

**DANGEROUS SEXUAL OFFENDERS AMENDMENT BILL 2012**

*Declaration as Urgent*

On motion by **Mr M.J. Cowper (Minister for Corrective Services)**, resolved —

That the bill be considered an urgent bill.

*Second Reading*

Resumed from 17 October.

**MR F.M. LOGAN (Cockburn)** [2.59 pm]: I respond to the second reading debate on the Dangerous Sexual Offenders Amendment Bill 2012 on behalf of the Australian Labor Party. I make it clear that the Labor opposition will support the bill. In fact, we welcome the introduction of this bill into the house because it is at the conclusion of a significant period of criticism of the government for failing to replace the existing —

**The SPEAKER:** I would like to hear what you have to say, member for Cockburn, and I think other members, particularly the minister, would also like to hear what you have to say. If members are having a conversation that is not relevant to the business in front of the house, I suggest they take it outside.

**Mr F.M. LOGAN:** I will just go back over what I was saying. We welcome the bill coming to the house because it concludes a period of criticism by the Labor opposition of the Liberal–National government and its handling of dangerous sexual offenders in Western Australia—in particular the handling of the dangerous sexual offenders using the current radio-based technology to monitor curfews imposed on dangerous sexual offenders in Western Australia.

Before we go into the bill in greater depth, I just remind the house of the current technology, which was not well addressed by the minister in his second reading speech. The current technology used by the Department of Corrective Services for monitoring dangerous sexual offenders is wireless-based technology that is very old and very limiting in its capacity to monitor dangerous sexual offenders. In fact, offenders are monitored by wearing an ankle bracelet that has a radio-based device inserted, and that is linked to a number of radio beacons within a very short distance around the property where the person lives. Once the dangerous sexual offender—or the person who is now outside prison but remains under curfew by way of the ankle bracelet—moves outside that radio range, they are gone; and Department of Corrective Services and the Western Australia Police, if it has been notified by DCS, have no idea where those dangerous sexual offenders have gone. That is the nub of the problem with the existing technology. If we are to allow dangerous sexual offenders out into our community and have them monitored by way of bracelet technology, that bracelet technology is of no good to the community, and certainly does not provide any guarantee of safety to the community, if it works only within a very short distance and around certain boundaries of the offender's home. Once that person decides to breach their curfew and go outside those boundaries, there is no way of identifying where the offender has gone and, most particularly for the safety of the community, what those offenders are up to.

Because technology has been in place for a long period and because it is certainly well overdue for replacement, over the last three years in my role as shadow spokesperson for corrective services, I have criticised various ministers for their failure to replace the technology with a more modern system that would allow the tracking of dangerous sexual offenders, not just within their home but also wherever they go within the metropolitan area or just outside the metropolitan area in the regions that have phone towers in this state. That is the reason the opposition welcomes the introduction of this bill to the house. We welcome it because it is the conclusion of years of criticism of this government for not upgrading bracelet technology for dangerous sexual offenders to a GPS-type system, which has been available around the world for a long period, so that those dangerous sexual offenders can be monitored exactly where they are in the community at all times. This bill introduces that technology and it introduces the legislative framework around the technology so that GPS bracelets can be introduced and applied to dangerous sexual offenders. For that reason, we support the bill, and we support the passage of the bill.

However, there are a number of issues we want to raise with the minister about the bill. The issues came out of a discussion we had with officers from the minister's department, DCS, and the other representatives who briefed us; I think they were from justice. I thank the minister for allowing that briefing to take place. Given the fact that the minister wanted this dealt with as an urgent bill, he allowed the briefing to be given to the opposition to explain the content of the bill. As a result of those discussions with those officers, a number of issues came up and I indicated to the officers that we would be raising those issues with the minister during the second reading debate.

I will go over with the house exactly how the system works under this Dangerous Sexual Offenders Amendment Bill 2012. As I indicated, it is ankle bracelet technology. Within the bracelet is a GPS tracking system that is linked to telephone towers, wherever they are around the state. But I am advised by the department that a

bracelet will not be used with any dangerous sexual offender who comes from a remote community and who cannot be tracked under the mobile tower technology. That is what I am advised. I imagine then that the system works on a geospatial information system—GIS—which allows the continuous tracking of offenders who wear those bracelets.

