



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2021

LEGISLATIVE ASSEMBLY

Tuesday, 1 June 2021



# Legislative Assembly

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**THE SPEAKER (Mrs M.H. Roberts)** took the chair at 2.00 pm, acknowledged country and read prayers.

## AUSBIOTECH CONFERENCES

*Statement by Minister for Science*

**MR R.H. COOK (Kwinana — Minister for Science)** [2.02 pm]: It is with great pleasure that I stand today to tell members that Western Australia is to host Australia's largest life sciences conference, the AusBiotech national conference, and Australia Biotech Invest and Partnering, or AusBiotech 2022, in Perth in October 2022. The COVID-19 pandemic has amplified global interest in new health and medical technologies, pharmaceuticals, and medical products and services. It has also highlighted the importance of reducing dependence on imports and building resilience and sovereign capability to secure local health and medical supply chains. Western Australia is on the cusp of exponential growth in health and medical life sciences. Between 2017 and 2019, the number of life sciences companies in Western Australia increased by more than 50 per cent—one of the fastest rates of growth in Australia. This mirrors the global demand for medical technologies and pharmaceutical products, which is one of Australia's largest manufactured exports and, in 2019, had an estimated value of \$8.2 billion. It is anticipated that by 2025 global revenue from medtech and pharma industries will reach \$3.7 trillion, and the sector, across Australia, will create 28 000 jobs and 200 new companies. Diversifying the economy is key to reducing over-reliance on particular economic sectors, while at the same time creating jobs. The emerging medtech and pharma sector presents an opportunity to grow a new globally significant and sustainable industry to contribute to the resilience of our economy.

The state government established, through its new industries fund, the highly successful WA Life Sciences Innovation Hub in collaboration with the national industry growth centre, MTPConnect and the University of Western Australia. To build on this and related assets, the state government bid for, and won, the right to host AusBiotech 2022. The event will attract over 1 000 delegates and address issues critical to growing commercial opportunities in medtech and pharma, including regenerative medicine, gene therapies, precision medicine and clinical trials. AusBiotech 2022 will also include a significant bio-investment and partnering component, which will provide local companies and professional service providers with the opportunity to connect with key local, national and international stakeholders and investors. The conference will enable Western Australia's medical and life sciences community to showcase its globally acknowledged competitive advantages, build critical networks, secure new partnerships and pursue rewarding commercialisation opportunities, all of which will go towards improved patient outcomes.

## HERITAGE AMENDMENT REGULATIONS 2021

*Statement by Minister for Heritage*

**MR D.A. TEMPLEMAN (Mandurah — Minister for Heritage)** [2.05 pm]: It gives me great pleasure to advise members that earlier this month I released the draft Heritage Amendment Regulations 2021 for public comment. These regulations will deliver a series of additions and minor amendments to the existing regulations to further refine the operation of the Heritage Act 2018. The act came into effect with only those regulations necessary for the immediate implementation of key functions. As I informed members in March 2019, it was intended that a second phase of regulations would deal with a number of remaining issues. These have now been drafted and released as the Heritage Amendment Regulations 2021. The phase 2 regulations recognise that state government agencies have a particular responsibility for the management of a significant number of heritage places and can set a positive example in good conservation practice. In doing so, the draft regulations bring elements of the existing government heritage places disposal policy into the statutory framework. Other matters covered in the amendments include extending exemptions to allow practical management of heritage places without unnecessary red tape, providing a mechanism to require notice of proposed works to places awaiting assessment for the state Register of Heritage Places, and clarifying existing requirements around the nomination of a place for assessment. Public consultation on the regulations is open until 17 June 2021, and I encourage all those with an interest in our state's heritage to review the draft regulations and provide their input. I would appreciate the support of members in this place in promoting this opportunity to their constituents. Input from stakeholders will assist in developing final regulations that provide practical and appropriate approaches that support and implement the provisions of the Heritage Act 2018.

## ENERGY TRANSFORMATION TASKFORCE

*Statement by Minister for Energy*

**MR W.J. JOHNSTON (Cannington — Minister for Energy)** [2.07 pm]: I rise today to congratulate the Energy Transformation Taskforce, which concluded its two-year tenure last week. The McGowan Labor government established the task force in 2019 to deliver the government's energy transformation strategy and respond to the unprecedented changes in Western Australia's energy sector. WA's energy sector is experiencing a rapid transformation, with one in three households now having rooftop solar panels and continuing strong growth in

large-scale wind and solar farms. Although this transition provides the opportunity for Western Australians to enjoy low-cost and low-emission electricity, the pace of transition poses challenges to our power system. When I became Minister for Energy, the Australian Energy Market Operator warned that if these challenges were left unaddressed, they could cause system blackouts as early as 2022. The task force has addressed these challenges and achieved the following milestones. It released the *Distributed energy resources roadmap* to manage the rapid growth of rooftop solar systems in the power system, with actions through to 2024. It developed a whole-of-system plan that provides different scenarios of how WA's main electricity grid might look in the next 20 years and the "no regrets" investments we can make now. It redesigned the wholesale electricity market to improve power system security and efficiency and improve network access for new, largely renewable generators. I am confident Energy Policy WA is now well prepared to lead the next stage of the energy transformation and focus on integrating new technology into the power system. On behalf of the McGowan Labor government, I congratulate the Energy Transformation Taskforce of Katharine McKenzie, Brett Sadler, Kate Ryan, Michael Court and independent chair Stephen Edwell for their tremendous work in preparing for the imminent challenges as we navigate towards a high-renewable energy future.

### COMMUNITY, RESPECT AND EQUALITY AGREEMENTS

*Statement by Minister for Prevention of Family and Domestic Violence*

**MS S.F. McGURK (Fremantle — Minister for Prevention of Family and Domestic Violence)** [2.10 pm]: I rise to inform the house about important work underway in the prevention of family and domestic violence in regional Western Australia. In Geraldton, an organisation called Desert Blue Connect is working with community leaders, service organisations and government to prevent violence before it starts.

I was pleased to have the opportunity to launch the Community, Respect and Equality Strategic Action Plan for Family Violence in Geraldton in 2017. Since then, the community, respect and equality agreement was developed and launched. By adopting this agreement, organisations and businesses endorse agreed values and codes of behaviour and commit to actions in the workplace to prevent family violence. Since its launch, 30 organisations have signed up to community, respect and equality agreements.

At the end of 2020, six organisations in Geraldton had undertaken accreditation in level 1 of the community, respect and equality agreement. Funded by the McGowan Labor government, Desert Blue Connect delivers a range of prevention, counselling, outreach and accommodation support services to help those experiencing family and domestic violence. Last week, Desert Blue Connect held its community, respect and equality summit, which my colleague Lara Dalton, MLA, the member for Geraldton, attended and spoke at, to recognise its efforts to prevent family and domestic violence in Geraldton. I commend the work of Desert Blue Connect and the Geraldton community for their commitment to preventing violence in all forms.

### WINTER SPRINKLER SWITCH-OFF

*Statement by Minister for Water*

**MR D.J. KELLY (Bassendean — Minister for Water)** [2.11 pm]: Members, if you have not already done so, today is the day to switch off your garden irrigation system. The winter sprinkler switch-off is effective as of today and will run until 31 August. By switching off our irrigation systems, we can help save around five billion litres of precious water this winter. All households can do their bit to help combat the effects of climate change on our water supply.

The annual winter sprinkler switch-off is a permanent water efficiency initiative that requires scheme and bore water users in Perth, Mandurah and parts of the south west and great southern to turn off their reticulation over winter. Water Corporation research shows that most households do the right thing, with nine out of 10 switching off their sprinklers during winter. During the cooler months, lawns go dormant and plants do not require as much water, meaning that it is the perfect time to save water for when we need it most. Households are also encouraged to switch off their reticulation, not just in winter but whenever it rains. The sprinkler switch-off applies to both scheme and bore water users, but hand watering is permitted, and some exemptions do apply. Water Corporation inspectors are out seven days a week monitoring for unauthorised sprinkler use during the switch-off period. Anyone in the winter sprinkler switch-off area spotted using their sprinklers between 1 June and 31 August risks a \$100 fine. In areas of the state not subject to the switch-off, normal watering rosters and daytime sprinkler bans still apply.

Since being introduced in 2010, the annual winter sprinkler switch-off has saved around 50 billion litres of water—enough to fill Optus Stadium 50 times. So, members, think climate change, be waterwise and make sure you switch off your sprinklers today.

### LEGISLATIVE ASSEMBLY CHAMBER — BREASTFEEDING

*Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [2.14 pm]: Members, this year marks the 100<sup>th</sup> anniversary of Edith Cowan's election to this chamber. It is also the first time that there is close to parity between female and male members of the Legislative Assembly. Although these are positive events to celebrate, a number of challenges still remain for women members of Parliament, particularly mothers.

Establishing and maintaining a breastfeeding routine can be particularly challenging. The Legislative Assembly, like other workplaces, should make commonsense adjustments to support women to be able to breastfeed where possible, including in the chamber. Although there are places for parents and carers to feed their babies throughout this building, there may be times when a female member who is breastfeeding needs to have the option of bringing her baby into the chamber. The Legislative Assembly's standing orders refer to strangers being admitted onto the floor of the chamber, who have to withdraw when a division is called. Furthermore, strangers can be ordered to withdraw if their presence is objected to. The policy rationale for the stranger rule has been to enable a house to exclude those whom the house objects to or who disrupt parliamentary proceedings. Standing orders exist to facilitate the efficient, equitable and orderly running of proceedings, but they are not set in stone. It is my view that the interpretation of standing orders 40 and 41 should reflect the realities and values of the twenty-first century. Although I am not aware of any members who are currently in this situation, I do not want to see this become an issue in the future. Accordingly, I advise that women members of the forty-first Parliament will be permitted to breastfeed children in this chamber.

[Applause.]

### VISITORS — HARVEY PRIMARY SCHOOL

*Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [2.16 pm]: I would also like to acknowledge, on behalf of the member for Murray–Wellington, the students of Harvey Primary School and their teacher who are in the Speaker's gallery today.

### QUESTIONS WITHOUT NOTICE

#### CORONAVIRUS — HOTEL QUARANTINE CONTRACT — HEALTHCARE AUSTRALIA

**156. Ms M.J. DAVIES to the Minister for Health:**

I refer to the state government's Quarantine Advisory Panel established last Thursday and today's announcement that WA's hotel quarantine arrangements would be outsourced to Healthcare Australia to provide end-to-end health support services, including all general practitioners, nurses and nursing assistants.

- (1) Has the Quarantine Advisory Panel met to provide advice to government on this matter?
- (2) If not, why not?

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

- (1)–(2) For the record, I make it clear to members of Parliament exactly what the announcement with regard to hotel quarantining healthcare arrangements involved. The Department of Health, utilising the services of the East Metropolitan Health Service, has been working with Healthcare Australia throughout the global pandemic experience to provide healthcare services to guests in our hotels. That includes a team of nurses and doctors who essentially provide primary care for all guests in the event that they need attention. Healthcare Australia has been working throughout this period as part of that team.

As a result of the ongoing pressures that we continue to experience in our hospitals and the demands in particular in relation to the workforce, it was considered appropriate that we make sure that all our nurses who are currently working as part of the East Metropolitan Health Service team but in our hotel quarantine system should be redeployed back onto the front line, making sure that we have as many people as possible involved in our health system. I stress that this does not mean that we have outsourced the security, administration or oversight of hotel quarantine; it is simply that healthcare component, which, as I said, is primarily a primary healthcare function. The decision has been made that we will take those nurses and put them back in our health system. It has not been subject to advice from the Quarantine Advisory Panel. It is pretty commonsense that we should make sure that as many of our doctors and nurses as possible are made available to our health system and continue to provide good wraparound services for hotel guests.

#### CORONAVIRUS — HOTEL QUARANTINE CONTRACT — HEALTHCARE AUSTRALIA

**157. Ms M.J. DAVIES to the Minister for Health:**

I have a supplementary question. Noting that the stated purpose of the panel is to provide strategic oversight of the management of WA's quarantine arrangements, why has such a significant decision been made without seeking its input and advice, and when will the panel meet?

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

It is not correct to say that it provides strategic oversight. It is correct to say that it provides ongoing advice to the oversight team. This is a commonsense solution to make sure that we have the workforce available for our healthcare teams. I would have thought that the priority of our health system would be self-evident, Leader of the Opposition. Obviously, this is a good way to continue to make sure that we have as many nurses and doctors as possible available to our health system. It is a reasonable step to take, and it is one that in no way compromises the activities or the great quality of care provided in those hotels, but it does make sure that we can have everyone available to work in our health system.

## McGOWAN GOVERNMENT — FINANCIAL MANAGEMENT

**158. Mr H.T. JONES to the Premier:**

I refer to the McGowan Labor government's commitment to continue the strong and responsible financial management it exercised during its first term in government.

- (1) Can the Premier outline to the house what this strong and sensible financial management has meant for the Western Australian budget, in particular state debt?
- (2) Can the Premier outline how this strong and responsible financial management has helped contain increases in fees and charges?

**Mr M. McGOWAN replied:**

- (1)–(2) I thank the member for Darling Range for the question and congratulate him on his success in the state election. Is it not nice to have such a positive and decent person as the member for Darling Range? Is that not a nice change, Madam Speaker?

When we came to office in 2017, the state's finances were a complete mess. The Liberals and Nationals had debt climbing to unsustainable levels. The AAA credit rating was lost by the Liberals and Nationals in government. They very nearly bankrupted Western Australia. Of course, we have worked extremely hard to repair the state's finances and this was recognised in the lead-up to the state election by Standard and Poor's. A couple of months ago, this international credit rating agency that examines governments all over the world said that Western Australia is by far the best performing state in terms of fiscal metrics right now, and not just in Australia; indeed, it is probably one of the best performing subnational governments in the world. The *Quarterly financial results report*, which was released yesterday, shows that net debt has fallen to \$33.6 billion, down \$1.8 billion since June 2020, which is \$10 billion lower than the debt projection we inherited under the Liberals and Nationals. Over the course of the last eight months, we committed \$7 billion in direct and indirect support to combat COVID and these figures take that into account. The quarterly report released yesterday also outlines additional expenditure—\$670 million in subsidies for the \$600 electricity credit for households; \$469 million in resourcing for frontline agencies to combat COVID; and \$106 million in small business support.

Our strong financial management has meant that we were able to limit the basket of household goods fees and charges increases to less than the rate of inflation over the coming financial year. We have invested \$377 million to keep rises in fees and charges below inflation. Indeed, we are freezing Transperth and Transwa fares in the coming year; there will be no increase in the cost. The average residential charge for the emergency services levy will be lower than pre-COVID levels. We can compare that with what happened in the eight and a half years prior to this government arriving in office: fees and charges increased by \$2 100 each and every year, so going forward they went \$2 100 higher per household each year. Electricity prices rose by 90 per cent. At the same time, debt levels were being taken to \$44 billion. What we saw with the Liberals and Nationals during the most recent election campaign was around \$26 billion worth of commitments, including \$16 billion worth of energy commitments that the member for Cottesloe brought forward—the back-of-the-envelope plan that emerged during the campaign and sank very quickly a few days later. That was the state Liberal and National Parties' performance and the public recognised it; that is why there are only two Liberal members of this house! They were so incompetent over the course of the last four, indeed eight, years and that was reflected in the state election campaign, particularly in the commitments they launched, which were worth \$26 billion and which would have basically bankrupted Western Australia. Our commitments were a carefully targeted \$2.4 billion worth and because of that, we have been able to keep electricity, water and other fees and charges—the basket of household goods—very low, below the rate of inflation.

## FLU SEASON

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

On the first day of winter, with record ambulance ramping at our state's hospitals over the past five months and multiple code yellows at our metropolitan hospitals already this week, what assurance can the minister give the people of WA that our already stretched health system will be able to cope with the inevitable influx of flu cases across the winter months?

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

I remember 2019 when we had our worst flu season on record and the Liberals actually decided that it did not exist and criticised us for saying that there was a flu season. This year they have embraced the flu season before it has even begun. It is good to see that their understanding of these things is evolving.

Obviously, the flu season represents a challenge for the hospital system every year, with the exception of last year when there was no flu season because, strangely enough, when everyone stays away from each other and monitors their physical distancing and personal hygiene, communicable diseases such as influenza tend not to take hold.

But we expect that there will be a flu season of sorts this year, and that is why it is so important that everyone takes the opportunity now to get themselves their flu jab for the year. This is the best way that we, as a community, can respond to the seasonal disease profiles and it is incredibly important this year more than any other because we know that our hospital system is under greater pressure than it has ever been. This has been witnessed throughout the country. We are seeing record ambulance call-outs. The Royal Flying Doctor Service alone has seen a 10 per cent increase in its activity. We are seeing hospitals right across the country, be it in Queensland, Victoria or South Australia, all confronting significant upticks in terms of volumes, acuity, mental health presentations, and long-term patient stays as a result of the National Disability Insurance Scheme and aged-care assessment process.

We know that we need to continue to provide more resources to the health system, which is the reason why we have recently announced 117 beds as part of an immediate response to expand our hospital system to make sure that we have the capacity we need to meet demand. Eighty-one of those beds are now in operation —

[Interruption.]

**Mr R.H. COOK:** And they are coming at discounts, discounts, discounts, Madam Speaker!

The final of those 117 beds will be brought in by August this year. In addition, we are expanding our emergency departments with 95 extra beds and chairs over the coming few years and an extra 500 beds as part of that package right across our hospital system. The way we make sure that we continue to have the resources we need to meet the demand pressures on our hospitals is by having a government that invests in health; having a government that makes sure that we can open those beds because it has managed the finances appropriately; and having a government that can go out and recruit an extra 600 nurses over the next two years, which means that we will have 1 000 new nurses this year and 1 000 new nurses next year. We have done the hard work to make sure that we have the finances in place and the health policies in place so that we can meet these challenges.

It is going to be tough. Our health system is under more pressure than it has been on record. Last week, I had a meeting with the Attorney General and a senior member of one of our metropolitan hospital systems, who said that in his 31 years of working in an ED, he has never seen a higher sustained level of presentations and intensity of emergency department activity. I was talking to one of our top cardiothoracic surgeons last night. He said that in his 41 years, he has never seen such demand and pressure on our hospitals as he has seen over the past six months. We are doing everything we can to respond to that and that is because we have managed the finances properly and we have a government that wants to put patients first.

**The SPEAKER:** I hope the member for Landsdale makes an appropriate donation to charity in acknowledgement of that interruption.

#### FLU SEASON

##### 160. **Ms L. METTAM to the Minister for Health:**

I have a supplementary question. Can the minister confirm that ambulance ramping hours for the last 34 out of 36 months were above the minister's benchmark for failure at 1 030 hours, meaning that the ramping crisis commenced more than a year before COVID-19 hit, making the minister's answer a complete nonsense?

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

Madam Speaker, I thought that the question was on beds and the flu season, but it seems we have now segued into ambulance ramping. But I will indulge the member because it is time that she understood we need to continue to make sure we invest in our hospital system because, like never before, it is under pressure. This is occurring across the country. It does not matter if someone is a patient in Queensland, New South Wales or Victoria, they will see our hospital system right across the country coming under pressure. That is borne out by the data that is being shared across each of the state jurisdictions, and it is the reason that the Premier will be sitting on the national cabinet on Friday this week to consider these very issues. This is a national challenge; it requires a national response, and Western Australia is committed to making sure that we have the resources to be part of that response.

#### VOLUNTARY ASSISTED DYING

##### 161. **Mr C.J. TALLENTIRE to the Minister for Health:**

I refer to the McGowan Labor government's commitment to treating those Western Australians with a terminal or life-limiting illness with compassion and dignity by allowing end-of-life choices. Can the minister update the house on the implementation of this government's historic voluntary assisted dying laws?

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

I thank the member for the question; it is very important one. The member will recall that in December 2019 this Parliament passed historic legislation to make voluntary assisted dying a reality in Western Australia. It was important legislation, and it was at that time that the government committed to working tirelessly over the next 18 months to make sure we could have everything in place to ensure that this legislation was ready to be applied from 1 July. I am very proud to say that preparations for the implementation of voluntary assisted dying in Western Australia is ready to start from 1 July this year, ensuring that the process is safe, appropriate and follows the law.

As I have mentioned before, member, between 22 and 23 May, nearly 200 people attended in person or online, as part of an implementation conference involving clinicians, health professionals and policy advisers with regard to information about their roles, rights and responsibilities, in preparation for the commencement of VAD. The care navigators and clinical nurse consultant manager have now commenced their roles as part of WA's VAD statewide care navigator service. The statewide care navigator service is available to support health professionals with their preparations from 1 July, but will not be able to provide information or provide answers to the public or private support to members of the public until 1 July. These health professionals will be able to preregister for training programs to make sure that they are ready to go.

Members of the inaugural Voluntary Assisted Dying Board have also been announced. The five-member board will commence from 1 July and will have a mostly advisory and monitoring function. The board will be chaired by GP and former Australian Medical Association WA president Dr Scott Blackwell. Dr Scott Blackwell has been working in palliative and aged care for many years. He is an expert and he chairs the implementation leadership team on voluntary assisted dying. Other members of the panel include Hon Colin Holt as deputy chairperson, a recently retired member from the Legislative Council, he was also deputy chair of the Joint Select Committee into End of Life Choices; Dr Robert Edis, who is a consultant neurologist with a particular interest in motor neurone disease and is vice president of the Motor Neurone Disease Association of WA; Maria Osman is senior consultant and adviser, specialising in human rights, diversity and gender matters; and Ms Linda Savage, former director of the Social Security Appeals Tribunal and a legal member of the Administrative Appeals Tribunal.

Medical practitioners and nurse practitioners seeking to participate in voluntary assisted dying training can now preregister to check their eligibility for access to approved training, which will be available to eligible practitioners from early June. A lot of work has gone into making sure that we are ready to go from 1 July.

I take the opportunity to acknowledge Hon Dr Sally Talbot, who has been the deputy chair of the implementation leadership task force, for the work that she has done with Dr Scott Blackwell to make sure that we are ready to go. As a final note, I acknowledge the work done by everyone on this legislation to make sure that it is ready to go; and, of course, the member for Morley who was chairperson of the Joint Select Committee into End of Life Choices. I congratulate all who have been involved in this process.

#### CORONAVIRUS — VACCINATIONS

##### **162. Mr P.J. RUNDLE to the Minister for Health:**

Minister, I refer to Graeme Prior's comments on ABC radio this morning and his call for the state government to implement a public health management order mandating COVID-19 vaccinations for all people living, working or visiting aged-care facilities in Western Australia. Will the minister listen to the needs of the sector and issue a public health management order for COVID-19, as he has done for influenza over the past two years; and, if not, why not?

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

I thank the member for the question. Of course, as we all know in this place, the government that is responsible for all funding and all regulation of aged care in this country is the commonwealth government. The member might well ask his friend Michael McCormack, the Deputy Prime Minister, and Senator Richard Colbeck, the Minister for Senior Australians and Aged Care Services, what they think of that particular question. But I am thankful to the member for Roe for asking me this question because it allows me the opportunity to point out what an abject failure his federal colleagues have been in implementing the vaccination program. Because of their incompetence—this is something we pleaded with them not to do—they insisted that they take control of the vaccination of all aged and disability residential care. They said, "Don't you worry about that! We'll look after it." We said, "Really? You don't provide services; all you do is subcontract to private entities to do stuff on your behalf. We, the state governments, immunise the entire country every year. Why don't you leave it to us?" The commonwealth government said, "No, we'll take care of that." We took them at their word, and we have seen the debacle that it is ever since! Quite frankly, it is our weakest link in the total national vaccination program. We thought, "Okay, we'll continue to work with the commonwealth on this." We worked with the commonwealth in good faith, hoping to see good progress in the vaccination of our most vulnerable cohort in the community, only to find out, to our absolute dismay, that the commonwealth was not vaccinating aged-care workers or disability care workers, it was vaccinating the residents. Of course, what is the highest risk factor in relation to age and disability residential care? It is the workforce that visits them every day.

##### **Dr D.J. Honey interjected.**

**Mr R.H. COOK:** I take the member for Cottesloe's interjection. I will tell him what we are doing: we are the ones who are actually vaccinating those workers, because of his incompetent friends in Canberra. I do not know whether we even have the capacity to issue an order in relation to the aged-care workforce and access to aged-care facilities and so on, but, if we do, we would expect the Premier to take that up at national cabinet. That is the appropriate forum in which this will take place and, therefore, we can have a national approach to this important cohort.



## CORONAVIRUS — VACCINATIONS

**163. Mr P.J. RUNDLE to the Minister for Health:**

I have a supplementary question. For the minister's information, direction on aged-care access is issued by the Chief Health Officer, Andy Robertson. The government's Visitors to Residential Aged Care Facilities Directions 7 prescribes influenza vaccination requirements. Why not extend the directions to COVID-19 immediately?

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

I tell you what, why don't we do something really clever: why don't we just vaccinate them? Why don't we just get them vaccinated? That would be good, wouldn't it? We are all waiting for the commonwealth to bloody well get on and do it!

## ABORIGINAL RANGER PROGRAM

**164. Ms R.S. STEPHENS to the Minister for Environment:**

I refer to the McGowan Labor government's commitment to provide more jobs and training opportunities for Aboriginal people. Can the minister update the house on this government's investment in the Aboriginal ranger program, which is helping to drive positive economic and social outcomes in regional and remote parts of the state, and can the minister outline to the house how this investment is also supporting the management of cultural sites and the environment?

