people of the Treasury of Western Australia. I hope the government is in a position at some point to introduce its version of a compensation scheme. We are more than two years into the term of this government—so we are into the third year—and that bill has not surfaced, so I dare say that the gremlins and hidden nasties of actually getting the specifics right are as tricky for this government, the Premier, the Treasurer, the Minister for Police and everyone else as it has been for other governments that have gone down this path and never quite got there.

I would like an indication from the minister at some point—whether today or during some other debate—about whether she thinks we will get there this time around, before the end of the current parliamentary term. Again, the former Leader of the Opposition and I gave a commitment that we are absolutely supportive of police compensation. We evidenced that by actually getting to the stage of having a bill. It was not a bill that pleased everyone, as I have said, but it was an indication that we are supportive of the principle and the concept, and we tried as hard as we could to get something right. Perhaps we did not get it right; that is fine. None of us are infallible. But we gave the public and the police officers an indication that we were supportive of this concept. This government has also indicated its in-principle support, so it is really a matter of getting on with the job and putting the compensation scheme together. Again, we will start out with a draft and hammer out the bits and bobs of it.

Of course, when we think about medical retirement, the next question is: how will those people who are injured, whether physically, mentally or a combination of both, in the course of their duty and who leave the force be compensated into the future? Like the issue of medical retirement, they should not be disadvantaged, as they currently are, because no compensation scheme exists. I know that people in many jobs think that they are bulletproof. I in no way compare myself with a police officer. I do not put myself in the way of any real physical harm every day, but I found out about 18 months or so ago that I am not bulletproof. Luckily, I am back and I am here, and many others in our society have done that. As I said, we do not just get young officers. I go to a lot of the graduations, as does the minister, and we see people who have, perhaps halfway through their working life, made the call to become police officers. Maybe it was an ambition they had and they did not quite get to realise it until their 40s, and I have even seen someone do it in their 50s. People are coming into the force at all ages and stages of life. When they get in, they think that they are bulletproof, but I think they find out pretty soon that they are not. In their case, they are doing it to protect us. If push comes to shove, police officers will take a bullet for us, so we should not in any way, shape or form take their service for granted. We should thank them every day. Whether or not they have been injured, we should thank them for what they do. We should ask after their health, we should support them in their endeavours, and, when they do fall over, they should be able to retire with their head held high. They should know from the very first day that they start that we will have their back not only when they are fit and healthy police officers, but also when they need compensation for their injuries. At the moment, they do not get that. That is another shame. It is not a shame of this government or the previous government or the government before that one; it is really a collective shame of this place and governments in Western Australia over the last 25 or 30 years that this gaping hole has not been fixed. Today we are fixing one small but very important part of it.

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Well done to all those medically retired officers who have continued to fight the good fight for this sort of legislation. Their cries have been heard. As I have said, they have been heard by this government, by the opposition and, I believe, by the Nationals WA. We are happy that this legislation is finally going through. We are not happy that it has taken so long. Do not get me wrong; any apology I can offer on behalf of the others who have been here before us is cold comfort to police officers, especially the ones who are already medically retired. We recognise that. Well done to them for all their relentless work to make this legislation a reality. Well done to the WA Police Union for advocating for this. Well done to the government for coming to the party and bringing —

Mrs M.H. Roberts: And the medically retired officers.

Mr P.A. KATSAMBANIS: Yes; they were the first ones I mentioned. David Bentley and his team are absolute marvels for continuing to do it, because they did not have to. They were medically retired. They did not have to do this. They were not advocating for themselves; they were advocating for people in the future so that people like them do not suffer the indignity and additional hurt that they suffered. They know how it feels. We cannot compensate them for that. That is the first piece of the puzzle. Some other bits of legislation have come through. The next bit of the puzzle is compensation. As I said, I sincerely hope that the minister gets there. I know it is tough; I recognise that. I know that she is not just sitting on her laurels on that one. I can argy-bargy with her about lots and lots of things.

Mrs M.H. Roberts: I will need some help from you.

Mr P.A. KATSAMBANIS: I am always willing to help the minister. I can even dust off my old actuarial skills that I gathered at university and subsequently when I worked with actuaries in my professional capacity as a lawyer in financial services. If she desperately needs those skills—I do not think they are the ones she is lacking, though —

Mrs M.H. Roberts: No; I am looking for your powers of persuasion.

Mr P.A. KATSAMBANIS: My powers of persuasion—that is a different matter! Let us not overstate any of our powers in this place.

I am very happy to stand and support this bill because it is here. I am very unhappy that it has taken this long. I would like this bill not to be here now because it had been enacted many, many years ago. I thank everyone involved. I indicate the opposition's strong support. I look forward to the contributions of other members, particularly the contributions from my colleague the member for Kalgoorlie and, if I can say this, my friend on the other side of the house and the deputy chair of my committee, the member for Burns Beach, because they will have some real lived experience of this that is particular to them. I am happy to stand with them, because I know that it is not all a bed of roses for retired police officers. If they need any help, all of us are always there for them.

MR K.M. O'DONNELL (Kalgoorlie) [4.56 pm]: Greetings, Madam Deputy Speaker. As a police officer for 34 years, I rise to speak on the Police Amendment (Medical Retirement) Bill 2019. It is an outstanding bill to bring before Parliament. Many bills come before Parliament that we all get involved in, but some bills have no effect on us or our constituents. For me and my friend from Burns Beach, as former police officers, and for my comrades, this is huge.

To the lay public, having medically retired police officers boarded out from the Western Australia Police Force under section 8 is okay—so what? The Commissioner of Police could board out on, say, a Monday a police officer who has brought disrespect and bad form to the police department—for example, a police officer who has assaulted someone—and so he should; we do not want that type of person in our police force. But the next day, Billy, who has been doing his job and protecting the public, is badly injured medically, through no fault of his own, and finds that he can no longer perform his duty, so the commissioner boards Billy out under section 8. What is the difference? One has done his job of protecting the community to the best of his ability, while the other has been violent towards a community member, but both of them have been boarded out under section 8. The public perception might be: so what? But there is a stigma attached—I dare say that the member for Burns Beach will go into this more so—when a person leaves a job that they love. I firmly believe that 99 per cent of police officers love their job. We cannot please everybody. I loved going to work every day. I could not wait to get there. I loved it until my very last day.

Police officers protect and serve the people of Western Australia and they deserve to be retired medically unfit with dignity and compassion if their experience in the police force of protecting and serving the community results in them no longer being able to continue as a serving police officer. The second reading speech refers to some of these issues. I will mention some of those issues as they relate to me. It states that police officers turn out to road fatalities. Geez! How many have I been to? I am not even a traffic officer, but I have done my fair share. I went to a fatality where the guy had been driving home after night shift, and he veered to the wrong side of the road and over-corrected and had a head-on collision. By the time we got there, he was still alive, but the steering wheel was

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pushed against his chest, heart and stomach. The nurse at the scene said that once that pressure was taken off, he would be gone. At another road fatality, I picked up the person's helmet, which was twisted and mangled, and the head was still in there. The memory of that is still with me.

I have attended suicides. I hope this will not be a war story between the member for Burns Beach and me, because what he would have seen would be as bad, if not worse, than what I have seen. We are not trying to up the ante on each other. I went to a suicide where the person had tried to shoot themselves, and they had blown half their head away and were still alive. I have attended house fires and helped to remove the burnt bodies. I attended a plane crash in Leonora, and various personal effects were at the scene. I picked up a little kid's shoe, and the foot was still in it.

I have attended my fair share of murders. I do not think I am belittling it by using the words "fair share". Murders are not something we want to walk into. I will not go into everything I have seen. I went to a house of a person who was dying of cancer, although I did not know that at the time. We attended in the early hours of the morning, and when the family member opened the door, all we could see was blood all along the floor and walls of the hallway. We thought we were attending a murder scene. However, when we went around the corner, we found the person wrapped around the toilet bowl, with half their insides protruding from their mouth and into the bowl. Everything inside them had just come up.

I have attended violent incidents. I was doing a foot patrol in the middle of the night and came across a lady who was screaming for help. The next minute, I turned around the corner and found that a bloke was trying to bash and rape her. That has stayed with me.

I have been at the interviews of children who have been sexually abused. People do not do that in this day and age unless they are a qualified specialist. However, in the 1980s in Kalgoorlie, we did not have a large number of police officers. One day, I was typing while the officer was asking questions. That was my first introduction to a child sex abuser. All I wanted to do—I will be honest—was pick up that typewriter and hit him. I knew then that I had to step back. I did not ever want to interview a child abuser—paedophile—again in my life. Thank God it became a specialist department and I never had to do that again.

I have attended domestic assaults. They have stayed with me. Nothing is worse than attending a domestic incident and the wife says, "He hit me", and she is bleeding and holding her face, and when we turn around to arrest the husband, who does not want to come quietly, the next minute we are getting belted from behind by his partner, whom we had come to help. These are the things that occur in the day-to-day life of a police officer.

I will mention another incident that will stay with me for the rest of my life. I have spoken about it in Parliament. I would be the only police officer ever to have had an Aboriginal person at my feet who is being culturally speared. That would not have occurred to any other police officer. That has stayed with me forever and a day.

Violent and confronting situations stay with some police officers forever. We all handle things in different ways. What will upset me may not have any effect on someone else. The things that I have seen, such as traffic fatalities and suicides, are not for everybody. Police officers may find that, all of a sudden, and through no fault of their own, mental health issues rise to the fore and they can no longer bear the brunt of performing their duty, and they are boarded out. Once this very good bill is passed, those police officers will be boarded out with dignity. I would like to thank David Bentley, president of the Medically Retired Western Australian Police Officers Association, and his members. They have had a long, hard road in getting this legislation up. I have been in Parliament for only a short time. However, I believe that previous governments, I dare say on both sides, could have done better on this issue. Therefore, I am very glad this legislation has come forward.

Some medically retired officers do not want to leave the police force. They are in a job that they love. Some are not fussed about leaving. However, I dare say that, predominantly, they do not want to go. They want to still be able to put on their uniform and help out. It would not matter if they were in an office rearranging stuff, collating, or doing administration—anything—just so that they were still part of the police force. I will give members a big tip. It is very hard to leave the Western Australia Police Force. Sorry. I was asked what it was like once we had left the police force. This was a few weeks after I had resigned. I said to them that when I am busy, I am very busy; but, when I am not busy, I am very lonely. Sorry about this. I do not think I am alone in saying that. I feel very sorry for officers who have been boarded out under section 8. I have no doubt that they felt alone. Apologies, Madam Acting Speaker.

The ACTING SPEAKER (Ms S.E. Winton): No apology required.

Mr K.M. O'DONNELL: Police officers are human. We feel the same as members of the public. We have to try to show that we are stronger and can handle the situation because, if police attend a scene and people are panicking, it is no good the officers panicking.

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I would also like to pay homage to an outstanding former police officer. Sorry.

The ACTING SPEAKER: You are doing very well.

Mr K.M. O'DONNELL: Joel Patterson was our training officer in Kalgoorlie. He was my friend. He was diagnosed with cancer. He took time off, but he loved the job, and even when he had only days to go, he came back to work. Joel died. He could have been home with his wife and kids. He loved them. But he loved the police department. As an example, if he had been boarded, he would have been devastated. He died, still working. I hope that one day they will rename the training office in Kalgoorlie the Joel Patterson training office. I dare say that Joel was exactly the same as those who are medically boarded out. They do not want to go. The medical retirement is initiated by the commissioner. They have to attend the medical board—I thoroughly agree with that. It is good that there is provision for the commissioner to give written reasons, and that there are protocols and procedures so that anybody can object. I am glad that police auxiliary officers are included in the bill, as they should be. They are a very good acquisition for the police department; they assist police officers in a number of ways. I am so glad that they are included in this, rather than being segregated.

I will not continue. I was going to continue.

The ACTING SPEAKER (Ms S.E. Winton): Are you sure? Keep going.

Mr K.M. O'DONNELL: My nose will not stop now.

Mrs M.H. Roberts: Your experience as a police officer and your candour here today really sends the message home very strongly of what police encounter. Top marks to you. Thank you, and thank you to all police officers. I think your contribution is more valuable than anyone else's, because you have lived and breathed it.

Mr K.M. O'DONNELL: Thank you, minister. The member for Burns Beach will be up next, too.

One of the best things is that no longer will our members have that stigma. They will not be treated the same as officers who leave through misconduct. We do not have a lot of officers who leave through misconduct, but it will be such a sigh of relief once this bill is passed; it really will.

The last passage of the minister's second reading speech is one that I wish to finish with. She stated —

I encourage all members of this house to support the bill and ensure our police officers who are seriously injured or ill have access to a fair and dignified scheme to be medically retired from the Western Australia Police Force.

Those three lines are very, very apt.

One last thing did come to mind. When police officers go to work, they never, ever know what they are going to do that day. If I was working in the fruit and vegie section at Coles, I would know that I was going to stack the fruit, or that I might move the apples over to there and swap them for the lemons. A person employed there knows what they are doing every day. But police officers never, ever know. They can turn up and be told, "Right, there's a domestic" or "Go help with the crossing guard. The lady isn't there. Go and help the little kids." An officer might have to go to a school to give a lecture, there might be a murder out in the desert, somebody might be missing and the police officer might have to get on a plane, or there could be someone with a mental health issue—they just never know. There was one incident up in the north west a few years ago. A murder took place in Victoria and the murderer headed west. We did not know that.

Mrs M.H. Roberts: He went up to Karratha.

Mr K.M. O'DONNELL: Yes. An officer pulled over a car up in the north west —

Mrs M.H. Roberts: Shane.

Mr K.M. O'DONNELL: Yes, Shane Gray.

Mrs M.H. Roberts: That's right; Shane Gray.

Mr K.M. O'DONNELL: As an example, he was just driving along and pulled over a vehicle, but a murderer was behind the wheel. The next minute, while he was talking to him, the job is on! There is a scuffle; there is a fight. Shane has not got all dressed up and put his gear on, or thought that he would use his gun—never, ever. Police officers never know what they will confront. There was the potential for him to be killed. He is already dealing with a murderer. Can I have an extension just in case I go over?