How does an offender get to wear a bracelet in the first place? I am advised by the department that it is quite a lengthy and complicated process for a dangerous sexual offender to be put on a list that allows the department to determine whether the person could and should be made to wear a bracelet once they leave jail. To put an offender on that list, the Department of Corrective Services is required to look at the record of the offender in the case when it is expected that the offender would wear a bracelet, and then make a recommendation of listing to the Director of Public Prosecutions. The DPP examines the background and record of the offender and then determines whether to take that offender's case for wearing a bracelet to the Supreme Court. When the DPP takes that case to the Supreme Court, there is then a lengthy procedure before the Supreme Court and the tabling of psychiatric evidence, and of course a defence lawyer is made available to the offender so that he or she has representation in the Supreme Court. Then, of course, the case for the listing of that particular dangerous offender for the wearing of the bracelet is either made or declined in the Supreme Court. The case then goes back to the Department of Corrective Services, which determines the conditions under which that person will wear the bracelet. That is the process for declaring someone a dangerous sexual offender and for how a dangerous sexual offender ends up wearing a bracelet should he or she be put on the list and ordered to do so by the Supreme Court.

How many cases put to the Supreme Court have been successful? How many offenders are we talking about? I am advised that since the act came into being in 2006—I remind people that the Dangerous Sexual Offenders Act was a Labor act—422 cases were considered by the review committee. Of those cases, 96 went to the Director of Public Prosecutions for assessment of whether those matters would be taken to the Supreme Court. Of those 96 matters, 46 matters eventually went to the Supreme Court in cases taken by the DPP. Since 2006, there have been 25 supervision orders and 23 detention orders for sexual offending.

We need to be clear about what this Dangerous Sexual Offenders Amendment Bill will do. The minister has put out a press release hailing the introduction of this bill. He has read into *Hansard* a ministerial statement hailing the benefits of this bill. I believe he has also taken a dorothy dixer from his own side during question time, again hailing the benefit of this Dangerous Sexual Offenders Amendment Bill. But at no stage did the minister indicate to the general public or this house how many people it will apply to. How many people has it applied to since 2006, and how many will it apply to once this bill passes? We are talking about a very, very small number of people. In fact, at the moment, in total there are only 18 declared sexual offenders in Western Australia, 12 of whom live in the metropolitan area of Perth. We are not talking about a very large number. The impact of this bill will be quite minimal. It is not the type of breakthrough bill that the minister seemed to allude to in his press release or in his ministerial statement to the house. Admittedly, the minister tried to pull back some of his statements by saying that this is not a silver bullet. It is not a silver bullet at all; it applies to a very small number of people in Western Australia. In effect, this bill does exactly what the Labor opposition has been calling for over the last four years; it upgrades the monitoring technology from radio-based technology to more modern global positioning system technology to ensure that any dangerous sexual offender who is allowed to be released back into the community can be monitored effectively. The current technology does not allow those offenders to be monitored effectively. It is not a breakthrough bill of such consequence that the minister has indicated. This bill needs to be put in the context of its effectiveness. The spin that the minister put on the introduction of this bill should be completely and totally discounted.

The next issue that I want to raise with the minister is the recidivism rate. Unfortunately, I did not bring to the house—but I certainly will do when we get to the third reading stage—the information that was very nicely provided to me by the department about the number of recidivists. The minister may well have it there.

**Ms M.M. Quirk:** It is extremely high for that sort of offending.

**Mr F.M. LOGAN:** That is correct. Does this type of technology work? Does it have any sort of effectiveness? I asked the department whether it could provide me with some numbers on the recidivism rate of these types of sexual offenders. As the member for Girrawheen just indicated to the house, they are very high numbers. The minister probably has them there. I still have them on my computer, and I will bring them into the house later. How effective will this technology be in changing the behaviour of dangerous sexual offenders who are released back into the community? Going on current technology and past practice, it will not be very effective at all. Those figures and those facts again give a clear picture of why the minister should temper his statements to this house on the effectiveness and intention of this bill. It simply replaces one type of technology with another. It is no more than that. This is simply a technical bill. The minister should just get on with his job and introduce it as a technical bill and not put spin on its effectiveness.