**Ms A. SANDERSON replied:**

I thank the member for Albany for her question. I am always happy to speak about this fantastic program, but first I want to congratulate you, Madam Speaker, for your interpretation of the standing orders to support breastfeeding mothers in this chamber. It is a long time coming, and we are very pleased to see that step in the right direction, so thank you.

Members: Hear, hear!

**Ms A. SANDERSON:** This is a fantastic program, first announced in 2017 as an election commitment by the then McGowan opposition of \$20 million for the Aboriginal ranger program. It was implemented over the period of the last government. The program is essentially designed to empower and employ Aboriginal people and Aboriginal corporations by training rangers to carry out land and sea management and tourism activities across a range of tenures. It is also a really important tool in addressing cultural and environmental priorities locally.

So far, the program has employed 435 rangers and support staff, half of whom are women. The ARP has also sponsored ranger training; 44 of those rangers have obtained certificates in conservation and land management and 13 rangers have obtained certificates in Indigenous land management and Aboriginal site works. The ranger groups are funded through the ARP. A number of significant outcomes of the program have been reported, including 185 visits to significant sites, facilitating an exchange of cultural knowledge; conservation work to protect cultural values at 124 sites; 11 000 hectares of prescribed burning and bushfire suppression; almost 100 000 hectares of feral animal management; 550 hectares of weed management; and more than 100 surveys of threatened flora and fauna. In fact, this led to the Martu rangers confirming the presence of the critically endangered and elusive night parrot. We continue to support them in that work.

A couple of weeks ago I went up to Murujuga and met with a number of the rangers who are working with the Department of Biodiversity, Conservation and Attractions and the Murujuga Aboriginal Corporation. They are working to preserve this enormous culturally significant area, which includes more than a million works of rock art dating back tens of thousands of years. These rangers spoke really passionately about what the program means for them. For them, it means a meaningful career opportunity that connects them to country. I met a woman who is employed in the program and she showed us around the rock art. She said, "This is so important for me. When things go wrong in town, I feel peace and healing when I come to work." That was really important to hear directly from her.

In excellent news, the government is expanding this program, with a commitment of a further \$50 million in this term of government. We are now more focused on making this a sustainable employment arrangement for local Aboriginal rangers. This is really important work that we are doing out there. It was really heartening, as the minister, to see the work that the DBCA rangers are doing, working hand-in-glove with those local rangers. They are really working tightly and with a respectful exchange of cultural knowledge. This is a great program, and I really look forward to updating the house further on its progress.

## PINDAN GROUP — GOVERNMENT CONTRACTS

**165. Mr V.A. CATANIA to the Minister for Housing:**

I would like to acknowledge the Pindan subcontractors who are joining us in the public gallery: Craig Stoner from Roofeze, who will potentially lose \$70 000; Matthew Day from Dynamite Concrete, another company set to lose \$200 000; and Miss Louise Stewart, immediate past chair of Subcontractors WA.

I refer to the collapse of Pindan Construction and existing Department of Housing contracts with Pindan.

- (1) Has the minister, his department or his ministerial predecessor received any correspondence from any person or entity raising concerns about Pindan, and particularly about its ability to meet its payment terms, as specified in contracts?
- (2) If yes, what actions were taken to address the issue?

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

- (1)–(2) I thank the member for his question. I appreciate his concern as the local member for the region, but I think it is unreasonable for me or the agencies to trawl through correspondence and communications. I want to put this on the record: this contract was not a construction contract; it was, instead, a maintenance contract with fortnightly payments made for works completed. Under that contract, checks and balances were in place. That included—this is standard in the industry—to provide to the Department of Communities statutory declarations each month, with any supporting evidence. If there were any outstanding payments due, that needed to also be explained to the agency as part of that contract.

As I said on the record last week, Pindan provided a statutory declaration for March. However, it did not do so for April, because administration was called. I am very cognisant of the plight of both the contractors and the hundred staff who are still employed under the contract. I am advised that 70 per cent of the work was undertaken, and is still being undertaken, by staff. I want to assure everyone here that, as the Premier has indicated, we are taking a very sober and prudent approach to this matter. We want to secure the best outcome we can in these difficult circumstances.

#### PINDAN GROUP — GOVERNMENT CONTRACTS

**166. Mr V.A. CATANIA to the Minister for Housing:**

I have a supplementary question. I gave the minister notice of that question. I have an email dated 24 August 2020, addressed to the former minister, and I also have the minister's reply. The email raised payment concerns about Pindan. Was it the minister, his department or his predecessor who failed to act on this information?

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

I understand that the member wants a gotcha moment; that is what he wants. Last week, he was calling loudly and clearly in this chamber for the termination of the contract. I will not take the reckless approach that he takes to this matter. We have a dedicated team that is working with the Department of Finance on these sensitive matters. We deeply understand the sensitivities, particularly for the 100 staff, 70 per cent of whom are working on the issues right now. The member does not seem to care about that. He said last week, "Terminate the contract." That would be a reckless approach for those 100 staff who are working in his region. It is a disgraceful approach. This government will take a prudent approach to this matter, to secure the best outcomes we can in these difficult circumstances.

#### PERTH CITY DEAL

**167. Dr K. STRATTON to the Minister for Transport:**

I refer to the McGowan Labor government's record investment in infrastructure projects across Perth. Can the minister update the house on how the government's investment is reducing congestion and improving cycling and walking connections throughout the city, and can the minister outline how the government's investment in infrastructure projects, including the Perth City Deal, will support local jobs and local business?

**Ms R. SAFFIOTI replied:**

I thank the member for Nedlands for that question. I was out today with the Lord Mayor, Basil Zempilas, to announce the start of works undertaken as part of the \$1.5 billion Perth City Deal. This deal was negotiated between the City of Perth, the state government, the federal government, the private sector and the university sector. The \$1.5 billion Perth City Deal is all about trying to activate and create a more liveable city for Western Australia. A number of projects are part of the city deal. There is the relocation of the Edith Cowan University campus from Mt Lawley into the city. There will also be new campuses for Curtin University and Murdoch University. There is improvement to cultural facilities across the CBD. A working group will be established under the member for Mount Lawley looking at what happens to the existing Edith Cowan University site. There are improved transport connections, including the new pedestrian bridge from Victoria Park to the city. Of course, today we announced works underway with the Roe Street enhancement project.

This project is all about making sure there are better connections from the city into Northbridge. Roe Street has a long history as being a centre for people to congregate and collect over many, many years. For example, there used to be some old places where my late father played some Italian cards, let us say. Of course, it was all legal, members—never for cash! It is a very historic place. It has been a centre of activity, but we know it has been neglected. The first project to be developed under the Perth City Deal is the Roe Street activation project, improving safety, amenity and connections.

The city deal is just part of the record infrastructure investment across Western Australia. Unfortunately, some members on the opposite side do not support projects like the city deal, and I refer to members of Nationals WA. Back in December 2020—so it relates to us—they said —

“This Government continues to plough billions of dollars into Metronet, the Perth City Deal and new pedestrian bridges ...

Comments were made by, I think, the now Leader of the Opposition. She said —

“These are not the need-to-have projects ... but the nice-to-haves designed to feed the hungry mouths of Labor’s metro-dominated party room.”

What has happened since then? Let us look around this place. I start by going no further than the member for Mandurah, who is an excellent regional member. There is the member for Dawesville, who, of course, will fight for and deliver a new estuary bridge. I turn around and see the member for Kimberley, who is a new member in this place. There is the member for Murray–Wellington, the member for Albany, the member for Collie–Preston, the member for Warren–Blackwood and, of course, the member for Kalgoorlie. Metro-dominated indeed! We have the view that we can serve and deliver to all Western Australians. The National Party lives on trying to divide and conquer Western Australians. That has been its whole methodology, and it continues to do that—divide and conquer. We are delivering record infrastructure throughout Western Australia, regional road safety and new projects like the Bunbury Outer Ring Road, the Albany ring road and, of course, the new Manuwarra Red Dog Highway. There is massive investment throughout Western Australia. National Party members wanted to divide and conquer Western Australians, but look at them over there—divided and conquered!

#### COST OF LIVING — FEES AND CHARGES

##### **168. Dr D.J. HONEY to the Minister for Community Services:**

I refer to comments by the head of Anglicare that his organisation has experienced a threefold increase in people needing help. Can the minister outline to the house what impact her government’s recently announced increase to the cost of living, including power prices, will have on those struggling Western Australians?

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

I thank the member for the question. In fact, we have been monitoring very closely the impact of changes in 2021. In particular, through the COVID year in 2020 we saw huge disruptions to income and tenancy stability through the moratorium on evictions and other protections that were put in place by the McGowan government. We saw a very unusual situation here in 2020, as we did around the country and the world. Some of those protections or supports have been wound back in 2021. We have been following very closely impacts on tenancies and support for emergency relief and the like, and there is also our work on some of the feeders of that disruption such as domestic violence, for example. The government has put record investment into responding to domestic violence. In 2020 alone we put an additional \$28 million into emergency response to domestic violence across a range of different services. That included new outreach workers in refuges, putting additional community services people in the co-located response teams in police stations, making sure that there were additional dollars available for training and services available, if women needed them, in refuges. Additional support was available. The member would have been listening last week when I reported to the house on the additional work that had been done by the federal government in making sure there were dollars available for a range of different services for domestic violence around the state. That is important work done by our government in partnership with the federal government.

I turn to calls to Entrypoint Perth, which is the phone number people call for crisis accommodation. The figures for March and early indications for April are that there has not been an increase in the numbers going to Entrypoint compared with this time last year, but we recognise it is early days after the moratorium. I hear the community sector saying that there is an increase in phone calls to it seeking assistance, but so far we have not seen that replicated with direct demand on Entrypoint and crisis accommodation. I have also heard from a number of the women’s refuges that they are concerned that with the pressure on both private and public housing it is difficult for them to move people on, so women and children are staying in refuges longer than they would have otherwise. We are monitoring the situation very closely. For instance, we might at times utilise the available avenue of people being able to access hotel or motel accommodation if need be. We are monitoring that closely around the state, and making sure we are working very closely with our community sector partners to ensure people are not at risk of staying in dangerous situations, in the case of domestic violence. If they are in need of emergency accommodation, we work creatively and, importantly, in partnership with our community sector to provide that support.

#### COST OF LIVING — FEES AND CHARGES

##### **169. Dr D.J. HONEY to the Minister for Community Services:**

I have a supplementary question. We all support efforts to support victims of domestic violence; however, did the minister try to stop the Premier; Treasurer from increasing the cost of living on tens of thousands of struggling Western Australians, given the state is expecting a \$5 billion surplus; and, if so, why was she unable to convince him to change his mind?

**Ms S.F. McGURK replied:**

As someone responsible for some of the more vulnerable people in the community, I take offence at the premise of the question by the member for Cottesloe; that is, this government is not able to have a mature discussion in cabinet about how across the community we make sure there is a sustainable budget in our state. That is the way we will ensure that services and additional support go to the most vulnerable in our community, not by having an artificial cap on fees and tariffs across the whole state. It is imperative that we have responsible budget management in Western Australia. That has characterised the McGowan government through its first period in government, and will in this period as well.

I am very proud of the work we have done in making sure there has been record investment in combating domestic violence, record policy attention to making sure that our response to homelessness is evidence-based and looking creatively at how we can deal with some of the more vulnerable families such as those impacted by the child protection system. In fact, we are starting to see some good results, none of which we saw under the Liberal–National government in the eight and a half years prior to the McGowan government.

## GOVERNMENT PROCUREMENT REFORM

**170. Ms C.M. TONKIN to the Minister for Finance:**

I refer to the McGowan Labor government’s commitment to supporting Western Australian businesses in creating more jobs by cutting red tape and streamlining government procurement. Can the minister update the house on the implementation of the government’s new procurement model and outline how this will make it easier for small and medium-sized businesses, including Aboriginal business and those in regional Western Australia, to work with government?

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

I would like to thank the member for Churchlands for her question and her very strong interest in all things procurement, as being an expert in the area.

One of the first thing that the McGowan government did when it came to office in 2017 was commission the Service Priority Review and the Special Inquiry into Government Projects and Programs. That process found that the Barnett government had a system that could only be described as an absolute basket case. It had a system in which a business operator who might be supplying products or services to multiple government agencies had to go through a tendering process for each agency and different contract documents and contract management approaches. It was not very friendly for business operators to tender or to do work on government projects.

To the credit of the first-term McGowan government and the former Minister for Finance, a lot of work was done instigating reform in this area. I am very delighted today to announce the next step in our suite of reforms. Last year, as members know, we passed the Procurement Act 2020, which for the first time in Western Australia brought together goods, services and works under one piece of legislation. I am delighted also to be able to inform the house that the new Western Australian procurement framework comes into effect today, 1 June 2021. This will make it much, much easier for small and medium-sized business operators to do work with this state government. Under this framework, we will have consistent policies and practices across all government departments, making the landscape simpler and easier to navigate.

If I can refer to comments from the Civil Contractors Federation of WA, it states regarding the policies that we have brought in —

“This could be a game-changer that will reduce red tape, help create more long-term local jobs, and deliver greater value-for-money for taxpayers,” ...

It states also —

“Achieving standardised procurement practices right across Government will no doubt be a long and challenging journey, but the payoff will be worth it. Congratulations to the State Government for getting the ball rolling,” ...

That is absolutely fantastic.

I would like to thank everyone who has been involved in the reform process, including those in industry, regional and peak organisations, the community services sector, practitioners, agency leaders from across the public sector, and all those who have been involved in this policy reform, including the previous Minister for Finance, the whole McGowan government, and everyone else involved.

**The SPEAKER:** The member for Vasse, with the last question.

## CORONAVIRUS — HOTEL QUARANTINE CONTRACT — HEALTHCARE AUSTRALIA

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

I refer to the decision of the McGowan Labor government to privatise the hotel quarantine contract for health workers to private firm Healthcare Australia. What is the total cost of this contract; and where will the staff be sourced from? Will they be sourced from interstate or overseas or will they be sourced from within WA, effectively robbing Peter to pay Paul?

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

Again, the opposition leads with a false premise, so I am forced to rise to my feet to correct that falsehood; that is, we are not privatising the hotel quarantining services. There is a component of that that Healthcare Australia has been working on since day one, in conjunction with Metropolitan Health Service personnel. It is simply an extension of the current arrangements that it already has so that we can continue to make sure that our public sector healthcare workers are working back in our health system—something that I think the member would otherwise approve of. But clearly not. The member is simply sitting there, taking any opportunity she can have to be negative about the great work that our doctors and nurses are doing in our health system. Despite the member's negativity, we will continue to make sure that we provide world-class health care, not only to the people of Western Australia, but also to the people in our hotel quarantining system, as we have done from day one.

**CORONAVIRUS — HOTEL QUARANTINE CONTRACT — HEALTHCARE AUSTRALIA****172. Ms L. METTAM to the Minister for Health:**

I have a supplementary question. Given the number of bungles that have happened in hotel quarantine to date, is this decision an admission by the Minister for Health that he has completely mismanaged hotel quarantine, and a recognition that this private company will do it better?

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

I am reminded of some commentary from a very good friend of the Deputy Leader of the Opposition, the Prime Minister, Scott Morrison, who lauded the hotel quarantining system and said it was 99.99 per cent safe and effective. In addition, the Prime Minister said that he was proud of the fact that of the 300 000 or so people who have returned to Australia since the COVID-19 pandemic, there have been 20 incidences associated with hotel quarantining across this country. According to the member for Vasse's leader, that is a great record and one that we should be very proud of as part of our international effort to fight this global pandemic.

**BIRNAM ROAD–NICHOLSON ROAD INTERSECTION — CANNING VALE***Petition*

**MRT.J. HEALY (Southern River — Parliamentary Secretary)** [3.05 pm]: I have a petition from 46 petitioners that has been certified by the Clerks in the following terms —

To the Honourable Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

**We, the undersigned**, request the Assembly to ask the CEO of Gosnells council to arrange an opportunity for a discussion or workshop with the residents of Jacaranda Gardens lifestyle village in Canning Vale about the traffic situation at the corner of Birnam road and Nicholson road.

[See petition 5.]

**PAPERS TABLED**

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

**IRON ORE ROYALTIES — COMMUNITY DIVIDEND***Notice of Motion*

**Ms M.J. Davies (Leader of the Opposition)** gave notice that at the next sitting of the house she would move —

That this house condemns the McGowan Labor government for failing to deliver a community dividend from record iron ore royalties collected on behalf of the people of Western Australia leading to failures in health, child care, mental health, child protection, disability services and housing, and an increase in household fees and charges.

**BILLS***Notice of Motion to Introduce*

1. Family Court Amendment Bill 2021.

Notice of motion given by **Mr J.R. Quigley (Attorney General)**.

2. Railway (BBI Rail Aus Pty Ltd) Agreement Amendment Bill 2021.

Notice of motion given by **Mr R.H. Cook (Minister for State Development, Jobs and Trade)**.

3. Children and Community Services Amendment Bill 2021.

Notice of motion given by **Ms S.F. McGurk (Minister for Child Protection)**.

4. Dog Amendment (Stop Puppy Farming) Bill 2021.

Notice of motion given by **Mr J.N. Carey (Minister for Local Government)**.

**DEPUTY PREMIER — PERFORMANCE***Matter of Public Interest*

**THE SPEAKER (Mrs M.H. Roberts)** informed the Assembly that she was in receipt within the prescribed time of a letter from the Leader of the Opposition seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [3.10 pm]: I move —

That this house condemns the Deputy Premier for failing to deliver sound outcomes across the health; medical research; state development, jobs and trade; and science portfolios, and calls on the Premier to strip him of all portfolio responsibilities except health.

We do not move this matter of public interest lightly. Rather, we do it to highlight the fact that the government has the opportunity to reframe its response to a crisis that continues to follow the minister across all portfolios for which he holds responsibility, but, most importantly, in health. We think he absolutely deserves the opportunity to focus his efforts entirely on health. There is no better evidence for the need to bring forward the motion today than the response we received in question time to a fairly reasonable and sensible question about whether a significant decision that had been made on hotel quarantine had been run past the Quarantine Advisory Panel. The panel was hastily formed last Thursday after continuous pressure from the opposition, the media and others who are interested in how the government plans to move from crisis management of hotel quarantine to a more sustained footing, which is exactly what Professor Weeramanthri recommended in his final advice to government. The minister in his response simply refuted the need to do that because, he said, the Quarantine Advisory Panel is not there to provide strategic oversight. I bring the minister to the first paragraph of the terms of reference of the Quarantine Advisory Panel, which is the purpose. It states —

The Quarantine Advisory Panel ... provides strategic oversight of the management of Western Australia's ... quarantine arrangements and advice to support continuous improvement, optimal health, economic and social outcomes, and management of current and emerging risks.

It is absolutely beyond me why the government would not want the very learned people it has brought together to provide a single point of advice to the government, which was the recommendation from Professor Weeramanthri. He said that a more cohesive approach was needed, given that we are transitioning from the early days of responding to quarantining under pressure in a crisis so that we could manage the pandemic here in Western Australia.

I refer to the second question that the minister was unable to answer. Again, it was not an unreasonable question and the issue was in the media this morning. I am sure the minister has a bevy of people in his media office to do media clipping, unlike the five members on this side of the house who rose to bring on this debate. We have to do that ourselves, such is the case of opposition —

Several members interjected.

**Ms M.J. DAVIES:** You will be there one day, members! You will understand. The point is that the minister and the government have a plethora of people following the media. This issue was talked about in the media this morning. Graeme Prior manages a number of aged-care facilities and he talked at length about the fact that the responsibility lies with the state government. It is the government's responsibility to issue a public health management order, just like it did when it did not allow people to go into aged-care facilities if they had not had a flu vaccination. It could be extended to make sure that anyone who enters an aged-care facility has had their COVID jab. It is clearly within the remit of the Chief Health Officer and the state government to do that, yet the minister mocked the member who asked the question and chose to play politics. I thought that the minister would want to use both the stick and the carrot to make sure that we look after the most vulnerable in our community. I will let the shadow Minister for Health talk about the health portfolio, but they are two examples from just 20 minutes ago that evidence that this minister is unable to manage the breadth of the portfolios that he has under his remit. Let us be very clear: he has five weighty portfolios—health, state development, jobs and trade, medical research and science. I suspect that some people are getting very little face time with their minister at this point in time.

I also point out that during some of the debate that we had in this place last week, the minister said that he will stand next to embattled workers and he will do the tough times with the good times. We absolutely expect that of our ministers. However, the health system is in crisis and it deserves the minister's dedicated interest.

**Mr M.J. Folkard:** Why didn't you lot do it when you were in government?

**Ms M.J. DAVIES:** That is a very good question, because back in June 2013, the exact same debate was brought by the now Premier to the Minister for Health at the time, Kim Hames, who had only two portfolios. The opposition at that time demanded that the Minister for Health be given the opportunity to focus on his health portfolio. I can tell the member that the issues we are facing here today in the papers, in the media and in this place—as they have been every day since this minister has been a minister—are escalating every day. They are getting worse and far

outweigh what the former opposition was bringing the Minister for Health at the time to task on. That came straight from the now Premier. He said the former Premier should strip the Minister for Health of the tourism portfolio and let him focus on the health portfolio.

The Minister for Health looks after health, state development, jobs and trade, medical research and science. All those portfolios need the attention of the minister. From the opposition's perspective, we cannot understand why the Premier will not give someone else—there are plenty of government members—a bit of a go. Let someone else be elevated into cabinet or relieve this minister of the duties that he has been given so that he can reflect on what has happened under his watch. There is no “woe is me” because this has happened on the minister's watch. The minister failed to watch, he failed to listen and he failed to notice the red flags that were popping up in the health sector, so it is his responsibility to set it right. Now more than ever, in the midst of a pandemic, it is important that the Minister for Health focuses on our health system. Surely that would not be unreasonable. In the midst of a pandemic, the minister should be focused on the Department of Health.

I want to talk a bit about hotel quarantine and the way that the Quarantine Advisory Panel has been managed. I refer to Professor Weeramanthri's advice and why we have been pursuing this notion that the Quarantine Advisory Panel is important yet the government has ignored it. The government accepted all the recommendations made by Professor Weeramanthri in his final advice of 12 March. He outlined in the review of hotel quarantine —

In a usual short-lived emergency situation, debriefs and lessons learnt exercises are conducted routinely post-emergency. In this protracted emergency, equivalent learning processes need to be established while the emergency continues.

... Our review focus was on making the existing HQ model in WA more effective, rather than exploring new models, but there were many issues that came up, such as ‘hot hotels’, new testing strategies and greater use of CCTV and other technologies, that warrant ongoing examination as possible modifications to the existing WA model. Other more radical changes, such as purpose-built quarantine sites ... or utilisation of alternate existing sites, could also be examined.

This is the bit that I think is the most important —

This next six-month period is a window of opportunity to optimise HQ governance for the period that follows, which may include changes to the emergency management arrangements. The Quarantine Advisory Panel will be a critical new strategic element, and its membership and terms of reference should be aligned with any similar body set up to oversee vaccination rollout.

...

Quarantine ... is a tool for recovery and an essential pillar of competitiveness and community confidence.

I think there are a few things going on from the perspective of the health portfolio. The government is clearly under pressure to cope with any crisis or outbreaks that will put pressure on our hospitals, so it is taking a significantly conservative approach to the management of hotel quarantine. We have 500 people, give or take, in hotel quarantine at the moment; that is about half the number that we had two months ago. People are now able to return from India, as a result of the decision made by the federal government to allow people to come back across international borders. We have a government here that has preferred to finger-point at the federal government instead of going down the path that Professor Weeramanthri asked us to, which is to start looking at alternatives and provide options for expansion.

It is about not just taking a humanitarian approach to allowing Australians to return home, but also jobs and trade. In the minister's jobs and trade portfolio, we have seen incidents of skill shortages and matters that require attention to ensure that we can fill jobs across multiple sectors that are crying out for workers. We need attention being paid to how we can do this in the long term. If international borders are not going to be raised, we must have a system that can allow us to do our fair share here in Western Australia, which is awash with cash. Western Australia has a \$5 billion surplus, which is money in the kitty, gifted to the government by the iron ore sector. We need a humanitarian response to allow people to return home and when they get back, we need to make sure that we are doing enough to keep people safe through this quarantine system.

The minister's focus is not there because he has five portfolios, and red flags are popping up all over the shop. Quite simply, we do not think that the minister is paying enough attention to the issues that Western Australians believe that he was elected to pay attention to. The minister promised to keep Western Australians safe. He was elected on the basis of his management of the COVID pandemic. We will be the first to say that for the management of that crisis, when everyone pitched in—the minister and the Premier were at the forefront of that—the government did a remarkable job. But we have moved past crisis management and the minister is dragging his feet for some reason, political or otherwise, to ensure that our health system and quarantine system are adequate for the next 12 months, 24 months or 36 months—however long it takes for us to get back to some degree of normal. Quite simply, we think the minister should be focused on the health portfolio and the issues around hotel quarantine instead of these other portfolios, which will be getting none of his attention.