The ACTING SPEAKER: Yes, and please take all the time you need.

[Member's time extended.]

Mr Peter Katsambanis; Mr Kyran O'Donnell; Mr Mark Folkard; Mr Peter Rundle; Dr Tony Buti; Dr David Honey; Mr Zak Kirkup; Mr Ian Blayney; Mrs Robyn Clarke; Mr Simon Millman; Ms Libby Mettam; Mrs Liza Harvey; Mr Reece Whitby; Mrs Michelle Roberts

Mr K.M. O'DONNELL: Thank you, Madam Acting Speaker; I appreciate that. Thank you for being cooperative. He is grappling with a murderer and he could have been seriously injured or killed. He is out there doing the job he loves. We can look back and say that if he had been seriously injured, how terrible would it be for the commissioner to say, "I'm boarding you out the same way that I boarded out somebody who has assaulted somebody"? They are not even. It should never, ever, ever take place.

The member for Hillarys mentioned workers' compensation. I cannot wait for that one to come. If that legislation comes in the minister's time, I will be there in support as well. I want to finish by thanking members. I apologise that I took a bit longer.

Dr D.J. Honey: There were good reasons, mate.

Mr K.M. O'DONNELL: Sometimes our officers do not get boarded out. Some of them end up taking their own lives, like my friend David Curtis. None of us knew, yet we worked with him for years. We did not know how bad it was for him. I am all for anything that can help my friends from the police department, minister. I thank you.

[Applause.]

MR M.J. FOLKARD (Burns Beach) [5.15 pm]: I apologise to the house if I get a bit emotional, like the previous speaker did. I rise to speak to the Police Amendment (Medical Retirement) Bill 2019 and express the support of my constituents for this important bill. From the off, I must declare my own interest in this space. For me personally, it is one of the reasons I chose to enter this place—to correct the injustices that the fine men and women of our police force face. Prior to this bill being read, I met with Dave Bentley, the president of the Medically Retired Western Australian Police Officers Association. I spoke to him at length on this issue. I also spoke to Harry Arnett, the president of the Western Australian Police Union. I spoke to numerous police officers who have been subject to section 8 provisions, all of whom have collectively raised with me the need to change the way in which officers are medically retired from the WA Police Force. I know from my personal involvement with the Western Australian Police Union of our attempts over the years to change the section 8 processes. I must commend the member for Midland, who is the Minister for Police, and the Premier for the introduction and implementation of this bill. It is the culmination of years of lobbying.

The bill sets out a reform process of how sick and injured officers of the Western Australia Police Force are retired. Under current provisions, the only way a sick or injured officer can be retired from the agency is by their removal through what is referred to as the section 8 process. This process is the same method that is used to remove officers because of misconduct or poor integrity. This is unfair and wrong. The main issue here concerns officers of good standing who, through no fault of their own, have been injured or become ill when protecting our community. In simple terms, through their service, they have become either ill or injured. The best example of this is Ryan Marron—some members may know him—who became trapped within his own body after contracting Japanese encephalitis. Members remember him. But the most common reason for officers to succumb to the section 8 process is post-traumatic stress disorder.

I have had a look at the bill and have only two concerns or worries, which are about the make-up of the panel that makes the decisions. I spoke to Superintendent Feeney during the briefing. My concerns were about who will become members of that board. If the person presenting through the section 8 process is injured with a broken arm, broken back or broken leg and cannot perform their duties, I hope that the doctors who review that case are specialists in that space. But if it is an individual who is suffering from PTSD, I hope that the doctors who sit on that board have an understanding of psychiatric illnesses and its consequences.

I have to declare that I have an interest in this space. I hope that the outcome of the bill will be the removal of some of the stigma attached to officers who have left the police force through the hideous provisions of section 8 of the Police Act. I was faced with a decision through my journey to retire through the section 8 process—I was not far from it—or retire on my own terms. I took the latter decision. I made sure that I would not face the stigma attached to those officers through the section 8 process. That is a cost to me that I will incur in the future until a compensation scheme is established. I will talk about that later.

Prior to being elected, I was a senior officer in the Western Australia Police. For those who know me, I served 27 years before walking off the floor of a police station and entering Parliament. Around six years ago, I was officially diagnosed with post-traumatic stress disorder as a direct result of my service. My diagnostic team believed that I had the condition for at least five years prior to my diagnosis. My wife met with that particular diagnostic team and after consultations with them, she believed the affliction was a further 10 years prior to that. I have probably had PTSD for the past 20 years and not known. To understand my PTSD, members must understand my journey into this place. I commenced my policing career back in June 1990 and graduated on 24 December. I was posted to Subiaco Police Station. I remember working on Christmas Day. Back in those days,

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we had single-officer patrols. I remember the very first job I attended in the agency was a domestic dispute. The member for Kalgoorlie will get a laugh out of this. I got my very first ministerial complaint—a yellow peril—from that! We laugh about it but that was to be, basically, the future of my career. I was always in the thick of it.

My service took me all over the state. I served in Northam. I was in general duties at the police station. I attended numerous deaths, including several industrial accidents and countless traffic crashes. As a young constable, I remember attending three sudden deaths that involved electrocution. I will not go into the details because they are fairly graphic. To this day, I believe that one of those was a murder. The police have still been unable to prove it but every dog has his day. Electricity terrifies me. For many years, I was unable to change a light bulb without having major anxiety attacks. My wife used to mess with my head when we were out at Eucla. She used to turn the switch on when I was changing a bulb. She still messes with me!

Whilst at Northam, I attended numerous traffic crashes, as I have stated. A traffic crash victim has died in my arms. It is interesting that I had forgotten about that. I deliberately chose not to remember it. It is only after I left the job and through various experiences that I remembered the incident that occurred. My way of dealing with things is to shut them out and choose not to remember.

I received numerous commendations whilst I was at Northam. I did CPR on crash victims. I did one in particular on Goomalling Road in Northam when my partner and I worked on a woman for over an hour and a half. I got a commissioner's commendation for that one. I will leave it at that.

To this day, when I hear an emergency service siren, I can tell what service it is, what direction they are going and the urgency of the job they are attending just from the noise and pitch of the siren. In my early days, my stomach used to knot. I resided six houses down from the Northam ambulance depot and I could hear the meat wagons go out. That is what we used to call the ambulances back in those days because when we went to so many crashes, we knew they were there for the victims. Every time I heard the bells and whistles of the old F250s as they went thundering past, my stomach used to knot. I recall that my thoughts went out to my colleagues, wondering who was working and when they last attended a crash. I worked out who was going to attend a particular job and found solace knowing that if the right team was on, the right people were going and they would be better off for it.

This was typical of my early service. I served in the isolated community of Eucla. On returning to Perth, I was in the original vehicle crime unit. This unit was responsible for conducting high-speed chases throughout Perth and the metropolitan area. At the time, due to the nature of the crimes, we were pursuing offenders who made a racetrack look tame. I had a laugh the other day. I was at the City of Wanneroo's event at Barbagallo Raceway. We were watching the high-performance cars race around the track. Unbeknownst to me, a couple of professional drivers were among the VIP crowd. I looked at a particular set of cars as they went flying past and made the comment, "Jesus, they're a bit tame." The guy standing next to me happened to be one of the drivers from the Holden dealer team or whatever it was. He looked at me and said, "Are you sure about that?" I did my first lot of advanced driving at the raceway and then I came back and did my pursuit driving there. I was looking at the cars as they were driving around the track. They were about 10 to 15 metres behind them and in my day, we were about two metres behind. We were travelling at speeds that today would make most men fairly sick in that space.

I can remember chasing a stolen motor vehicle along Morley Drive at about 180 kilometres an hour at about three o'clock in the morning. I watched the vehicle sail through an intersection at over 200 kilometres an hour. My partner at the time was a person named Phil Ruland. He was killed in an aircraft crash up in Newman some time later. I can remember finishing a shift, getting home and feeling physically sick from the pain of the adrenal gland in the back of my neck. Trying to switch off, I had tears in my eyes as I sat in the lounge room chair coming to terms with what I had done the night before.

After finishing my time at the vehicle crime unit, I went on to serve with the armed robbery squad. I spent the next couple of years in the northern suburbs before being seconded to East Timor through the Australian Federal Police. I actually have the police overseas service medal. Some of us here claimed that.

Several members interjected.

Mr M.J. FOLKARD: Shot over—I waited a long time to fire that one off!

Mrs L.M. Harvey: Congratulations.

Mr D.T. Redman: Congratulations.

Mr M.J. FOLKARD: Thank you.

As I said, I was in East Timor. I ran the major crime investigations unit on the eastern end of the island and I conducted numerous inquiries into various acts, from homicides through to grievous bodily harm. On my return to Western Australia, I was posted to Kalbarri Police Station as the officer in charge and promoted to the rank of

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sergeant. I was transferred to Wagin Police Station as the officer in charge in the south west. I served in a couple of places, including spending time as the senior training officer at the police academy and internal affairs, where I used to review the section 8 files. I used to go through the processes of this stuff. I understand it intimately. I finished my career at Morley Police Station.

During the last couple of years of my service, I was the senior officer and the go-to Mr Fix-it for serious incidents in the northern corridor. I have held the chest of a police officer together after they were stabbed by a schizophrenic mental health patient, and ran the job still holding the individual's chest to stop the bleeding from getting worse and his lungs from collapsing. I have attended serious industrial accidents. I was the first on the scene to the industrial plasma explosion at Galleria Shopping Centre in Morley that killed two electricians. I ran the job. I was the last to leave. I spent the time picking up remains as a result of that particular job. That will remain with me until the end of my days.

I was the first on scene to a murder-suicide at which a recently retired police officer with post-traumatic stress disorder, whom I knew, murdered his wife before taking his own life. That is just a normal day for a police officer. Yes, I have PTSD. Although it is a hideous condition, it is not the end of the world. Members, look around you. I am a member of Parliament. Currently, there is no remedy for this condition as sufferers talk of recovery but not cure. There are lots of definitions out there, but the one I prefer to use is the definition that it is a physical change that occurs in the brain brought on by critical incident stress. It cannot be reversed.

The World Health Organization, in its mental health synopsis, equates PTSD to being diagnosed as a paraplegic. The same paper states schizophrenia is considered the equivalent of quadriplegia. A person with PTSD definitely has a disability. It cannot be seen, but it is there. From my own experience, I agree with this. There are days that it cripples me. The affliction affects me in the following ways. I have lost my ability to concentrate for a sustained period. Some days, writing a speech for this place is an absolute challenge for me. I struggle to manage my anger. I am better than what I have been. I suffer depression. I have a heightened emotional state. Members may not pick that in my voice; I whistle. For police, PTSD must be seen as a workplace injury. It cannot be seen, but it is a workplace injury.

I now refer to reporting mental health conditions. The WA Police Force relies on self-reporting. I think that is flawed. Sufferers have to recognise that they are not well. That is the challenge. The agency's chief psychiatrist has a role to treat members with PTSD within the force. That is also the person who decides, after diagnosis, whether to remove a police officer from service. That conflict has messed with me for many years. As a result of this conflict, I chose not to inform the agency and, instead, went through my private doctor. After coming to terms with my diagnosis and meeting my treatment team, I understood my obligations to my employer and the greater community. I informed my officer in charge of my diagnosis.

[Member's time extended.]

Mr M.J. FOLKARD: My officer in charge, although very supportive of my response, discriminated against me in the workplace. I was ostracised within the workplace. This discrimination, although passive in nature, was clearly evident to me. Duties and functions that I normally performed whilst on duty were subtly removed. Based on my experience, I believe there is a culture within the Western Australia Police Force that does not understand PTSD. Whilst coming to terms with my diagnosis and treatment, I learnt that creating a stable work environment and home setting was key to making the most of the treatment regime. Changing duties within the workplace sometimes can attack that stability. This is what happened to me. WAPOL has workplace specialised occupational mental health support and treatment services, but these services are also made up of the same personnel who decide whether to remove a police officer through the section 8 process. The agency is restricted in the nature of the services it delivers.

Police officers in the state of Western Australia are not seen as employees, and as a result have no access to workers' compensation. Since leaving the police service, I have had no access to workplace recovery services and I have had to self-fund my own treatment. Over the past two years since leaving the job, I have spent in excess of \$50 000 on my treatment. I cannot get life insurance because I have to disclose that I have PTSD. Post-traumatic stress disorder leads to other forms of chronic illness. This statement is not just me making it up; it comes from credible, peer-reviewed research driven through the United States. I have developed type 2 diabetes. I have friends who have developed cancers. Dear women colleagues of mine have had double mastectomies because of unexplained breast cancers. I have other friends who have had heart illnesses, hypertension and depression. All have a common link—PTSD. I will mention a dear friend of mine, Trevor Dolan, whom I deployed with to East Timor. When members from the Medically Retired Western Australian Police Officers Association protested out the front of Parliament House earlier this year, Trevor was the officer in the wheelchair. Trevor's PTSD led to hypertension and, as a result, he had a stroke. He is now a quadriplegic and his life revolves around his wheelchair.

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I cannot stress enough: untreated PTSD is the biggest cause of early deaths in police officers. This is an anecdotal statement. More research is needed in this area. This is what drives me. I said earlier that PTSD is not the end of the world. There is a way forward. The section 8 process being removed is one of them—absolutely. PTSD needs to be recognised within the workplace. It is the community's responsibility to ensure that it cares for those who protect us in our time of need. We must be in that space.

This is my personal opinion: I believe that presumptive legislation must be introduced; that is, after X number of years' service there is a presumption that individuals will succumb to PTSD. Similar to the presumptive legislation that has been brought in for our firefighters for all the toxic chemicals that they are exposed to and the cancers that may arise, I can say that for police it is after about 15 years of service. Some credible, peer-led research states that. It is earlier for some; it is later for others. That is my personal view.

We also need dedicated mental health professionals specialising in PTSD. I will tell members a story about a dear friend of mine who was under treatment from a departmental-referred psychiatrist who misdiagnosed her for five years. I found her in the foetal position after she had just tried to kill herself but had failed. I got her to the right professional people. As a result of the treatment she received, she is now back to being a high-performing police officer, as she should be. We need to be very careful. There are people making money out of the misery of our fine police officers, through incorrect diagnoses.