Although I talked about the very small number of people to whom this bill will apply, the wearing of the new GPS bracelet by sexual offenders could lead to an increase in the number of dangerous sexual offenders released back into the community. The new more effective technology to which I am referring is a worry to the Labor opposition. It is certainly a matter of concern to the Labor opposition and a significant matter of concern to the community of Western Australia. One of the questions I put to the minister as part of the second reading debate is whether he believes that with this new form of GPS technology in bracelets, there will be an increase in the number of dangerous sexual offenders who will be put on the list through the Supreme Court process, which I have already put on *Hansard*. Will they be put on that list and then released back into the community? Will there be an increase? There may well be a reason for an increase, when we are facing up to 5 000 prisoners in a prison system that was designed for 3 500. There may be very good reasons that we would want to release more of those prisoners back into the community as long as they are monitored. First, does the minister expect there will be an increase in the number of requests by the Department of Corrective Services to the Director of Public Prosecutions for people to be put on the list of dangerous sexual offenders who must wear these bracelets and be released back into the community? Secondly, what percentage increase does the minister believe there will be in the number of dangerous sexual offenders released back into the community? That is the first two-part question that I would like the minister to answer.

I am advised that the police communications centre in Midland will be the base for monitoring dangerous sexual offenders through the GPS technology. Can the minister confirm on the record that the monitoring and running of the new GPS system will be undertaken by the department and will not be contracted out to Serco Australia, the current favourite friend of the Liberal Party and one of the more favourite friends of the Minister for Health? Serco seems to be picking up most contracts from the Liberal–National government. I am advised that this service will not be contracted out, but I would like the minister to assure the house that that will be the case. I am also advised that a Department of Corrective Services officer will be in charge of the monitoring on a 24-hour basis at the Midland police communications centre. If an alarm goes off, the monitoring officer can liaise with police to dispatch a car. That will be done only when there is a serious incident that is likely to be a threat to the general public. If it is an incident of a minor nature—again, I would like the minister to explain how that will be determined—it will probably be the result of an issue with the device itself. I believe that a contracted service will go to the dangerous sexual offender’s home to ensure that the system is working properly and, if it is not, to address the problem.

I am advised that the system will be trialled firstly in the metropolitan area of Perth and will then be run out to other regional centres such as Bunbury, Albany, Kalgoorlie and Geraldton. As I have indicated, it will not cover remote communities. The Labor opposition has three issues with the advice we received from the department that we would like the minister to clear up. The first issue is where those dangerous sexual offenders are located. Even with the current radio-based system that is in place, we had a situation—it happened to the member for Willagee—in which a dangerous sexual offender on a list was located in a home not far from a primary school. Although the bill will change the type of technology that is used to monitor a dangerous sexual offender, if the system allows a dangerous sexual offender to be housed around the corner from a primary school, we have to question what use the system will be. Some of these incidents happen within a matter of minutes. I draw the minister’s attention to the awful attack on a young girl, Sofia, that took place in the lavatory of a shopping centre two years ago. That was all over within a matter of minutes. Of course, the weakness of the issue—it will always be there; no government will be able to address it—is that the attacker of Sofia had no previous record. A GPS-linked bracelet system will not have any effect in protecting young people like Sofia.

The second issue is the speed with which a police car will be dispatched. Any monitoring system is only as good as the quick response that is provided when the alarm goes off if the dangerous sexual offender goes outside or into an area that is declared off limits to the offender. How quickly does the minister believe a police vehicle will be dispatched to a dangerous sexual offender? I obviously cannot ask how long it will take the vehicle to get there, because I would have to use an example to do so. But, simply, how much time will it take to dispatch a vehicle to address a serious dangerous sexual offender incident?

The third issue with the monitoring is interference with the technology itself by the offender or anybody else. I draw the minister’s attention to proposed section 19C(3) of the bill, which states —

A person must not, without reasonable excuse, unlawfully interfere with the operation of an electronic monitoring device required to be worn or installed under section 19A(2).

