



Parliamentary Debates

(HANSARD)

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2019

LEGISLATIVE ASSEMBLY

Wednesday, 28 August 2019

Legislative Assembly

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THE SPEAKER (Mr P.B. Watson) took the chair at 12.00 noon, acknowledged country and read prayers.

LEGISLATIVE ASSEMBLY CHAMBER — MEDIA ACCESS

Statement by Speaker

THE SPEAKER (Mr P.B. Watson) [12.02 pm]: Members, I advise that I have approved the presence of the media to cover the first 10 minutes of debate on the Voluntary Assisted Dying Bill 2019.

PAPERS TABLED

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

McGOWAN GOVERNMENT — FEDERAL LABOR POLICIES McGOWAN GOVERNMENT — HOUSING

Removal of Notice — Statement by Speaker

THE SPEAKER (Mr P.B. Watson) [12.03 pm]: Members, I advise that private members' business notices of motion 1 and 2, notice of which was given on 20 March 2019, will be removed from the next notice paper unless written notification is provided to the Clerk requiring that the notices be continued.

DEPARTMENT OF FIRE AND EMERGENCY SERVICES — WINTERSAFE CAMPAIGN

Statement by Minister for Emergency Services

MR F.M. LOGAN (Cockburn — Minister for Emergency Services) [12.03 pm]: I rise to inform the house about the important work being done by the Department of Fire and Emergency Services to raise community awareness of winter hazards. Formerly, a combined WinterSAFE campaign was used to promote storm safety and home fire safety. This year, the campaigns were separated to emphasise the unique threats posed by each hazard.

The storm safety campaign began in June with the release of a resource kit that DFES staff and volunteers, including State Emergency Service unit members, can use to promote storm safety messages in their communities. Resources include eye-catching videos and to-do lists for storm preparation, which SES units can post on their Facebook pages. These resources help SES units to engage with their communities and encourage preparations, such as cleaning gutters, trimming trees that are near powerlines and tying down loose items in yards.

The home fire safety campaign began last month and includes important messages about working smoke alarms. The campaign was launched along with a virtual reality experience of a real fire. The experience allows users wearing a virtual reality headset to witness what it is like to be in a home that is on fire, including watching the smoke and flames take hold of a room. To create this experience, qualified firefighters set fire to an old public housing property in Beaconsfield and then filmed a family fleeing the home with the fire taking hold of the property within minutes. I trialled the virtual reality headset as part of last month's launch and it was an extremely powerful and sobering experience. I encourage members to let their communities know about the experience and take a look for themselves at the DFES Education and Heritage Centre in the old Perth fire station. For those members with country electorates, a mobile version will be available in regional areas. The virtual reality experience highlights the rising risk of electrical devices that are left to charge, especially on beds, cloth sofas and other fabrics. Incidents involving such devices doubled last year so I ask members to please share this message with their electorates to ensure people power their devices on less combustible surfaces, such as a tabletop. Members can readily share all communication engagement resources from the DFES website or social media pages.

In closing, I thank DFES for these two campaigns and encourage all members in this house to promote the resources available to their communities to ensure that all Western Australians stay safe this winter.

DISTINGUISHED VISITOR — HON MARSHALL PERRON

Statement by Speaker

THE SPEAKER (Mr P.B. Watson) [12.06 pm]: Members, before we go on, I welcome Marshall Perron, a former Chief Minister of the Northern Territory, who is in Parliament today.

MINISTERIAL EXPERT PANEL ON ADVANCE HEALTH DIRECTIVES

Statement by Attorney General

MR J.R. QUIGLEY (Butler — Attorney General) [12.06 pm]: I rise to table the final report of the Ministerial Expert Panel on Advance Health Directives. In November 2018, I established the panel to provide advice to the government about advance health directives in Western Australia. The panel was chaired by Simon Millman, MLA, Member for Mount Lawley, and included a general practitioner, an experienced careworker, representatives from palliative care

and dementia peak bodies, a consumer advocate, a representative of the Department of Health, the Public Advocate and a legal expert. I sincerely thank the chair and each of the members for their extensive work and those experts and stakeholders who generously gave up their time to present to the panel.