**MS L. METTAM (Vasse — Deputy Leader of the Liberal Party)** [3.21 pm]: I rise to support this worthy motion moved by the Leader of the Opposition on a day that is the beginning of winter. It also marks a very grim milestone of a government that has dropped the ball in the very important health portfolio. This milestone represents 12 months of record levels of ambulance ramping across the state. Those ambulance ramping figures at record levels, month on month, over 12 months are well above the figures that the then shadow Minister for Health, the current Minister for Health, claimed were a massive failure in early 2017. This minister is now the holder of a record that no health minister would want. This minister has let the health system spiral into decline under his watch.

Let us take a look at the last 12 months of ambulance ramping figures. In May—last month—there were 3 795 hours, which is over 100 hours a day. In April—just the month before last—there were 2 800 hours. In March, there were 4 099 hours—well above what the then shadow Minister for Health called a crisis at 1 030 hours. In February this year, there were 3 163 hours. In January, there were 4 170 hours, which is the highest rate of ambulance ramping on record. I could go on, but in total, over the last 12 months, patients have had to spend 37 906 hours in the backs of ambulances or in corridors being looked after by paramedics before they could be seen and accepted by emergency departments. These are not just figures; each of these hours represent a patient who was waiting to be accepted at an emergency department. We heard the Premier today lauding how fantastic this government is doing in financial management. In a state as prosperous as ours, these statistics are damning because we are unable to help our most vulnerable in their most urgent time of need.

“But it’s COVID”, the Minister for Health claims, “The world was a different place in 2017.” Again, we hear that every state’s health system is challenged and we are not an orphan. The reality is that there were escalating numbers of patients having to wait to be accepted by emergency departments well before COVID hit. In January 2019, there were 1 355 hours of ambulance ramping. In June 2019, there were 2 746 hours. In December 2019, there were 2 317 hours. By WA Labor’s own standards, these figures are absolutely shocking. As the Australian Medical Association stated, these figures represent people waiting to be accepted by emergency departments. We have also heard from many members of the public about what happens in emergency departments and, of course, there is the tragedy surrounding Aishwarya, as well.

Alarming, we are now also seeing ambulances being ramped at our country hospitals. The most recent statistic for Bunbury is particularly damning. For the month of May, there were 98 hours of ambulance ramping. Compare that with 2019, pre-COVID, when there were only 19 hours. This is a major concern for regional WA. In May 2017, ambulances were ramped for a total of seven hours outside regional hospitals, but that has escalated across regional WA to 126 hours in May this year. The situation in regional WA is particularly concerning because the feedback we are receiving from paramedics is that it is about not only the ramping time at the emergency departments and the fact that patients, who are sometimes in pain, are waiting to be seen, but also the ability of paramedics to respond to other emergencies in our regional areas. This is often much more challenging and problematic than the situation in metropolitan Perth where a patient can be redirected to another hospital. These are concerns right across the state.

I point to the Minister for Health’s promise back in 2017 and WA Labor’s putting patients first policy, which was to free up hospital beds, reduce waiting times and have more timely responses. We have not seen these policies and promises delivered under the WA Labor government. This is on the back of some other damning statistics. We will certainly be asking questions in the Legislative Council today about code yellows. We know that there were two code yellows yesterday at Fiona Stanley and Sir Charles Gairdner Hospitals. According to WAtoday, Sir Charles Gairdner Hospital has had 32 code yellows since 1 January.

According to the Minister for Health, this is a sign of business as usual. The opposition does not believe that this is business as usual and we do not accept that this should be business as usual. It is damning and it is certainly of concern to people across the health profession, including the AMA and the Australian Nursing Federation. For our outstanding healthcare workers on the front line, it is absolutely not the case that this should be business as usual. They are concerned and they showed their opposition to our Minister for Health at the recent rally at Perth Children’s Hospital. We are seeing a loss of confidence from the WA public. The public’s confidence in our health system right across the board as a result of what we are seeing in our emergency departments is a real concern.

Earlier this week on ABC radio, we heard a story from Josephine Muir. Her 81-year-old mother burst her appendix. She had to wait four hours for care at Sir Charles Gairdner Hospital, only to be taken home. She was brought back to the hospital the next day, where she waited another three and a half hours. The system is clogged up. We have bedlock. The hospital was short of six nurses and patients were bumped from surgery. This is one story but there are many others. I do not have time to go through them all. Quite obviously, these statistics, the code yellows, the ambulance ramping, and the 50 per cent increase in elective surgery that we have seen under this government’s watch and under this minister illustrates that the minister is overseeing a monumental mess in the health portfolio, along with new revelations today about deflecting responsibility in hotel quarantine. We have record ramping and record wait times. Unfortunately, this will lead to more tragic outcomes. This minister is not fit to take on such responsibility when it is so important that we get health right in WA.

**DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [3.30 pm]: I rise to support the matter of public interest. Amongst the many responsibilities that the Minister for Health has is his responsibility for the Department



of Jobs, Tourism, Science and Innovation. That department is critically important for international trade. In 2019, the government released the *Western Australia investment and trade plan 2019–20*. That outlined what this government was going to do to improve investment in trade and referred to the critical need to diversify our economy. A key plank of that was *Our priorities: Sharing prosperity* and the *Asian engagement strategy*. That highlights the fact that investment and trade with Asia is a key part of the state government's economic agenda. The report identifies the key markets that we need to focus on to diversify our trade. Those key markets are China, India, Indonesia, Japan, Korea, the Middle East, Africa, Singapore, Malaysia, Vietnam, the United Kingdom, Europe and Israel. The former Minister for Asian Engagement produced a document entitled *Western Australia's Asian engagement strategy 2019–2030: Our future with Asia*, which included a chapter entitled "Diversified the economy through development of the priority sectors". We have already heard what those priority sectors are. It referred to the importance of Asia to our economy, stating that Western Australia's merchandise exports to Asia increased from \$24 billion in 2004 to \$129 billion in 2018, Asia provides nine out of 10 of WA's top trading partners and that 10 per cent of WA's population is Asian born.

The document refers to the numbers. For example, 1.4 billion people live in India. We have this hyper focus on China in our economy but 1.4 billion people live in Asia who are not in India or China. That is an enormous population in our region that is expanding and developing, and a key part of our region. If we look at the value of our current exports, in the 2020 calendar year, we had \$109 billion worth of trade to mainland China. If we look at the non-India and non-China states, we had \$51 billion worth of trade, but clearly we have an enormous opportunity to increase trade into that area. The state government previously identified that we needed an Asian engagement minister, someone to focus on this job. What has happened? The government has abandoned its Asian engagement strategy. It has abandoned a serious effort to diversify our economy in that region.

I have great respect for the Minister for Health; I have said that on many occasions. But the simple fact is that he is getting overwhelmed with too many tasks and too many jobs and he cannot give this important issue the priority that it needs. We got a big lecture from the former Minister for Asian Engagement in the previous Parliament, saying that we did not have a shadow Minister for Asian Engagement and how important that was. Here we have the Premier in this Parliament saying that we do not need that position at all. What have we seen under the watch of this minister? We have seen changes in our overseas trade offices that, to be frank, have gutted them. The member for West Swan could step up and be an excellent Minister for Asian Engagement.

**Ms J.J. Shaw:** She is. She's the Minister for Transport!

**Dr D.J. HONEY:** I always do that, do I not? Sorry, I meant the member for Swan Hills. She would be an excellent Minister for Asian Engagement. I say that because I was on the Economics and Industry Standing Committee when the member for Swan Hills chaired an investigation into trade with India and how we are going to improve trade with India. Some interesting facts came out of that investigation that I will refer to.

**Mr V.A. Catania:** They could replace her with the Minister for Water.

**Dr D.J. HONEY:** That would be a choice. It would not be hard.

We had seven locally based trade offices in China, Japan, Korea, India, Indonesia, Dubai/the Middle East, Singapore and also the UK Agent General. Instead of having independent trade ambassadors in those offices, we have seen some sort of hub-and-spoke model, whereby the head of that department is now responsible for 10 regions and offices that will only be staffed by locals. Talk about insulting our Asian neighbours. We say that India is a critical future market. Having chaired the inquiry into our economic relationship with India, the member for Swan Hills knows that the thing that is most important to all those countries is the long-term relationship and the investment in the relationship we make with those countries. Do members know where the person who is supposed to be responsible for India is domiciled under this new arrangement? They are in Dubai. We could not insult India any more if we tried by saying that it is really important for us as a future market. That is what we have seen.

**Ms S.E. Winton:** The Prime Minister's done a good job of insulting India.

**Dr D.J. HONEY:** The member should not go down that path; I think it is a slippery slope.

What an absolute slap in the face for a nation of 1.4 billion people for us to say it is so unimportant that we will base someone in Dubai so a fly-in fly-out person can come and go. How does that establish those long-term critical relationships that we need in that market? Now we are going to have four hubs plus the Agent General in London. We will have people managing a range of countries while not being in those countries.

This economy will be in trouble in the future. The member for Willagee gave an excellent speech during the Address-in-Reply and also during the second reading debate of the Supply Bill. He made some very reflective comments that all members in this place, especially members on the other side, should read. The member outlined something that I have been talking about for a while; that is, our dependence on China and, in particular, our dependence on iron ore exports to China, is an enormous risk to our economy. There is every reason to believe that we will see substantial reductions in iron ore exports to China. I have seen credible estimates of a reduction of around 300 million tonnes in the next six to seven years. I suspect that the member for Willagee has taken the time to find out that information as well. We need to build relationships in Asia. We need to build trust in Asia. There needs to

be long-term improvement. I have had direct feedback on this matter. Those Asian countries feel abandoned by the changes that have been made under this minister's watch. They feel that we do not care about Asian engagement, and that we are not serious. They all know that we are serious about China and that we are keeping a trade commissioner in China. However, in those other countries, someone will be a fly-in fly-out rep and will fly into those countries to attend their office. How are they going to effectively represent the Australian businesses and the small and growing businesses that want to expand into Asia? How are they going to do that properly, especially when those countries feel completely abandoned and upset? There was no consultation about this change; they just found out. I understand that the minister is now going through a process of trying to repair or rebuild the bridges, but the damage has been done. Why has it been done? As I said, I personally hold the minister in high regard; however, he cannot focus on so many important portfolios. That is impossible and it is doing a disservice to our state. We have a health crisis and the minister should focus on that.

**MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary)** [3.40 pm]: I rise to speak in opposition to this motion. I start by picking up a point that was raised by the member for Cottesloe; I appreciate him raising this point. We, on this side of the chamber, are replete with talent. We have the member for Swan Hills, who has been elevated to parliamentary secretary; we have the member for Kingsley, who has been elevated to parliamentary secretary; we have the member for Southern River, who has been elevated to parliamentary secretary; and the member for Wanneroo, who has been elevated to parliamentary secretary. One thing I can say about our side of the chamber, as opposed to the opposition's corner, is that we are replete with talent. By all means —

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

**Mr S.A. MILLMAN:** Leader of the Opposition, I will get to that point; it is exactly why I want to stand to speak on this motion.

The opposition will take us back to the era of doctors using leeches and Florence Nightingale nurses. In combining these portfolios under this minister, we have recognised how important medical research is, how important science is and how important jobs are to the future prosperity of Western Australia.

**Mr R.S. Love** interjected.

**Mr S.A. MILLMAN:** Mate, I did not interject once during your contribution.

**The ACTING SPEAKER (Mr D.A.E. Scaife):** Members on my left were heard in relative silence and I ask you to hear the member in silence.

**Mr S.A. MILLMAN:** I heard the Premier invoke the Standard and Poor's rating of the Western Australian economy during question time. I refer to former Treasurer Ben Wyatt's press release from 30 October 2020, which states —

- Another ratings agency affirms WA's safe and strong economic response to COVID
- WA retains S&P Global Ratings of AA+ with a 'stable' outlook
- Follows Moody's rating which confirms WA is outperforming its Australian peers
- WA Recovery Plan and record infrastructure investment to drive WA's economic recovery and create local jobs.

For those opposition members who missed it, this was Standard and Poor's telling the whole world just how well the Western Australia government had done handling COVID. The trouble for you lot is that it is not Standard and Poor's; it is no standard and you are all poor!

Several members interjected.

**The ACTING SPEAKER:** All right. The member for Mount Lawley has the call.

**Mr S.A. MILLMAN:** Thank you, Mr Acting Speaker.

Not one member of the opposition came close to making the point about the minister's other portfolios. The Leader of the Opposition focused entirely on hotel quarantine and the shadow spokesperson for Health focused entirely on ambulance ramping, yet this motion calls for this minister to be divested from his other portfolios. The only member—it is a shame that he has left the chamber on parliamentary business—who came close to making an argument about the minister's other portfolios was the member for Cottesloe. What he said was unfortunately wrong; it was just mistaken. He seemed to suggest that Asian engagement was not a priority for the McGowan Labor government, but nothing could be further from the truth. If members look at the esteem in which Asian countries —

**Mr R.S. Love** interjected.

**Mr S.A. MILLMAN:** The minister is the Deputy Premier and in elevating responsibility for these portfolios to the Deputy Premier we have said to all those nations, "This is a vitally important portfolio responsibility for this government." We have elevated them to the position of Deputy Premier, sending a message to all our trading partners just how important jobs and trade are. Members, what is the most important area of collaboration right now between Australia and all the nations throughout South-East Asia and South Asia?

**Ms J.J. Shaw:** Health.

**Mr S.A. MILLMAN:** Health! Thank you, member for Swan Hills, who has demonstrated once again her eligibility for higher office. What are we doing? In the one portfolio that is of vital importance to these nations, we have said, “The person we want you to deal with is the person who has done such an exemplary job for the people of Western Australia in steering them through the COVID pandemic.” Nothing could be a greater vote of confidence, support and admiration for those trading partners than to put this person, this minister, this Deputy Premier into those portfolios.

**Mr V.A. Catania:** He’s presiding over a health crisis.

**Mr S.A. MILLMAN:** No, he is not, and the member knows that when he looks at what is happening throughout the rest of the world. It behoves the member for North West Central to not say that. He is smart enough to know that this is not a health crisis.

**Mr V.A. Catania** interjected.

**Mr S.A. MILLMAN:** Mate, you have a look —

Several members interjected.

**The ACTING SPEAKER:** I will just remind the member for Mount Lawley to use people’s titles.

**Mr S.A. MILLMAN:** Yes, very well.

When we compare the way in which Western Australia has responded to the COVID pandemic with the way that other jurisdictions around the world have responded, members opposite cannot possibly maintain the argument that the WA health system is in crisis. For members of the opposition to do so, to suggest that, is simply wrong-headed and it shows that they have fundamentally failed to understand what is going on in a global context. I cannot believe that they are still doing it. I told opposition members last week, and I will tell them again, that this is the minister who identified the critical points within our health system; and this is the minister who, in the lead-up to the last state election, asked the people of WA to repose in him the trust necessary to carry out the reforms to fix the pressure points in the health system. I refer to things like hiring new staff, investing in our emergency departments and investing in the future health research and innovation fund for medical research. These are exactly the sort of responses that a responsible minister would make when faced with the challenges that are currently faced by the WA health system, challenges that are not unique to Western Australia. These challenge are being experienced throughout Australia and they are multiplied in other jurisdictions. If there is one person who has demonstrated the capacity, empathy, ability and capability to manage all these portfolios, it is this Deputy Premier and this minister. I speak in opposition to this motion, which is clearly wrong-headed.

**MRS J.M.C. STOJKOVSKI (Kingsley — Parliamentary Secretary)** [3.47 pm]: I rise to oppose this motion; what a disgraceful motion it is. I understand that when there are so few people on the opposition benches, it is much easier for opposition members to look across the aisle and attack. But, honestly, they are attacking one of the hardest working and, arguably, most successful ministers for health in the country, let alone the world. I have family members living around the world who are struggling with this COVID-19 pandemic. I have a cousin who was in hospital for two weeks with COVID-19. I have been talking to her through Facebook messenger and WhatsApp and she said to me, “I just wish I could come to Western Australia because you guys have it so good there.” That sits at the feet of this Minister for Health because he is the one who has led us through this global pandemic and he is the one who has ensured the safety of Western Australians. The motion refers to the Minister for Health as the best health minister that we have had. I agree with part of the motion in that a health minister has failed to deliver sound outcomes, and that is Greg Hunt, the federal Minister for Health and Aged Care. Not only has he failed in his job to oversee vaccination rollouts, but also he has tried to tell us that he has done a good job. How ridiculous! The year 2020 put a spotlight on how important it is for us to invest money and time into medical research and saw governments and organisations around the world competing and racing to try to find a vaccine to inoculate us against COVID, which is killing people.

It was 2020 that put medical research under the spotlight for us. But prior to 2020, it was our Minister for Health who repurposed \$1.4 billion into the future health research and innovation fund to ensure that Western Australian medical researchers were world leaders in medical research, and that Western Australians were leading in health and medical research. Before COVID-19, it was our Minister for Health who had the vision to put our health and education systems at the top of the world. He repurposed \$1.4 billion to deliver local health and medical research, which not only is what we need when we are faced with global pandemics like this but also what we need to diversify our economy and to create new industries and jobs for Western Australians. Instead of lashing out at our successful minister, perhaps the member should look at backing him up and understanding that he has not only been arguably the most successful health minister in Australia, if not the world, but he has had the vision to take Western Australian medical research to the forefront in the world. It is a disgrace that the member is putting this motion to Parliament. Members opposite should be ashamed of themselves!

**DR K. STRATTON (Nedlands)** [3.50 pm]: I, too, rise to speak in opposition to this motion. I wish to speak to this motion as my electorate, the seat of Nedlands, is home to three public hospitals: Sir Charles Gairdner Hospital,

Perth Children's Hospital and King Edward Memorial Hospital for Women. Nedlands is home, too, to major medical research institutions, including the Telethon Kids Institute, the Harry Perkins Institute of Medical Research and the Lions Eye Institute, to name just a few. It is fair to say that all of those institutions and other medical research institutions in Western Australia are known to be international leaders in medical research—research that has translated into very real health outcomes and practices for people around the world. We are home, too, to two private medical hospitals, a number of mental health inpatient facilities and a multitude of private medical and allied health practices; and many health workforce providers live in the seat of Nedlands.

I have been a social worker in three public hospitals and I have been a patient and a consumer of PCH and King Edward, so I feel I have an appreciation from multiple standpoints of the sheer complexity of the health system and of what it means to the social and health outcomes of all Western Australians, but also what it means to us as individuals and to families to have trust in our health system. Leadership of such a complex system requires a number of qualities, all of which the Minister for Health has demonstrated. It needs a minister who is steady in a crisis, and this has never been demonstrated more beautifully than during the COVID-19 pandemic when the minister ensured the trust of all Western Australians. We have heard it many times, but it is worth repeating: we have been kept safe and strong as a state by the leadership of the Deputy Premier; Minister for Health.

The outcomes and leadership shown when the eyes of the world are upon us speak for themselves. Leadership of such a complex system requires courage, and the minister has shown that he is prepared to show up and engage in some very difficult conversations with multiple stakeholders. It requires someone who is an advocate and a visionary. We have a health minister here who has worked to secure the highest rate of funding of any health system in Australia. It requires someone who is smart and collaborative—smart enough to listen and to act on the advice of health and medical experts—and who has experienced the breadth and depth of holding the statewide view of our complex health system. It needs, too, a systemic approach across a statewide system in a state that is itself diverse and large, and across an array of health services with multiple stakeholders, all who are invested in creating the best outcomes for Western Australians and serving a diverse population across our diverse state, including some of the most vulnerable members of our community and across many health disciplines as well. I argue, too, that it requires leadership that demonstrates compassion, humility and, ultimately, humanity.

Because of my electorate and how it is home to so many health services, I have had the honour of working with the minister across a range of health issues and developments. I have seen him engage with and demonstrate compassion with patients and families. I have seen him collaborate with health and medical private providers and advocate with leaders and health experts. This leadership is not limited to his health portfolio, but to all of the minister's portfolios. I stand today to express my unequivocal support for the minister. Indeed, I look forward to working with the Minister for Health and continuing to build the health services and the world-leading health services that my electorate is home to.

**DR J. KRISHNAN (Riverton)** [3.55 pm]: I also rise to oppose the motion. I am very glad that the Leader of the Liberal Party and the Deputy Leader of the Liberal Party are just arriving, because I particularly want them to pay attention to a few solutions we want to find for health care progression in Western Australia.

First of all, COVID! As a medical practitioner, I have worked in three different continents. I belong to a batch of 200 doctors who qualified from JSS Medical College. They are now placed around the world. I keep talking to them. We keep exchanging messages as to how COVID has been managed. Day in, day out, the question I am being asked is, "How is it that you guys are managing it so efficiently? Who is the main reason for it?" It is the man who is the architect of the plan to manage the pandemic. The whole world envies us. They are so proud of our achievement—except for the six opposition members who, day in and day out, pick on only health issues the majority of the time. I keep repeating and pleading that the one issue that we could join hands and work together to deliver better health outcomes to every Western Australian is the health issue—please cooperate, be constructive, join hands in providing solutions!

Ambulance ramping comes up in this house, day in and day out. I am glad that the Liberal Party members of this chamber are present now. The federal government shut the doors on overseas doctors, bringing in a classification procedure called a distribution priority area. They shut out overseas doctors coming into Australia, so I remind members that 40 per cent of the GPs working in Australia obtained their qualifications overseas. When the federal Minister for Health and Aged Care, Mr Greg Hunt, shut the doors to overseas doctors, the primary carers, who are not able to cope with the load on top of the work they already have in providing the best health care for Australians, now have to accommodate two additional appointments for COVID vaccination 1 and COVID vaccination 2 with the uncertainty of when they are going to receive those vaccines to deliver those vaccinations.

I refer to infrastructure. This health minister is investing in infrastructure. Let us take the Peel Health Campus. The inpatient beds, outpatient services, medical emergency services and the 10-bed mental health emergency care centre will receive a total investment of \$152 million, of which \$114 million will come from the state, and we thank the federal government for its \$20.1 million contribution, and there is a private investment of \$17.9 million as well. That is huge investment to build infrastructure that will bring about better health outcomes. The preliminary planning has commenced and the project will be delivered as promised.

I spoke last week about the transition plan of bringing services at Fiona Stanley Hospital back into the government. Joondalup Health Campus will have a 77-bed mental health building, 12 emergency beds, 30 inpatient beds, six critical care beds, one cardiac care unit and a behavioural assessment urgent care unit. As a health practitioner, I can appreciate the amount of better health outcomes these infrastructure investments can bring. How are we able to deliver these investments? It is because the pandemic was managed so efficiently that we are in a sound financial position and we have the true intent of doing good for the people of Western Australia. The construction contract for Joondalup Health Campus, with a total investment of \$256.71 million, has reached the early contractor involvement phase and is expected to be signed on 8 June 2021.

I get very confused; I am new to politics and I am new to this chamber, but this motion asks the Minister for Health to drop other portfolios. I cannot understand how there is absolutely no link between health and medical research. I already mentioned that the state is travelling in the right direction because the health portfolio is managed well. Jobs and trade keep people healthier. There was a significant improvement in science investment by this government in its last term. There was a 50 per cent increase in investment in life science companies in Australia between 2017 and 2019. It is a \$3.7 trillion sector, creating 28 000 jobs and 200 new companies. If the opposition thinks that has no relation to health, I am truly confused. If it cannot stand up and appreciate the hard work and effort of the Minister for Health, it should please at least keep quiet and let him do his job. Thank you.

**MR R.H. COOK (Kwinana — Deputy Premier)** [4.01 pm]: I would like to thank members for their contributions today. In particular, I would like to congratulate the member for Vasse for actually staying in the chamber for the entire debate. I notice she popped out for a bit of afternoon tea, as did the member for Cottesloe, but that is okay. That is perhaps one of the small advantages of being in opposition! But it is good to see that the member for Vasse lasted the distance this time; well done to her!

I thank members for their contributions. In some respects, it perhaps reflects more on members of the opposition than it does on members of the government that they would raise the issue of what hard work looks like in government. I have a huge appetite for hard work, and I am a proud, hardworking member of the McGowan team. It is a task that I have taken on with great honour, great pride and great humility, and it is a task I have set myself to wholeheartedly over the two and a half months I have had the opportunity to hold these portfolios. One might say that a period of two and a half months is a little early to make a judgement on a four-year term's performance, but I accept the challenge from the opposition. I understand that when an opposition's sole research capacity rests upon following the tweets of the Australian Medical Association, it is a little hard-up for substance, and it therefore has to bring the same issues to this place week after week. Nevertheless, I recognise that the opposition believes that health, jobs and trade, state development, medical research and science are all important portfolios, and I agree. I hope that is one of the reasons the Premier has entrusted me with these important portfolios.

I acknowledge the comments of members opposite, including the member for Cottesloe, in relation to the McGowan government's efforts in keeping Western Australians safe and strong and in ensuring that we had an appropriate, thorough and comprehensive response to the global pandemic. I am particularly proud of our record, and I thank all members for their acknowledgement of where we are today.