Proposed subsection (4) provides for a mandatory 12-month sentence should that interference with the GPS bracelet be proven in court. The mandatory sentence is not limited to just the DSO; it applies to any person who interferes with the technology. I put this proposition to the minister, which I also put to his advisers. Let us say that a dangerous sexual offender wearing an electronic bracelet is at home and his or her friend, who is pretty good with electronics, jams the signals from the bracelet—they do not remove the bracelet—and the offender, knowing that he or she is not being tracked, commits a horrific crime against a child. Hopefully, the offender is

caught and goes through the normal process and is sentenced. The friend who has interfered with the bracelet and basically allowed this horrific attack to take place will get only 12 months' imprisonment. It is not a minimum sentence of 12 months; it is a mandatory sentence of only 12 months. I am not too sure about the minister, but I, as do most people in the Labor opposition, have problems with mandatory sentencing, and this is a classic reason why mandatory sentencing has problems. It takes away judicial discretion, and in a case like the one I just put to the minister in which the technology has been interfered with by someone who has the skills to do so, and an offence has taken place as result of the interference with that technology, the judiciary is limited to sentencing the accomplice to only 12 months' jail. If it was a horrific crime—as we know, there have been numerous horrific attacks on young people by dangerous sexual offenders—and the accomplice came before a judge who was not limited by the mandatory nature of this subclause, that offender may get a sentence much longer than 12 months. That is the problem with a minister and a house of Parliament determining the outcome of a case on behalf of the judiciary, and that is why it should not be done. That is why we have a judiciary and why we give discretion to judges to be able to deal with cases just like this, and this legislation takes away that power. I put it to the minister that this is a major mistake, and one that the minister should rectify by way of amendment while the legislation is before the house.

I briefly come back to the process of who gets caught under this legislation and how sexual offenders are put on a list. I have described the way dangerous sexual offenders are recommended by the Department of Corrective Services to the Director of Public Prosecutions. The DPP then determines whether it will take on the case that then goes to the Supreme Court, and the Supreme Court makes a decision on whether a person will go on the list as a dangerous sexual offender. The matter then comes back to the DCS on how the bracelet will be worn and the conditions concerning the wearing of the bracelet. If a dangerous sexual offender with a long history of horrendous sexual offending is then arrested for a minor offence, that sexual offender will go to jail and serve that sentence; however, there is no opportunity for the DCS to refer that dangerous sexual offender to be put on the list because that person does not meet the criteria—even with a long list of offences. If it is a minor sexual offence, that person will not be put on the list for a recommendation to go to the Supreme Court, and it would not get through the Supreme Court, either. Again, a limitation is placed on this bill due to the nature of the offence that leads, ultimately, to the listing of the dangerous sexual offender. There is nothing that the minister can do about altering or changing that provision today, and it is probably difficult for any government to do anything about that because meeting the criteria to be put on the list for wearing this bracelet depends on the nature of the offence committed by the offender. As I pointed out to the minister, it is a restriction on the effectiveness of this bill.

Finally, I reiterate the concerns on this side of the house with this bill. This measure will lead to an increase in the number of dangerous sexual offenders released back into the community because people, I am afraid, may well place greater emphasis and trust in the technology to do the work of humans or place greater trust in technology to monitor these types of people effectively in the community without incident. We have not been able to put our trust in the current technology. Obviously, the new technology is much better, and it is obviously important that it gets introduced; however, it has its limitations, which I have pointed out to the house, with not only the process of being listed as a dangerous sexual offender for the purposes of wearing a GPS-linked bracelet, but also the process once that person on the list is approved to wear a GPS-linked curfew bracelet.

In this instance, our first concern is that the system will not work properly and we end up with the offender being located too close to a place where they should never be in the first place; for example, near a primary school—as has occurred on a number of occasions—shopping centres, McDonald's or any such area where young people gather. Our second concern is about the effectiveness of the system and the technology to get someone to attend when an incident occurs and the person has broken their curfew or their boundaries set by the Department of Corrective Services. Our third concern is with the effectiveness of this technology to change behaviour, because the current technology has had virtually no impact on changing the behaviour of dangerous sexual offenders. I put it to the minister that the new technology being introduced by way of this bill will not have a great deal of effect on the behaviour of dangerous sexual offenders either. For those reasons, we have concerns with this legislation.