Together with the Minister for Health, Hon Roger Cook, MLA, I look forward to considering in detail the expert panel's recommendations to improve the understanding and use of advance care planning instruments in Western Australia. As an interim response, I advise the house that the government accepts in principle all the recommendations, except for the final one, recommendation 23, which relates to voluntary assisted dying legislation. The government does not support this proposal now or into the future. The government will never adopt recommendation 23. The reason can be found in the report of the other ministerial expert panel, which was chaired by Malcolm McCusker, QC, and established by the Minister for Health to guide the development of the Voluntary Assisted Dying Bill 2019, which is currently before the house. As Mr McCusker's panel reported —

The person must have decision-making capacity in order to make a choice or request to administer or be administered the lethal dose of medication.

For people who have lost decision-making capacity, it is not possible to validly confirm that they want to proceed with administering the lethal dose of medication. These decisions would require the subjective judgement of a third party, thus negating the voluntary nature of the decision and over-riding a fundamental safeguard.

The Voluntary Assisted Dying Bill, which is currently before the house, has some of the most stringent safeguards of any model in the world. It is crucial that these safeguards remain, now and into the future. The health minister and I will provide further updates to Parliament on the other recommendations in due course. I repeat—the government does not support and will never support recommendation 23.

[See paper 2677.]

DEPARTMENT OF THE PREMIER AND CABINET — EMMA KEARNEY — 2019 POLICY PRACTITIONER OF THE YEAR

Statement by Attorney General

MR J.R. QUIGLEY (Butler — Attorney General) [12.09 pm]: I rise to bring to the attention of the public the efforts of one of the quiet achievers of the public service whose work on behalf of vulnerable Western Australians has received official recognition. Ms Emma Kearney of the Department of the Premier and Cabinet was named 2019 Policy Practitioner of the Year at the recent Institute of Public Administration Australia WA Awards for Excellence in the Public Sector. Ms Kearney, who is a principal policy officer in DPC's social policy unit, was recognised by the IPAA for excellent policy and leadership skills in coordinating the Western Australian government's participation in the National Redress Scheme associated with the Royal Commission into Institutional Responses to Child Sexual Abuse.

I can personally confirm that Ms Kearney's work in this critical area was, and continues to be, of a very high calibre. Her advice to me and my office has been at all times clear, concise and timely in what were, at times, high-pressure situations. In 2018, when Western Australia was arguing the case for child migrants and incarcerated survivors under the scheme, Ms Kearney walked the delicate line between working collaboratively with the commonwealth and other jurisdictions and firmly representing the interests of her home state of Western Australia. These hard-won concessions are an enduring testament to the professionalism of not only Ms Kearney but also DPC acting social policy director Janine Kingston and their colleagues at DPC. In the words of the IPAA judges —

The dedication and skilful leadership Ms Kearney has shown in her work associated with the Royal Commission clearly demonstrates her commitment to delivering exceptional policy, but most importantly her work will deliver important benefits for Western Australian's who experienced institutional sexual abuse.

I sincerely thank Ms Kearney on behalf of the government and the public of Western Australia for her assistance and dedication on behalf of the McGowan government, and I congratulate her upon her award.

GREENHOUSE GAS EMISSIONS — GOVERNMENT POLICY

Statement by Minister for Energy

MR W.J. JOHNSTON (Cannington — Minister for Energy) [12.12 pm]: I rise today to table the McGowan government's policy on greenhouse gas emissions for major projects under assessment by the Environmental Protection Authority. Both community and industry have called for a statewide approach for major projects to give certainty to companies and map out a path for emissions reduction. The McGowan government is committed to working with all sectors of the Western Australian economy towards achieving net zero greenhouse gas emissions by 2050. In adopting this aspiration of net zero emissions by 2050, the government acknowledges the commonwealth government's target of reducing greenhouse gas emissions by 26 to 28 per cent by 2030, and commits to working with the commonwealth to achieve this goal. The McGowan government also acknowledges that businesses operating in Western Australia are bound to comply with obligations under the Australian government's safeguard mechanism.