Of course, we have a challenge ahead of us: how do we go from the COVID-19 pandemic to a period of strength and growth of the Australian economy and jobs? That is a task and a journey that I am committed to. In particular, I am committed to the McGowan government's and WA Labor's plan for WA jobs. It is a vision for the future—about how we can continue to consolidate the strength of our economy and our great record of supporting the resources industry, mining, oil and gas, into the future to make sure that we continue to have the prosperity that Western Australians deserve. It is about recognising the strengths of those sectors and understanding how we can pivot out of those sectors, consolidating those strengths, to recognise our capability of working in new industries, as we decarbonise the Western Australian economy and set it up for growth. It is about making sure that we recognise new energy possibilities and understanding that the opportunities around energy storage, battery technology and manufacture are opportunities that we cannot miss. In the same way that we had to secure the opportunities presented by the global pandemic, we now have to secure the opportunities for economic prosperity that the post-COVID-19 period will present. That is why I think it is appropriate, as we move out of COVID-19, that we acknowledge that state development and jobs and trade are going to be pivotal to making sure we are successful into the future.

That is one of the key reasons the Premier elevated the role of Asian engagement to the Deputy Premier, combining it with the portfolios of jobs and trade and state development, to make sure we have the seniority and grunt necessary to carry those strategies forward. I also acknowledge the member for Cottesloe's critique. The new model for Asian engagement was secured after an extensive review of our whole Asian engagement strategy and our trade commission posts. I think the member's analysis was a little ham-fisted and premature; one has to be able to give this new model an opportunity to work. In particular, it has to be seen in the context of being able to engage properly through actual physical presence; obviously, at the moment it is difficult for our trade commissioners to travel overseas, with the very present and evident dangers involved.

The new configuration of trade commissioners through the Asian engagement strategy around a hub-and-spoke model means that we are able to pivot from our positions of strength in the Asian economic community to look

at new opportunities, whether in Korea or South Asia and India, and combining those with opportunities in the Middle East. We have to make sure that our resources are distributed in an appropriate way. As I explained at the Asian Engagement Summit last month, it is important that we have a modern system for the establishment of these positions and that we have a senior government minister taking these strategies forward to make sure we can secure the opportunities that come from them.

I share the member for Riverton's incredulity that the opposition could somehow think that health, medical research and science do not belong together. It is obviously incredibly important to have synergies between these portfolios. We wanted to highlight the role of medical research as part of a separately named portfolio to ensure that Australia and the world knows that Western Australia, as a medical research powerhouse, is back. We are back because we have a \$1.4 billion future health research and innovation fund to take medical research in this state forward, combining our science capabilities with innovation in that sector to ensure that we not only improve patient services, but also secure the economic returns that these great innovations in medical research initiatives represent. As the member for Riverton observed, if we get that right, we get an important piece of our job creation right. Consolidating these portfolios in a single Deputy Premier position represents good public policy and confidence in moving forward.

I have acknowledged on a number of occasions the pressures our health system is under. This is characteristic of the demand pattern we share with all other health jurisdictions. That is why the Premier has elevated it to the national cabinet agenda and why we need a national response to this particular issue. It has a unique system demand dimension to it that means we cannot treat it as an ordinary state of affairs. It is something that has been brought on and that the whole nation is sharing. We will do that because we have the policy systems in place and we have the opportunity to pivot and ensure that we are growing our health system to make sure that it is able to expand and adapt to this situation, which, as I said, the national cabinet will address on Friday.

There is a saying, "If you want something done, give it to the busiest person in the room", but in this case, I would like to think the Premier has also given it to one of the most effective people in the room. That is why he has given me these portfolios. I am a proud hardworking member of the Mark McGowan Labor team. I carry those duties with great pride, great honour and great humility, and I think that under the great leadership provided by the Premier we will continue to prevail.

#### *Division*

Question put and a division taken, the Acting Speaker (Mr D.A.E. Scaife) casting his vote with the noes, with the following result —

#### *Ayes (6)*

Mr V.A. Catania	Dr D.J. Honey	Ms L. Mettam
Ms M.J. Davies	Mr R.S. Love	Mr P.J. Rundle ( <i>Teller</i> )

#### *Noes (46)*

Mr S.N. Aubrey	Mr T.J. Healy	Mr S.A. Millman	Ms R.S. Stephens
Mr G. Baker	Mr M. Hughes	Mr Y. Mubarakai	Mrs J.M.C. Stojkovski
Ms H.M. Beazley	Mr W.J. Johnston	Ms L.A. Munday	Dr K. Stratton
Dr A.D. Buti	Mr H.T. Jones	Mrs L.M. O'Malley	Mr C.J. Tallentire
Mr J.N. Carey	Mr D.J. Kelly	Mr S.J. Price	Mr D.A. Templeman
Ms C.M. Collins	Ms E.J. Kelsbie	Mr D.T. Punch	Mr P.C. Tinley
Mr R.H. Cook	Ms A.E. Kent	Mr J.R. Quigley	Ms C.M. Tonkin
Ms L. Dalton	Dr J. Krishnan	Ms M.M. Quirk	Mr R.R. Whitby
Ms D.G. D'Anna	Mr P. Lilburne	Ms R. Saffioti	Ms S.E. Winton
Mr M.J. Folkard	Mr M. McGowan	Ms A. Sanderson	Ms E.L. Hamilton ( <i>Teller</i> )
Ms M.J. Hammat	Ms S.F. McGurk	Mr D.A.E. Scaife	
Ms J.L. Hanns	Mr D.R. Michael	Ms J.J. Shaw	

Question thus negated.

### **LEGISLATION BILL 2021**

#### *Second Reading*

Resumed from 5 May.

**MR R.S. LOVE (Moore — Deputy Leader of the Opposition)** [4.16 pm]: I am very pleased to be here today to talk on this very important Legislation Bill 2021, a bill that the Attorney General has described to me in conversation as being as dry as the bottom of a cocky's cage! I am sure we will all enjoy discussing it in consideration in detail, which will occur after the second reading debate, of course, because it is such an important bill. We need to go through the nuances of the bill because it goes to the very heart of the way our legislation is drafted, how it is recorded and how people can access it. Everything we do in this place is about establishing government. One big part of that is passing budgets and another one is making law. This bill appears to be about how that law is drafted and presented to the community, and how the community can access it. There is an excellent guide to everything the

bill is about, because a very similar bill was debated in this place in 2018. It was read a third time and passed through this chamber on 30 October 2018, and it was received in the Legislative Council the next day, 31 October 2018, but the government never brought it on for debate again, so, of course, it just disappeared at the end of the fortieth Parliament never to be seen again.

A few of the more problematic pieces of discussion in debate on the previous bill were quite interesting. I note that the former member for Hillarys, who is a very fine lawyer with a very fine legal brain, had a lot to say about these matters in 2018. I am sure it was a very interesting debate for all those people who took part in it. Unfortunately, I was not one of them. I had to read the *Hansard* to get an appreciation of some of the discussion, although in reading it, I saw that I was Acting Speaker through quite a bit of it, but, unfortunately, I have absolutely no memory of it, so there is a bit of a problem there!

A couple of questions that come to mind are about some of the powers of Parliamentary Counsel to change legislation—just how extensive the editing powers will be. A lot of those editorial powers are limited to updating references to laws that have changed or changing expressions that might indicate gender. I wonder whether that might interfere with the law to some extent. The Attorney General might be able to let us know about some of those issues.

The bill seeks to number or renumber provisions. It also seeks to update references to things that have been replaced, such as statutory bodies that have changed over time, or a particular water board or whatever that has ceased to exist and been incorporated into another body and whose functions have been taken up by somebody else. Interestingly, the bill also seeks to change grammar, spelling or punctuation to conform with current drafting practices. Some of the nuances of legal drafting can appear quite complex to a layman. I wonder sometimes whether changing the grammar or the punctuation might have some negative or unforeseen consequences. We might think that having a comma in a particular place is not very important, but it might well have some material effect on the legislation. I am sure that Parliamentary Counsel knows these things. It is sometimes not a simple matter of just changing the grammar; it could change the meaning.

The bill also seeks to omit obsolete or redundant provision of Western Australian legislation; incorporate validation, saving, transitional or similar provisions; and make format or layout changes to conform with current drafting practices.

I understand that changes will be made to the website that is operated by the Parliamentary Counsel's Office. Legislation will not necessarily be published in hard copy; it will be published on the website. It will be up to the PCO to determine what other matters, apart from statutes and regulations, it might choose to put on the website. I guess there will be some questions around some of those issues and what types of matters could be foreseen to be published on that website, other than those things that are expected to be published on the website by provisions that are in the act.

The pertinent question is more around what editorial changes will be able to be made perhaps without parliamentary oversight. Will people have to trawl through the website every day to see whether there has been a change? Will there be some sort of automatic way of enabling people to keep up with the changes? What will be the layout of the website? I understand that all the changes to the law will be detailed on the website. Will there will be a key, such as a summary document, to enable people to understand whether a particular piece of legislation has changed on a particular day?

To what extent will the amount of editing that takes place be subject to some sort of review? Will the Parliament have an opportunity to review that? Will there be a body that will look at the changes that are made? Will the changes be disallowable in the Parliament? Will the Parliament put in place a body—such as an upper house committee or one of the existing committees—that will keep a watching brief over what occurs and take on the job of ensuring that none of the changes that occur go beyond simple editing and make serious changes to the law without the Parliament realising what is going on? Over time, if we follow the progression of any document that has been around for a long while, it might undergo changes. If we look at the reinterpretations of a book like the Bible, which has a very long history, certainly in western literature, it has gone through different translations. Over time, some of those translations might add up to being real changes in understanding what is meant by those terms, or in how a particular society or group in society might view what has been written and whether it has changed the interpretation of that document over time.

I do not have a lot more to contribute at the moment. Probably the best thing is to go through the bill, specifically clause 10, which deals with what is published on the WA legislation website, and part 3, which deals with the power to make editorial changes. Those are the issues that I would like to delve into a bit. I do not intend to take up too much of the Parliament's time on this matter. I am sure that weightier contributions can be made than those that I am making here. I think that the Legislative Council will want to go through this bill in greater detail, because its purview is to ensure that correct grammar, spelling and emphasis is put into legal documents. We as a house often do not spend as much time on the detail of the law as we do on the political ramifications of the law.

Having worked with upper house members now and in the past on committees and the like, I understand that the upper house has a much more detailed understanding of the need to go through legislation in detail. That is the proper function of the Legislative Council and one of the reasons that we need a house of review. The Legislative Council plays a very important role in the Parliament. I often wonder how states like Queensland get on when they do not have a group of experienced lawmakers to oversee some of the things that are brought into the Parliament. In the previous Parliament, we had plenty of examples of some very good changes that were made to flawed legislation

that this government had brought into this house. The government would often not listen to the opposition in this house and would push on with its flawed legislation, only for the Legislative Council to find that there were serious errors of grammar or of legal consequence in the legislation that may or may not have been pointed out by the members down here. The upper house members showed the value of that chamber in bringing those matters to the attention of the government, and by dint of the fact that the opposition had the numbers at that stage, that house was able to make those changes. It will be interesting to see what happens in this next stage of the Parliament. We know that we no longer have a balanced upper house. We have an overwhelming government majority in that chamber. I think many people have come to accept that as situation normal in Parliaments in which the government of the day does not necessarily enjoy an overwhelming majority in the upper house. We have certainly seen the operations of good governance over many years. It will be interesting to see what transpires in the upper house over the next three or four years when there is not an effective grouping that can override the government on a particular issue, and whether debates will be curtailed. I understand that the upper house will be reviewing its standing orders very shortly. This may mean that there will be less oversight of some of the changes that might occur under this legislation. The actual legislation itself will perhaps lead to a difference in the way the law is written.

I shudder to think what will happen if we do not have effective members in the upper house going through these matters. I do not know whether members on the government side are going to be committed enough to stand up to the Attorney General and say, “Well, Attorney General, we don’t agree with these clauses you have put in. We think they should change”, or whether they will just wave everything through with a rubber stamp. If the upper house will be just a rubber stamp, we will have a real problem. As we know, a discussion is going on around the state about representation and so-called equality in the upper house. We contend that the upper house functions best when it has significant regional representation and significant diversity in its representation. We know that the government is now trying to strip away that diversity to mirror, if you like, the situation in this house in the upper house. When legislation goes from this house to that house, there will be no effective checks and balances.

The whole idea of an upper house is to have a little bit of diversity and another look. It is great to have all these other groupings in the other place that prevent a government from having an overwhelming majority so it has to negotiate its way through issues and take people seriously and listen when other members of Parliament point out that legislation it is trying to put through is flawed. That is very important. We have come to expect the upper house to have the ability to say, “Hang on; you need to have another look at this.” Now we have achieved a situation in which that house will not be able to do that. Over the next three or four years, we will see whether members opposite allow the upper house to do its job properly and take seriously its concerns when it comes to back to them and says that it does not think a bill is very well drafted. If individuals in the upper house vote on party lines on every matter, we will see a rubber stamp in the upper house and all sorts of flawed legislation put through.

I noticed today that the Minister for Local Government sounds very much as though he is putting through another puppy farming fiasco, and we know how flawed that bill was last time. He did not refer to puppy farming, but he certainly referred to sterilisation and sale of dogs and all sorts of other matters. It sounded very much like the puppy farming legislation is coming back—and we know that the previous bill was a real dog of a thing, was it not? When the bill got to the upper house, what happened? The legislation did not go anywhere because the good members of the upper house could see how flawed it was, unlike the pack of hounds down here who just let it through without any oversight or meaningful contribution! We moved many, many worthwhile amendments to that legislation in this house that would have made it much better. The minister of the day refused to listen to any of them. It went up to the upper house unchanged, and, of course, it stalled forever. It was never going to get through with a reasonable bunch of lawmakers like the group that the former members of the upper house comprised. Now it is my great fear that such a piece of flawed legislation will simply be introduced and run through this chamber and we will end up with more dogs of legislation like the government tried to get through last time.

This is a vital bill, apparently, but a whole list of legislation was sitting on the notice paper at the end of the previous Parliament with no discussion on them. I think the government identified 17 or so bills as a priority in the dying days of the fortieth Parliament. None of them was anything to do with this bill, which at that stage had already been sitting around for two years. I wonder whether the commitment is still there. I wonder how long it will sit around this time. Probably it will go there and the government will have rammed through its changes to standing orders in the other place and be able to put through all sorts of flawed legislation in its own good time. Then people will amend it, and nobody will be able to say no because there effectively will not be such a thing as a parliamentary disallowance. When was the last time members opposite saw a piece of legislation disallowed in this chamber? They have not. Why? It is because the government will not disallow its own legislation and regulations. Traditionally that has occurred often in the other place. When flawed regulations or statute is put through, there is a process whereby the upper house will regularly examine it, and if it is a flawed regulation, it is able to —

**Mr J.R. Quigley** interjected.

**The DEPUTY SPEAKER:** Deputy Leader of the Opposition, direct your comments through the chair.

**Mr R.S. LOVE:** I cannot see him then. I will look at the member for Bunbury.

**Ms S.E. Winton:** That’s a good point. Can he actually answer that question?



**The DEPUTY SPEAKER:** No, member for Wanneroo, he cannot. Deputy Leader of the Opposition, carry on.

**Mr R.S. LOVE:** Thank you. Very instructive of you, Deputy Speaker.

Getting back to the legislation that the government will be able to push through once it has total control of the upper house, we know it will include more flawed legislation on electoral reforms. The government has its group running around the country doing so-called consultation so that it can cement its hold on the upper house chamber for years to come. That is what that is all about. It has nothing to do with equity or fairness. It is about keeping these guys in control of that chamber along with this one as well. We do not have anyone giving the government oversight. The government does not like oversight; I know that.

We will not be opposing the Legislation Bill. We will support it, but I am sure there will be discussion in the other chamber until the government finally guillotines it and moves it through. That discussion will hinge on some of the matters around the ability of people outside Parliament to amend, edit, tweak or make changes to legislation and regulations. We are in an era in which the two houses of Parliament are completely dominated by one party. As we know, that is not a good situation to have in any democracy. The only hope we have, I guess, is that the government will show its true colours and there will be overreach; it will bring in lots of flawed legislation and the people of Western Australia will wake up to the fact that the government ain't really that good after all.

**MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary)** [4.37 pm]: I rise to make a contribution on the Legislation Bill 2021. I thank the Deputy Leader of the Opposition for confirming that the opposition will support the passage of this important legislation. I have one issue with the contribution made by the Deputy Leader of the Opposition. The Labor Party does not have total control. The voters of Western Australia have total control. I am flabbergasted by the repeated attitude of the conservative parties that seem to undermine the role of voters in a democracy as though the will of the people can be ignored when it does not suit their purposes. The reason we bring in legislation such as the Legislation Bill is that it provides for a fundamental Labor value: It provides access to justice. It provides for the legal process to become clearer and simpler and easier for people who are involved in litigation, and that is only a good thing. If the upper house cannot fulfil a function that the Deputy Leader of the Opposition imposes upon it, because the opposition does not have enough numbers in the upper house, responsibility for that rests with the opposition. It should have run a better campaign during the election. If it does not have the numbers, that is not our fault. We just did the best that we could do and we won the seats that we won because the people of Western Australia are the ones who have total control and they placed their trust in us.

This legislation does not need me to expand on it. The Attorney General is prolific in the number of pieces of legislation that he brings before this chamber. This Attorney General, who broke all records during the course of the last Parliament in bringing legislation before this place, has done it again. He is straight out of the gate. This is a man with an agenda and he is driving that agenda.

**Mr P.J. Rundle:** We've seen that with electoral reform. He's certainly got an agenda!

**Mr S.A. MILLMAN:** I do not know about the member for Roe, but I believe in democracy and I believe in equality of votes. I am more than happy to see the debate take place on electoral reform. I think it is long overdue. The panel that the Attorney General has put together, under the leadership of Malcolm McCusker, is one of the most eminent panels of experts to inquire into electoral reform.

**Mr P.J. Rundle:** He used to work for DPC and the Labor Party.

**Mr S.A. MILLMAN:** Hang on, I do not think that is right! Dr Martin Drum, Professor John Phillipmore and Professor Sarah Murray are eminent scholars on legal and political matters.

I wanted to rise and speak on the Legislation Bill 2021 because, as members who were here during the course of the fortieth Parliament will know, access to justice is something that I am passionate about. I will not regale the house with the arguments about the importance of access to justice from all the contributions that I made during the fortieth Parliament, but I want to highlight some of the people in my community who supported me to be re-elected to this place. These people share my commitment to, and passion for, access to justice.

Before I do that, I note that there is one member of the opposition still in the chamber, and I acknowledge his presence. During the course of my speech during the Address-in-Reply, I acknowledged Hon Colin Holt, who is a former member of the Legislative Council and who discharged his functions as a member well. He did a great job as the deputy chair of the Joint Select Committee on End of Life Choices and I noted that in my contribution during the Address-in-Reply. I noticed today that Hon Colin Holt has been appointed to the Voluntary Assisted Dying Board by the Minister for Health, in a typically generous and bipartisan move and in a way that respects and recognises the expertise that the former honourable member brings to that position. He also, I believe, has a commitment to access to justice.

Some of the people in my electorate who have a commitment to access to justice and to whom I am incredibly grateful for their support of me during the most recent election campaign include Ryan Anderton, Will Baitup, Julius Beyer, Joanne Boots, Danielle Brady, Gary Budrikis, Don Burnside, Andrew Carver, Steve Catania and Milan Chetkovich, who is a neighbour of mine. I am also grateful to John Clancy, who is a staunch doorknocker, and Justin Cvitan, who is a lawyer. I am grateful to Rory Deegan and David D'Orazio. These are great people who recognise the importance of this legislation and recognise that this legislation underpins access to justice.

I am grateful to Bonnie Durmic and to Tim Dymond, who works at Unions WA and is a great supporter of our campaign. He advocates on behalf of workers in minimum wage cases and recognises the importance of reforming legislation to provide better access to justice. I am grateful to Jeanette Evans and Yaron Fisher, who has moved to Broome. I am grateful to Brad Geatches, Graham Giffard, Jeremy Gilchrist, Elle Golek and Rob Green, who was a candidate for the Legislative Council and was one of the few WA Labor Party candidates who was unsuccessful. He was number five on our Legislative Council ticket for the East Metropolitan Region and a fantastic volunteer during the course of the last campaign.

I am grateful to Mike Hatzidakis, Mike Hilliard, Kerren Hughes, Tatyana Igonina, Brendan Jackson, Thomas Jarratt and Councillor Viktor Ko from the City of Perth; he is a doctor who recognises the fantastic work that the Minister for Health has done in tackling the COVID pandemic. I am grateful to Carl Kobelke, Pat Lamerton, Reyes De Lara, Nicolette Lenihan and Melita Markey, who, as the Deputy Speaker knows, is a fantastic advocate for victims of asbestos-related disease. She knows firsthand just how important access to justice is and how important this sort of reform is.

I am grateful to Natalie Mast, who is a lecturer at the University of Western Australia, and Emily and Thomas Meagher. Peter Mudie is a phenomenal telephone campaigner and was on the phone every night that we had a phone bank. I am grateful to Cynthia and Shane O'Brien-Lynch and Philip O'Donoghue, whom members here would know very well. I am grateful to Agnes O'Kane, Brett Osler, Rob Pearson, Ken Randall, Hugo Seymour, Kim Silverstone, Kyle Sinclair, Hope Smith—I will come back to Hope in a second—Lee Smoire, Simon Stokes, Rex Tion, Cyril Toman, Tiffany Venning and Greg Wallace. Greg is a fantastic advocate for his local community and lives in Dianella. I am grateful to Regan Whitby—the brother of the member for Baldivis—and his wife. I am also grateful to Roy White, Patrick Wyburn and some of the fantastic volunteers who worked on the polling booths on election day, such as Ben Riley, Karla Benites, Kylie Tuner, Jai Wilson, Marisa at Sutherland Dianella Primary School, Colleen and Jess from the Vedanta Church of Universal Religion, and Hugo Seymour and everyone at the North Perth branch.

**Ms J.J. Shaw:** He gets two guernseys; you mentioned him twice! He's so good, you had to name him twice!

**Mr S.A. MILLMAN:** He is a constituent!

I am grateful to staff at Yokine Primary School and North Metropolitan TAFE Mount Lawley. I am grateful to all these people who have a wonderful commitment to access to justice, to social justice and to making WA as great as it can be.

Before I finish my contribution, I want to mention some of those people who, during the course of the fortieth Parliament, worked very hard on the Mount Lawley electorate office. These people shared my passion for and commitment to legislative reform and important bills like this one. I want to acknowledge Jack Eaton and Hope Smith—who I have already acknowledged—Ben Latham, Rewi Lyall and Rachel Macy. They all made a terrific contribution to the Mount Lawley electorate office during the course of the last Parliament. I am excited about the contribution that will be made by those members who have decided to come on board the Mount Lawley electorate office. I want to acknowledge Lyric Duckett, Sam Brace and Emily Meagher, who I have already mentioned. In the few short weeks since the state election took place, they have hit the ground running and are representing the people of Mount Lawley, whether it is by talking about the election commitments in the local community or funding for a diverse range of initiatives. Those initiatives include upgrading Breckler Park, Hamer Park Reserve and Alexander Park in Menora; supporting local businesses by revitalising local streets such as Bayley Street in Dianella and Michael Street in Yokine; supporting residual urban bushland, such as the Coolbinia bushland and the Inglewood triangle; funding for the Knight Avenue Reserve community and a new major playground; and all the money that we are going to put towards the local primary schools and early childcare centres. We will refurbish Yokine Primary School, install solar panels at Marjorie Mann Lawley Day Care Centre, create a new playground at West Morley Primary School and install air conditioning at Sutherland Dianella Primary School. On the banks of the Swan River, down at Derbarl Yerrigan, we will make a contribution towards the money that is being spent by the City of Vincent to upgrade that pavilion. We will give more than \$100 000 towards LED lighting.

**The DEPUTY SPEAKER:** Yes, thank you, member.

*Point of Order*

**Mr R.S. LOVE:** Are we on order of the day 19 or 1?

**The DEPUTY SPEAKER:** One. Thank you. The member will refer back to the bill.

*Debate Resumed*

**Mr S.A. MILLMAN:** The important thing about the lighting upgrades is that they will shine a light on the importance of legislation and the importance of access to justice. One of the great things about this legislation is that access to justice is an important issue that this government is driving. I, for one, am incredibly proud of the work that the Attorney General did in the fortieth Parliament and I am proud of his undertaking in the forty-first Parliament. I know that all the people whom I have mentioned in my contribution this afternoon are incredibly proud to be part of the Labor movement and incredibly pleased with our fantastic election result on 13 March.

**MS S.E. WINTON (Wanneroo — Parliamentary Secretary)** [4.48 pm]: I, too, rise to make a contribution to the Legislation Bill 2021. I am certainly chomping at the bit to make a contribution to what I think is a riveting piece of legislation.

I note, from the member for Moore, that the opposition is going to take this bill to the consideration in detail stage. We certainly need to interrogate this important legislation in fine detail tonight. We look forward to the member's interrogation of the bill in that manner. I also felt a bit nervous when the member for Moore mentioned the former member for Hillarys, and I thought he might remind us of the former member for Hillarys' contribution when this bill was last before this Parliament in 2018. I listened to the member for Moore's speech and, towards the end of it, I actually thought he might have been better just reading the contribution from the former member for Hillarys because, despite the fact that I do not miss him, I acknowledge that his ability to get across the legal aspects of the bill was much better than the contributions of the opposition I have heard thus far during the forty-first Parliament. The member should read the contribution of the former member for Hillarys. I learnt a lot during the preparation for my contribution.