I have put a number of questions to the minister about this legislation, and I would like the minister to put some answers on the record. I would like the minister particularly to respond to my concerns about the nature of the mandatory sentencing and the restriction of 12 months' imprisonment for accomplices in interfering with the electronics of the GPS bracelet worn by the dangerous sexual offender.

The opposition will support the bill in its passage through this house. As I said in my opening statement, this is not a silver bullet by any stretch of the imagination—the minister has said that—and it is certainly not breakthrough legislation that will somehow add to and underpin the Premier's law and order program for Western Australia and show how the Liberal-National Party is very strong on law and order. All this bill does is change the legislative framework for the technology worn by dangerous sexual offenders from radio to digital

GPS technology. The spin that has been put on this bill so far by the previous and current corrective services ministers does no credit to the government whatsoever because it is quite clear from all the evidence we have gathered and have been presented with by the minister's department that there is a very large number of limitations on the effectiveness of this technology. I welcome the introduction of this technology but the spin should stop. It is simply a changeover in the way dangerous sex offenders are monitored in the community. I repeat, our concerns are that the Premier's spin will lead to an increase in the number of dangerous sex offenders being released into the community. That should not occur. The minister should not put so much trust in this type of technology because it could lead to another violent incident against innocent children in Western Australia.

**MS M.M. QUIRK (Girrawheen)** [3.40 pm]: I do not intend to speak for very long on this Dangerous Sexual Offenders Amendment Bill 2012. As we have heard from our lead speaker, the shadow Minister for Corrective Services, the Labor opposition will support the bill. But I want to make a few observations the proposal the government intends to implement through this legislation. I have to say that the dangerous sexual offender legislation introduced by the previous government places the Minister for Corrective Services and his or her department in an invidious position. This legislation is about the small number of hardcore what I call pathological offenders among whom there is an extremely high risk of recidivism. Thankfully in Western Australia there are only a dozen or so of those. It is not meant for the more general sex offender; it is meant for those who undergo continuous psychiatric and psychological assessment and, even though their sentence has concluded, are deemed unfit to be out in the general community. I say it is a scourge, if you like, for a Minister for Corrective Services because on occasions there are offenders who come up for their yearly review in the Supreme Court and a judge will say, "I deem this person still to be a danger to the community", but the judge will release them. It is then up to the Department of Corrective Services to find somewhere for the offender, bearing in mind that observations of the Supreme Court judge may come back to haunt the department if the level of supervision is not enough. The bottom line is that the act says that no level of risk is acceptable for these particular offenders.

With this legislation I am concerned that the minister is using the bracelets to abrogate his responsibility in relation to those offenders. He is saying that once this electronic technology is in use, we can relax. I think that is a recipe for complacency and disaster. I am a great supporter of modern technology. In fact, I went to the United States last year and looked at a range of these technologies for a range of purposes. I think that technology would be better deployed for the 2 500 sexual offenders who are not on the government Sex Offender Register, for example, because the risk is perceived to be less. I am worried because—I think the member for Cockburn summed it up very well—it takes only a split second for the person to reoffend. What are the response times; who is conducting the monitoring; which technology does the minister intend to use; is there a particular proprietary product he intends to use; is the funding for just the capital set-up or recurrent funding for staffing? If it is recurrent funding for staffing, how many FTEs will be involved?

We are talking in this case about tracking devices. An electronic device is used purely for tracking individuals. Other electronic devices might be useful in the circumstance, one of which is a so-called transdermal device, which will not be included in this bill. A transdermal device enables the monitoring of the consumption of alcohol by an offender. It seems to me that some of these offenders fall by the wayside when they fall off the wagon and consume alcohol. I make the point that the minister might want to consider whether he might expand the definition to include a transdermal device because, in some situations, it would be probably more appropriate to know not where an offender is are but whether they are drinking.