I also believe a specialist psychiatric research facility linked to all our medical research universities should be established to identify best treatments and best preventive actions, and the development of proven strategies for cultural change within existing agencies, particularly police. I will talk about preventive actions a bit later. There should also be a conversation about whether we need a white card or gold card system similar to the military, to cover off on the cost of these individuals. I would like to see an oversight body coordinate interagency responses across Australia in relation to PTSD.

Recently, when I travelled to the United Kingdom with the Community Development and Justice Standing Committee, I spent an extra week there and went to Oxford University, where I met a gentleman by the name of Professor David Clark. Professor Clark has been writing the policy on post-traumatic stress disorder for the United Kingdom for the last 15 years. I had a very interesting conversation with him in that space. What was supposed to be a half-hour cup of tea ended up being an hour and a half. I have a signed copy of his book. More importantly, I had a conversation with him about the preventive space. Can we prevent PTSD? Current peer-led reviewed research, which is only in its infancy, indicates that it may be possible to psychiatrically inoculate our first responders and police—not necessarily a physical injection as we get for measles, but a series of cognitive therapies and other psychiatric tools that can mentally enhance, empower and strengthen our police officers. I believe that is the way forward in this particular space. I am excited about hearing this and, with all vigour, I will bring this to Australia. I will find individuals to see that we can make this work. Imagine if these individuals could be psychiatrically inoculated—our police, our firefighters, our St John Ambulance paramedics, our accident and emergency nurses, our prison officers and our soldiers—so we can make section 8 redundant as it applies to retirement on medical grounds for officers who have this affliction. I think that would be the best way forward.

I met also with an individual by the name of Professor David Nutt. His name is interesting! He is another individual who is doing some research into PTSD and looking at those who are self-medicating. I have seen this within our job currently. I have seen officers who are alcoholics because they are trying to drown the pain. David Nutt used the medical therapeutic properties of MDMA to treat these individuals and he had a 70 per cent success rate. We had a conversation today about the use of amphetamine and the methamphetamine scourge, but these drugs have therapeutic properties. If we can use those therapeutic properties to treat some of our sufferers, hopefully they will never have to be medically retired. It is a battle. I am not sure whether the community is mature enough to deal with that yet, but it is definitely a way forward.

Mr P.A. Katsambanis: Could we go down the path that we seem to have gone with medical cannabis whereby you can extract the actual ingredient that does the good and produce it in medicinal-type ways rather than rely on buying it from a street-level dealer?

Mr M.J. FOLKARD: That is what they do in the United Kingdom. They produce a medical version of the drug involved. In Western Australia we are undertaking trials with medical cannabis in relation to PTSD. One is trying to stand up at the moment but it is being held up through the ethics committee of one of the universities. It is out there and we are looking at it. Hopefully, it will change. As I said previously, this is a difficult space and it has been a quite painful journey for some, such as Dave Bentley and his team through the Medically Retired Western Australian Police Officers Association. When I met with Dave the other day, I found him to be physically exhausted.

We will achieve a great thing when we pass this legislation because we will be protecting those who do the hard yards during the night to protect us so that we can go home to our families et cetera. As I said, two issues I was

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worried about in relation to this legislation will be addressed. I see that the Western Australian Industrial Relations Commission has oversight over that, so my mind is at ease about that. Within my community of Burns Beach, my constituents are very supportive, almost demanding that we get this bill through as fast as possible. I hope I have not been too emotional in this conversation, but I commend the bill to the house.

Mrs M.H. Roberts: You have done a good job.

MR P.J. RUNDLE (Roe) [5.44 pm]: I rise to briefly speak on this Police Amendment (Medical Retirement) Bill 2019 on behalf of the Nationals. We also support the bill. It has been a long time coming. I also compliment the member for Kalgoorlie and the member for Burns Beach on their recollections and stories and fantastic service to all of us over the years gone by. It is really important that we recognise that. They have brought to life and to the forefront how important this bill is.

I had a short experience with police action when I think I had been out harvesting one night. About eight or 10 years ago, I got home about quarter to one in the morning and probably woke up my wife. Our house is about four kilometres from the main road and all of a sudden we heard a car outside, roaring around in our front yard. Hearing that was pretty intimidating at that time of night in a fairly isolated farmhouse. We rang the police. We live about 12 or 14 kilometres out of town and the police arrived within about eight minutes, at one o'clock in the morning. Luckily, they apprehended the person who had run over about three or four fences and a few other things. Luckily, no confrontation arose between me and that person, but the police being there so quickly gave me reassurance. It was fantastic in a regional area to get such quick action.

I guess methamphetamine has been the subject of the day and is a real problem in WA. I certainly commend our brave WA Police Force and some of the issues they face when dealing with people affected by meth. We all hear stories on a daily basis. I think we all owe much gratitude to our police officers. Certainly, we heard today that meth is a bigger issue in the WA regions than it is in any other regions in Australia. We certainly recognise that. In Katanning a week or two ago, there was an incident at Woolworths, which had a lock down when it had to close the front doors due to a brawl, which I am sure was related to methamphetamine, and wait for the police to try to sort it out. They are examples of what is happening. I very much congratulate our medical staff—doctors and nurses—because they also face these types of issues every day.

I congratulate the WA Police Union for its advocacy for this legislation over the years gone by. Certainly, I would like to congratulate the Medically Retired Western Australian Police Officers Association. Most members have spoken about Dave Bentley. It was only yesterday when I was driving back from Katanning to Perth that I spoke to Dave about the organisation. I guess he would not mind me talking briefly about his personal story. He has had a long and arduous journey. He has been helped by others who have been in that position and now he is the president and the public face of the Medically Retired Western Australian Police Officers Association. I think it is really important to him. He is now qualified in peer support and in supporting others with mental health issues, and is a guest speaker and speaks at the Joondalup Police Academy. I think Dave's experiences really add weight to the fact that he has been advocating, along with his organisation, so strongly behind the scenes and is now the president.

Figures reveal that each year approximately 21 Western Australian police officers are forcibly retired due to work-related injury or illness. Unlike our armed services veterans, interstate police officers and other emergency services workers, medically retired police officers are given no ongoing support or any form of compensation for their losses, and that is what the Police Amendment (Medical Retirement) Bill 2019 is all about. When we talk about these officers being forcibly retired, they are quite literally sacked due to a loss of confidence, which is issued by the Commissioner of Police pursuant to section 8 of the Police Act 1892. Other speakers have referred to section 8; it is definitely the most important section of the Police Act that needs to be modified, because it deals with corrupt and criminal officers. It is appalling that medically retired officers are dealt with in the same way as corrupt and criminal officers. That is why this legislation is really important. The Medically Retired Western Australian Police Officers Association was set up in 2012 to offer support to medically retired officers. It is an important part of this and it provides the important responsibility of offering support to the network.

By way of a bit of background, the bill amends the Police Act 1892 and the Industrial Relations Act 1979 consequentially to establish a new standalone scheme for medically retired injured or ill police officers. In May 2009, *The Sunday Times* reported that Western Australia Police figures revealed that in the past decade, 377 officers and staff were retired on grounds of ill health after attending horrific homicides, suicides, road crashes and life-threatening situations and, of those, 219 quit or were forced to retire because of psychological conditions, including post-traumatic stress disorder, anxiety and depression, while 126 suffered physical injury. Those figures, which span a decade, give us an idea of what is covered by this legislation and the number of police officers who will be affected.

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I will provide a couple of quite public examples of which we are all aware. I refer to Ryan Marron, who was serving at Balgo in 2011 when he contracted encephalitis. His family had a five-year fight from 2011 to 2016 when he was eventually awarded a \$6 million ex gratia payment. Of course, one-quarter of that payment ended up with the Public Trustee. His family undertook a massive battle. The WA Police Union president at the time, George Tilbury, said —

... the payment was pleasing, but it had again thrown the spotlight on the lack of a dedicated compensation fund for medically retired officers.

The frustrating thing for us is if we had a regulated scheme we wouldn't have to go cap in hand to the Government every time a police officer has to be medically retired ...

Ryan Marron and his family are from Albany. His is a well-known case. He and his family should not have had to go through that fight. It was very disappointing to see from the sidelines what they had to go through. I hope this legislation will sort out that issue. Of course, another example, which was a very public case, is Matt Butcher, who was assaulted while intervening in a pub brawl in Joondalup. He was left with brain damage, partial paralysis and visual impairment. The accused was handed a not guilty verdict to assaulting a police officer and making threats to kill while supposedly acting in self-defence. That case resulted in public outrage; indeed, 2 000 people rallied at the front of Parliament House not only in support for tougher penalties, but also, by extension, in recognition of the ongoing grief that Matt and his family had to endure in going through the next stage of compensation and recognition. As we know, in 2009, the upper house passed the mandatory sentencing laws —

Dr A.D. Buti: In regard to that legislation that passed, it wouldn't have made any difference in the Butcher case because the alleged perpetrator was found not guilty.

Mr P.J. RUNDLE: Thanks for that, member for Armadale.

It is the sort of example that comes to mind when discussing this legislation. The bill will provide reassurance to police officers at the coalface. As I said, the section 8 provisions are used by the commissioner to dismiss corrupt and criminal officers and that is the key. Unfortunately, medically retired officers who have to retire due to physical or mental conditions are drawn in under that section, which, to be honest, is quite appalling. It is great that the bill amends the Police Act and introduces a standalone legislative scheme to medically retire an officer if, in the opinion of the Commissioner of Police, that officer is unfit on medical grounds. The changes to section 8 will remove the term “disability” to ensure that when a police officer is retired on medical grounds, that member is medically retired. The bill also inserts part IIC to deal with medical retirement and addresses the process of retiring an officer, disputes and appeals.

In conclusion, when I go to the Police Pools Memorial in Katanning—a memorial service is held each year to commemorate fallen police officers—I think of not only the policemen and women who we have lost in the line of duty, but also those who have retired for medical reasons, both physical and mental. It was great to hear today the contributions and recollections of the members for Kalgoorlie and Burns Beach. This legislation will finally address a real weakness in our system.

DR A.D. BUTI (Armadale) [5.58 pm]: I was hoping the member for Roe would continue until six o'clock, but I am very happy to rise to speak about this very important legislation before the house, the Police Amendment (Medical Retirement) Bill 2019. We have heard some very emotional and personal accounts from the members for Kalgoorlie and Burns Beach. I want to mention a bit about the Police Act and then I will refer to a standing committee report from the last Parliament.

As the member for Hillarys mentioned, this bill seeks to amend the Police Act 1892 and the Industrial Relations Act 1979 to establish a standalone scheme for medically retired injured or ill police officers. Under this legislation, police officers who can no longer serve due to injury or illness will be medically retired by the Commissioner of Police in a dignified manner without being associated in any way with the notorious section 8 of the Police Act. When I say “notorious section 8”, it is not notorious for those who should be dismissed under section 8; rather, it is notorious when it is equated with officers who retire due to illness, which is a worry. The bill seeks to separate the people who need to retire from the police force due to illness or injury from what is generally seen to be the provision that allows for dismissal due to misconduct. The scheme will provide a more appropriate legislative framework whereby seriously injured or ill police officers will be retired and will leave the police force with dignity. That is the crucial point.

The member for Hillarys congratulated the government, which was very gracious of him, but it is the Minister for Police who should be congratulated for bringing this bill before this house. Congratulations, minister.

Sitting suspended from 6.00 to 7.00 pm

Extract from Hansard

[ASSEMBLY — Tuesday, 18 June 2019]

p4288b-4317a

Mr Peter Katsambanis; Mr Kyran O'Donnell; Mr Mark Folkard; Mr Peter Rundle; Dr Tony Buti; Dr David Honey; Mr Zak Kirkup; Mr Ian Blayney; Mrs Robyn Clarke; Mr Simon Millman; Ms Libby Mettam; Mrs Liza Harvey; Mr Reece Whitby; Mrs Michelle Roberts

Dr A.D. BUTI: I continue from where I left off before the dinner break. The Police Amendment (Medical Retirement) Bill 2019 is a very important bill to come before the house. As has been mentioned, section 8 of the Police Act is primarily associated with the removal of police officers for misconduct, poor performance or integrity issues. It is often referred to as a loss-of-confidence provision, so it is very important that we separate from that process those who need to retire from the Western Australia Police Force due to injury or illness, and that is what this bill does.

The new scheme is distinctively separate from the loss-of-confidence removal action under section 8 of the Police Act. The bill inserts a new part IIC into the Police Act, which establishes a standalone scheme, separate from the loss-of-confidence removal provisions. There are various other provisions for procedural fairness and accountability that are very, very important. It should be noted that this bill is fully supported by the Medically Retired Western Australian Police Officers Association Inc, which actually advocated for such a change in the law. The Western Australian Police Union was also consulted and supports the bill.

This was a commitment by the Labor Party prior to the 2017 election, and we are fulfilling that commitment by bringing this bill to the house. The government has also delivered on its commitment to implement a police redress scheme for police officers medically retired under section 8 due to work-related illness or injury. The government has allocated \$16 million to the police redress scheme. Applications for the scheme closed on 8 April and are currently being assessed by an independent assessment panel.

The passage of this bill will ensure that police officers are no longer subject to an undignified process to be medically retired. It should be noted that the current Leader of the Opposition, the member for Scarborough, did nothing about this as Minister for Police under the previous government. It is not as if this matter was not brought to the previous government's attention. In the last term of the previous government, I was a member of the Community Development and Justice Standing Committee. We put out a report in March 2016 titled "How Do They Manage? An Investigation of the Measures WA Police Has in Place to Evaluate Management of Personnel". I think it is important to refer to that report to highlight the contrast between the previous Minister for Police—the current Leader of the Opposition—and the current Minister for Police, the member for Midland. I think it is important to read from this report. It states on page 102 under the heading "Removal from duty" —

The Committee received evidence from various sources that described the process of being removed from the police service on medical grounds or retiring or resigning before this could occur.

Police officers who had suffered medical and psychological issues might choose to take early retirement or to resign because they did not wish "to suffer the perceived shame and stigma of admitting they were psychologically damaged", according to ...