The Legislation Bill 2021 is an important bill that will make the laws that we make in this place more accessible to the people of WA. Of course, this is of fundamental importance because it is everyone's responsibility to know the laws, and ignorance of them is no excuse. All sections of our community are presumed to know the law, and ignorance of the law is no excuse. These principles can only operate if we make the laws easily accessible to people. To that end, this bill seeks to do that by modernising the processes by which we publish legislation in WA.

In preparing to contribute to the second reading debate of this bill, I was surprised by the fact that our current system is so antiquated and inefficient. Prior to coming to Parliament, while I was a schoolteacher, starting in about 2008, I got involved with a local issue in my community, which resulted in me becoming what some would describe as a serial pest at local council meetings. Some members who were in the chamber at that time would also remember that I probably repeatedly bombarded their email addresses on the issue over many years. During that time of local activism, I very much hunted out local planning laws, and I got across the State Administrative Tribunal legislation at various stages throughout that campaign. I am really surprised that in all that time, I did not understand that those versions I was accessing were not the official versions of the law. Stay with me, member for Mandurah; I am building.

Just quickly, by way of background, the responsibility for making legislation publicly available in Western Australia lies with the Parliamentary Counsel's Office and the government printer. Under our current system, individual acts are passed and bound volumes of acts are published in hard copy. Subsidiary legislation is generally published in full, which is published in both hard copy and electronic forms. The WA legislation website provides public access to WA legislation in electronic form. This website is now hosted by the Parliamentary Counsel's Office. Currently, the electronic versions of the WA legislation website and the electronic version of the *Government Gazette* have no official status. Bizarrely, only printed copies of WA acts and subsidiary legislation are given evidential status in judicial and other proceedings. This is completely inefficient, expensive and inconvenient for users. It is also highly confusing and can lead to a lack of confidence in the accuracy and reliability of the electronic versions that we use. Our current system does not reflect our modern society at all and the digital age in which we live. I can complete the entire process of divorce online, I can do all my banking online, I can have medical consultations and get prescriptions for medicines online, yet currently, whilst I can access laws online through the WA legislation website and the *Government Gazette*, those versions do not hold official status, nor is it guaranteed that what I access is up to date or includes the subsidiary legislation. This new bill, in essence, will bring the legal status of electronic versions of legislation into line with hard copies and, with that, improve accessibility to the written law. This bill, essentially a machinery bill, will bring us into the twenty-first century and into line with community expectation and modern workplaces where we rely on getting our information from online sources, and we usually do so with great confidence.

COVID-19 has shown us more than ever that we have an ability to be flexible in the workplace and to use digital platforms to do our work. In the last 12 months, certainly the residents that I have spoken to, and also a number of businesses and other organisations, have learnt to utilise digital platforms to still be able to carry out the work that needs to be done when they are not able to meet face to face. COVID has provided us with the ability to embrace technology more and be confident enough with it to serve our purposes in many workplaces and environments.

Last year, in 2020, my daughter Meg had the great honour of being an associate in the Federal Court for Justice Perram. She was involved in quite innovative work in the Federal Court. She was involved with Justice Perram in running the first ever trial by videoconferencing platform in early March once the lockdown had begun. The court has since rapidly expanded its use of technology to all aspects of its work. This legislation is long overdue in making sure that we, too, respond to the way technology is used by many places outside of this place, including the court system.

The bill will also bring us into line with a majority of other jurisdictions for which this already exists. It will also improve efficiencies and reduce the cost of publishing subsidiary legislation. This streamlining will obviously save taxpayers money as well. Importantly, this bill will also give the Parliamentary Counsel's Office a more useful set of editorial powers so that WA legislation can be kept up to date and modernised and errors can be corrected without the need for changes to be enacted by Parliament. I am very confident of the checks and balances in place. Providing more editorial power to the Parliamentary Counsel's Office does not mean that we will diminish the intent of the laws that exist. I am very confident that it will be an official way of editing our legislation to make it as up to date as possible.

This place is steeped in history and tradition. It is our purpose to make laws in this place. We do so by drafting, debating and sometimes amending bills, and ultimately passing bills that become the laws that determine the way we live our lives. The way in which we do so seems quite old-fashioned and not really in tune with modern society in many ways. Just look at our sitting hours when we do our business, the way we debate bills and the time it takes to debate bills. I enjoy going to the library and showing it to visitors when they come to this place. The library is one of the most beautiful areas in this building, but it also reminds us of the bygone era of this place. We could imagine a couple of members sitting by the fire with their cigars discussing how many sheep they had lost on their property in the week prior. This place does have that kind of feel to it but bit by bit, we are modernising it. It was quite extraordinary that it was only during the fortieth Parliament that we finally adopted the acknowledgement of country to start the day's proceedings. It was introduced only four years ago. Let us not forget that.

We have come a long way in making this place more progressive and representative of the community we serve. We have a record number of women in this and the other chamber. In fact, 39 women make up part of the Mark McGowan Labor government. We have representation like never before. We have Hon Ayor Makur Chuot, the first South Sudanese member of Parliament in Australia, representing us in the Legislative Council. We have the first Aboriginal woman in Hon Rosetta Sahanna taking her place in the Legislative Council, and, of course, we have the first woman Speaker in this place. I wrote this speech before her statement earlier today. I said that she is beginning to leave her mark in modernising this place. Not only is she a woman, but she is also the longest serving member in this place and with that comes great experience and understanding of this place and how we can best modernise it. Her statement today of how she now interprets the standing orders to allow for breastfeeding in this chamber left me with goosebumps. I am sure that is something that we will proudly look back on when we reflect on our time here in the forty-first Parliament.

The McGowan Labor government has been driving reform. This bill—essentially, an administrative reform bill—will finally see access to justice and our laws being more accessible to our community. I acknowledge the Attorney General for bringing this bill to the house. The member for Mount Lawley is right; it certainly looks like the Attorney General is going to continue where he left off in the fortieth Parliament. That might scare the opposition, but it excites us on this side because he is a reformer, he is a machine and he is driven to legislate to bring our laws into the twenty-first century. I suggest to the member for Moore that he might want to support him and join in or perhaps just get out of the way. The Attorney General is a reformer and a fixer, and it is refreshing to see his work ethic and the good change he is bringing to the people of WA. I take exception to the comment made in the member for Moore's contribution earlier when he suggested that the Attorney General might just ram through legislation in the upper house because backbenchers and members on the government side might be too frightened to stand up to him. I can tell the member for Moore that whilst outwardly the Attorney General might seem like a tiger and scares the member for Moore, we on this side of the chamber are collaborative, inclusive and well able to take our points of view to any minister in this place; we do so with great passion, and because of that this government is a better government. I cannot help but compare the record of this Attorney General with that of the previous Attorney General who, in his six years of government, introduced 21 pieces of legislation. Attorney General, there is a bit of debate going on between the member for Swan Hills, the member for Mount Lawley and I. Is it 59 bills that the Attorney General brought to this place in the fortieth Parliament?

**Ms J.J. Shaw:** It is 59.

**Ms S.E. WINTON:** Although this place sometimes has that bleak and old-fashioned look about it, it is not all gloom. We are innovative in this place and certainly modern aspects are built in. One of my favourite things about this place, which I think is brilliant because it brings this place and the laws that we contemplate and make in debate to the people, is, of course, that we broadcast live proceedings, and have *Hansard*, which is quickly and readily available electronically. To that end, I hope my daughter, who is currently in year 11 and sitting at home studying for exams, is watching me live so that she can give me some feedback on my speech tonight. As soon as I sit down, I know she will get back to the work of preparing for her next round of exams.

Several members interjected.

**Ms S.E. WINTON:** I will FaceTime her later.

Of course, broadcasting live is a really important way to bring what we do in contemplating laws to the people. My experiences in local council were not so good. I hope and wish that more local councils would take on the reform of broadcasting live their deliberations during council meetings. I know that some councils like the City of Wanneroo make audio recordings available, but I have to say that it is a really cumbersome process and people would really desperately need to know what happened at a council meeting to go through that process to get the audio recording. In this day and age, with technology so easily available, I was hoping that because of the COVID-19 situation and more councils starting to work remotely, that that would have spurred some of them on to live broadcast their council meetings for the people. I encourage local governments and the City of Wanneroo to do that.

When this bill was previously debated in the Legislative Assembly, I very much enjoyed members' contributions. Of course, a lot of that debate involved a reflection on people's previous professions and the technology, or lack of it, in the workplace. I had a bit of a think, too, about my past professional life and how I managed without technology. My first job while I was studying at university was working for a local pathology centre. It was my job to fax the

medical records, one by one, to the GPs. When the line went down, I had to start all over again, churning them through the machine. My girls probably would not know what a fax machine is. Of course, if I reflect on teaching—this will show my age—when I first started, there were no photocopiers; rather, we used a gestetner machine.

**Mr D.A. Templeman:** I used to get high on methylated spirits when I used that.

**Ms S.E. WINTON:** It just gave me a headache, member for Mandurah.

We also used a stud book, which we probably finished using in about 1995. For those members who do not know what the stud book was, every year the Department of Education would produce what looked a bit like the *Yellow Pages* but it was an entire collection of every single staff member in the Department of Education and that way we could keep a track of who was at which school. It was a really interesting way to find out where your mates were, who had got promotions —

**Mr D.A. Templeman:** Where your enemies were?

**Ms S.E. WINTON:** Yes, where your enemies were or perhaps where your lost loves were.

**Ms J.J. Shaw:** It was Facebook for teachers!

**Ms S.E. WINTON:** It was Facebook for teachers. Perhaps the library would have an old copy of those. What year did the member for Mandurah teach? Perhaps I will find the one that the member for Mandurah is in.

**Mr D.A. Templeman:** I was usually unattached!

**Ms S.E. WINTON:** Of course, when we started we did not have electronic devices to put our worksheets together in terms of desktop publishing; we literally cut out bits and pieces to make a worksheet to then—eventually when the gestetner went—photocopy. The biggest drama in schools was the stealing of photocopy paper. We were allotted an amount of photocopy paper but that used to get pinched from the teachers' pigeonholes.

[Member's time extended.]

**Ms S.E. WINTON:** I want to take a few minutes to say that recording what we do here and making it easily accessible, whether it is the debates that we undertake, consideration in detail or getting access to electronic versions of the legislation that we pass, is also incredibly important for our young people. If members go to any school now, they will see that they are incredibly modern places. Indeed, NAPLAN takes place online now so it is only reasonable that the work that we produce here by way of legislation is produced in an easy and readily digitised way for young people.

Our schools do an incredible job teaching civics and democracy. I continue to enjoy visiting my primary schools to support teachers in that endeavour. I want to particularly highlight to members—they will find out about this at the end of the year if they were not here previously—that before being elected to Parliament as the member for Wanneroo, over the last 10 years, I was a primary extension and challenge teacher. For the last few years, except last year, obviously, because of COVID, I collaborated with Kirsteen McCrory, who is still a PEAC coordinator and a dear friend of mine, on a course called PEAC Parliamentarians, which we hope to run again later in the year. We bring in a group of incredibly inspirational and young gifted and talented people to become familiar with this place, learn a bit about their local members and ministers and how this place is run and to make a contribution in this place. Look out for that when we run that program again. Of course, politics and law are important areas of study for many young people in our secondary schools, particularly those who study ATAR politics and law. I want to take this opportunity to do a cheeky shout-out to an extraordinary teacher of politics and law in Telma Keen, who is a politics and law teacher at Lake Joondalup Baptist College. She taught Meg, who has now gone on to become a lawyer in Sydney, and also my second daughter, Emma, who is currently at university and looking to pursue law potentially after engineering. There is no doubt about it; those two young ladies, whom I am very proud of, were inspired to think about politics and law because of Telma Keen's passion and enthusiasm. My third daughter, Kate, is listening to me tonight and about to switch off and go and study politics and law for her exam next week. I give a shout-out to her teacher, Reuben Farr, who is doing an extraordinary job engaging and enthusing young people to take an active interest in politics and law. That school does a great job in not only its curriculum, but also its extracurricular activities. All three of my daughters have had the incredible opportunity to be a part of the mock trials program, which is such a fantastic way for young people to understand the system by which we make laws in this state.

I want to give a shout-out to a few people who have been involved in the YMCA Youth Parliament program, who, later tonight—shortly, actually—will be arriving at Parliament House. Many members would have met some of the young people who are participating this year; many members are sponsoring them and I thank them for that. Fifty-nine very talented and passionate young people ranging from year 11 to second and third-year university will this year again participate in Youth Parliament. Although they had to modify the program last year by running it out of the Constitutional Centre, we hope very much that, all things being normal, they will be able to run this fantastic program in this chamber, I think, in July. I encourage members to take an active interest, because they are inspirational people and they are doing incredible work. I have had a chance to review some of the legislation that they have drafted for this year's YMCA Youth Parliament, and they are exceptional young people. To Taylor Watson, Justin Pereira, Haeden Miles, Doug Jackson, Roman Booth and Lars O'Neill, all the best for this year's Youth Parliament and I look forward to having a chat with you over dinner in a little while when you visit.

Finally, I draw on the member for Morley's contribution to the Legislation Bill 2018. In the same way that the member for Moore referenced the member for Hillarys, I will draw attention to the member for Morley's contribution in that debate. She very accurately highlighted the opposition's failure in its fundamental role in this place. It is, of course, the opposition's job in this place to scrutinise legislation clause by clause to ensure that it is appropriate and good legislation. I am thrilled that the opposition will have a go at doing that tonight, rather than letting the Legislation Bill go straight to the third reading stage, because in the previous Parliament, many, many bills proceeded straight to the third reading stage, bypassing the consideration in detail stage without any scrutiny or input by the opposition in this place. Goodness knows what the forty-first Parliament will do. There were 13 members in the opposition in the fortieth Parliament and they did not do much work; now there are only six members opposite, which is less than half that number. Perhaps the scrutiny the member for Moore talked about as so important to the parliamentary process will be even less significant! Like many occasions in the fortieth Parliament—I can bet my house on it, member for Moore—in the next few years, when opposition members have an opportunity to scrutinise legislation in this place, I bet they will skip out and wimp out; they will not do the work that the member for Moore says is so important to this Parliament. Rather than whinge about the people who are not in the Parliament to help the member, he should do that scrutiny; he can pick up the tools and do the work himself!

Of the many bills the member for Morley highlighted for which there was no or very little scrutiny by the opposition in this place, I could not help but notice her highlighting that the Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018 also went straight to the third reading stage with no scrutiny here. On the one hand, in this chamber in the fortieth Parliament, we had no scrutiny at all by the opposition on that bill—none at all! On the other hand, we had the absolutely outrageous situation in the Legislative Council when Hon Nick Goiran spent over 21 hours holding up the business of the Legislative Council, not allowing us to get through some of the legislation that the member is now whingeing about that he could not get to do. Imagine what 21 hours' worth of debate could have allowed us to proceed with, but people like Hon Nick Goiran spent 21 hours filibustering on a bill that, at the outset, he said he was not going to support. I can reflect back on this when I am talking about schoolchildren and young people who are participating in the Youth Parliament and they are learning about debating. It is inconceivable to me that an opposition member would get up and hold up debate with 21 hours of debate on something he would vote no to. That is unreasonable and it is inefficient. If it means that we will get the opportunity to have a look at that as part of the standing orders of the Legislative Council, I personally say, bring it on! If a member cannot execute an argument in an hour or two, it is not reasonable to use the good time of this Parliament, which is designed to pass legislation, to hold up the process, particularly when they are opposed to it. What did Hon Nick Goiran do at the end of the 21 hours? He did not even sit down and vote no, he moved to send the bill to a committee. All that was done, despite, at the outset, indicating he would vote against the bill and that no matter what happened in that committee, he was going to vote against it. That was an absolute waste and misuse of the resources of this Parliament.

I will finish on this, because the phrase "total control" has come up a few times. I was not sure whether I was allowed to include it in this debate or whether it was relevant, but given that the member for Moore has highlighted this notion of total control, I think it is appropriate that I, too, pass a few remarks in that regard.

In the lead-up to the state election, the opposition ran an outrageously mischievous scare campaign about the Mark McGowan government gaining total control of the Parliament. The messaging opposition members used was, "Don't give McGowan total control, vote for your local Liberal." That might have worked if people had had a local Liberal candidate to vote for! I know that some members had Liberal opponents in their electorates, but I have to say that the local Liberal candidate in my electorate was not much of an opponent or a local Liberal that my constituents could in all conscience vote for. The fact is that the people of Western Australia totally rejected that premise. They totally rejected it! The people of Western Australia have given control of the Legislative Council to the McGowan government—that is what they have done! What the opposition tried to scaremonger as total control is actually a mandate. It is democratic, as the Attorney General said. It is a democratic mandate to progress the McGowan government's legislative agenda to, ultimately, be judged at the next election.

The member for Moore failed to remind this house that this has happened before. We have had Liberal governments in power that have had control of the other place, and the sky did not fall in then and the sky is not going to fall in this time. It is the opposition's job to scrutinise and to improve legislation; it is certainly not the opposition's job to block legislation just because it does not like it. The opposition can vote against legislation and tell the community that it voted against it, but blocking legislation is undemocratic and does not allow a government that has received an overwhelming level of support to progress its legislative agenda. By all means, criticise us and make contributions during consideration in detail, but blocking us is undemocratic. If the opposition chooses to do that in this Parliament, it will be left with even fewer people here, and members will be judged on it. I have no doubt about that.

In summary, this bill to modernise the way our community accesses legislation is well overdue. Giving official status to electronic versions of the law is absolutely critical if our practices are to reflect the views of the broader community. Members, I am very proud to be part of the forty-first Parliament. The Attorney General has made it clear that he is a reformer and he is going to use the opportunity that the good people of Western Australia have afforded us by forming a majority in the other place, and we will craft sensible, considered legislation that represents the people of Western Australia.

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [5.18 pm]: The impassioned speech by the member for Wanneroo on the Legislation Bill 2021 has stirred me to a sense of nostalgia. I will not speak for very long, because I know that my very hardworking parliamentary secretary also wishes to make a contribution, along with other members.

It is a nostalgic moment as we seek to jettison old practices and bring in new ones. I am not against it, but as many members will know, I am a republican with monarchist tendencies. My wife calls me old-fashioned sometimes—actually, regularly! And, if you are watching, Kate, go and study as your mother has said; do it now, and do it often!

I am sort of between two worlds, Attorney General, in this debate, because I am a nostalgic person. The member for Wanneroo is right. I remember when I was first elected to Parliament—20 years ago last February—and the practices then in Parliament of how our speeches were recorded. We were encouraged to acquire copies of the bound volumes of *Hansard*. They then became very expensive, so very few of us actually acquired them, although I think a couple of former members may have nicked a couple! There was a reluctance to acquire them by paying for them. I think in the end one of those green bound *Hansard* volumes, which would encompass most, if not a significant proportion, of a year's speeches were about \$250 each to buy. When one is on a meagre salary, one prioritises one's costs.

**Ms J.J. Shaw:** Particularly if you hadn't said much during the year!

**Mr D.A. TEMPLEMAN:** That is right! It is a bit like when people get a letter from *Who's Who*, saying, "We'd love to have you in *Who's Who*. By the way, it'll cost you 250 bucks, but we'd love you to be in it." Members will get that letter. *Who's Who*? Who cares!

But these records are important. I can remember, as the minister responsible for archives, that it pained me to reflect on the fact that we were moving into the digital age and that most of our records would be digitised. There are appropriate mechanisms in place to ensure that the integrity of those records are maintained in their digital form. I am getting emotional now! That was just a little cough, Dr Jags; I am okay, but you might want to check me later! I can remember when people predicted the end of libraries and bookshops.

**Ms S.E. Winton:** You love the library!

**Mr D.A. TEMPLEMAN:** I love a good library! I like to immerse myself in the written word and written language. When computers became much more prevalent, the demise of the book was predicted because of the advent of ebooks. I do not know about other members, but I hate ebooks. I have never used an ebook. I know the member for Moore might have had one on the front dash of his tractor while harvesting late at night, but I have never used one.

**Ms S.E. Winton:** What book have you got on your bedside table?

**Mr D.A. TEMPLEMAN:** An *Archie* comic! I am a collector of comics. I have a very big collection of *Archie* comics, and I am glad I have because they are actually worth a lot of money now. *Archie Digest*! For some reason, when I was younger, I used to call them "Archie Diggest"; I did not quite work it out! Anyway, I digress.

The fact is that when we pass legislation like this—I think it is important, and will ensure that Western Australians will have appropriate access to important legislation in a meaningful and effective way—we still have to remind ourselves of the important practices of the past as well. There was the gestetner machine, with its steaming smell of methylated spirits as it clack, clack, clacked. I do not know how *Hansard* will get that sound, but it was an articulated movement and the machine would spit out the methylated spirit copies. When I was a councillor at the City of Mandurah, we did our reports on constituent matters on carbon copies; there was a booklet. The officers at the City of Mandurah hated me because I went through about five booklets every year. I would go and meet a constituent about a road problem, like a pothole, and I would say, "Right, here's the carbon copy." The first copy would go to the CEO, the second to the appropriate officer and I would have the third copy. Members remember the old carbon copies, yet we are not that ancient. We may be relics of the past, but we are not ancient at this point in time! But that is important to consider.

The member for Wanneroo highlighted a couple of recent positive changes. One was the announcement today by the Speaker about breastfeeding in Parliament. Those of us who were in the fortieth Parliament will remember the toing and froing on that issue and the debate that went on and on; we could not reach agreement. With some swift decision-making, the Speaker has dealt with it. Well done to the Speaker, because she dealt with that very quickly; we all sat there thinking, "Why was it so difficult? Why was it so hard?"

One of the things we have not done in this Parliament is deal with petitions. Petitions in this place conform with the standing orders only if they are submitted on paper and are in the correct template wording. They have to be signed by the appropriate Clerk as conforming with the standing orders. I spoke with the Deputy Clerk some time ago about how we might reform petitions so that people could present petitions that conform with the standing orders but are of a non-paper or electronic nature. As we know, members can present a paper petition that might have only one signature, and they will refer to several hundred or thousand people who have indicated their support for that petition; it is a nonconforming petition because it is submitted via an online method. The problem I have with petitions is that we have no mechanism to effectively deal with them. The reality is that a petition can be presented

and yes, we might get some good feedback because we can say to our constituents that we have presented the petition, but there is actually no obligation on the Assembly to action that petition. It is a register, at a given point in time, of the views of a constituency or a group within a constituency.

The Deputy Clerk did some interesting research into that and discovered that there are Parliaments around the world that have mechanisms for dealing with petitions. One that I recall is that if a petition has a certain number of signatures, it triggers a response from the house. For example, debate on the petition may be required if a certain threshold of signatures is met. If a petition refers to a particular portfolio area, it may require a minister to formally respond to it in the house. That is an interesting consideration.

**Mr R.S. Love:** That's why everyone sends their petitions to the Legislative Council.

**Mr D.A. TEMPLEMAN:** That is very true, but as we know, petitions in this house are still an important register of concern by a local member. It is something that I think is worthy of consideration.

This is bill 59, and the Attorney General will go down in the annals of this place as one of the most prolific legislators in the modern history of parliamentary democracy. RUN ON I do not say that lightly, given that I think I put only three bills through the last Parliament! They were quality, I might say, member for Kalgoorlie, despite the criticism I might have received from those opposite, particularly the member for Moore! The Attorney General's bills are not only voluminous in number, but also quality, and for that I admire him. I aspire to be that prolific. With those comments, I shall take my seat.

**MS J.J. SHAW (Swan Hills — Parliamentary Secretary)** [5.30 pm]: I thank the member for Moore for such an extraordinarily broad-ranging second reading contribution on the Legislation Bill 2021. I also thank the member for Wanneroo for going through the legislation in quite some detail. Both the speeches of the member for Moore and the member for Wanneroo made me think, "What am I going to speak about?" Because the member for Moore went to such pains to discuss where this bill got to in the upper house, I thought I would have a quick look through the history of it. It was introduced on 27 June 2018 and then we had the winter recess. It came on for the second reading debate on 30 October, and we gave our contributions. I think we started the debate at 3.55 pm and we passed the bill at 9.06 that evening, so we whipped through it in the Legislative Assembly, despite the voluminous contributions of the former member for Hillarys. I actually sat in the chamber for that debate, although I was working on other stuff.

**Ms S.E. Winton:** Do you miss him?

**Ms J.J. SHAW:** Like a hole in the head. We have an outstanding member for Hillarys now, and I look forward to the many contributions she will no doubt make.

We passed the bill. I read *Hansard* as well, which jogged some memories for me. *Hansard* noted that when this bill was introduced in the fortieth Parliament, it was the twenty-sixth bill that the Attorney General had introduced. During the debate it was commented that the former Attorney General in his entire tenure, I believe, passed only 21 bills. Significant attention was given to the current Attorney General's productivity and his reforming nature.