To support the state's aspiration, the policy outlined below describes the broad approach that will be taken into consideration for new proposals and project expansions that would emit significant additional greenhouse gas emissions in Western Australia when they are assessed under the Environmental Protection Act 1986. The EPA makes independent recommendations on major projects involving greenhouse emissions to the Minister for Environment, who will have regard to this policy in considering how any approvals for these major projects will be conditioned. The policy is intended to apply to new significant proposals that meet the criteria of a designated large facility under the Australian government's safeguard mechanism. When major proposals are assessed under part IV of the act, the Minister for Environment will consider the particular characteristics of each project and the advice and recommendations of the EPA. Consideration may then be given to whether it is appropriate to apply a condition that sets out the requirements for a plan detailing the proponent's contribution towards achieving the government's aspiration of net zero emissions by 2050.

The policy aims to facilitate flexible approaches to greenhouse gas reduction that promote innovation, emerging best-practice technologies and potential new industries and opportunities for Western Australia. The policy supports the development of greenhouse gas management plans for proponents, which outline strategies to avoid, reduce, mitigate and offset the project's direct, or scope 1, emissions contributing towards the state's aspiration of net zero by 2050; are unique to a proposal's specific circumstances; allow proponents to take account of opportunities at either facility level or across national operations; allow proponents to propose their own time frames and interim targets; include requirements for periodic public reporting against their targets; and account for and align with commonwealth requirements. The government understands that national and international policies are constantly evolving, and this policy seeks to complement rather than duplicate them.

Western Australia's emissions-intensive economy means that we need a considered and economically responsible approach if our state is to capture the benefits of low-carbon industries and technologies and support continued economic growth. The government will provide further guidance on the development of plans and will consult stakeholders in the development of this guidance. I now table the policy.

[See paper 2678.]

DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY — 2019 RESOURCES SECTOR AWARDS FOR EXCELLENCE

Statement by Minister for Mines and Petroleum

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [12.15 pm]: The Department of Mines, Industry Regulation and Safety held its resources sector Awards for Excellence on 22 August 2019 at the Perth Convention and Exhibition Centre. Attended by more than 140 people from the resources industry, community groups and government, the evening celebrated projects that demonstrate excellence in innovation, environmental outcomes and meaningful community partnerships. Two projects were recognised for their innovation and leadership in the resources sector.

Save the Children Australia and Woodside have revolutionised partnerships by creating the Woombooriny Amboon Angarriya Partnership Initiative. Translated, it means "all people moving forwards together" in the local Bardi and Nyul Nyul languages. This initiative is a place-based, community-led approach to improve the early childhood outcomes of Aboriginal children living on the Dampier Peninsula in the Kimberley. The emphasis is on bringing key people together and building capacity and strong local leadership in the four Aboriginal communities of Ardyaloon, Beagle Bay, Djarindjin and Lombadina. The communities are united through a common agenda, in which important decisions are driven by the community rather than by a funder, partner or service provider. It recognises that to contribute to changing systems in areas with very complex issues, a community-led, long-term approach to funding is required. This is an innovative approach for a corporate organisation and sits alongside Woodside's more traditional portfolio of social investment programs.

Sandfire Resources received the Golden Gecko Award for Environmental Excellence for its DeGrussa solar project, which is recognised as a global pioneer for the adoption of renewable energy in the mining industry. The facility comprises 34 080 solar photovoltaic panels and generates approximately 20 per cent of the total power requirements of the DeGrussa mine site, making it the largest integrated off-grid solar and battery storage facility in Australia. Since commencing operations in 2016, the project has reduced Sandfire's carbon emissions by more than 30 000 tonnes and offset the use of 11 million litres of diesel. The DeGrussa solar project has provided a blueprint for the adoption of renewable energy at other mine sites and remote communities around the world.

I know that many other advancements are made in the resources sector, and I look forward to hearing about the innovative steps taken within the sector to deliver improved workplace safety outcomes at the safety awards in October. This year, the safety awards for the resources sector have been combined with those for general industry and are to be announced during Safe Work October. I again acknowledge and congratulate the winners and all of the finalists who make sure Western Australia's resources industry continues to be world class and at the forefront of not just producing minerals and energy, but also delivering innovative environmental outcomes and creating meaningful community partnerships.