I want to a general point about sexual offenders in the Corrective Services system. Those who are hardcore offenders may be the next rung down from those covered by the dangerous sexual offenders legislation. A number of those will go into prison and will persistently say, "I have not committed the offence for which I have been convicted by a judge and jury; I have never committed this offence. I do not know why I'm in prison." Those offenders, colloquially called deniers, tend not to go on any programs during their time in prison. Even though they know that by doing that they will prejudice their chance of parole, they serve their full term and, therefore, go into the community without any supervision at all. They are the ones I think are more properly candidates for electronic monitoring, although that is a problem because, strictly speaking, they have served their full term and there are no conditions. That is something I would consider.

There are more of those individuals than we would like to imagine. Under the previous government a program was brought in and an expert was brought out from Canada and a number of Corrective Services psychologists were trained to deliver programs to people who denied they had committed an offence. The common orthodoxy up to that time was, "You can't work with someone who's not willing to change or admit they committed an offence." This program was devised in such a way that even if people persisted in denying they committed the offence, they could work with the offender and get to a stage at which the offender ultimately admitted the offence and were in a position to do some valuable cognitive work. A former minister—two ministers ago—dismantled that program shortly after the Barnett government came to power. I am concerned that there are gaps

elsewhere in the system that should be addressed. I am concerned some 2 500 sex offenders are not on the public register, so are not subject to that level of public scrutiny. I am concerned also that this might inject a level of complacency in the department and in the nature of supervision once this program has been brought in. I wonder also whether perhaps in the interim, trials will be conducted on other offenders to see whether there are flaws in the system. When I was minister, proposals were put to me. At that time, frankly, the technology was not good; for example, a number of people from the department tested the system and they could get on the train in Joondalup with their bracelet on and not be located again until they got to the member for Mandurah's electorate. That was an issue of grave concern. Yes, I am confident in the technology. I have seen it operating in a variety of applications. However, I believe dangerous sexual offenders are a special category and rather than use something that abrogates a really odious responsibility, my preferred option for these particular offenders is that they remain inside. This bill is a way for the minister to put up his hands and say that it is all too hard. On that note, I am somewhat concerned that an assessment of whether someone is suitable for a bracelet will be made by the department and not by a judge. I think a judge should ultimately be the person who is responsible and if it goes wrong, it is the judge's fault. We need to look at all those issues.

Most fundamentally, this is inconsistent with the whole rationale of the Dangerous Sexual Offenders Act. Frankly, I believe this is a mechanism for watering down and diluting the fact that there are some offenders who should never be released.

**DR A.D. BUTI (Armadale)** [3.50 pm]: I will keep my commentary very, very brief to allow the minister to respond, if he wishes, before four o'clock. As the other speakers have said, we support the Dangerous Sexual Offenders Amendment Bill 2012. As is very well known, the technology is there, so why should we not use it in regards to certain categories of criminals, because, of course, sex offenders are criminals? I put a question to the previous Minister for Corrective Services, Hon Terry Redman, and asked him about the cost of the program and how many sex offenders will be tracked. As the member for Cockburn stated, we should not try to blow up the public relations on this exercise, because the response I received was that we will actually deal with 19 offenders in the first year, moving to approximately 30 offenders in the third year. Of course, that is 30 too many; we would prefer there to be no dangerous sex offenders, but we have to keep it in perspective that the bill and the minister's policy announcement deals with a small amount of offenders. The costing I received in my answer to that question on notice was a bit confusing, and maybe the minister might want to comment on the costing aspects of this measure. As members well know, I have been advocating for electronic tagging or GPS monitoring for certain classes of people on violence restraining orders. The former Attorney General and Treasurer was dismissive of that idea because of the cost factor. I would be interested to know whether the government has any plans to broaden this technology to other types of offences, although that is not germane to the particular bill before the house. We are supportive of this bill. This technology is not foolproof and it is incredibly important for the minister's department to see this as only one measure—an incredibly important one—in trying to protect people from these sorts of criminals. Of course, arguments are made about civil liberties, but I think it is very hard to justify arguments on civil liberties in this case. These serious, dangerous sex offenders have lost many of their rights in regards to civil liberties—not totally, obviously. This seems to be a measured policy and response to a certain disease in our society. But, as has been mentioned by the previous speakers, this technology is only one element to address the issue, and we have to be prepared that, just because this technology is available and may be seen as a way to protect innocent people, it does not lead to the premature release of dangerous sex offenders from incarceration.