This caused to me to think. The observation was made that this bill languished in the upper house. Given the broad range of the member for Moore's speech, I thought I would dig up Legislative Council notice paper 236 from Thursday, 26 November 2020, where we can have a good look at the other bills that also expired with the prorogation of the fortieth Parliament. The first four orders of the day listed on the notice paper are some disallowance motions. Item 5 is the Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2017. Items 5 to 47 are government bills that languished in the upper house because it just could not get its job done. Items 54 to 75 are private members' bills that, again, the Council just could not seem to get its act together to appropriately debate, consider and pass. The member for Wanneroo's contribution was fantastic in pointing out that very often the reason that those bills did not pass was, frankly, the inability of the Liberal Party to bring to heel the ultraconservative, right-wing, Christian rump that is now the majority of its party. We are going to go through these bills, because the member for Moore was so very generous in outlining the scope of them. It is important to put on the record at the commencement of this Parliament just how many lost opportunities there were in the last Parliament and how culpable those opposite—or in the forward pocket!—should feel for their astonishing tone-deafness to the electorate. They should now recognise the mandate this government secured at the last election and the spiteful, petty contributions made by members like Nick Goiran, who continues to be at number one on the ticket for the Liberal Party. The Liberal Party is culpable, and if it continues to put people like that in the first spot on the upper house ticket, it will relegate itself to even more irrelevance in the Western Australian community.

**Ms S.E. Winton:** Wasn't it ironic that the Liberals were saying that the Minister for Health should divest himself. Perhaps it should be time to encourage someone else to go for a run!

**Ms J.J. SHAW:** Exactly! A fish rots from the head down, and in that instance the Liberal Party should have a good look at who is doing its numbers.

Let us have a quick look through the notice paper. Item 11 is the Legislation Bill 2018, which is now this bill. As I say, it got to the upper house in October 2020, the day after it passed through this place, and then languished. Item 15 is the Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018. I thank the member for Wanneroo for her contribution highlighting the pettiness of the opposition's filibustering purely out of,



I would say, spite and tone-deafness to the electorate and the failure to put that bill to a vote, preventing same-sex couples from having access to reproductive technologies. That was an astonishing act that undermined a lot of people's faith in the democratic and parliamentary processes. When those processes were abused in such a horrific way, there is no doubt that the people then decided to send this Parliament a clear message to vote in a Labor majority in the Council so that we could get on with the job and would not have to subject our democratic processes to such abuse. Looking down the list, the next item is the Metropolitan Region Scheme (Beeliar Wetlands) Bill 2018. That is another issue that the Liberal Party is absolutely tone-deaf to. There have now been three elections at the state and federal levels with Roe 8 having gone to the electorate and the electorate has resoundingly said, "We don't want this", yet the Liberal Party would not pass the legislation through the house. I must say that it is fabulous to see that legislation coming back on now and that we will finally, hopefully, be able to stop Roe 8. The next item is the Ticket Scalping Bill 2018. Obviously, the Liberals were not too keen to stop people being ripped off.

**Mr R.S. Love** interjected.

**Ms J.J. SHAW:** I am not inviting interjections.

*Point of Order*

**Mr R.S. LOVE:** I am actually raising a point of order. I think we have now reached the point at which we are just hearing a never-ending attack on the operations of the other chamber of this Parliament. It is not considered parliamentary to reflect poorly upon the other place, and I think, Acting Speaker, you should direct the member to refrain from any further —

**Ms J.J. Shaw:** Point of order!

**Mr R.S. LOVE:** I made the point of order.

**Ms J.J. SHAW:** The member himself made running commentary on the operations of the upper house. If he seeks to open and broaden out the debate, he should be prepared to debate that for all the perspectives that are offered in this chamber, not just his own narrow worldview.

**Mr R.S. LOVE:** Further to the point of order, I did not reflect negatively upon members of the other place or its operations; I was indicating what might happen in the future.

**The ACTING SPEAKER (Mrs L.A. Munday):** It is okay to reflect generally on the processes, but we need to be a bit more general about how we go about it.

*Debate Resumed*

**Ms J.J. SHAW:** Thank you, Acting Speaker, for your direction.

I will move on to the Family Court Amendment Bill 2019, which is yet another bill that got clogged up. That was basically intended to stop victims of domestic violence from being subjected to cross-examination by the alleged perpetrators of the crimes against them. That was an incredibly important bill that the Liberal Party decided it would hold up in the upper house and failed to pass. We again see that the Legislative Council was not able to operate in an effective manner.

The next bill that I draw to the attention of the house is order of the day 28, the Criminal Law (Unlawful Consorting) Bill 2020. We basically tried to introduce that legislation to stop bikies from associating or communicating with convicted offenders. Again, our efforts to try to thwart organised crime were stopped in the upper house.

The next bill is the Aquatic Resources Management Amendment Bill. Again, that bill, which sought to adopt approaches towards ecologically sustainable development and management of our aquatic resources, was held up.

Today after question time, we gave notice to introduce the Dog Amendment (Stop Puppy Farming) Bill, which was order of the day 30 on the Legislative Council's notice paper. Again, we all know that the opposition shamefully opposed measures intended to stop practices that are the most abhorrent and cruel. Again, the opposition was tone deaf to the electorate, and the Legislative Council was not able to do the job that was intended of it.

The next bill is order of the day 26, the Family Court Amendment Bill. That bill was intended to protect victims of family and domestic violence.

The next bill is the Children and Community Services Amendment Bill. This is a cracker. That bill highlights the major problem with the way in which the upper house operated in the last term of government. Hon Nick Goiran used his influence in the upper house to prevent the implementation of a royal commission recommendation that would make it a crime if a priest failed to tell the police when a person had confessed to sexually abusing children. I want to quote from an article in *The West Australian* online of Thursday, 10 September 2020 by Annabel Hennessy. It is a direct commentary on these issues. The article is headed "Liberal MP Nick Goiran recommends priests be exempt from mandatory reporting of child sex abuse in confession". The quote reads —

WA Liberal power broker and conservative Nick Goiran is again trying to stifle the McGowan Government's agenda—this time using his influence in the Upper House to prevent a royal commission recommendation that will make it a crime if a priest failed to tell police when someone confessed a child sex crime to them.

This is the same man who campaigned fiercely against our voluntary assisted dying laws. We have already commented on his agenda against allowing same-sex couples to access reproductive technologies. These are the issues that happen when recalcitrant members of the upper house use a conservative ultra-right-wing agenda to try to thwart a democratic mandate. That was a significant bill.

The next bill, which I will mention briefly, is the Arts and Culture Trust Bill. I cannot wait for that bill to come down, because my new job is supporting the Minister for Culture and the Arts; Heritage. I am very much looking forward to the debate on that bill, hopefully, when we reintroduce it. Again, that bill was clogged up in the upper house.

The next bill is the Animal Welfare and Trespass Legislation Amendment Bill. That legislation was brought into this Parliament to strike a balance between the, frankly, inappropriate forms of trespass that we do see and the very legitimate concerns about practices by some people against animal welfare. That bill seeks to introduce a right of inspection, tempered with the creation of an offence of aggravated trespass. Again, that bill was held up in the upper house.

Another bill is the Sunday Entertainments Repeal Bill. That will be a good one when it comes back.

We then come to the famous one, order of the day 42, the Corruption, Crime and Misconduct Amendment Bill. We all know what happened there. The opposition shamefully blocked the reappointment of this state's most effective corruption fighter. The opposition utilised the Legislative Council and would not pass the legislation required to reappoint Commissioner McKechnie. That is absolutely shameful.

The next bill—we are dealing with this now in real time—is the Building and Construction Industry (Security of Payment) Bill. The Legislative Council failed to pass that bill, so we are trying to deal with that now.

*Point of Order*

**Mr R.S. LOVE:** Asserting that the Legislative Council has somehow failed to pass something does not imply that that is entirely the fault of any particular individual, nor does it imply that that was a fault of the Legislative Council. If the government refuses to bring a bill into the Council and debate it, there is nothing that the opposition members have to address.

**Ms J.J. SHAW:** It is not the intention that points of order be used as debating mechanisms. You have had your go. Wait for the third reading debate or take it into consideration in detail.

**Mr R.S. LOVE:** The member is misleading the house by asserting that these matters were not addressed by the Legislative Council because of opposition from other parties. Some of these matters were not brought on for debate by the Leader of the House.

**The ACTING SPEAKER (Mrs L.A. Munday):** Thank you. Continue, member for Swan Hills.

*Debate Resumed*

**Ms J.J. SHAW:** Thank you for your ruling, Acting Speaker.

The next one is order of the day 45, the Electoral Amendment Bill. Am I looking forward to that coming back! I think that will be an absolutely fabulous debate when it does come back, hopefully, in this term of Parliament. I am very much looking forward to the independent review that has been commissioned and the outcome from Mr McCusker, who is a very eminent Western Australian jurist and our thirty-first Governor of Western Australia. I am looking forward to seeing his recommendations.

**Mr R.S. Love** interjected

**Ms J.J. SHAW:** I am not taking interjections. I seek your protection, Acting Speaker.

**Mr R.S. Love** interjected.

**The ACTING SPEAKER:** Member for Moore!

**Ms J.J. SHAW:** I am very much looking forward to further debate on electoral reform. I do hope that a revised version of the Electoral Amendment Bill comes on. It is absolutely outrageous that a member in the upper house can be elected with 0.2 per cent of the vote. It is ridiculous in the extreme that with 98 votes, we can have a member of Parliament, a man who secured only three votes below the line in the Mining and Pastoral Region, yet his brother next door got four votes below the line and he did not get elected. That is clearly a significant defect in our parliamentary system. There has been a lot of discussion about the disparity between Wooroloo and Wundowie. Wooroloo is in my electorate. It is a beautiful little town. Obviously, the community there is really struggling. It is outrageous that a vote in Wooroloo is only worth four votes in Wundowie. That is absolutely outrageous. I am certainly looking forward to the Electoral Amendment Bill coming on.

**Mr R.S. Love** interjected.

**The ACTING SPEAKER:** Member for Moore, please.

**Ms J.J. SHAW:** I am sorry. A vote in Wundowie —

**Mr R.S. Love** interjected.

**Ms J.J. SHAW:** I seek the protection of the chair.

**The ACTING SPEAKER:** Member for Moore, I am going to have to call you to order.

A member interjected.

**Ms J.J. SHAW:** I seek your protection because it clearly is a —

*Point of Order*

**Mr R.S. LOVE:** It has become the practice of the government backbenchers and even some ministers to refer to members of this place as “mate”. I am not your mate.

**Mr D.T. PUNCH:** I ask for that to be withdrawn. I have never referred to anybody in this place as “mate”.

**Mr R.S. Love:** Somebody on that side did.

**The ACTING SPEAKER (Mrs L.A. Munday):** There is no point of order.

*Debate Resumed*

**Ms J.J. SHAW:** A vote in Wundowie is worth four times a vote in Wooroloo. I think that is outrageous. I know it is a touchpoint for the Nationals WA, but when we consider the outcomes for the Nationals, they should be really worried about the outcomes for them in the Mining and Pastoral Region, where a person can be elected with 0.2 per cent of the vote. That is absolutely outrageous. I certainly look forward to the Electoral Amendment Bill coming on.

Finally, I had a quick look. The last piece of legislation on the list is the Public Health Amendment (Safe Access Zones) Bill. Again, that is another bill that, unfortunately, expired at the conclusion of the fortieth Parliament. That bill sought to guarantee that women who are seeking reproductive health services are able to attend and seek medical attention without being spat on, without being abused, without having to face protesters and without having all sorts of dreadful material thrust into their face, but, yet again, those in the Liberal–National coalition in the upper house could not bring themselves to pass legislation that would bring us up to speed with most other progressive and free-thinking jurisdictions around the world.

I sincerely hope that this bill, based on a bill that died such a death in the last term of Parliament, along with so many other quality pieces of legislation, does not suffer the same fate. I am very much looking forward to seeing a statute that will make the law more generally accessible and allow legislation to be updated and modernised in a much easier way. It will be a simpler process to make minor edits to acts. We will keep up with community expectations of how we like to access public documentation and indeed the processes of government.

As, hopefully, my speech has highlighted, an awful lot could have been updated in the last term of government but was not. An awful lot of conservative views held up an awful lot of good work that this government wanted to do in its last term. Hopefully, with such an overwhelming mandate for this term of Parliament, the government can get on and do it.

**MS M.J. HAMMAT (Mirrabooka)** [5.51 pm]: I rise to speak in support of the Legislation Bill 2021. I thank members for the contributions that they have made to date on this important piece of legislation. I rise to make three main points on the bill that is before the house.

In the first instance, I think this legislation reflects the changing nature of work and the increasingly digital world in which we live. It is therefore a very sensible change that will assist that move to a more digital world. We have already heard contributions from other speakers identifying that more and more of our records are kept in electronic form. The member for Wanneroo commented that it is possible to get a divorce online. We know that we can confirm our identity with the federal government online. Our health records are increasingly kept online and, of course, we had an excellent contribution from the member for Mandurah about *Hansard* records and the fact that they are now increasingly kept in digital form.

Listening to the member for Mandurah’s contribution, I recalled my time as a young industrial officer at the Australian Services Union when we would receive transcripts from commission hearings. These were important records of what was said in cases. They would arrive in the office in a draft form after we had been to the commission and made submissions. They would then be corrected and come back to us in their final form, whereupon they were greatly prized in the union office because, if we lost the transcript of proceedings and then needed to refer to it, it was indeed very time consuming and costly to lay our hands on another set of those transcript records. In the office we had files full of transcripts from industrial proceedings that we would then refer to, perhaps only infrequently, but we had to keep them in paper form because it was the only way that we were able to access those records easily if we needed to.

Reflecting on transcripts also brought to mind the fact that at one stage I organised the workers who were court reporters—the people who came to court and typed the transcripts. I think it is important to acknowledge that that is incredibly skilled work. I similarly admire the work of our *Hansard* reporters in that they do skilled work that requires great patience, and I commend the work that they do.

I think these contributions highlight the move over time towards a more digital world, and it is easy to reflect on how that has changed the work many people do in the areas of law and, from my experience, in the union movement—and for those of us who are members of Parliament here as well. It is appropriate that we update our ability to access legislative records and what the courts consider to be the important final versions of them.

I think it is also important to reflect that the previous 12 months have seen us move in unprecedented ways towards working in a remote and online fashion as workers left their office buildings and started working from home as they dealt with the impact of COVID. Even as we have seen some of those restrictions lifted all around the world, many workers and many businesses are choosing to continue to perform their work at home, relying increasingly on digital records and online access to information. I think this trend will not quickly or easily be reversed. People will continue to work from home for a variety of reasons, so they will continue to want to access their records in digital form. Workers are more mobile than ever before and increasingly we know that the world of work is a digital world.

Although the world of work is changing, so, too, the world of education is changing for our schoolchildren and our other young people. I want to reflect on one of my important election commitments to the people of Mirrabooka—that is, the provision of 25 tablets or iPads to each public primary school within my electorate. I am very excited about this election commitment. It comes from a recognition that today's students will learn and, ultimately, they will work in a digital world. I think it is essential that our young people learn to engage in a digital world and that they have the tools and resources necessary to do so. These will be essential skills for workplaces in the future. For our young people to have these skills will be essential to their success. I look forward to this election commitment being rolled out to schools across my electorate very soon. I recently visited a number of schools and talked to them about this election commitment, and I know many in school communities are equally excited about this addition to their school resources. This commitment will go at least some way to equipping the young people of Mirrabooka with the skills that they need to succeed in the jobs of the future.

The second reason I rise to support this legislation is that the people we represent should have access to the laws that govern them. We have already heard submissions from other members on this exact point. It is important to remember that legislation confers not only rights but also responsibilities on citizens. I think it is important that people are aware of their responsibilities and their obligations. I think that point was well made by the member for Wanneroo. A well-known principle in law is that ignorance of the law is no defence. People are required to be informed of their responsibilities and remaining ignorant is no excuse. Legislation is also important for conferring rights on people. In this regard, I think it is important that people have access to legislation and understand what rights are being conferred upon them.

One issue that I spent some time on previously is the underpayment of wages, or wage theft, whereby people are underpaid for the work that they do. There are many reasons that this occurs, but research tells us that one reason it occurs is that people are ignorant of what they are entitled to. There are also occasions when employers are ignorant about what they are required to pay. Ignorance is not the only factor that results in underpayment. We know that other factors are important as well, such as the power imbalance between employees and their employer. These things are often worse when people are employed on a casual or fixed-term contract. Being ignorant of entitlements, rights or responsibilities is one of the things that are behind some of the underpayments that we see. This legislation, which will move us ever so slowly towards a more digitised world, is a good way of making sure that people have access to the information that affects them and confers on them both rights and responsibilities. Ignorance of such rights and responsibilities could have unwanted consequences. It is a very timely piece of legislation. I think it is important that we give consideration to how laws that govern people are explained and made available to people in a way that is both timely and accurate for their needs. Moving to a more digital world is one excellent way in which we can do that.

A number of other things should also be considered as a matter of policy. I reflect that as someone who represents an electorate in which 45 per cent of people speak a language other than English at home, it would be remiss of me not to mention on this occasion that I think we also need to ensure that appropriate language interpretation services are an essential part of making sure that our citizens understand the laws that affect them. Although I do not submit that we should produce legislation in a range of different languages, I think it is important that we think about people having access to professional interpreter services when they access state government, federal government or local government services. This legislation is an important first step to making sure that we democratise, if you like, the legislative process and provide information to people about the legislation that applies to them. I think important further steps should also be considered in due course such as ensuring there is education on rights and an understanding that the material that affects people should be presented to them in relevant languages.

The final point that I make about why we want to move to electronic legislation is that I recognise that we live in a world in which it is becoming increasingly important to consider the environmental sustainability of all our actions. I am the mother of two teenage sons, and I know that the next generation will approach the question of sustainability in a way that is very mindful and very conscious of minimising the impact of our decisions on the world in which we live. The member for Mandurah, reflecting on *Hansard*, told us that indeed volumes and volumes of paper were taken up in this way. Clearly, moving towards a more digital world will reduce the paper that goes along with legislation and ensure that, for a very small part at least, we will reduce the environmental impact of legislation.

*Sitting suspended from 6.00 to 7.00 pm*

**Ms M.J. HAMMAT:** I will pick up where I left off prior to the dinner break. I was commenting on the Legislation Bill 2021 in the context of how it will be an important step towards sustainability and how we are increasingly

weighing the decisions about the resources we use, including paper. I was remarking that, as the mother of two young sons, the coming generations will not only work in a digitised world, but also be much more cautious about and conscious of their decisions about the use of resources. The member for Mandurah reflected on the volumes of *Hansard* transcript that members of Parliament used to have. There is lots of evidence of the extensive use of paper in the production of hard copy resources of not only *Hansard* transcripts but also legislation, which is the focus of this bill. Therefore, it is quite right that we find new ways of engaging so that we reduce our environmental footprint. The other significant improvement that will arise from this legislation is that it will be not only more environmentally sustainable, but also more cost-effective, as we will save significant costs associated with the production of paper records. We live in a time when conscious decisions about government spending are important, so that we make sure that we expend funds on the things that will have the greatest impact on our community and will make it better and fairer for everyday people. It is appropriate to reflect on the savings that will come from the introduction of this legislation and the real and direct impacts that this will have on the community in terms of the sorts of things we will be able to spend money on.

In that vein, I want to reflect on Balga Soccer and Social Club, which recently celebrated its fiftieth anniversary. This club is a really important part of my community in that it provides fee-free soccer for juniors. The way this works is that children can play at the club without incurring the normal fees associated with soccer. In return, their parents are required to volunteer and put in significant hours to support the club. This club is a really important part of the community. It provides important sporting activity to young people in an area where many of them might not otherwise be able to participate in sport because of the cost. One of my election commitments was to extend the verandah on the Balga Soccer and Social Club. Through a quirk of history, the clubrooms have a verandah around approximately seven-eighths of the building. There is one bit where it was not built. It is an unfortunate coincidence that the piece without the verandah is where the canteen window is located, where people come to buy their coffee and sausages.

*Point of Order*

**Mr R.S. LOVE:** I am struggling to see where this relates to the Legislation Bill. It sounds like a very broad discussion. It would be fine for an appropriation bill, but this is a piece of legislation about drafting legislation. I am wondering where the relevance is.

**The SPEAKER:** My inclination is to consider it relevant at this point in time, but I bear in mind that you have made a point of order and I will give that further consideration.

*Debate Resumed*

**Ms M.J. HAMMAT:** Thank you, Madam Speaker. I was reflecting on the savings that will result from moving to a more digital and online world. Balga Soccer and Social Club will be able to extend its verandah—there is a small cost of only \$12 000 associated with that—which will prevent the canteen volunteers from getting wet all winter or standing in the hot sun all summer.

**Mr R.S. Love:** I'm glad you could find the correlation!

**Ms M.J. HAMMAT:** I think it is a really important point that we are able to save funds and, more importantly, save the canteen volunteers from the elements of the weather and, hopefully, ensure they sell more sausages in the future to raise valuable funds.

This bill will improve people's access to information in many ways. I have reflected on the reality that we are now engaged in a more digital world and that this legislation is an important step on the path towards a digital world at both work and school.

This legislation is important because, in a way, it will democratise people's access to information so they are able to understand the laws that apply to them and can better access information about their rights. It is important that this legislation improves sustainability and cost-effectiveness, which remain important considerations. We need to ensure that funds are expended on things that will make a real and demonstrable difference to people in the community, rather than on the production of paper records that will perhaps sit in leather binding and be referred to no more.

The final point I will make is that this bill will allow for greater editorial powers and, particularly, for the updating of gendered language in a more streamlined fashion. As someone who has spent some time in my working career reviewing awards, many of which have many references to gendered language, I think it is great that we ensure that the documents that set out legislation are expressed in a way that recognises both men and women.

I conclude by saying that this an important piece of legislation. It is easy to be dismissive of something that could perhaps, at face value, be described as dry, as I think the member for Moore said, and perhaps it is!

**Mr R.S. Love:** That was the AG, I think.

**Ms M.J. HAMMAT:** Perhaps it is dry, but it is an important step on the pathway towards a more digital world, which we know we are progressing towards—it will come at us whether we are ready for it or not. Therefore, I commend this legislation to the house as an important step on the road.

**MS E.J. KELSBIE (Warren–Blackwood)** [7.08 pm]: I would like to add to the debate on the Legislation Bill 2021. It is 2021—can members just hold that thought for a moment. I step back to 1983 when I had just left high school at the age of 17. I then completed business studies and secured my first full-time job with a law firm in an office along the Esplanade. I remember it pretty well. There was lots of dark wood. We had a Wang computer, floppy disks, four male lawyers and a library out the back full of beautiful leather-bound books of the acts published for that year.

One of my jobs was to keep these books up to date. It was one of my favourite parts of my job. The process went something like this: the updates were published and we received them in printed format. I would cut out the relevant bits, find the relevant tome in the shelves and the relevant paragraph or the line and then I would stick the update in with tape or handwrite the update into the book. It was pretty time consuming.

Skip ahead to the late 1990s, I am in my 30s and the internet has been launched. The World Wide Web and electronic publishing are becoming mainstream. I have a job at Curtin University and am getting up to speed with publishing online. I am responsible for updating important documents again in an online capacity this time, as well as in print. In the 90s, print is still how many people prefer their published documents but the trends are starting to change. Updating published materials, managing consistency, style, structure and format is swifter and easier to manage in this modernised world of e-versions.

Now I go back to 2021. The internet and online publishing is now run-of-the-mill. It has been mainstream for a good few years now. Publishing in an online format allows for cost efficiencies, as well as productive efficiencies. I am pleased to support the Legislation Bill 2021, which will enable e-versions and hard copy versions of legislation to have the same legal status. This bill is important as it will enable legislation to be moved into the digital age, improve accessibility, sustainability and efficiency, and provide cost savings. Currently, WA subsidiary legislation is accessed through several different channels, including via the printed version of the *WA Government Gazette* and electronically via the Western Australian Legislation website. Most people accessing legislation prefer to use the e-version. It is quicker, searchable by keyword and accessible from a range of platforms, including a smartphone, tablet and computer. This bill will ensure that e-versions have the same legal status as hard copy versions and will allow for all published and consolidated versions of WA subsidiary legislation, along with WA acts, to be accessed from one convenient, one-stop shop via the WA legislation website.

Readers can be confident that the legislation they access electronically is accurate and can be relied on. This bill will bring WA into line with most Australian and overseas jurisdictions. It will modernise our systems. This move not only makes sense from an access point of view, but also creates a significant cost saving of approximately a quarter of a million dollars a year. This money can be better spent delivering other initiatives for people in WA—for example, my election commitment to revitalise and refurbish the Bridgetown and Greenbushes Railway Stations. That \$250 000 could redevelop the Bridgetown Railway Station into office space to accommodate the Blackwood Environment Society and the Blues at Bridgetown music festival.

*Point of Order*

**Mr R.S. LOVE:** I know the bar has been set pretty low, but I am struggling to see the relevance of this to the Legislation Bill, which we are discussing.

**The SPEAKER:** It is a second reading stage debate and it is generally my attitude to allow for a relatively general debate, so long as there is some attempt to make the comments relevant to the legislation. I also listened to the Attorney General's interjection previously and I will seek some further guidance from him if he thinks that comments are not relevant to his legislation. But for the time being, I am prepared to continue to hear from the member for Warren–Blackwood. Although there may be some tenuous links to the detail of the legislation, she is certainly providing an excellent commentary.

*Debate Resumed*

**Ms E.J. KELSBIE:** It could also provide for the development of the Greenbushes Railway Station as an interactive display—heritage module—alongside the Bridgetown–Greenbushes Visitor Information Centre and the museum.