The Medically Retired Western Australian Police Officers Association Inc. The report continues —

Being medically retired means officers must have been removed from their employment pursuant to a Loss of Confidence notice issued by the Commissioner of Police under the provisions of section 8 of the *Police Act 1892*.

Section 8 is also used to dismiss officers who are guilty of criminal behaviour or serious misconduct. For this reason, the MRWAPOA says that "being 'Section 8-ed' stigmatises an otherwise honourable and dignified career and is the final insult and slap in the face to the already sick and injured officers".

The Western Australian Police Union —

... has called for the removal of police officers on medical grounds to be independent of section 8 and section 33L, which outlines the mechanism for removal.

The Police Commissioner agrees that the use of section 8 to dismiss sick or injured officers is inappropriate, since "over the years, section 8 has started to become associated with removing police officers who have committed offences or committed transgressions. I think it is the perception of what section 8 means that is the problem."

The report also states, at page 101 —

The only correspondence WAPU has had from WA Police by way of a response to the *Project Recompense* recommendations does not specifically address Recommendation 6.

Recommendation 6 deals with recompense. The report continues —

The Commissioner told the Committee of recent discussions in regard to modifying section 8 so that removal of officers due to illness or injury would come under a different section.

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...

The stigma associated with section 8 is one of the unsatisfactory aspects of the medical retirement process. But regardless of whether section 8 is amended, the sense of worthlessness experienced by medically retired officers needs to be addressed.

The MRWAPOA asserts that the Loss of Confidence notice strips officers of any remaining dignity “and leaves them with overwhelming feelings of abject hurt and complete abandonment”.

Medically retired members felt that once there was no use for them their years of service counted for nothing, and they were simply discarded without any acknowledgement of their service.

In a submission to the inquiry from the police union, it was noted that —

... the feeling of being treated as 'scrap metal', of being cast aside, and of having no value within the organisation exacerbates the mental trauma they are dealing with, simply as a result of serving the community and upholding the law. A lack of accountability for the unsupportive and often dismissive attitude of the Agency ... disheartens those Members who continue to suffer with unspeakable trauma.

The MRWAPOA notes that while WA Police acknowledges officers killed in the line of duty, there is no recognition for officers who suffer catastrophic injury or illness protecting the community and who are medically retired as a result.

The police union notes —

We should not be thrown on the scrap heap and forgotten. Decades of police work protecting the community [is then just] thrown out the window.

Finding 30 in the committee's report states —

Police officers who have been removed from duty for medical reasons often report feeling abandoned by the police service and that their years of service are not valued.

The committee's recommendation 11 was —

WA Police should implement a formal mode of recognition for officers who have been dismissed on medical grounds, acknowledging that their illness or injury was sustained in the line of duty.

This report was brought down in May 2016 and it clearly outlined the concerns of police officers, the police union, and the Medically Retired Western Australian Police Officers Association about the fact that, in order to be removed from the police force as the result of an illness or injury, police were being removed under section 8, which, as we know, is the section that deals with loss of confidence. How absurd could that be? One would have thought that once this report had been prepared by a standing committee that had looked into this matter very carefully, after the police union and the Medically Retired Western Australian Police Officers Association had lobbied for such a change, the former Minister for Police, the current Leader of the Opposition, the member for Scarborough, would have acted on it, but she did not. She did nothing at all. It is absurd for her to criticise the Minister for Police today for not doing her job. The member for Cottesloe can shake his head, but the fact is that the Liberal Party did nothing when it was in government. Only this police minister has done something. This has not become an issue just in the last one or two years; this was an issue before the last election. That is why our side of politics went to the election with a commitment to do something, and the police minister and the Western Australian Labor government has honoured that commitment to Western Australian police officers.

We heard some very moving stories from the member for Kalgoorlie and the member for Burns Beach. Thank goodness we have a police minister who cares about police officers who have been injured in the line of duty. Now they can be retired with dignity. Plainly, this is all about police officers having some dignity when they leave the police force. I would have thought that a police minister who was concerned about the welfare of police officers would have acted when she received the report from the standing committee of this house. The member for Vasse was part of that committee. A unanimous report was handed down by that committee, so the member for Vasse was supportive of the views of the committee, as of course everyone would have been, but the police minister of the day, the current Leader of the Opposition, failed to act.

I congratulate the police minister and the Western Australian government. Once this bill is passed, we can move forward so that police officers who are injured in the line of duty or who suffer from an illness can be medically retired by the Commissioner of Police in a dignified manner.

Mr Peter Katsambanis; Mr Kyran O'Donnell; Mr Mark Folkard; Mr Peter Rundle; Dr Tony Buti; Dr David Honey; Mr Zak Kirkup; Mr Ian Blayney; Mrs Robyn Clarke; Mr Simon Millman; Ms Libby Mettam; Mrs Liza Harvey; Mr Reece Whitby; Mrs Michelle Roberts

DR D.J. HONEY (Cottesloe) [7.11 pm]: I rise to support, and make a brief contribution to the debate on, the Police Amendment (Medical Retirement) Bill 2019. I support the comments of members who have already spoken, up to the point of the member for Armadale. Why he has tried to turn this into a partisan political-pointscoring event is beyond me, but I will not go down that path because it does not deserve it.

As I said, I support the points made by a number of members in this house. The comment made by the member for Hillarys resonates with me in that he said that this bill will provide an opportunity for police officers to retire with dignity. Police officers who have been injured in the line of duty will have that option rather than having to go down the path, which everyone understood was just a formality, of being told that there has been a loss of confidence, but there really has not. However, I can understand how deeply upsetting and offensive that would have been for those police officers who had to go down that path. It is really good that this legislation will make a clear distinction between the medically retired and loss-of-confidence provisions in the act.

I was going to give a number of examples tonight based on the fact that I worked very closely with the police for six and a half years in my first job when I worked in the forensic science laboratories at the Government Chemical Laboratories. Some people get an insight, and I think we have all been privileged to have had a wonderful and emotional insight into the life of police officers from both the member for Kalgoorlie and the member for Burns Beach. I do not think any member in the chamber who listened to both those speakers would not have been deeply moved by their experiences. That very much resonates with the experience I had working closely with the police in my early career.

Police are required to deal with the most extraordinarily distressing circumstances. As I said, I will not go through examples in detail, but I will mention one that struck me. Some members may recall that on 16 December 1988, a Mitsubishi MU-2 crashed into the ground at Leonora. Ten people were killed—nine passengers and the pilot. The plane pretty well crashed vertically into the ground at very high speed and disintegrated on impact. The two police who went out to the scene first were general duties policemen. A station owner had seen what he believed was an aeroplane crashing and alerted the police and the police sent out two of the general duties patrol officers to investigate the scene. I remember talking to one young officer who brought in a number of exhibits. One of the exhibits that stuck in my mind was a beer can that was about two foot long, with the contents intact. The force of the impact had been so great that the centrifugal force of that can spinning out had extruded it that far. The young policeman explained to me that when they attended the scene, they initially thought that there were no people in the plane when it crashed because they could not see anything that they recognised as a body, but as they got closer, they found bits of torsos. It was the most horrendous scene. As the police staff here tonight would be aware, the police officers then had to act as coroner's assistants and go back to the scene and go through all those things. The thing that struck me when I was talking to this young policeman for about 30 minutes was that he spoke rapidly and did not blink once. This was some months after the incident. It was very clear—I am not a clinician—that that officer was still in deep shock and was very badly affected. That was my experience dealing with the police officers I met. They live trauma that none of us would see in our normal life, as both the member for Kalgoorlie and the member for Burns Beach very effectively and very movingly pointed out. It is very clear that the things they have seen remain with them today, and I believe that is true for most police officers. There are the equally distressing and very obvious physical injuries that police officers can sustain, but as members very effectively outlined, it is the mental traumas that a large number of police officers live with that really make it impossible for them to continue working.

First of all, I congratulate the Minister for Police for bringing this bill forward. As was pointed out by the member for Hillarys, there has been a collective failure, if you like, by Parliament to deal with this issue for a long time. It is to the great credit of the Minister for Police that she has brought this bill before the house.

Dr A.D. Buti: It's a failure of the previous government.

Dr D.J. HONEY: The member for Armadale knows that I hold him in good regard, but on this matter, I do not believe that those interjections are appropriate. I appreciate where he is coming from, but I do not think it is appropriate. This is clearly a positive move that is supported by both sides of the house.

One point that I want to highlight and discuss a little is that this is an important first step in redressing a range of issues that affect police officers. By virtue of them being officers, they do not have access to a lot of the benefits that people working in other occupations have, who are, if you like, ordinary employees. It is very clear that a lot more needs to be done to help police officers cope with the mental stress of their work in particular. I was very close to this some years ago, but I take it from discussions that I have had with people that some things have not changed. In a lot of cases there are very good systems in place, but in many cases those systems require the officers to initiate contact. It is very clear that in a lot of cases the distressed officer is not in the mental condition to realise that they need support or to ask for help. Although it is now more culturally acceptable in the police force for

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officers to seek help, in some people's minds there is still a stigma. That stigma is perhaps not so much in the mind of the general police force but more in the mind of the person who is distressed. I resonate with the comment of the member for Burns Beach that perhaps the assumption should be made that officers involved in certain incidents will require help, and even make that mandatory. This could be looked at in more detail through an appropriate parliamentary committee, in conjunction with the police force. More work clearly needs to be done in this area.

As I have said, this bill is an important first step. I commend the Minister for Police for bringing this matter to the house, and, along with other members, I certainly offer my full support for this bill.

The ACTING SPEAKER (Mr I.C. Blayney): I give the call to the member for Dawesville.

MR Z.R.F. KIRKUP (Dawesville) [7.20 pm]: Thank you very much for the call, Mr Acting Speaker. I apologise to the member for Murray–Wellington. I am sure she will get her say as we talk about the great police officers who serve the Peel region. I join with the other members of the opposition in supporting the Police Amendment (Medical Retirement) Bill 2019. I would also like to reflect on the contribution of the member for Cottesloe in commending the government for bringing this bill to the house. It is an important reflection of the maturity of our society that we are debating a piece of legislation to facilitate an issue that affects many police officers. I would also like to recognise the contributions of the members for Burns Beach and Kalgoorlie. It is an example of the richness of this chamber that they are able to offer their experiences. They talked about vehicle accidents and murders and things like that in language that appears to me to be abnormal, and obviously abhorrent, but the fact that they were able to speak about their experiences in such a normalised fashion illustrates the rich variety of members who are elected to this place. I commend both those members for their emotional and passionate contribution in support of the government's legislation.

I want to speak for a short time to recognise the efforts of the police officers who serve the district of Dawesville and the Mandurah community more broadly. I am very privileged to be served by the exceptional men and women of the Western Australia Police Force at Mandurah Police Station and in the Peel region. I particularly want to recognise the Mandurah district superintendent, Andy Greatwood. He is an exceptional officer. Every time I have had an issue or raised a matter with him, he has been very responsive and diligent in his concern for the people he serves and protects on a daily basis, together with the officers at Mandurah Police Station and the Mandurah detectives. The officer in charge of Mandurah Police Station, Darren Hart, is also an exceptional officer. I refer in particular to an article in today's *Mandurah Mail* that shows the important outreach responsibility of the officer in charge in encouraging the community to be more actively involved in reporting crime in our suburbs.

On Saturday, I had the opportunity to hold a crime forum for the Waterside estate, which is a canal-based development in Mandurah. There has been a recent increase in crime, with six or seven home burglaries in a short time, which the people in that estate are not used to experiencing. The forum was attended by about 50 people. This was just one of many crime forums that we have held across the community. Mandurah police were very well represented at that forum. They are also very well respected by the residents in my community. At that forum, we drove home the message that it is important that people report crime. People often talk about crime in their neighbourhood, but they do not report it to WA police as they should. When people talk to me about issues, I often ask them whether they have phoned the 131 444 number, I think it is, and reported it, and they will say no. Western Australia police do not know what they do not know. If they do not know that crime is happening, it is almost impossible to respond. We therefore drove home that message at that crime forum.

Two weeks ago, we held a hoon forum, in particular about the hooning problem in Mercedes Avenue, Falcon. Two police sergeants, Jamie Raper and Aidan Sloan, came to that forum. They provide exceptional support to our community. The police have had zero reports about hooning in that street, yet nearly 60 concerned people came to that forum. The message that we get constantly from WA police, as evidenced by OIC Senior Sergeant Darren Hart in this week's *Mandurah Mail*, is that members of the community should be encouraged to report crime. Simply putting it on Facebook and asking people whether they have seen something suspicious does not represent a report to WA police. People need to go through the process and help build up the data so that WA police can respond.

I should also recognise Sergeant Harry Russell, who was also at the crime forum on Saturday. I consider him quite an identity in our community. I believe he has been living in Mandurah for around 25 years. He is very well respected by the people in my district and, I am certain, also in the Mandurah district. He is a great individual. We are very lucky to have him serve our community in Mandurah.

As I come to the end of my contribution this evening, I want to quickly talk about the contribution of the community engagement officer, Sergeant Paul Trimble. Sergeant Trimble has been part of a trial that is being run through WA police to respond to youth suicides in our community. The issue of youth suicide was spoken about by the members for Burns Beach and Kalgoorlie. Youth suicide is a significant issue in the Peel region.

Extract from Hansard

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Unfortunately, we have had not only clusters of youth suicide in a very consolidated period of time, but also a spate of individual events. Youth suicide affects school communities very deeply, particularly those of high school age. Mandurah is a very tight-knit community, and one suicide is obviously too many, but when there is a spate of suicides, it has a great impact, as I am sure many regional members would attest. Sergeant Trimble, together with a number of others, is participating in a trial that has been presented over east, and now possibly also internationally, to provide an immediate response team to families that are affected by youth suicide. I met with Sergeant Trimble yesterday. He has recently visited four or five families to provide support and wraparound services, with engagement from both government and non-government organisations. For example, a father who has lost his child to suicide might be a fly in, fly out worker, of which there are many in Mandurah, and no doubt also in the member for Murray–Wellington's district. They might use the program Mates in Construction to support the father at the worksite and his family at what is obviously an incredibly difficult time. That shows the diversity of WA police. The police in our state are not simply standing on the side of the road with a radar gun to catch people who speed, or simply responding to crime, as we would expect. It is a credit to the organisation that the Western Australia Police Force has become that police officers are no longer just responding to 000 calls and to minor crimes and antisocial behaviour, but are engaging in community outreach. That has a significant impact on my community of Mandurah. Speaking more broadly, the former Leader of the Opposition and I had the opportunity to represent the Liberal Party at Perth Mosque after the Christchurch tragedy. Western Australia police are engaged in supporting that community, which is obviously going through a very vulnerable time.