**MR M.J. COWPER (Murray-Wellington — Minister for Corrective Services)** [3.53 pm] — in reply: I would like to thank the members for Cockburn, Girrawheen and Armadale for their contributions to this debate. In summary, the Dangerous Sex Offenders Act is about the protection of the community. I will touch upon the issues spoken of by members present. The member for Cockburn spoke about the old technology and I am pleased he welcomes the new legislation. He claims that these amendments are overdue. That may well be the case inasmuch as, as we can appreciate, technology, it seems these days, evolves increasingly quickly. The capacity of our technology is increasing as well. We only have to look at mobile phones, which we might think are unrelated to this legislation, but in actual fact the new technology referred to in this Dangerous Sexual Offenders Amendment Bill revolves very closely around the same technology that mobile phones use. The capacity to track people today, compared with as recently as six or seven years ago, is exponentially different.

I add a bit of anecdotal information on this issue. Yesterday I had my car broken into. Someone decided to smash a window and steal my mobile phone, believe it or not, out of the centre console. It was my mistake for leaving it there. It was my personal phone as opposed to —

**Mr D.A. Templeman:** Where was this? Down our way?

**Mr M.J. COWPER:** Yes.

In any event, I was a bit upset about it all, as one would be under those circumstances. I had cause to take my son to work. He is just shy of getting his driver's licence and I will be glad when he does so his mother or I do not have the drive him around. I told him the news on the way to work at five o'clock in the morning. He said, "I'll have a look to see where your phone is, Dad." I said "What?" Apparently when I bought my phone, and my wife's phone on the same occasion, he got hold of our phones and was flicking through various options on these fantastic new little iPhones and he found an app called Find My iPhone. He went into our phones and clicked this feature on. Unbeknownst to me, he has been tracking his mother and father for the last eight to 10 months. I think this is very curious.

**Mr J.M. Francis:** Did you get your phone back?

**Mr M.J. COWPER:** I will get to that.

What I found very curious was the fact that he has been using technology to his advantage.

Several members interjected.

**Mr M.J. COWPER:** In any event, it would appear that some of the fears of his older sisters might have some validity inasmuch as whenever we arrive home, his girlfriends, who come visiting from time to time, seem to disappear. It is now becoming clear to me that it may have something to do with the fact that he is well aware of us approaching the proximity of our home. That is just an example of the way in which technology has evolved. Of course, there is now 4G technology. To finish the story, no, I have not yet retrieved my phone. Whoever stole it has removed the SIM card and switched off the phone. The matter has been reported to police and they have means, which I do not wish divulge in this place. Put it this way: there is an ongoing investigation into the theft of one of my personal iPhones. My story demonstrates how quickly technology evolves.

Since becoming a minister only a few short months ago, I have been made aware of the potential of this technology and this legislation. It probably goes to the question that the member for Armadale asked about whether it is my intention to evolve this technology into other realms of crime. In short, the answer to that is that one would be foolish to close their eyes to any potential, given the technological advances occurring. As we well know, as technology becomes better utilised and refined, the cost comes down—we have seen that with plasma and LED TVs and the cost of a lot of things today. The point the member for Cockburn made is that this technology has been available in other jurisdictions and parts of the world for a number of years, but as is the case, the new technology has better functions, as demonstrated by the new iPhones. I note that there are a number of manufacturers of these tracking devices right across the globe. We have called for a tender for the supply of these devices. The features they have now compared with even 12 months ago are interesting, and I was very curious to know that in China, where some of these devices are manufactured, the devices also have the capacity to emit electric charges, which personally appeals to me, but which is an aspect we are perhaps not ready for yet. If someone walks into a precluded area, the device gives off a warning beep, and then, a bit like the dog collar we applied to my son's dog to control its barking, it gives off a bit of a zap. The particular point that I am trying to make is that the technology is evolving, and the issue about it being overdue is noted, but it comes down to whether we have the confidence in the technology to be able to apply it in a functional way that, firstly, the community is comfortable with, and, secondly, the department is —

Debate adjourned, pursuant to standing orders.