With these changes and as people begin to rely less on the printed versions of the *Government Gazette*, further cost savings will occur when the publication is able to move to an electronic-only format. Although cost savings are important, I am also excited about the positive impact that going digital has on our environment. Reducing the need to print legislation will ensure that we are more sustainable in the way that we work and will bring us into line with community expectations about reducing our environmental impact. Less paper will also mean less ink, toner and the packaging and freight that accompanies this. Reducing the need for printing will ensure that we are more sustainable and spend less money.

The Legislation Bill 2021 will mean authorised editorial improvements can be delivered sooner and more easily using the online environment. Imagine there is about 20 years of legislative activity reflecting different approaches to legislative drafting over this period. That is a lot of different styles, structures and formats to try to seek consistency throughout, let alone trying to streamline keywords for ease of search facilities. The bill will enable consistency in format and structure to enable the Parliamentary Counsel's Office to assist with the drafting process and for timely publishing. I, personally, am a stickler for style guides, consistency in proofing, formatting standards, accessible content and copy.

I am also a believer that we should provide publishing consistency in legislation to ensure that it is easy to understand and digest and accessible for all who need it. If we expect people to read, use and be bound by legislation, they need to understand what they are reading and have free access to up-to-date and reliable official versions of laws. Currently, any changes that need to be made have to wait for the next available hard copy reprint. The proposed editorial powers in this bill relate to drafting and formatting issues and to citations from other jurisdictions. The Parliamentary Counsel's Office will be able to correct errors, but it will not have the editorial powers to change the substance of the law. This change will bring WA legislation into line with current legislative drafting practices and will allow employees to work more efficiently, for example, by correcting cross-referencing errors in a time-efficient manner.

I am pleased to support this bill; it will modernise the processes for publishing WA legislation, reflect contemporary expectations regarding the official status of online legislation and give people in the Parliamentary Counsel's Office a more useful set of editorial powers so that WA legislation can be kept up to date, including the ability to update grammatical, spelling and punctuation errors on which I am sure they will be well trained.

During my time as an interactive media producer at the BBC, I worked on many sites, including Crimewatch where data security was paramount. As part of our due diligence in publishing in an online environment, we had to ensure that our site was secure, hacker proof and backed up regularly. The WA legislation site is protected by a high level of security. The server hosting the site is in line with current ICT industry security practices and it is hosted behind a state-of-the-art firewall managed by the Department of Justice. It is not like Wikipedia where anyone can update the content; content is modifiable only by using security certificates held by the PCO and from a computer within the PCO network. The site is backed up regularly, with a copy of the website "as built each night" being kept within PCO, backed up locally on the production server as well as being published as a live site. The status of the site is constantly monitored so that any outage can be detected and addressed as soon as possible. The WA legislation website has an electronic certificate that allows people to check that they are accessing the official legislation. The entire site is read only and locked down.

Clause 30 of the bill will permit language that indicates, or could be taken to indicate, a particular gender can be expressed in gender-free terms and practices. This practice of gender-free drafting has been adopted to overcome a male-centric approach to legislative expression, and it is very much welcomed.

The Legislation Bill 2021 will ensure that we modernise our Parliament and bring WA into line with other Australian and overseas jurisdictions. I fully support this bill. Let us get on with it!

**MS H.M. BEAZLEY (Victoria Park)** [7.19 pm]: I rise to speak in support of the Legislation Bill 2021. The opportunity to increase people's access to their democracy is a noble one. Members of this Parliament can understand the desire to make substantive change for the people they represent. When talking to people in my electorate, I have heard of people's difficulties with understanding governance and political processes. They desire change and up-to-date reliable information but know very little about what is available to them already. Although discussing legislation on legislation may seem a little dry, it is a great opportunity to change how we engage with the public for the benefit of the public and to make the legislation that we fight for work harder for the people of Western Australia beyond these walls. With improved accessibility to the written law, we allow all future legislation to gain greater scrutiny, giving access to a broader diversity of people and greater buy-in to the legislative framework that governs our state. This bill will improve accessibility to the law for all Western Australians. Better public accessibility to laws and confidence of use by regular members of the community is a great by-product of this legislation. Digital versions of legislation are already being used in other regions worldwide and departments such as the Department of Planning, Lands and Heritage in WA.

This bill aims to create an efficient and accessible platform that provides the same rights as current access to hard copy versions of the law. This legislation is an opportunity to bring WA into line with the majority of other Australian jurisdictions regarding the legitimacy of electronic legislative documents. This bill will also create better accessibility for students. Students instinctively turn to online material for learning, particularly domains that act as a database for a one-stop shop of all their academic needs. This bill, digitising legislation, will assist with streamlining the process of research and ensure students' time is well spent in learning rather than attempting to navigate where to source information in a hard copy form.

Kent Street Senior High School in my electorate offers politics and law at an ATAR level, which aims to foster students' understanding of laws to become informed, active and effective participants in the political decisions that affect their lives within society. Students like those at Kent Street may continue their studies at a tertiary level, such as studying law locally at Curtin University, also in my electorate. Meeting students' needs shows them that we are coming into the modern age and that the government is here to support the next generation of skills and knowledge, and that we are capable of meeting our community where they are at in a very simple way to meet growing expectations for ease of access to information. Access at every level of learning and understanding is crucial, whether a member of the community is interested in finding out about one piece of legislation or whether their future career is dependent on their access to a wide range of legislation.

The implementation of this Legislation Bill will result in an efficiency saving of \$250 000 a year. The member for Moore knows what is coming. I do not need to tell the members of this place what a difference this money can make to a multitude of community organisations across our respective electorates. At the moment, this quarter of a million dollars

each year is spent on the printing and administration of hard copy legislation and reflects a significant opportunity cost. This amount of savings—\$250 000—can be life changing for many community groups, schools and non-profits. To put this into perspective, to community groups and local schools in my electorate of Victoria Park, \$250 000 is more than the funds needed to install two much-needed new basketball courts at East Victoria Park Primary School or Wilson Primary School, both election commitments of the McGowan government that will soon be delivered. I am looking forward to helping East Victoria Park Primary School get rid of its current “cheese grater” basketball courts, which is what the kids have not so lovingly nicknamed their current basketball courts. I have the feeling that they may not have been updated in the 30-odd years since I attended. The same situation exists at Wilson Primary School, where I know that school community is looking forward to being rid of the large cracks veining its current basketball courts.

Additionally, \$250 000 is more than enough—almost four times more than enough—to help buy a new boat for the WA Disabled Water Ski Club in my electorate of Victoria Park. This disability-inclusive boat has been needed for some time. I am very happy to have made a commitment during the recent election to this great local inclusive sports group. I look forward to seeing people living with disability enjoying water sports on a new boat on our Swan River very soon. Every year, the Victoria Park WA Disabled Water Ski Club works with the WA Disabled Sports Association, also based in Victoria Park, and other community groups to deliver around 900 waterski opportunities for people living with disability. The sum of \$250 000 is more than enough to help the wonderful Connect Victoria Park deliver new energy efficiency measures, as supported by the McGowan government.

*Point of Order*

**Mr R.S. LOVE:** I think the \$250 000 has already been spent. Albert the Magic Pudding does not exist to provide for 53 members of Parliament to stand up and talk about spending \$250 000 each.

**The SPEAKER:** Thank you, Deputy Leader of the Opposition. That is your point of view. Each of the members is entitled to say how they believe the money could be spent in a worthwhile manner in their electorate. They are effectively making the same point. I am not going to rule some people in order and other people out of order. It is an illustrative point that money saved means that money can be spent on other things. I have allowed it for the other speakers and I will certainly be allowing it for the member for Victoria Park.

*Debate Resumed*

**Mr D.T. Punch:** And very useful things too.

**Ms H.M. BEAZLEY:** Thank you, Madam Speaker. Absolutely, minister.

Connect Victoria Park provides access to affordable housing for people over 60 on low incomes, and creates opportunities for older adults to connect, engage with community and age healthily, which I am sure the member for Moore would support.

In addition to residential units on Mackie and Cargill Streets in Victoria Park, Connect also runs a well-known community venue, The Homestead, also on Mackie Street. At the moment, older community members can attend regular fitness and exercise classes, a creative writing group, and meet others to go for a walk or bike ride. I know that that group is looking forward to the new cycle and pedestrian bridge that we are building parallel to the Causeway from Victoria Park to Perth. A lot more activities and festivities are available at the Homestead. It has been a joy to be able to join residents and locals at these events.

For the last three years, Connect Victoria Park has also been implementing Western Australia’s first Village Hub, building a community of people over 55 who help each other, share knowledge and skills and work together to enjoy full and purposeful lives, which was particularly relevant over the last year of COVID-19. In delivering our election commitment to Connect Victoria Park, the McGowan government will be delivering \$60 000 to Connect for energy efficiency measures, including solar panels, batteries and LED lighting. The Connect team estimate that this \$60 000 investment will save it around \$200 000 over the next 20 years, easing pressure on rents to its residents and allowing for investment in other key areas. This investment also helps minimise Connect’s environmental footprint.

The efficiency saving of \$250 000 a year saved by the Legislation Bill is enough to pay for new basketball courts at East Victoria Park Primary School and energy efficiency measures at Connect Victoria Park, or new basketball courts at Wilson Primary School and a new disability-accessible boat for the WA Disabled Water Ski Club. These are some of the election commitments that the McGowan government and I made during the recent election, and indicates that cutting costs like this can assist in providing much-needed services to our community. More savings like this means more opportunity for investment in other areas that desperately need assistance. It is always important to keep in mind why we make savings. It is not just to bank them; it can be to ensure moneys are invested where they will make the best impact.

This Legislation Bill will improve sustainability. It will allow the government to transition to an online only *Government Gazette*, which means far less paper. Similar to the way the McGowan government is diversifying our energy sources and investing in renewables, we need to move away from paper as a form of communication and move to more sustainable measures that will provide an ongoing and efficient solution to information dissemination. We have invested \$35 million towards processing materials, such as paper, in recycling plants. Reducing the need



or demand for paper products in this form will reduce the demand on these recycling facilities and allow for other materials to be recycled and repurposed. Moving to online platforms means more trees are kept standing, which acts as a natural carbon sink and assists with our goals of a just transition to a net zero public sector in Western Australia.

Along with all these benefits from a relatively simple legislative change, the new Legislation Bill 2021 will also allow for editorial improvements. Legislation, new and amended, will also be delivered sooner, keeping in line with community and judiciary expectations of accessibility to the most up-to-date legislation. Importantly, these new editorial allowances will not allow the Parliamentary Counsel's Office to change the substance of the law. That is what Parliament does, which keeps the integrity of the legislative process intact. The new editorial powers will include the ability to update language indicative of gender. This will allow the Parliamentary Counsel's Office to change expressions in existing legislation that have previously indicated gender in the text and replace it with neutral terms. This includes changing "his" and "her" to terms like "a person" and "their". This will improve inclusivity of all people in our community, no matter how they identify themselves on a gender basis.

Increasing accessibility to the written law is increasing accessibility to democracy itself, giving rise to a more robust democracy and allowing people with vision impairments to easily enlarge texts, children to be able to quickly search the definition of words and new migrants the ability to quickly copy and paste legislation into a translator, diversifying the voices that legislation can actively speak for because we have diversified the voices that can read it.

In speaking to the Legislation Bill, I am reminded that in this place, even though we may think we are speaking on something dry and somewhat ironic, such as speaking on legislation about legislation, everything we do is important. Everything we can do can have much wider positive implications or otherwise than we may initially realise. I look forward to the passage and implementation of this bill.

**MR C.J. TALLENTIRE (Thornlie)** [7.32 pm]: I am very pleased to rise to speak to the Legislation Bill 2021. I begin by commending the Attorney General for bringing it to this Parliament, as the previous bill unfortunately did not get through the last Parliament. It is really important legislation. I know that economists talk about the ingredients of the perfect market. They say that there have to be many buyers and sellers.

**Mr R.S. Love:** You're not going to spend the same quarter of a million dollars, are you?

**Mr C.J. TALLENTIRE:** We will see the validity of the member for Moore's interruption.

**The SPEAKER:** Member for Moore, if you are going to continue to interject, you will only delay matters further, which will make your interjections rather irrelevant to the point you are making.

**Mr C.J. TALLENTIRE:** It was a pointless interjection; thank you, Speaker.

The perfect market depends on the free and perfect flow of information—the equal flow of information—and there being many buyers and sellers. I put it to the member for Moore that the perfect democracy needs the good free flow of legal information. People must have equal access to legal information, and that is what this bill will do. It will democratise access to legislation, and that is a very valuable thing.

I recall back in the early 1990s when I was getting into various forms of activism; in fact, one of my first episodes was at Curtin University, which wanted to impose a very hefty sum on students who were undertaking professional practice in the workforce. I was able to go to legislation and check on the validity of that and see whether it was legitimate, but I had to find hard copy legislation in the early 1990s, which involved a little bit of a carry-on. I had to get the guidance statement that came with subsidiary legislation. I think it was in the domain of the Administrative Appeals Tribunal. There was quite a rigmarole. During that time, legislation was just coming online; we were just entering into the phase of all legislation coming online, so it made the task much easier.

**Mr R.S. Love:** It's already online.

**Mr C.J. TALLENTIRE:** I am talking about in the 1990s and the evolution of things.

**Mr R.S. Love:** The legislation is already online now.

**Mr C.J. TALLENTIRE:** I am talking about the evolution of things. I am giving a little bit of context to this. I am not sure whether the member for Moore understands that.

**The SPEAKER:** The member for Thornlie is less than two minutes into his speech, so I think we will let the member for Thornlie continue and he can expand his argument.

**Mr C.J. TALLENTIRE:** Thank you, Speaker.

The point is that as we have enabled people to consult legislation online, we have democratised the whole process. Until quite recently, there was a bit of subtext or a watermark on the online legislation that stated that it was not to be quoted directly. Perhaps the Attorney General can elaborate on this point, but I think that is no longer the case because we are moving towards having the real piece of legislation online. That is how things have progressed.

Going back to my professional career prior to coming to this place, I often had yellow hard copy versions of various acts of Parliament on my desk—in my case, the one that particularly interested me was the Environmental Protection Act—and I would not be sure whether I was looking at the amended version, so I would have to check. It really has been a very important development that we have the latest versions of legislation online. It is a great help to us.

It has made a big difference to the community. I have been lobbied on this legislation by my constituents. One person who began lobbying me on this legislation back in early 2020 is no longer one of my constituents—that is how long things have taken. Because of the frustrations with the passage of legislation in the other place, my former constituent was really disappointed to see that the Legislation Bill 2018 was not passed. I will quote from my former constituent Kelly Underwood.

**Mr R.S. Love** interjected.

**Mr C.J. TALLENTIRE:** I think the member for Moore's interjections have proven unworthy so far, so I will ask for the Speaker's protection to no longer hear them, because they are not valid.

**The SPEAKER:** Member for Moore, the member for Thornlie has been on his feet for only four minutes. He has advised that he is not welcoming your interjections, so I ask you to desist from interjecting, please.

**Mr C.J. TALLENTIRE:** Thank you, Madam Speaker. If interjections are worthy, I will take them, but I will no longer take them from the member for Moore, I am afraid.

Kelly Underwood, my former constituent, made this point to me —

Hi Chris,

I don't know if you can get this going again, but it'd be lovely if you could—the *Legislation Bill 2018* has been languishing, unloved, in the Upper House since 31st October 2018.

Kelly Underwood is a professional law librarian. She is very well versed in this and very aware of the benefits that this legislation will bring to her professional life and to the people of Western Australia. Kelly went on to say —

Now, to most people it wouldn't mean much, but for a law librarian it's a rather important Bill, and we'd love it to be passed. Indeed, there are projects at work that I can't progress on until this Bill is passed and brought into force —

This is really interesting —

I have (estimated) 870kg of paper, sitting, waiting for Parliament's movement.

I think the point that Kelly is making is that that is the weight of the paper that will be saved on an annual basis. Just one or two arms of government will see that amount of paper saved. Kelly was concerned about this languishing bill, and she went on to say —

Maybe optics would help? I'm sure I could round up a mob of suitably cranky law librarians to march on Parliament; we'd probably have a few ring-ins from the wider legal fraternity too. Maybe we could get barristers in robes to attend?

Imagine that on the front steps of Parliament! She adds —

The odd Supreme Court Justice? The environmentalists would probably be on board too, considering that we'd be able to use quite a lot less paper.

Either way, if you could nudge the right person in the right direction, it would be a great help.

The perspective of a professional user of legislation who can see the benefits of the online system is a really valuable contribution to this debate, so I thank Kelly. As a passing note, we keep in touch via social media. I am not that fond of social media but, of course, as a parliamentarian, I have to use it. I am very appreciative of the fact that Kelly contacts me through the social media medium that I prefer the most—that is, Strava. It is the one on which people log their ride or run or other physical activity. I encourage my constituents to get in touch with me via Strava. I think it is a very worthy way for people to keep in touch with their local member and at the same time see whether their local member is looking after their physical wellbeing. It is a good way to go.

This legislation will be extremely valuable. I note that the Department of Justice website Western Australian legislation page and the State Law Publisher website mention the "Creative Commons Attribution 4.0 International Licence", which I believe is the licensing arrangement and part of the copyright procedure. Perhaps the Attorney General can clarify whether that means there is no problem with someone copying a chunk of electronic text and quoting it in a letter to a member of Parliament or to a government department to show that they have a point, they have looked at the relevant legislation and their thoughts are well grounded. The legal certification of the right to copy and use legislation under this legislation needs to be fully understood.

Legislation like this, which enables more people to readily access the laws of the land, is very welcome indeed. We want people to have confidence that they can consult legislation quickly. From time to time, we have all heard people on talkback radio saying things that we know straightaway are false and not researched. Often urban or rural myths are put about because people hear things but do not know that they can readily access the real information. Having legislation available online is already serving to dispel myths. Having the final black-letter law available online will help people to feel really confident that they are seeing the law of the land as it stands. It is something that we can promote. If people have doubts about legislation and want to check things, we can direct them to the law of the land as it stands online. That is a very positive development.

I commend this bill to the house and I look forward to it going through the other place this time. I note the comments by other members about the very slow passage of legislation in the last Parliament and the filibustering on other legislation that meant that worthy legislation such as this bill could not get through. Fortunately, I hope we will not see that level of filibustering ever again in the Western Australian Parliament.

**Mr R.S. Love** interjected.

**Mr C.J. TALLENTIRE:** Member for Moore, I will tempt fate and take your interjection.

**Mr R.S. Love:** We've had three hours of filibustering tonight.

**Mr C.J. TALLENTIRE:** The member's side is incapable of contributing to the debate. If it was not for members on this side of the Parliament, there would be no discussion.

**Mr R.S. Love** interjected.

**Mr C.J. TALLENTIRE:** If the member is dismissing my contribution that included comments from my constituents, he is insulting the people of this state who want to hear about this legislation. I think that is disgraceful. The member is not giving due credit to people who are interested in the passage of this legislation and want to know that their local member of Parliament is engaged on the topic and supportive of it because they can see what the benefits will be.

I support this legislation. It is an excellent use of the Parliament's time that we have debated it, but we saw a wasteful use of parliamentary time in the other place in the previous Parliament. This legislation has been properly discussed here and I look forward to hearing other members' contributions, perhaps during the consideration in detail stage, which will further show our constituents that we are careful legislators and that we give legislation due consideration and do not just rubberstamp it through. We test legislation and pose what-if scenarios so that there is a proper vetting and checking of everything we pass through this place. I commend the bill to the house.

**MS C.M. TONKIN (Churchlands)** [7.45 pm]: In rising to support the Legislation Bill 2021, I am not going to perform any loaves-and-fishes miracles with the undoubted savings that will arise from the enactment of this legislation.

I first opened an email account in 1994 and had that same address until the internet service provider that provided it was closed in February of this year. I have been using internet banking since 1998. I was a very early adopter of this facility. In 2008, I successfully applied for mortgage finance online from the comfort of my office at a peacekeeping mission in El Fasher, Sudan. I have worked internationally as a consultant and have managed complex change management processes remotely with stakeholders in a Caribbean country 12 time zones away. My international career was enabled by the use of the online domain.

It is therefore with some surprise that in mid-2021 I speak here in support of a piece of legislation that in my estimation represents a very long overdue modernisation. It is a pity that this legislation did not pass in 2018. What is important about this legislation is its object—providing for Western Australian legislation to be publicly available. That is an incredibly important objective because it brings accessibility to our laws to everyone. The legislation will give official status to Western Australian legislation in both hard copy and electronic form, and confer power on the Parliamentary Counsel to make certain editorial changes so that Western Australian legislation can be kept up to date, modernised and simplified, and errors corrected without the need for Parliament to enact the changes. That is a marvellous efficiency measure. These changes will provide for the more effective communication of our law, for efficiency and for greater accessibility.

The opposition seemed somewhat hesitant in supporting the provisions of the bill that relate to authorising the Parliamentary Counsel to make editorial changes to WA legislation. However, there is a very clear overriding constraint on the exercise of this power—that it cannot change the effect of the law. All Australian jurisdictions, New Zealand and comparable jurisdictions such as the province of Ontario in Canada empower the exercise of editorial powers as part of updating versions of the law. I also note the dates of comparable legislation. The commonwealth Legislation Act dates from 2003, the Victorian Interpretation of Legislation Act dates from 1984 and the South Australian Legislation Revision and Publication Act dates from 2002. We are merely playing catch-up with legislation in comparable jurisdictions.

The ruling by Madam Speaker today to allow women members to breastfeed in this place also gave me goosebumps, as it did the member for Wanneroo. The bill before us provides for the use of gender-neutral language, such that the words "he" or "she" will be replaced with the relevant pronoun. Gender-neutral drafting is being adopted to overcome the male-centric approach to legislative expression. This provision of the bill is significant because it enhances the relevance of legislation to all Western Australians. Language matters. The use of inclusive language makes our laws more accessible and understandable. Although it may appear on the face of it that this legislation is as dry as the bottom of a cocky's cage—as one of my colleagues so colourfully noted—it is actually timely, promotes efficiency and economy, and, most significantly, promotes inclusion and accessibility.

**MR J.R. QUIGLEY (Butler — Attorney General)** [7.51 pm] — in reply: I wish to thank all members for their contributions during the second reading debate on the Legislation Bill 2021 and the unanimous support for the bill in bringing the publication of legislation and subsidiary legislation into the twenty-first century, with its publication online having the same efficacy as it used to have with hard copy.

I am conscious of the hour and the time that members have given to this bill, and in particular I would like to address each of the concerns raised by the opposition through the advocacy of the member for Moore. The first matter raised by the member for Moore was the extent of the editorial powers proposed to be granted to Parliamentary Counsel by this bill. The editorial powers in part 3 of the bill are, in part, reproducing the editorial powers that currently exist in the Reprints Act 1984. Parliamentary Counsel consulted extensively on the additional editorial powers that we are seeking in order to provide up-to-date legislation that is consistent with current drafting practice. Parliamentary Counsel issued a public discussion paper in December 2016. This was made available online and responses could be made via an online survey, or via email or letter. Emails inviting submissions were sent to a large number of legal stakeholders and others considered to have an interest in the proposals. Twenty-one submissions were received, mostly from WA government agencies, and an overwhelming majority of submissions supported the proposed enhancements.

There was some feedback on the proposals, particularly the power to renumber legislation. Some government agencies pointed out that renumbering provisions would have implications for non-legislative material that refers to legislation and suggested that the Parliamentary Counsel's Office consult with affected agencies about the proposal to renumber provisions. Some submissions also expressed concern that enhanced powers be exercised conservatively in order to ensure that they did not change the law. The Parliamentary Counsel's Office appreciates these concerns and will take them into account in considering the appropriateness of the exercise of powers in each individual case and the consultation that should be undertaken as part of that consideration. The Parliamentary Counsel's Office currently takes, as members will have noted, a very conservative approach to the exercise of the current reprint powers, and will continue to do so.

I now refer to the proposed editorial changes. The member for Moore queried, and justly so, whether these might have some negative or unforeseen consequence. In answer to that legitimate query, I would like to say, first and foremost, that the proposed additional editorial powers in part 3 of the bill cannot be exercised to change the law. That restriction is already in the current Reprints Act 1984. I refer the member for Moore to clause 23(3), which states —

Subsection (1) does not permit a change to the text of a law if the change would change the effect of the law.

Secondly, the ability to change grammar, spelling or punctuation errors currently exists in section 7 of the Reprints Act. The bill seeks to expand the ability to make changes, such as where it reflects current drafting practice rather than just errors or inconsistency. For example, drafting practice now reflects the spelling of "programme" as "program". The Parliamentary Counsel's Office currently takes a very conservative approach to the exercise of the current reprint powers, and will continue to do so.

The member for Moore also raised a legitimate concern: how will one be able to track changes to legislation and how will it be laid out or available on the website? The answer to this is found at clause 41(1), which requires Parliamentary Counsel to ensure that editorial changes to a law are indicated in a suitable way. Clause 41(2) provides examples of ways this might be done. For example, the Parliamentary Counsel's Office might provide a comparison between versions of the enactment, or an indication of the change might be included in the current enactment. Similar requirements to identify the exercise of editorial powers are imposed by the relevant laws of the commonwealth, the Australian Capital Territory, Queensland, New Zealand and the province of Ontario in Canada. Clause 42 requires every annual report of the agency principally assisting in the administration of a bill to include a summary of the editorial changes to the law in the financial year covered by the report. The lead speaker for the opposition also asked to what extent will the amount of editing be subject to review. The answer to this is that editorial changes made do not get considered by Parliament and do not receive royal assent; however, an annual report submitted to Parliament will contain a summary of editorial changes made to the law in the financial year to which the law relates. That requirement is to be found in clause 42(2).