Time and again I have seen, through coroner's inquests, the response of WA police in the Kimberley, which I imagine would be an exceptionally difficult place to police, and the outreach they have. We can look at their Twitter accounts, through which a range of stations have really great engagement, particularly with young Aboriginal youth, who, as members of this place know, are very susceptible to ending up in the state's justice system and the justice pipeline. WA police are continually leaning in and ensuring that they have a positive impact on young Western Australians, with a particular focus on regional Aboriginal Western Australian children, to make sure that a really good relationship exists with those children. It really underlines the role that police now have in terms of the diversity they face.

The members for Burns Beach and Kalgoorlie talked about the circumstances they have confronted and the awful scenes they have had to attend, but there is a real mix of positivity as well. There are people like Sergeant Trimble in my community and former Commander Allan Adams in the Kimberley region, who was referenced in Coroner Fogliani's report tabled in February this year in terms of the work he was doing, together with the men and women in the Kimberley region, in responding to youth suicide. In my mind, that went well and truly beyond the traditional idea of the line of duty. That is an important reflection that we should mention in this place when noting the work the WA police are doing. We are very lucky to have them. When talking about pieces of legislation such as this, it is important that we, as the Parliament of Western Australia, do our part to help those men and women who need it most.

Something I will point out very quickly is that I have mentioned the rate of crime in Mandurah to the Minister for Police a number of times. Mandurah, as a suburb in itself, has the fifth-highest rate of crime per hundred people of all suburbs in Western Australia. That is a concern to me. I will continue to make sure that I advocate for police in Mandurah to be resourced appropriately. As we go on, I would like Mandurah Police Station to be invested in and expanded, so that it can help respond to the growing needs and demands of our community. The police say that crime in Mandurah has gone up by three or four per cent year on year. The station numbers do not necessarily correlate with that increase in crime. I am certain that when the election campaign comes around in 634 days' time, we will make sure we hold this government to account when it comes to the resourcing of our local police and the investment in our police stations.

I also commend the work of the shadow Minister for Police, the member for Hillarys, through his relationship with the WA Police Union. He invited me to participate in the WA Police Union's more recent campaign, Care for Cops. Together with the member for Hillarys, I was very proud to participate in that campaign on behalf of the Liberal Party, which is really just stating publicly the important role that police play and why it is important for us to support them. I had the opportunity to meet with the president of the WA Police Union, Harry Arnott, who I think is a really great man. He and I have developed a very quick and fond relationship. I get on quite well with him and am really impressed to see his advocacy on behalf of WA police.

The last thing I would like to talk about is WA Police Legacy. In my time at Governor Stirling Senior High School in west Midland, I had the opportunity to go to school with the Bowen family. Geoffrey Bowen was, I think, a senior sergeant at the National Crime Authority in South Australia when he was the victim of a bomb that was sent to him and which unfortunately killed him. He was murdered. More recently, police have identified, if not caught, the individual who was responsible for that, and have hopefully brought that person to justice, some time

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on. I cannot commend enough the important role that Police Legacy plays in police families who have unfortunately lost an officer in the line of duty or the like. They do an exceptional job supporting those who need it the most. That is what this legislation does, too—it helps support those who are vulnerable within WA police and who need our support. As I said during the Care for Cops campaign and will say again here: the police have our back in times of great danger and it is important that we have their backs when they need us most. I commend this piece of legislation. I commend the government for bringing it to this place. I wish the bill a speedy passage through both houses over the coming days and weeks.

MR I.C. BLAYNEY (Geraldton) [7.34 pm]: I thank the member for Murray–Wellington for allowing me to take her place. I want to speak briefly on the Police Amendment (Medical Retirement) Bill 2019, because I am greatly relieved to see it come in here. A police union representative came to see me in the run-up to the last election and told me that this was something we should have done by now and that it should be a priority. I quite honestly said to him that I thought this issue had been dealt with. The comment I made to him was, “Obviously, when the new Parliament comes in, should I be re-elected, I’ll do everything I can to help you get this in place. I think you need to work the corridors of the Parliament a bit harder if you are going to achieve things like this.” I obviously heard the comments of the now Leader of the Opposition a while ago. After that discussion, when we came back to Parliament, I had a discussion with her on this subject. She told me she had spent quite a lot of time on the subject, but unfortunately had not been able to get the support she needed from a number of people in government to bring a bill to Parliament. I think it is a little unfair to say that it is because she did not try hard enough or did not care—she tried very hard, but others stopped her from doing it. Putting that aside, it is very pleasing to see this in place.

We owe it to the people who put their bodies and lives on the line for us that we look after them if things go wrong. Certainly, a police officer, Sergeant Hart from Mullewa, helped me through some of the hardest things I have ever done in my life. He called in to see me a few times after that to just check that I was okay. Obviously, in that situation, his life was not on the line, but that sort of concern and interest in the community is part of what being a policeman is all about. My local police station has some 120 or so staff and covers a huge area of the state. There is a memorial outside our station to people who have lost their lives, and we have a simple service there every year to remember those people.

Unfortunately, the minister has just left the chamber and I was going to say some nice things about her. She is going to miss them, which is very sad. I just wanted to thank the minister for bringing in this bill.

The other thing that is important to do as a community is to do everything we can to keep the level of respect for the police and the law as high as possible. My experience in that area is to say that the most useful things to help that come about is for adults to have jobs and for children to go to school. They are simple things, but they are probably the most important things in the world for a stable community in which, hopefully, the police job is to just keep an eye on things and to not have to arrest people and go through all the nasty things that they have to go through from time to time. With those brief words, I commend the bill to the house.

MRS R.M.J. CLARKE (Murray–Wellington) [7.38 pm]: I rise to speak in support of the Police Amendment (Medical Retirement) Bill 2019. This bill provides our police officers with the ability to be retired in a dignified manner when they are medically unable to continue serving their community. This bill removes the current unacceptable way in which medically unwell officers are retired under section 8 of the Police Act and will ensure that officers are treated with dignity if they can no longer continue to serve due to illness or injury.

Right throughout my electorate, police officers are doing a fantastic job keeping the local community safe. Officers stationed in Australind, Harvey, Yarloop, Waroona, Pinjarra and Dwellingup all do a fantastic job in both keeping local crime down and managing the large number of tourists over long weekends and peak holiday periods. Some of the fantastic work undertaken by local police includes the recent change for Pinjarra Police Station to operate 24 hours a day, which has enabled officers to provide a faster response time to crime and means that locals no longer have to wait for officers from Mandurah to attend the scene when crimes occur outside business hours. Both Senior Sergeant Ian Francis from Pinjarra police and Sergeant David Harnett from Dwellingup are very involved in the Shire of Murray’s community safety and crime prevention committee, which involves residential community groups and key stakeholders who come up with strategies for crime prevention and reporting for the greater shire community.

In nearby Dwellingup, the local team of two undertook tireless work over the summer ensuring that drink-drivers in and around Lane Poole Reserve were kept off the roads. Waroona police’s recent successful drug operations have taken thousands of dollars’ worth of drugs off local streets, and Harvey police continue to be a major part of the community through their work with local schools and community groups, going well above and beyond the call of duty and providing strong role models for youth in the community. In regional towns such as Harvey,

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Mr Peter Katsambanis; Mr Kyran O'Donnell; Mr Mark Folkard; Mr Peter Rundle; Dr Tony Buti; Dr David Honey; Mr Zak Kirkup; Mr Ian Blayney; Mrs Robyn Clarke; Mr Simon Millman; Ms Libby Mettam; Mrs Liza Harvey; Mr Reece Whitby; Mrs Michelle Roberts

having officers who are truly committed to the town and who make an effort to be an integral part of the community is extremely important, so the work of Harvey police in this area should not be underestimated. Yarloop police, who regularly work alongside Waroona and Harvey police, have taken a number of drink-drivers and unroadworthy vehicles off major roads, including South Western Highway and Forrest Highway.

Lastly, Australind police do a terrific job helping the many local businesses when thefts occur, catching repeat offenders and working with the business community to prevent crime. I would like to take this opportunity to thank each and every one of them for the hard work they do in keeping our communities safe and being positive role models for youth in the area. I would also like to acknowledge all officers who have been medically retired for their service to the community, and for advocating for these changes to the legislation. Like most police throughout the state, particularly in other regional areas, these officers manage vast areas and handle a wide range of issues from traffic enforcement to robberies and assaults.

Our police officers often work in trying circumstances and, unfortunately, witness the worst in our community, which is why it is so important that those who cannot continue to serve for medical reasons deserve to be retired without being associated with a loss-of-confidence removal. The current process simply does not work and does not treat our officers with the respect that they deserve.

It is unfortunate that these amendments were not introduced many years ago, but it is pleasing that the McGowan government is once again following through with its commitments and introducing these amendments to this house. These amendments are particularly important for those officers who are based in regional areas. Living in tight-knit communities often means that everyone knows one another, and an officer who is retired under section 8 may be subject to not only the internal stigma associated with the removal, but also scrutiny and attention from members of the local community. In some situations, this can discourage retired officers from remaining in the country towns that they have served in. For many officers, no longer being able to serve due to illness or injury is already disheartening, and the current provisions for medical retirement further compact the situation.

Through the establishment of a new standalone scheme to medically retire police officers, those who can no longer serve our community through no fault of their own will no longer be subject to the stigma associated with being retired under a loss-of-confidence provision. These officers will now be able to be retired in a way that does not detract from their service protecting the community, allowing them to be retired with dignity. It is also important to note that both the WA Police Union and the Medically Retired Western Australian Police Officers Association support these changes.

Introducing this legislation also aligns with the previous commitment to implement the police redress scheme for officers who were medically retired under section 8 due to a work-related illness or injury. The scheme provides some recognition of the indignity that some of these officers received. Although it cannot fix past treatment, it does acknowledge that the treatment they received was wrong.

The Police Amendment (Medical Retirement) Bill 2019 is an important piece of legislation that ensures our hardworking police officers are not subject to the past indignities associated with being retired on medical grounds. Every day our police take on a challenging and often thankless role protecting the community, and those who can no longer continue to serve for medical reasons do not deserve to be associated with a loss-of-confidence provision.

I would like to take this opportunity to say thank you to all our serving police officers for the magnificent and sometimes trying job they do in our communities, in particular to those serving in the electorate of Murray–Wellington as it has a wide scope of issues that need dealing with. Keep up the great work.

I am in full support of this bill and I commend the Minister for Police and the McGowan government for introducing it to this house.

MR S.A. MILLMAN (Mount Lawley) [7.44 pm]: I rise to make a brief contribution in support of the Police Amendment (Medical Retirement) Bill 2019 that the Minister for Police has brought to this place. I would like to thank members who have already made contributions in support of this legislation. In particular, I would like to thank the members for Kalgoorlie and Burns Beach, who made two of the most outstanding contributions that I have heard in the short time that I have been here. They both made dedicated, emotional and impassioned pleas to this government and to this Parliament to get on with the job of making sure that we pass this legislation. When we hear what they have to say and we add that to the contributions that have been made by members this evening and this afternoon, we can clearly understand why this is important business of the Parliament and the government.

I start by once again commending the Minister for Police, who has demonstrated in her second term in that role that she is the most well-suited, well-equipped, professional, diligent and assiduous Minister for Police that this

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state has ever seen. She has demonstrated her capacity to listen to the concerns of officers, the WA Police Union and the community and to act on them. Once again we see demonstrated by this minister the commitment of the McGowan Labor government to ensure that we deliver on our election promises. We are two and a half years in, and time after time I am standing up and saying how proud I am to be part of a government that continues to deliver on the election commitments it made to the community and which formed the platform upon which it was elected.

We are here today because section 8 of the Police Act 1892 provides a unique and particular mechanism for the removal of officers from duty. The trouble is that the construction, interpretation and application of section 8 has led to it attracting opprobrium. Officers who have been boarded out under section 8 have suffered an unrealistic and unfair stigma. Over time, a concern has developed amongst both the union and the Medically Retired Western Australian Police Officers Association that this provision needed to be amended.

I also commend the members for Murray–Wellington and Dawesville for their contributions just now. Both of them have synthesised and described in very brief terms the fantastic contribution that our local police make in our communities. To the police responsible for the areas in the electorate of Mount Lawley—the suburbs of Yokine, Dianella, Mt Lawley, Menora and Coolbinia—I add my voice to the chorus of support that has been expressed by members already. Like the members for Dawesville and Murray–Wellington, I have had the opportunity to conduct a number of community safety forums. They have been well attended by members of the public. They have been presided over by some fantastic police officers, in particular Senior Sergeant John Waghorn, the officer in charge at Bayswater Police Station, and they have been supported ably by the Minister for Police, who has attended at least half a dozen of these community safety forums in the Mount Lawley electorate since my election.

In the short time that I have, I want to talk about the reason these provisions are particularly important in the context of police. In the ordinary employment relationship of employer–employee, a number of provisions under the common law enable the bringing of the employment relationship to an end. The trouble is that the role of a police officer is unique in our society. The question of whether police officers in Western Australia were employees was finally adjudicated upon by the Western Australian Industrial Relations Commission in 2000. That was a decision in *Minister of Police v Western Australian Police Union of Workers*. The decision of President Sharkey set out the material points of law, including —

... at common law, a constable or Police Officer was regarded as the holder of a public office and was regarded as exercising an original and not a delegated authority.

A police constable is not a servant employed to do a master's bidding. In the immortal words of Lord Denning, Master of the Rolls, in a Queen's Bench decision from 1968, *R v Metropolitan Police Commissioner, Ex parte Blackburn*, police are servants of no-one but the law itself. The office of police constable is a creature of common law and statute. The provisions that pertain to the ordinary employment relationship do not pertain to our police officers.

I talked to the member for Burns Beach in the hallway after he had made his contribution, because I wanted to get clarity from him about what he meant. I do not mean to verbal him, but he said something along these lines: he wondered whether there would be a time when police officers could be inoculated from the emotional experiences that they endure whilst serving. I spoke to the member for Burns Beach because I needed to understand what he was talking about. No matter which way we look at it, our police officers need to have these experiences. We need them to feel those emotions that every other human being feels. They are reflective of us and they are critical to our society. We cannot have people operating in an emotional vacuum. They need to go through the passion and emotion that was so evident on the faces of the members for Kalgoorlie and Burns Beach when they made their contributions. What we can, should and must do is create the environment and the circumstances in which those emotions, feelings and passions do not attract the opprobrium that comes with a section 8 boarding out. What we should, can and must do is amend this legislation to make sure that stigma does not attach to these fantastic servants of the community of Western Australia. What we can, should and must do is bring forward this amendment bill so that those people can leave the police force with their dignity intact, so that they can remain valuable contributing members of their community, exactly as the member for Murray–Wellington said.

The time for parliamentary committees and inquiries has long past. The member for Armadale has already gone through in great detail, in an excellent contribution, all of the work that was done by the Community Development and Justice Standing Committee during the course of the last Parliament. I commend the report authored by the committee, chaired by the member for Girrawheen, along with the members for Armadale and Vasse. As the member for Armadale said—he has form in this regard—that was a unanimous committee report. All of the committee reports that the member for Armadale has been a part of have been unanimous. I commend that report to members. It spells out not only the imperative that drives this reformist, activist government that is getting on

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with the job of fixing these issues, but also all the ways in which Parliament can turn its attention to the circumstances of WA police, so that we know precisely what trials and tribulations they are experiencing.

I return to the point upon which I started: this is a police minister who gets it. This is a police minister with years of experience. This is a police minister with relationships with all the stakeholders and who knows what needs to be done and how it is to be done. This is a police minister who has restored the relationship between the government and police. This is a police minister who is getting on with the job. It is all very well for people to say that Parliament should have done this sooner. I am sorry, this is a police minister who has acted assiduously and expeditiously in making sure that this legislation has been brought forward. I am proud to serve, as part of the McGowan team, with a Minister for Police who does this sort of work. This is exactly the sort of legislation that this Parliament should be bringing forward so we can provide precisely the sort of support to our police that the members for Kalgoorlie, Burns Beach, Dawesville and Murray–Wellington have so clearly and unambiguously articulated is so important. I commend the minister's bill and I congratulate her for her tireless efforts.

MS L. METTAM (Vasse) [7.54 pm]: I rise to make a couple of points about the Police Amendment (Medical Retirement) Bill 2019. I join many others in this place in congratulating the Minister for Police and supporting this important piece of legislation. I point out from the outset the great efforts also of the former Minister for Police and spell out the fact that it was always the intention of the former government to address this important issue for medically retired officers. The Leader of the Opposition will be speaking shortly.

I also acknowledge the great role that the Western Australia Police Force plays in our community. I particularly refer to the electorate of Vasse, where Senior Sergeant Manus Walsh represents the Busselton area, and Sergeant Jane Gillham is the officer in charge for Dunsborough. They do a fantastic job, along with their fellow officers, in protecting and serving the community so well. The challenges now faced by police officers have never been more significant. We talked today about the use of methylamphetamine in the community and the aggression associated with that, mental health issues and different levels of violence. There is no doubt that our police officers have been challenged more than before. Like many in this place, I acknowledge the role that they play in running towards the fears, challenges and emergencies that many of us flee from.

I would also like to speak in support of the work of Harry Arnott, whom I have met on many occasions in his role as the representative for the Western Australian Police Union of Workers, and his great advocacy in supporting frontline officers. Police have a unique role. First and foremost, they deserve to be respected for their great role in putting their lives on the line on behalf of their fellow community members.

Recently, I had the opportunity and the great privilege to speak to my sergeant in Dunsborough about what this piece of legislation meant to her. I refer to Sergeant Jane Gillham. Over the past 12 months, the Dunsborough community has certainly welcomed her with open arms. I received quite an extraordinary response. Jane's former partner, Senior Constable Martin Cole, was actually medically retired in September 2005. He retired as a result of the psychological distress that he felt on the job. He is the father of two children, who are now eight and 10 years of age. It is unfortunate that not long after his retirement, Martin tragically died in a motorcycle accident. Sergeant Gillham spoke to me about the distress that Martin felt in being retired, with only a small proportion of superannuation, and the struggles he had in dealing with RiskCover. In many respects, he found that situation quite distressing. He felt a loss of pride in the fact that his retirement was associated with other police officers who had been sacked. It is important that our police officers are respected. They deserve the respect of the Western Australian community. They deserve to maintain their pride, and it is essential that we give them that fair respect. That is the focus of this Police Amendment (Medical Retirement) Bill, and as such, it is essential that its steady passage is supported through the upper house and into the community, where our retired officers will be supported in the best possible way.

I would like to take the opportunity to put on the record that the Busselton police do an outstanding job in the Busselton community, as I indicated earlier. Increasingly, they work with youth in our community. I am very much aware that the resources going into this area of need are increasingly under pressure to grow. Four youth crime intervention officers have been dedicated to the south west, all four of whom are based in Bunbury. There is an outstanding need to see one of these youth crime intervention officers based in Busselton, which is the largest local government area in the region. We are seeing increasing youth crime issues in this area. There is fair concern that police should not be taken from the front line to deal with the challenging issues around youth, who require a level of speciality. Instead, at least one youth crime intervention officer from the Bunbury centre should be dedicated to Busselton, where demand continues to grow and is being felt in the neighbouring towns of Dunsborough, Yallingup and Vasse.

I will leave my comments there. I commend the bill to the house and support everyone involved in seeing this legislation come to fruition.

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MRS L.M. HARVEY (Scarborough — Leader of the Opposition) [8.01 pm]: I rise to put my comments on the record concerning the Police Amendment (Medical Retirement) Bill 2019. As mentioned by all previous speakers, the Liberal opposition supports this legislation. Indeed, it was part of a package announced in the very end days of the Barnett Liberal government, when we were looking at a package that included workers' compensation, these amendments to the way police officers have their employment terminated and some provisions around bankruptcy. We cannot go back in history, but it is on the record that the package I worked on with police for two years around workers' compensation was not accepted by the union at the time, so it did not progress any further. Sadly, the amendments to section 8 and to the bankruptcy provisions in the Police Act were not dealt with as a result of the rejection of the workers' compensation package.

As a former police minister, I am fully aware of what officers go through under the termination process from the WA Police Force. We see many cases; indeed, some officers have their employment terminated for various disciplinary matters and some have their employment terminated due to criminal charges being brought against them. A removal process is needed for officers who, due to their conduct, are unfit to be police officers and therefore members of the police force. What saddened me, and was one of the reasons we progressed that two-year program to look at changing the Police Act when the Liberal Party was in government, was the humiliation that officers who were being medically retired felt by being subject to the same section 8 process as officers who were unfit to serve due to their character or wrongdoing. To that end, I support this legislation. I am really pleased to see it before the Parliament. I think it is good legislation. It covers off on the expectations of police officers at that time.

I would like to commend the member for Kalgoorlie and the member for Burns Beach for their contributions to this debate. It is difficult to stand up in this Parliament and talk about issues that are so personal and so upsetting. It takes very brave individuals to expose themselves emotionally that way; indeed, for the betterment of the debate in this place. To the member for Kalgoorlie and the member for Burns Beach, I sincerely thank you for your service to this state as police officers.

Police officers, and particularly those who, like those two members, serve in regional settings, are more than just police officers. In regional settings, they tend to be the agony aunts for individuals in the community. They tend to take on the work of social workers and child protection; they look after the kids who are not being fed and provide them with sausage sizzles at schools in the morning and those sorts of things. When there are car crashes, and domestic and other violence incidents, they have the awful responsibility of being the first responders, often for people and children they know. Indeed, police officers have told me heart-rending stories of how they had to deliver the news that one of the kids they had coached in footy had been killed in a car crash. They had to tell the parents that an individual they had been providing leadership, guidance and training to in a sporting setting had died in a crash, notwithstanding the trauma of seeing a child the same age as their own dying in those circumstances and being the person accountable for recording that incident.

I concur with the member for Mount Lawley's comments that we need police officers to be in touch with their feelings—to feel that emotion and not become removed from empathetically responding to people they deal with in the community who often endure the worst circumstances of their life by the time police are called in. However, I acknowledge the member for Burns Beach's comment that very few police officers manage to get through their careers and not be affected by the multiple exposure to trauma that that job entails, particularly the traffic branch. I have heard some of the things officers see at traffic crashes. Thankfully for the community, most of the time we are shielded from the gory details, the trauma and the violence because of the work traffic police officers do.

I hold them all in awe. Every officer I met during my time as a minister was there because they wanted to serve the community. They wanted to protect the community and all they wanted to do was lock up the baddies. They also wanted to help youth. I did not meet one police officer who found locking up a juvenile or arresting a juvenile to be satisfying. It was one of the nasty aspects of the job. When kids are involved in crime, police have to be involved, but, generally speaking, police officers know that very few of the kids involved in crime come from good, sound backgrounds. Most of those kids come from backgrounds in which they have been traumatised and have been victims of violence and abuse, and those experiences of trauma send them out into being involved in crime.

Mr P.A. Katsambanis: It is a vicious cycle.

Mrs L.M. HARVEY: It is a vicious cycle, member for Hillarys.

Hindsight is a wonderful thing. I wanted to achieve this particular amendment to the Police Act very early on in my time as police minister. The advice of the Parliamentary Counsel's Office was to hold off and accumulate a number of these amendments and bring them forward as a tranche at one time to the Parliament. I guess my advice to ministers—there are some experienced ministers on the other side of the house, but there are some who have not had that much experience—would be to ignore the Parliamentary Counsel's Office if they want to do

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something that they know is a very good thing for police officers and for the greater good of the community. Had I stuck to my guns, if you like—I was a fairly green minister—and forced the issue with the Parliamentary Counsel's Office and stomped my feet and had somewhat of a hissy fit, I could have managed to get this legislation drafted ahead of legislation that was going to cover workers' compensation and other complex issues. However, the past is the past. I do not think I could be talked into holding off on bringing forward very important legislation such as this amending legislation should we again occupy the benches on the side of the house sometime in the future.

When we were looking at this amendment to the Police Act, we were also looking at the provisions that deal with the removal of officers due to bankruptcy, which was one of the issues that the WA Police Union was running with very strongly at the time. Members may or may not be aware that the commissioner has no choice but to immediately stand down police officers who are declared bankrupt, whether or not that bankruptcy is from wrongdoing or their own mismanagement. There is no discretion; the act requires that police officers who declare bankruptcy must be stood down. There is an appeals process through which the commissioner can reinstate those individuals, but the feeling at the time—I am sure that it has not changed—was that in these modern times, people often declare bankruptcy through no fault of their own. The Sterling First collapse is the latest example, in which a bunch of investors have been caught up in a scheme. They did not understand the scheme and they did not understand that the scheme was set up ostensibly to rip them off and take their life savings, which is what they are facing. Most of those individuals—some police officers may be caught up in that scheme, I do not know—will have to declare themselves bankrupt, but not through their own financial mismanagement or any wrongdoing. They will be declared bankrupt because they invested in something that turned out to not be what it purported to be. The police officers I spoke with had to go through not only the humiliating process of losing everything—all their assets and savings—and declaring themselves bankrupt with everything that that entails, but also the humiliation of being stood down as a police officer, which added insult to injury. Some of the officers I spoke to who were caught up in this had become bankrupt because they had invested in family businesses, for example, and they did not necessarily have control over the management of the family business. The family business went belly-up and, as a result, the mortgage on their house was pulled, they ended up with a debt and they had to declare bankruptcy. To be at that point in your life and not have any certainty of employment would be a very awful position to be in for any individual. Hopefully in the future, the government will amend the act to allow more discretion to the automatic provision to stand down officers who have declared bankruptcy. By all means, if wrongdoing is involved and the person is of improper character, there are provisions in the act to have those officers stood down. I implore the minister to look a bit further and change those provisions, because officers who are inadvertently caught up in financial scenarios that they may not necessarily be responsible for should not have to prove to the commissioner that they should be stood up, that they are of sound character and that their financial circumstances are not of their own doing. That is something to consider in the future. It is unfortunate that that is not included in this amending legislation.

During my time as the Minister for Police and, indeed, since losing government, I have had some interaction with David Bentley and the Medically Retired Western Australian Police Officers Association. When I was the minister, part of my strategy was to first deal with workers' compensation for police officers and, indeed, the medically retired termination provision in the act. The next tranche was always going to be looking at those officers who had already been medically retired from the police force, which was more of a tricky piece of work because, as minister, I wanted to do it properly. Quite a large number of police officers have been medically retired over time. Some of those officers have received ex gratia payments. Some ex gratia payments were very large, in the millions, while some were very low—\$200 000, \$400 000 or whatever it might have been. I asked the agency—I do not know whether it completed this work because I did not see it to the end—to look into all the officers who had been removed via section 8 due to medical retirement to see when they retired, at what stage of their career they retired, the payout they may or may not have received and the reason for their removal due to medical retirement. Obviously, some officers can have a physical injury that means that they are confined to a desk job, for example, but they may not want to do that. They may have been medically retired from that job but have gone on to other employment. But other officers—this is where officers who suffer post-traumatic stress disorder fit in the main—are incapable of holding down any other form of employment because of PTSD, unless they do what the member for Burns Beach did and spend thousands and thousands of dollars to access expensive treatment overseas. Some local providers provide relief and healing from PTSD, but it is an expensive program. I felt that there needed to be a different kind of retrospective compensation for them compared with the one for officers who may have a physical disability as a result of being retired from police but were still able to actively enjoy life and enjoy employment in a different career. It is a complex issue. What I disliked about the process of officers being medically retired and requiring compensation for a workplace injury was that it tended to be that if those officers were well liked, a bit younger or had a savvy media team behind them to work the media, the coercive effect of all that activity on the government of the day resulted in a higher

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payout. A person should not have to subject themselves to the media circus to get a requisite payout for injuries they sustained in the workplace. That is where I felt the system was really wrong at the time, and why I tried to understand it thoroughly and attempted to fix it, albeit I did not get there. Because of the depression and anxiety of officers who suffer from PTSD, and the behaviours of certain officers with extreme cases of PTSD, and even those officers who have depression-type symptoms on an ongoing basis, it is often very difficult to work in a workplace with somebody who has a serious mental health issue such as PTSD. Those officers who had been suffering from symptoms of PTSD and depression —

[Member's time extended.]