The lead speaker for the opposition also posed the question: what laws will be published on the WA legislation website? I think this was the last of the substantive questions the member asked in his contribution to the second reading debate. The following laws will be published on the WA legislation website: all acts as originally acted, all acts that are in operation with their amendments incorporated, subsidiary legislation as made by Parliament, subsidiary legislation as amended, imperial enactments that are part of WA's laws, proclamations that bring one or more provisions of an act into operation and, finally, instruments made under royal prerogative that apply in WA and have legislative effect. Clause 10 of the bill requires all acts originally enacted and all acts that are in operation with their amendments incorporated to be published on the WA legislation website. Clause 10 also provides for regulations to prescribe subsidiary legislation that must be published on the WA legislation website. Clause 10 also provides for regulations to prescribe other laws that must be published on the WA legislation website. An example of laws that might be prescribed are a collection of imperial enactments that are part of WA law. Parliamentary Counsel's Office does not currently have a comprehensive collection of this material because there is no definitive list of it. An example of an instrument made under royal prerogative that applies in Western Australia and has legislative effect are Letters Patent Relating to the Office of Governor of the State of Western Australia 1986.

Clause 10(2) provides that Parliamentary Counsel may publish on the WA legislation website other material that is prescribed or that Parliamentary Counsel considers appropriate for the website. An example of material that might be described under clause 10(2)(a) are versions of laws that are applied as laws of WA. This could include the

Australian Consumer Law that is applied as a law of WA by the Fair Trading Act 2010 and the National Gas Law that is applied as a law of WA by the Natural Gas Access (WA) Act 2009. Both of those laws are currently shown in notes to those acts. The notes are updated as amendments to the laws applied in WA. Other jurisdictions such as New South Wales produce versions of the laws of these kinds and publish them on its legislation website as standalone documents. This makes them easier to find. If prescribed under clause 10(2)(a), under clause 10(3) the bill applies as if the reference to a law were a reference to the material. This means that versions of the material will have official status and where appropriate, the editorial powers can be exercised. Examples of the material that can be published under clause 10(2)(b) are public versions of Parliamentary Counsel's own drafting manual and style manual when these become available.

I hope that in my reply to the member's second reading contribution on behalf of the opposition I have addressed in detail the substantive questions to the bill raised by the opposition and I thank him for raising it and giving me the opportunity thereby to answer them in detail to Parliament this evening. I also want to thank all members who made a contribution this evening to this bill and, as I said, it is somewhat dry in its content. It is technical and it is very important legislation, as the member for Moore has identified. I commend the bill to the chamber and thank members for their contribution.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

*Consideration in Detail*

**Clauses 1 and 2 put and passed.**

**Clause 3: Object of this Act —**

**Mr R.S. LOVE:** Clause 3 can change the objects of the act. Clause 3(2)(c) states —

conferring power on the Parliamentary Counsel to make editorial changes so that, in appropriate cases, Western Australian legislation can be kept up-to-date, modernised and simplified, and errors can be corrected, without the need for the changes to be enacted by Parliament.

Could the Attorney General or Parliamentary Counsel explain what process would be followed to identify what constitutes an error and who would be responsible for identifying that particular error?

**Mr J.R. QUIGLEY:** The errors are identified by a number of sources, including agencies. When we are doing legislation that refers to legislation with the wrong clause, the errors are often amended in the minor amendments bill that comes regularly before Parliament. It might be a numbering error or minor error and we bring these forward before Parliament from time to time, as the member would be aware, in the Statutes (Repeals and Minor Amendments) Bill.

**Clause put and passed.**

**Clauses 4 to 8 put and passed.**

**Clause 9: Purpose of WA legislation website —**

**Mr R.S. LOVE:** Clause 9 outlines the purpose of the website to —

... provide, in a timely and efficient manner, free public access to accurate, up-to-date and reliable official versions of laws.

Clause 13 refers to what happens if there is an issue. I wonder whether there is an alternative record of the up-to-date law of the land or is it all contained just on some website? At the moment, we still have a lot of paper records. If we cast ourselves forward in 10 years and we are completely reliant upon some website, what happens if there is some sort of catastrophic cyber event and the website disappears? Is there an alternative repository of the law of the land other than the website that is mentioned in clause 9 and subsequently in clause 13?

**Mr J.R. QUIGLEY:** The original file is kept secure so that, in future years, from the secure repository, a reprint of the act can always be made. One can go to the website and ensure that what one is reading on the website is the consolidated enactment. Often people pull out an act and they do not have the up-to-date version. Now members of the public will be able to go to the website and see the up-to-date version. Within the repository, at all times in the file, the original version will be held.

**Mr R.S. LOVE:** Where is the original version kept? It is not on the website. The original version is the version that is published on paper in Parliament. Presumably, if we follow the intent of this act, there will be edits and changes will be made over time, which may or may not be through Parliament. Are those changes kept somewhere else as well or is it just the original versions on the website?

**Mr J.R. QUIGLEY:** Every version is made available on the website so people will be able to track the changes by going back.

**Mr R.S. LOVE:** If there is a cyber attack or some sort of event happens, I would hate to see all of Western Australia's legislative background disappear overnight. I wonder whether a backup—a seed bank of legislation—is kept somewhere.

**Mr J.R. QUIGLEY:** That is right. A copy of the legislation website, as built each night, is kept within the Parliamentary Counsel's Office on an internal server, backed up locally on the production server, as well as published on the live site. It is all backed up.

**Clause put and passed.**

**Clause 10: What is published on WA legislation website —**

**Mr R.S. LOVE:** Clause 10 refers to what is published on the website. I understand that the acts are published as originally passed and acts with their amendments incorporated. The Attorney General spoke about some of the older information that might be there, going back in time. I am not a lawyer, so I do not play around with these things, but clause 10(2) refers to what may be published on the WA legislation website including any other material that is prescribed or that the "Parliamentary Counsel considers appropriate for publication on the website." Parliamentary Counsel determines what they consider appropriate for publication on the website. Could the Attorney General give some examples? Would it be local laws for the City of Subiaco about the control of dogs? Does it include local planning schemes? Is it fish management programs and plans under the Fisheries Act? What are we talking about being considered appropriate for publication on the website?

**Mr J.R. QUIGLEY:** It is not our local government by-laws. Clause 10 provides that Parliamentary Counsel may publish on the WA legislation website any other material that is prescribed or that Parliamentary Counsel considers appropriate for publication on the website. As I said, examples of material that might be prescribed under clause 10(2)(a) are versions of the laws that are applied as laws of Western Australia. These could include the Australian Consumer Law that is applied as a law of Western Australia by the Fair Trading Act 2010 and the natural gas law that is applied by the WA Natural Gas Access Act 2009. Both those laws are currently shown in notes to those acts. The notes are updated as amendments to the laws are applied in Western Australia. This is the same as in New South Wales and in other jurisdictions.

**Mr R.S. LOVE:** I refer to the explanatory memorandum. It refers to things that Parliamentary Counsel may publish that is not a law. The material may be prescribed by regulations or other material that Parliamentary Counsel considers appropriate for publication on the website. I am still not really sure exactly how it is determined what is appropriate to be published. What are some examples of things that are not a law? The Attorney General outlined laws in other jurisdictions, but what is an example of what might be published according to what the explanatory memorandum describes as not a law?

**Mr J.R. QUIGLEY:** Certainly. I cannot prescribe in the future things that might be hypothetical, but as I said in my second reading speech in reply, things that are not laws includes Parliamentary Counsel's own drafting manual on how to draft a law and Parliamentary Counsel's own style manual on how a bill will be set out in the style of the law. These are not laws but these are matters that Parliamentary Counsel considers appropriate that the public gets to see.

**Mr R.S. LOVE:** What is published on the WA legislation website is obviously different from what is currently published in the *Government Gazette*. In the *Government Gazette*, there are a lot of other matters such as local planning schemes and local government local laws. Another example at the moment is that the Department of Water and Environmental Regulation is looking at promulgation through regulation of the issue of environmentally sensitive areas under its act. Will the Parliamentary Counsel's website eventually overtake the *Government Gazette* as the repository of all these matters or is it to be restricted to some other form of publication? I am still not sure exactly what determines what will go in the *Government Gazette* and what will go on the PCO's website. I want a bit of guidance on what the boundaries will be between the two.

**Mr J.R. QUIGLEY:** It is the WA government legislation website so all subsidiary legislation must be published on it. I refer the member to clause 10(1). The explanatory memorandum states —

Subclause (1) also requires the publication of prescribed subsidiary legislation as originally made and with its amendments incorporated, and any other prescribed laws. Provision for prescribing the subsidiary legislation to be published on the website is because PCO proposes to take a staged approach to changing the way in which WA subsidiary legislation is published.

A large proportion of the subsidiary legislation that is currently published in the *Gazette* consists of material drafted by PCO. This includes regulations, rules for WA courts and tribunals, various orders, by-laws and most proclamations. Because this material is in a standard style and format, it can easily be published on the WA legislation website.

**Mr R.S. LOVE:** I think I read that in the explanatory memorandum. It explains the difference between the information that is drafted by Parliamentary Counsel's Office and what is on the website. Is the Attorney General saying that only information, legislation or subsidiary legislation drafted by the PCO will be on the website?

**Mr J.R. QUIGLEY:** A significant amount of subsidiary legislation, such as local laws and other material that is currently required to be published in the *Government Gazette* is, as the member says, not drafted by Parliamentary Counsel's Office. It is not in a standard style and format, and the publication of the WA legislation website would not necessarily be straightforward because it is not in the same format. Further, there may be alternatives to

publication in the *Government Gazette*, other than publication on the WA legislation website, that would better suit the nature of the material provided or provide a better way of making it available to users, such as the publication on a departmental website, like on the Department of Water and Environmental Regulation website.

**Clause put and passed.**

**Clauses 11 to 21 put and passed.**

**Clause 22: Requirement or authority to publish or notify in *Gazette* —**

**Mr R.S. LOVE:** This clause relates to the publication and notification of WA legislation on the website instead of in the *Government Gazette*. What is the eventual expectation for the *Government Gazette*? Will it fall away? Will it no longer be required in the future or is it going to continue in its current form? Will that, in a way, replicate two systems instead of one? How does that achieve a degree of efficiency and also make matters clearer and transparent for members of the public when they are looking for information?

**Mr J.R. QUIGLEY:** Legislation and subsidiary legislation will be published live on the WA government legislation website. The Department of the Premier and Cabinet is responsible for the WA *Government Gazette*, and other notices and information that do not form part of legislation or subsidiary legislation will still be published in the *Government Gazette*. The *Government Gazette* will still remain in print.

**Mr R.S. LOVE:** It says that if a written law or instrument is, or is to be, published in the *Government Gazette*, it is sufficient for the instrument to be published on the WA legislation website instead. How will the authority know where it is going to be published? Will a process be outlined so that government agencies or departments know where their instrument will be published?

**Mr J.R. QUIGLEY:** Subsidiary legislation does not come into effect until it is published in the *Government Gazette*. This clause means that once it is published on the website, it will have the same effect as it used to have when it was published in the *Government Gazette*. If someone wants to find out about a current regulation under any act, they will be able to go to the WA website and not have to go hunting through the *Government Gazette*.

**Clause put and passed.**

**Clause 23: Parliamentary Counsel authorised to make editorial changes —**

**Mr R.S. LOVE:** We are now at “Part 3 — Editorial changes to legislation”. Clause 23(1) states —

The Parliamentary Counsel may make an editorial change to a law in producing a version of a law.

Can the Attorney General explain exactly what this subclause means when it states “in producing a version of a law”? The law will be produced by Parliament and then Parliamentary Counsel will make an editorial change and produce a new version of the law. Exactly what does that mean?

**Mr J.R. QUIGLEY:** For example, when Parliament amends a law by changing some words in a clause, as we do from time to time in updating legislation, Parliamentary Counsel will be able to make an editorial change to what is on the screen to give effect to the new law that is published as a consolidated section. In doing so, if it requires renumbering, Parliamentary Counsel will be able to do that.

**Mr R.S. LOVE:** Clause 23(3) states —

Subsection (1) does not permit a change to the text of a law if the change would change the effect of the law.

That is important, but will that always be determined absolutely by Parliamentary Counsel? If a comma is taken out here or an “and” is put in there, or some other similar change is made, will I know that that will not change the effect of the law? Will there be some protection or some sort of instruction to the courts that a change to the ordinary language does not necessarily change the intent, as it has been ordinarily accepted, of the law? If I read a paragraph before an “and” or a comma or a full stop has been removed, or an apostrophe has been added, how do I know that that does not fundamentally change that law? What guarantee is there that the intent of subclause (3) will always be reflected in the outcome?

**Mr J.R. QUIGLEY:** Parliamentary Counsel takes a very conservative approach to this and has done since the passage of the Reprints Act 1984, section 7 of which gives Parliamentary Counsel some editorial power to do minor affectations to a law without changing the meaning of the law. Parliamentary Counsel, of course, drafts the bills for this Parliament, is well practiced in that and has more than 30 years’ experience in the exercise of the editorial power conferred by the Reprints Act to effect those that can be affected without changing the meaning of the law. It has been doing so for decades in a conservative manner.

**Clause put and passed.**

**Clauses 24 and 25 put and passed.**

**Clause 26: Things that have been changed or replaced —**

**Mr R.S. LOVE:** We are talking here about things that have been changed or replaced. Clause 26(1) states —

A reference to a name or title of a body, office, person, place, locality or other thing that has been changed can be replaced with the name or title as changed.

In relation to a developing trend of having dual place names such as Noongar or Yamatji, or whatever the language group is, with a European or previously accepted place name, will the PCO be able to reflect that change of name or place, or will it need to be put through some other process? I note that dual naming has become quite the trend of late in various areas. I am not expressing a view either way about that, but I wonder how that will unfold in future.

**Mr J.R. QUIGLEY:** The Swan River, for example, is commonly now called Derbarl Yerrigan, but in any legislation, Parliamentary Counsel would not change the name of Swan River to Derbarl Yerrigan. Parliamentary Counsel can effect a change in legislation only if some other statutory body changes its name for some reason, for example, if a committee, as part of the Legal Profession Act, changes the name of one of the statutory committees, or the Legal Practice Board changes its name. But as the member said, names like Derbarl Yerrigan are in common usage. Parliamentary Counsel will not be able to unilaterally go round changing legislation that refers to the Swan River by supplanting it with Derbarl Yerrigan. It can only reflect some other body changing its name.

**Mr R.S. LOVE:** If the Geographic Names Committee or some other authorised group changes the name of a location, will that be something PCO takes forward? If the committee that looks at the names of various locations, streets and formations in the state changes the name from Swan River to Derbarl Yerrigan, will that be something the PCO automatically picks up or will it need to be enacted through some other process?

**Mr J.R. QUIGLEY:** Some other process will need to be enacted to make it happen. If by some other means a name or designation of something had been legally changed through a local government authority or the State Planning Commission, Parliamentary Counsel can reflect that in the legislation so that no-one is confused. If they realise that the State Planning Commission has changed the name of something, it can be reflected in legislation.

**Clause put and passed.**

**Clauses 27 to 31 put and passed.**

**Clause 32: Conjunctives and disjunctives —**

**Mr R.S. LOVE:** We are talking here about conjunctives and disjunctives being inserted, omitted or changed to be consistent with current drafting practice. Can the Attorney General explain for people such as me, not being a draftsman or a lawyer, who might look at this and know that if a paragraph contains “and” that means “and”, but if it appears at the end of a series of paragraphs, it appears to mean something different. Can the Attorney General explain what that example is about, because as a simple farmer, I am a bit lost to understand exactly what that means? I am sure that the Attorney General will explain to the chamber exactly how that will operate in practice.

**Mr J.R. QUIGLEY:** Most helpfully, the bill includes an example of what the member referred to. The main circumstance under which this sort of power is intended to be used is when a series of paragraphs include items, sub-items or similar provisions, but not all the paragraphs end with a conjunction. Previous drafting practice was to include a conjunction only after the second to last paragraph on the basis that the same conjunction was implied before each of the earlier paragraphs. However, current drafting practice is to include a conjunction after every paragraph for clarity so that no-one is going back and inferring the conjunctive in the earlier paragraphs or subparagraphs.

**Clause put and passed.**

**Clause 33 put and passed.**

**Clause 34: Minor errors and inconsistencies —**

**Mr R.S. LOVE:** This is about the correction of minor errors and inconsistencies. Clause 34(2) states —

A law can be changed so as to correct a minor error in the law.

Can the Attorney General explain to me what exactly is “a minor error in the law” and who would define it as a minor error in the law?

**Mr J.R. QUIGLEY:** Minor errors are actually defined in clause 34(1)(a) to (j). Subclause (2) will empower Parliamentary Counsel to correct any of those minor errors that can be seen in subclause (1). I will not read them all out, but they include a typographical error, a grammatical error, a spelling error, or, as in paragraph (h), an error in reference to a law or provision of the law where it refers to the wrong section of another law. Subclause (2) gives power to correct the minor errors described in subclause (1).

**Mr R.S. LOVE:** That is the answer I expected I would get, but I was asking more about who determines whether something is a punctuation error or an error that is borne out purely of a poor process as opposed to the actual intent of the law being changed. Is it possible that there might be a misunderstanding about the lawmaker’s intent, so Parliamentary Counsel will be tidying up some sort of minor error that changes the law when it was not intended or necessary to do so? Is there a reference to any group who might have oversight of whether something is a correction of a minor error? I am specifically referring to any parliamentary oversight of the changes to correct the law that have been undertaken by the PCO.

**Mr J.R. QUIGLEY:** Firstly, there has been an editorial power for decades. Secondly, it is only ever used conservatively. Thirdly, there has to be an obvious error. Finally, the annual report of the Parliamentary Counsel’s Office will report on editorial changes.



**Mr R.S. LOVE:** We have already passed the clause that relates to the report. The report, as such, would not be a disallowable instrument; it is just a report that someone could raise an issue with.

**Mr J.R. Quigley:** You could go back.

**Mr R.S. LOVE:** We could go back, but I do not think it is necessary. I would not have assumed that the report was in any way disallowable. It would be something that we could raise as a matter of interest. When the actual correction is made, is that reported to anybody at that time so that another body can determine whether it is a correction of a minor error or something more substantial?

**Mr J.R. QUIGLEY:** I take the member forward in the bill to clause 41, which states —

- (1) If an editorial change is made to a law, the Parliamentary Counsel must ensure that the change is indicated in a suitable way.
- (2) Without limiting subsection (1), an editorial change can be indicated as follows —
  - (a) by providing a comparison, or the facility to create a comparison, between versions of a law;
  - (b) by including, in the law in which the change is made, an indication of the change.

**Mr R.S. LOVE:** I was going to talk to clause 41. Without jumping forward, that is about understanding what changes have been made at the time and the recording of that change. Is there a group that will specifically have some sort of oversight of the corrections or the changes that the PCO will make under this legislation so it can know in the prescribed time, if you like, to take some action or to make some issue of it? Otherwise, the change could happen and the time to contest, review or question the necessity for such a change will have passed.

**Mr J.R. QUIGLEY:** That is the beauty and facility of this bill; it will happen in real time. Under clause 41, Parliamentary Counsel has to indicate that. At the moment, Parliamentary Counsel already has this editorial power, but people do not know about it until after it is in print. Now they will know about it in real time. If a member wants to raise it in this Parliament and ask a question on notice or without notice, they will be able to do so in real time because these editorial changes will be happening live at the end of each day, whereas at the moment, when they happen, they just get lost in paperwork for months and are not drawn to anyone's attention until the annual report comes out. Someone will be able to follow it live at the end of the day.

**Clause put and passed.**

**Clauses 35 to 40 put and passed.**

**Clause 41: Recording of editorial changes —**

**Mr R.S. LOVE:** We have briefly touched on this already. When I look at clause 41, “Recording of editorial changes”, it gives me some comfort to note that the comparisons and the changes will be known. If an editorial change is made by the PCO, will an explanation be given for the reason for the change or will it just be shown as a version change without any explanation?

**Mr J.R. QUIGLEY:** It will just be shown as a version. The only changes that can be made are the minor amendments to which we referred earlier. They will be obvious and they will be made and people will be able to see the changes that have been made at the end of each day if they want to go back and examine the legislation.

**Mr R.S. LOVE:** During the second reading debate, I mentioned the need to have some sort of key or indicator that a change has been made to a particular piece of legislation. I do not know how many acts are on the website, but if there are hundreds of acts that may or may not be changed, how would I know that the change has been made? Is there a requirement of this recording of changes other than the annual report, which I will find out after the fact? Will there be some explanation of what changes have been made recently in real time, even on a daily rundown, so that I do not have to trawl through an act just to see whether a change has been made to it? Will I be alerted when a change has been made to legislation that I have an interest in, which is published of itself, just to inform me of the change?

**Mr J.R. QUIGLEY:** No, there will not be a running sheet of what has happened in the office each day. The change will come up live on the legislation—what it was and what it has changed to. As the member quite rightly averred, section 42 will require a compendium of those changes to be published in the annual report.

**Mr R.S. LOVE:** Clause 41(1) states —

If an editorial change is made to a law, the Parliamentary Counsel must ensure that the change is indicated in a suitable way.

The Attorney General is telling me that “a suitable way” means that it is just done within the legislation; it is not published on the website, indicating that a change has been made to the Dog Act 1976, for example. It will not alert me to the fact that a change has been made to that act. I would have to look at each act to ascertain whether a change had been made. That seems rather onerous to me. It does not fulfil what would look to be the plain reading of the intent of clause 41(1).

**Mr J.R. QUIGLEY:** There is no legislative requirement for an explanation of minor amendments to be given on a daily basis. We referred to those minor amendments earlier, in clause 22, I think. They will just appear in the

legislation. If the member looks at the Dog Act, he will be looking at the latest version and he will see that there has been an editorial change. He will not be able to track every editorial change that is made during a working day, not that there will be that many. As I said, a compendium of the editorial changes made by the office will be published annually. That is happening already, but the member will not see it live; he will have to wait for the annual report.

**Mr R.S. LOVE:** If we wish to achieve an open and transparent system, why would those changes not be published on the website as they are made so that people could see that on a certain day, the PCO looked at the Dog Act and some changes were made? If I am a dog breeder, I would like to know what the changes are. I do not see a problem with recording in some way a running sheet of changes that have been made. I cannot imagine that every act of Parliament would be changed daily. It could not be that onerous to record it in the legislation as a blue note or whatever and also have a note on the website showing that on a certain day, a particular act was updated.

**Mr J.R. QUIGLEY:** The real effect of making a change is to clean up the actual act, so it is better to look at the act. If someone is looking at the medical act or whatever, they will see the change. At the end of the year, they will see a compendium of those changes. At the moment, there is no legislative requirement for all these changes to be listed in the annual report. They are already happening. This will not change anything. It will only make it live and transparent for people.

**Mr R.S. LOVE:** I note that the heading of this clause is “Recording of editorial changes”, so they could be recorded in the legislation as outlined in subclause (2). I go back to the fact that we are talking about a website. It costs nothing to publish. We are not cutting down trees to provide this information to the public. As the change is made, how difficult would it be to include it in a daily report of the workload of the Parliamentary Counsel’s Office? I would have thought it would not be difficult and that it could be provided under this clause. I will not die in a ditch over it, but I just raise it, and others might ask further questions about that in the other place.

**Clause put and passed.**

**Clause 42: Annual report to include summary of editorial changes —**

**Mr R.S. LOVE:** The annual report will include the summary of the editorial changes. When will the annual report be printed? I note that reference is made to the Financial Management Act. Can the Attorney General explain to me when it will have to be printed or reported?

**Mr J.R. QUIGLEY:** It is usually in August. Sometimes it is in September, but it is usually in August after the end of the financial year.

**Mr R.S. LOVE:** Will that be tabled in Parliament? How will that be provided?

**Mr J.R. QUIGLEY:** Yes.

**Clause put and passed.**

**Clauses 43 to 64 put and passed.**

**Title put and passed.**

[Leave granted to proceed forthwith to third reading.]

*Third Reading*

**MR J.R. QUIGLEY (Butler — Attorney General)** [8.53 pm]: I move —

That the bill be now read a third time.

**MR R.S. LOVE (Moore — Deputy Leader of the Opposition)** [8.53 pm]: I thank the Attorney General and members for their contributions tonight, and I would like to thank the advisers for hanging out until the later hours of the evening to contribute to the discussion. I think the Attorney General has answered most of the queries I put to him in a fulsome way. Hopefully, the legislation will be interrogated in the other place, but I think it will ultimately lead to more open and transparent information about our legal system for the public. I commend the bill to the house.

**MR J.R. QUIGLEY (Butler — Attorney General)** [8.54 pm] — in reply: I thank all members for their contributions and the opposition for the efficient way in which we have dealt with the consideration in detail stage. I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.

*House adjourned at 8.54 pm*

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