Mrs L.M. HARVEY: — generally did not get the support of their colleagues or superiors for ex gratia payments upon retirement. The workforce around them felt that they had been carrying them. They had more sick days because there were more days that they could not be at work and there were all the other circumstances that added to their humiliation of having to live with a serious mental health issue. Often those officers were the ones who received no ex gratia payment at all when they left the police because of a mental health issue. That was something I felt very strongly about, which was why I wanted to make sure, along with David Bentley and the Medically Retired Western Australian Police Officers Association, that we identified officers who had post-traumatic stress disorder and ensured that they had, as part of an ex gratia payment system, a workers' compensation-type retrospective payment that would be consistent with their ongoing needs, taking into account the fact that they may not be able to maintain employment in the future.

It is a difficult area and I really admire the member for Burns Beach; serving as a police officer for all that time while suffering PTSD would have been extremely difficult and would have taken a lot of courage. As Minister for Police, I tried to understand how we could gear up the agency to better deal with PTSD, and I learnt that its symptoms are wide and varied. There is a school of thought that PTSD can be a fairly effective survival tool for people in combat situations because the hypervigilance and the ability to stay awake and conscious for long periods are among the attributes that help soldiers survive. It may serve soldiers and police officers well in times of combat, but if they cannot switch off and need to go home to their families, it is actually not a condition that serves people well outside the combat environment. There is also the anxiety, depression and hypervigilance that come with PTSD. There is also the phenomenon of night terrors; people with PTSD can wake up in the middle of the night in absolute terror. There can also be an inability to sleep, to reason, and to maintain attention for any time. It is a very debilitating illness and, I fear, far more common in our community than we fully understand at this time.

However, as the member for Burns Beach mentioned, there is some light on the horizon. There are a lot of new psychiatric and psychological treatments to help people who have PTSD as a result of traumatic experiences. Indeed, some patients undertaking long-term treatment are getting some very good results. There is a treatment available here in Perth called eye movement desensitisation and reprocessing therapy, which is a way of training the brain of a person who has PTSD. It is almost similar to a form of hypnosis, in a way; the practitioner will get the PTSD patient to talk about their experience of trauma whilst undertaking another physical activity, like tracking a finger across the screen or whatever it might be. In doing that, the neural pathway to the trauma is short-circuited by the physical activity the patient is undertaking. There have been some considerable successes through that treatment in resetting the neural pathways of individuals with PTSD and removing pressure from the amygdala region of the brain. It was explained to me that in a person who is exposed to repeated or severe trauma, the amygdala releases a spray of hormones, if you like, to help the individual cope with trauma. For patients with repeated exposure or extreme trauma, the amygdala swells and becomes constantly activated. In doing so, it presses on the frontal cortex of the brain, which is the emotion and sleep control centre. Through having the neural pathways reset by EMDR over time, the overactivation and swelling of the amygdala can be brought down and pressure taken off the frontal cortex, resulting in the individual being freed from PTSD symptoms. There has been some success in that treatment for younger people; I am unaware of the success rate for that treatment in older individuals, but I can say that the treatment is very expensive. It is usually around \$200 per session. Depending on the severity of their exposure to trauma, an individual with PTSD could be looking at anything from six months to five, six or seven years of treatment to become free of the symptoms. I expect, for the sufferer, that would be well worth the effort.

To conclude my remarks, I would like to once again put on the record my appreciation for all the individuals in the gallery who put all their effort into drafting this legislation and bringing it to Parliament. I also want to record my appreciation for all the people in the Western Australia Police Force who have no doubt done a significant amount of work on making sure that this legislation is right. The Liberal opposition has no intention of delaying, obstructing or filibustering on this legislation. A number of our members feel very passionate about it and have a very high regard for the work that our police officers undertake, so we would like to see this legislation pass and go into operation as quickly as possible. Before I sit down, I would like to once again put on the record my

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appreciation of every single one of our Western Australian police officers and auxiliary officers. The work they do is beyond comprehension, in some circumstances. The experiences they have are experiences that very few individuals would be able to cope with and deal with in such a professional and empathetic way. Sometimes they get it wrong, but in the vast majority of cases the intentions of our police officers are sincere. The opposition commends this legislation to the house and I thank the Minister for Police for bringing it to the Parliament for us to debate.

MR R.R. WHITBY (Baldivis — Parliamentary Secretary) [8.27 pm]: I rise to briefly speak on the Police Amendment (Medical Retirement) Bill 2019. I guess it would be fair to say that there are very few sitting members in this chamber, apart from the member for Kalgoorlie and the member for Burns Beach, who truly know what it is like to be a man or woman in the police service. I certainly do not know what it is like. I got some limited experience of what it is like to be a police officer many, many years ago as a young journalist when I was a police reporter at the ABC. I got to know a little about police attending car crashes and what are known as “death knocks”, which is the very unfortunate duty of police officers to inform the next of kin that they have lost a loved one. More than anything, I cannot fathom what that would be like.

The member for Kalgoorlie mentioned a plane crash in the goldfields, probably close to 30 years ago. I was a young journalist working for Channel Nine at the time and went to that scene. I can remember being escorted to the crash site. It was not my job to closely observe the scene, so I was in the good position of not being obliged to, but I do know what was to be observed on the ground at the crash site—human remains, littered virtually everywhere. I did not actually see it; other people told me what was there. It was not my job to observe it; it was the job of the attending police officers to closely observe and record what was on the ground that day. It is a job of enormous responsibility, an onerous job and a job that involves duty. I have friends who have served in the police service. Indeed, as the representative of the community of Baldivis, I represent quite a number of serving officers who live in the electorate, so I am very happy to stand in this place and support the legislation on their behalf.

This bill presents another mechanism in the act to allow a police officer to depart the service without that great stigma of a section 8 removal. For a long time, I was under the impression that we were all very familiar with the term of someone being “section 8-ed” out of the force. I was always under the impression that it was a description that applied only to people who had done something wrong, hence the great need for this legislation. I am sure that people in the community—certainly not those in the police service—are aware of the term and believe that it attaches to people who are being forced out of the police service against their will because they have done something wrong, not because they have a condition or an injury that is beyond their control.

I know that the Minister for Police has put a lot of great work into this bill and has had a lot of support from the police service itself to get the bill to this place. This government supports our police service. I think it is a bipartisan issue in the chamber. There are lots of things we do for the police service. There is equipment. Recently, the government has invested in extra devices to allow police officers to spend more time on the beat, not at a desk. Of course, the policing model has been changed to increase the number of districts, and that has had a positive impact in the community that I represent. But this is different. This is a substantial change that will address a long-held concern about the way that police exit the force. We are told that the police service is a big organisation. It includes many thousands of Western Australians and is a reflection of the broader community. Obviously, from time to time, members of the service will make mistakes or do the wrong thing and, from time to time, some of those police officers will be removed from the police force. Sometimes, of course, those officers jump or resign before a section 8 order is brought against them. If someone has an injury or a medical condition and the Commissioner of Police decides that it is no longer appropriate for them to serve the community, it is important that this section of the act not apply to them. Again, it goes back to the issue of dignity and respect in the way we treat police. I note that this important change is supported by the Medically Retired Western Australian Police Officers Association and the WA Police Union, which I understand have been consulted. It is also a commitment of the Labor government. It might not be an election commitment that will grab the most headlines, be the flashiest or be the one that everyone talks about, but it is incredibly significant. It is about being in government and delivering on commitments. It is another commitment that we will tick off tonight.

I respect the fact that members of all parties can come together in a bipartisan way and support this bill. It is not often that the wider community gets to see us in action, getting behind a piece of legislation in a united way. We know that most legislation that goes through this place is treated in that way, but this bill, more so than most pieces of legislation, has very strong bipartisan support. I welcome the contributions of all members in the chamber and I look forward, as does the Leader of the Opposition, to having this legislation enacted as soon as possible.

MRS M.H. ROBERTS (Midland — Minister for Police) [8.35 pm] — in reply: It is with great pleasure that I rise this evening to conclude the second reading debate on the Police Amendment (Medical Retirement) Bill 2019. This is a bill of which I and our government are very proud. I was very pleased when the Premier, when

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Mr Peter Katsambanis; Mr Kyran O'Donnell; Mr Mark Folkard; Mr Peter Rundle; Dr Tony Buti; Dr David Honey; Mr Zak Kirkup; Mr Ian Blayney; Mrs Robyn Clarke; Mr Simon Millman; Ms Libby Mettam; Mrs Liza Harvey; Mr Reece Whitby; Mrs Michelle Roberts

he was opposition leader, gave a commitment that we would deliver for our retired police officers, and I was delighted that he and the cabinet and our party room supported me bringing forward this legislation as a priority. It was a priority that the Premier mentioned in his Premier's Statement at the start of this parliamentary session. He said that we would bring forward the legislation this year, and we have. I was very keen to get it through this place before the midyear break to have the opportunity for the legislation to pass this house and go to the upper house, where it can lay on the table to be debated in due course. All going well, this bill could be through the other house, I would think, as early as the end of August and could become law shortly thereafter. I have had questions from both the Medically Retired Western Australian Police Officers Association and the WA Police Union about whether I thought this legislation might be in place before the end of the year. My confidence in that happening has grown.

I am also very proud of the debate that has taken place on this bill. It has been a mature debate. I have been taken with the many positive contributions that have been made by so many members of Parliament. I certainly encouraged some of my members not to speak, or not to speak at length, because I am very keen for this legislation to get through; and, if every member of the house spoke, we could have been here until next week dealing with the bill, and that is not our intention. I thank the Premier and the government for giving the bill priority so that we can deal with it today. It has taken up effectively all of government business time today.

I thank those members who contributed in such a positive way to the second reading debate. Including me, about 14 members of the house have spoken, including the members for Hillarys, Kalgoorlie, Burns Beach, Roe, Armadale, Cottesloe, Dawesville, Murray-Wellington, Geraldton, Mount Lawley, Vasse, Scarborough and Baldivis. The member for Girrawheen is absent today, but she was probably the member who was most keen on this bill. The member for Armadale mentioned the committee that he had been on that looked at this very issue when we were in opposition. Of course, that committee was chaired by the member for Girrawheen, who is certainly very passionate about supporting medically retired police officers. The report of her committee was certainly very highly commended and very welcomed by both the police union and medically retired officers. I know that they would want me to thank the member for Girrawheen for her contribution.

With regard to some of the individual comments that have been made during the debate today, the member for Hillarys asked how many appeals there had been against medical retirement decisions. I can advise that no appeals were commenced in the Western Australian Industrial Relations Commission during the period from May 2015 to May 2019. An appeal was lodged in August 2014, but that appeal was unsuccessful.

The member for Hillarys also suggested that the proposed changes are projected to increase the number of medical retirements in the initial years. The number of medical retirements due to work-related injury is approximately three per cent of total separations. Although I might broadly agree with that assertion or question, I do not expect those numbers to be significant. The average number of medical retirements for the period 2000 to 2014 was 13 police officers. The total number of future medical retirements due to work-related injuries could emerge to be different from that observed historically due to a couple of factors. The first is that the change in the process for medical retirements should make it more straightforward and accepted than was the case previously; therefore, officers might pursue medical retirement rather than resign. I know that in the past, some police officers have found it too hard and for whatever reason have just resigned. The second is that an exit payment could lead to behavioural change and an incentive to officers to pursue medical retirement rather than age retirement or resignation.

The member for Hillarys also commented that police officers are not entitled to workers' compensation. That is true. However, I put on the record that our officers rightfully have access to a range of medical benefits that are not available to other government workers. Those medical benefits extant post retirement. Therefore, in many senses, although it is not workers' compensation as such, that element for people who need ongoing medical treatment is covered off by the medical benefits scheme rather than a workers' compensation scheme. Those entitlements are not clear-cut, and that is the next section of our work.

The Labor Party was the only party to commit to providing a form of redress for officers who have previously left medically retired. I have outlined that scheme. A total pool of \$16 million has been made available for that scheme. Three eminent people have been appointed to oversee that process. The independent assessment panel is chaired by former police commissioner Karl O'Callaghan, assisted by Ms Susan Barrera, and Ms Lilly Cvjic, a former police officer. The application process is now closed, and the compensation-style payments are in the process of being finalised. We hope that in coming months, people will be able to get some additional compensation. Nothing ever compensates a person for their injuries. However, it is an acknowledgement of what has occurred in the past. I add on that same front that not only have we introduced the Western Australian Police Star to recognise people who have suffered injury as part of giving service, but also for those officers who have previously left medically retired, we have introduced a new Certificate of Honourable Discharge. I think that before today, people in this place might have thought that is nothing much. However, we only need

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to hear from someone like the member for Kalgoorlie or the member for Burns Beach tonight to know how deeply that has impacted on police officers. Honourable discharge means a lot to police officers. I am pleased that through this bill, we will significantly improve the dignity of officers who are medically discharged in the future. It is very important that they are not discharged through the same section of the act as those officers who have disgraced themselves.

I was certainly touched by the contribution of the member for Kalgoorlie. As a former police officer, he has clearly been deeply affected by his experiences. He was a little embarrassed about the emotion that he showed tonight. My message is that we should never be embarrassed about showing emotion. Showing emotion is a strength, not a weakness. In my view, the member for Kalgoorlie, along with the member for Burns Beach, were brave and strong tonight when they recounted their personal experiences. I have been dealing with the police portfolio in both opposition and government for a very long time. I have spoken to many police officers, both current and retired, about the experiences they had many years ago and what was expected of them as a police officer. If we go back 20 years or so, the expectations on police officers were very different. They were expected to show a stiff upper lip, toughen up, not show emotion, suck it up, move forward, and not dwell on those things. Some officers explained to me that they might attend a road crash, a suicide or some other tragic event, and, when it came to counselling, they would go back to the station and the officer in charge would say, "Let's go and have a beer", and they would debrief over a beer and just get over it and move on. We now know a lot more. We know that we cannot just sweep things under the carpet. We cannot just show a stiff upper lip. We cannot just keep absorbing it, incident after incident, and move on. There needs to be proper support for officers. There also needs to be respect for officers. It used to be seen as a weakness if a police officer said to their superior officer, "I'm struggling because of an incident that I've attended", or, "I'm struggling because I've been to a number of incidents, and this has had an impact on me." Officers would not come forward and say that, because they would feel that would be a black mark on their record and it would count against them when it came to promotion, because they would say, "He's not coping."

That kind of attitude existed to a greater extent 20 or 30 years ago, and to a lesser extent until more recently. It was in one sense the prevalent attitude of the time. Police has long been considered a kind of paramilitary occupation, originally for tough and strong men. As I said a moment ago, strong men show emotion. Strong men do not just suck it up; they deal with it. We are very aware of that now. I am proud of those two former police officers in here. I think police officers right around the state and also retired police officers and their families will be really pleased with the contribution they made and the contributions of other members.

The member for Burns Beach asked about the make-up of the medical board. He wants to ensure that there will be psychiatric experience on the board. I will provide some further advice on that. The medical board will be appointed by the CEO of Health, which is the director general. The medical board must have at least three medical practitioners. There is a power under the regulations, and a further provision to make regulations, for the appointment of other medical expertise to the board. That is all vetted within WA Health. The process of appointment is independent of the commissioner's powers to decide to medically retire members. I think that separation and independence is very important. I note for the record that the current standing board members are Dr Brian Galton-Fenzi, an experienced occupational health practitioner; Dr Gemma Edwards-Smith, an experienced occupational health psychiatrist; and Dr John Akers, a pain management specialist.

A number of members were concerned that the Western Australian Industrial Relations Commission should have oversight of the process. We have addressed that within the bill. There is an appeal process to the WAIRC under part 2 of the bill. The appeal process set out in the bill in proposed new division 3, section 33ZI provides a right of appeal to the WAIRC bench, constituted by three industrial commissioners, including the chief commissioner or senior commissioner. This provides the oversight and significant expertise of the WAIRC in providing assistance. I concur with members that that is an important element of the bill.

The member for Armadale discussed the committee inquiry he was part of, which produced the March 2016 report "How do they manage? An investigation of the measures WA Police has in place to evaluate management of personnel". He discussed that inquiry's recommendations and some of the hearings they had, when officers spoke of their feelings of not having any value and the desirability for change. I again commend the member for Armadale, the member for Girrawheen and anyone else who was on that committee. I think maybe the member for Hillarys was part of that committee.

Mr P.A. Katsambanis: No, I was in a different place.

Mrs M.H. ROBERTS: He was in the other place; my mistake. There was at least one Liberal member on that committee.

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The member for Cottesloe was generally very supportive of the bill, as was the member for Dawesville and the member for Geraldton. The member for Murray–Wellington certainly commented on the need for a dignified exit process for medically retired officers, and clearly acknowledged some of her local police officers.

I have some thankyou's to make, because in recent years I have had representations from people who have really pursued this legislation very hard to provide some dignity. They have invested their heart and soul in it. I know that Mr Dave Bentley has been mentioned already, as the head of the Medically Retired Western Australian Police Officers Association. For one brief moment, I thought that just about every medically retired officer was called Dave, because we also had Dave Matthews and Dave Nelson. I think I have missed out another Dave who came to meet with me when we were in opposition. I also acknowledge Mike Thornbury, who came along to our ALP conference three or four years ago. I think he is a constituent of the member for Mandurah. He spoke of his experiences and we passed a resolution at our ALP state conference as a consequence of his presentation. My recollection is that his daughter made a pretty compelling video in which she interviewed quite a few retired police officers. Members said that those people deserve full praise and credit, because this bill is not really about them; this is about future officers. This is about acknowledging the way in which they were treated when they left, but providing a better process for anyone else who finds themselves in that position in the future. I note that, by definition, these are all people who are injured, who have medical issues and who are dealing with their own issues, but who are prepared to put that aside to some extent to take up the cause for other people, so that other people do not have to suffer the indignity that they suffered. I want to commend them for pursuing this so strongly.

I cannot name every person who has ever approached me or whom I have heard talk about it in the media or via email or whatever else, but I do recall in recent times former Superintendent Dave Parkinson talking about his wife, Gail, who was medically retired. At the time, like a lot of people, she was not aware that she was being retired under the same section as those in whom confidence had been lost because of misconduct or a reason of that nature. It doubled the indignity of their situation because of that. Whether it is Gail Parkinson or anyone else over those years, hopefully they will receive an honourable discharge certificate. If they fit within the definition of the redress-style scheme, hopefully there may be some compensation. Nothing will ever compensate them for what they have gone through. Money cannot change the past, but I do think the acknowledgment is a very important part of it. That is certainly the view that has been put to me by the medically retired officers.

Mr J.E. McGrath: Has anyone in their speeches mentioned Murray Cowper, the former minister? In all his time in Parliament he pushed our party room so hard for this, but could not get it. It was so frustrating for him.

Mrs M.H. ROBERTS: No-one has mentioned him, not even the Leader of the Opposition, unsurprisingly. This is something he felt genuinely about. He certainly raised it with me when we were in opposition, and I gave him my commitment that if we were elected to government in 2017, this was something we were committed to and which I would pursue, and that if I was the police minister, I would make sure that it happened. I hope that Murray Cowper is pleased with the legislation as well.

I want to thank a number of other people and groups. The Western Australian Police Union has taken up this issue quite strongly in recent years. Upon election to president of the police union, Mr Harry Arnott made it clear that this was a priority for him and the union. We have, of course, provided him with a copy of the legislation. We have asked for the police union's comment. We have had a strong endorsement from the police union. They are hopeful of its swift passage through the Parliament and they are very pleased to see the progress we have made. I also want to acknowledge some of the police staff who have worked with me on the bill—Malcolm Penn, Di Aho, Avril Bartlett, Madeleine Lovelle, Ashley Chapple, Superintendent Glenn Feeney, Inspector Jane Higgins, and other officers from the legislative services and health and safety welfare section of police. I also want to acknowledge the encouragement and assistance of a former member of my staff, Michael Dean, who retired to look after his wife. I note that he is also a former president of the Western Australian Police Union. I acknowledge Mr Noel Whitehead, who works in my office part time, for taking some leadership and assisting to bring this bill to fruition. Most of all, I want to thank my chief of staff, Rachel Sackville-Minchin, who has been relentless in her pursuit of this legislation. She has liaised with the medically retired officers. I know they will not mind me saying this, nor will the union for that matter, but sometimes both of those groups can be pretty hard work, not that they intend to be. As I have already said, medically retired officers are injured people who at times do not cope so well. They wear their heart on their sleeve, they feel their emotions very strongly and they have been very frustrated by not being able to address this matter in recent years. Probably more than 20 years ago, Rachel worked for the Western Australian Police Union. She is more aware than most of the issues faced by police officers. Her husband was formerly a police officer, so she has been part of that police family as well. She has done an outstanding job. She has led our team. I thank her.

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I also thank the Commissioner of Police, Mr Chris Dawson. Some of the questions asked by members revolved around how this legislation will be handled. I again stress that in my experience, Mr Chris Dawson, the Commissioner of Police, is a very decent human being who deals with people with respect. I fully expect that this legislation will be properly and appropriately used by the Commissioner of Police and that he will support police officers in every way that he can.

I want to thank everyone who has participated in the debate. I want to thank everybody in the chamber—everybody who has supported this legislation. As I think the member for Baldivis said, for some, this might seem like a small piece of legislation. It has only nine clauses. For those who are impacted, medically retired officers and their families, other police officers and police officers and their families who will be impacted in the future, this is absolutely vital legislation. It is very important that we recognise the role played by police. They turn out to trouble on a daily basis, they go places and do things that no-one else wants to do and, at the end of that process, some of them end up broken. When they end up broken just through doing their job, we need to treat them with dignity.

Question put and passed.

Bill read a second time.

Leave denied to proceed forthwith to third reading.

Consideration in Detail

Clause 1 put and passed.

Clause 2: Commencement —

Mr P.A. KATSAMBANIS: Clause 2 is the commencement clause. It is relatively standard. Part 1 will come into operation on the day on which this legislation receives royal assent. The rest of the legislation, which are the operating provisions, if you like, will come into force on a day fixed by proclamation. Obviously, the bill will get through this place, go to the other place, get through the other place, go to the Governor and be signed off. It will receive royal assent. Does anything need to be done after royal assent before the other parts of the act can come into operation? What is the current intention of the minister? How long after royal assent does she think we will be in a position for this legislation to be proclaimed? Obviously, the minister understands the reason I ask is that officers are waiting for this bill to go through, and obviously the commissioner is as well, so the sooner the better in this case.

Mrs M.H. ROBERTS: I thank the member for Hillarys for the question. His question relates to assent. I am very keen to see this legislation pass through this house tonight. As I think I said in the second reading response, I see no reason why it should not go through the Legislative Council in August. I understand that the bill can progress to the upper house this week, it can be read in and lay on the table and it can be ready for debate as soon as the Legislative Council resumes. It will just depend on what else it has on the agenda, but, from a government perspective, our plan is to see it pass through the Legislative Council in August. We will do what we can to assist that. I note that the Leader of the Opposition suggested that the Liberal Party would be keen for the same, as the member is himself. I am hopeful, given the opposition's numbers in the upper house, that we will see swift passage and it will not go off to a committee or some other thing. This is very straightforward legislation. I hope that it will go through rather quickly.

Turning to the next part of the member's question, after the bill has been passed, the police will need to make some arrangements in that transitional period. They will need to make regulations for service and notice periods under the Police Act and ensure that all the administrative documents are updated to support the new process. I hope and expect that they are currently working on that in preparation. I have no reason to believe that there should be any impediment to its relatively swift passage through the Legislative Council. Assuming that, I would hope that our Western Australia Police Force is already working on those transitional provisions, updating regulations and looking at what administrative forms or processes need to be changed. That work should already be at least partly underway. Of course, police cannot assume anything. Parliament is ultimately the master of what comes out the other end. Given the support of the police union and the medically retired officers, and given the relative simplicity of the bill's provisions and its innate fairness, I am pretty hopeful. One way or another, I do not personally see that it will take very long. In my experience, things that I think might take a week or two in government tend to take a month or two. Beyond a month or two, I cannot see any reason why it would not be law.

Clause put and passed.

Clauses 3 and 4 put and passed.

Clause 5: Section 33K amended —

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Mr P.A. KATSAMBANIS: Clause 5 amends section 33K of the Police Act 1892. It inserts a new paragraph (d) in the definition of “removal action”; that is —

the cancellation of the appointment of a police auxiliary officer under section 38G(4);

I await confirmation from the minister that this insertion is effectively standalone; that is, it does not simply apply to the provisions around medical retirement but it applies to all removal actions being undertaken. It is adding “police auxiliary officer” to the definition of removal action. We have had police auxiliary officers for quite some time. What has happened with any potential removal action of a police auxiliary officer up until now, prior to the insertion of this new paragraph (d)?

Mrs M.H. ROBERTS: That is a good question. I might just put on record that this clause effectively corrects an anomaly in the current “Removal of members” provisions in part IIB of the Police Act. I am not sure whether it was drawn to our attention by anyone else, but I certainly received correspondence from the police union about its concerns about auxiliary officers being covered. It appears to have been an oversight when auxiliary officers first came into being in the Western Australia Police Force, which was not that long ago. I understand that from a process point of view the Western Australia Police Force has treated those auxiliary officers as though they have the rights of other police officers. This is really to clarify that and provide some certainty.

I note, too, for the record that police cadets are also covered. Recruits are treated as police officers, but police cadets are treated as auxiliary officers, so that will give them some coverage as well. My advice is that the simple answer to the question is that when these matters have arisen with respect to auxiliary officers, they have been treated by the Western Australia Police Force as though they have the same rights as a police officer. This effectively clarifies that and sets it in law.

Mr P.A. KATSAMBANIS: Since we have had police auxiliary officers, has there been any need to remove any of them for any reason, whether it is medical retirement or other section 8 reasons?

Mrs M.H. ROBERTS: We have had to remove auxiliary officers from time to time, but that has been for disciplinary matters, and they have been dealt with as disciplinary matters by the Commissioner of Police. We have not had any concluded matters with respect to medical retirement. I am told that there may be one case, but it is only at an initial stage at the moment. There has certainly been no ongoing issue or any concluded issue with respect to auxiliary officers and medical retirement.

Clause put and passed.

Clause 6: Part IIC inserted —

Mr P.A. KATSAMBANIS: Clause 6 of the bill inserts a new part IIC, “Medical retirement”. I think the minister foreshadowed where I was going with this; we had a discussion around it in the briefing. In proposed section 33ZE on page 8, “Power to retire member on medical grounds”, there is a series of definitions relating to a commissioned officer, a non-commissioned officer or a constable. I am told that cadets fit into that description. There is a special provision for Aboriginal police liaison officers or police auxiliary officers on retirement, but police cadets are not specifically mentioned. Which ground would they fall under? Are they considered to be non-commissioned officers or police auxiliary officers?

Mrs M.H. Roberts: They are considered to be auxiliary officers.

Mr P.A. KATSAMBANIS: I just simply seek that clarification from the minister.

Mrs M.H. ROBERTS: Police cadets are considered to be auxiliary officers.

Mr P.A. KATSAMBANIS: At this late stage I do not intend to go through this forensically. I thank the minister for her answers.

Clause put and passed.

Clauses 7 to 9 put and passed.

Title put and passed.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Mrs M.H. Roberts (Minister for Police)**, and transmitted to the Council.

House adjourned at 9.18 pm

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