LOCAL GOVERNMENT ELECTIONS — PUT YOURSELF FORWARD CAMPAIGN*Statement by Minister for Local Government*

MR D.A. TEMPLEMAN (Mandurah — Minister for Local Government) [12.18 pm]: Before I begin my brief ministerial statement, I acknowledge the guests from BPW Harvey, from the wonderful town of Harvey, who have joined us in the Speaker's gallery. I welcome them on behalf of the member for Murray–Wellington.

Today, I launched a video campaign with the message “put yourself forward”. I am calling on people with diverse backgrounds and experiences to nominate to stand in the local government elections on 19 October. The 15-second video will run on commercial television, radio and social media and calls on people from all walks of life, including people from culturally and linguistically diverse backgrounds, Aboriginal people, women, young people and people with a disability—those who might not normally be involved in local government—to nominate as candidates. The campaign is being run by the Department of Local Government, Sport and Cultural Industries in partnership with the Western Australian Local Government Association, the WA Electoral Commission and the Office of Multicultural Interests. The October 2019 local government elections are the first to be held since a series of local government reforms were recently passed by the WA Parliament. The changes include the requirement for all candidates to now undertake a mandatory online training course prior to the elections. The online candidate induction, along with more information for candidates and an election timetable are available on the website of the Department of Local Government, Sport and Cultural Industries. Western Australia has a very multicultural population with census figures showing that more than 240 languages, including Indigenous languages, are spoken in Western Australia. I believe that sort of diversity, knowledge and experience should be reflected in the local governments we elect. The aim of this campaign is to try to ensure that local governments more accurately reflect the communities they serve. The greater the diversity of our elected members, the greater the contribution to a higher standard of community representation, and the effective governance that communities deserve.

BUSINESS OF THE HOUSE — PRIVATE MEMBERS' BUSINESS*Standing Orders Suspension — Motion*

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [12.20 pm]: I move —

That so much of standing orders be suspended as is necessary to enable private members' business to have priority from 4.00 pm to 8.00 pm on Wednesday, 28 August 2019.

I will be brief. Members are obviously very aware that we are about to commence the debate on the Voluntary Assisted Dying Bill 2019, and, of course, provision has been made in the calendar to enable the debate and consideration of that bill over the next several weeks. To accommodate a later sitting tonight and into the evening tomorrow, this motion provides for private members' business to be accommodated and for a break for dinner this evening.

MR Z.R.F. KIRKUP (Dawesville) [12.21 pm]: The opposition supports the motion and notes that this will probably happen for a number of weeks during the course of debate on the Voluntary Assisted Dying Bill 2019. We note that the dinner break will be likely to take place from 6.00 pm till 7.00 pm, with the extension of private members' business thereafter. The opposition supports this to allow the necessary debate on the Voluntary Assisted Dying Bill.

The SPEAKER: Thank you. I have a note here to advise everyone that the dinner break is between 6.00 pm and 7.00 pm, but everyone else has beaten me to it!

Question put and passed.

VOLUNTARY ASSISTED DYING BILL 2019*Second Reading*

Resumed from 7 August.

MR M. McGOWAN (Rockingham — Premier) [12.21 pm]: I begin by thanking the people in the gallery today, in particular Belinda Teh, Mr Malcolm McCusker and Mr Marshall Perron, who has come from the Northern Territory to be here for this debate.

Today marks the start of a parliamentary debate that has been a long time coming, something that has been eagerly anticipated in the community for many months now. But for campaigners and those who have experienced their loved ones going through hardship, this has been years in the making. We should recognise that many have not made it to see this legislation be debated. It has been encouraging to see the manner in which this debate has been conducted so far, for the most part. I have said before that this is a debate of which convictions are sincerely held and reasonable people can completely disagree. It has been heartening thus far that in 2019 such a difficult issue can be debated civilly. I would like to see that continue and this legislation come to a vote without it being unduly delayed. This is an issue of great public interest with overwhelming public support at a time when many in the community have concerns about the capacity of institutions to operate effectively and in the public interest: banks, regulator and Parliaments. I believe it is important that we demonstrate that as legislators in the Western Australian Parliament

we can do our jobs and tackle an issue that, although difficult and thorny, the public want to see addressed. That is our job here not just over the next weeks and months, but always. This issue needs to be resolved one way or another. It needs to come to a vote.

Life is full of choices. MPs will have a choice here. For mine, the choice is straightforward: do we wish to give the terminally ill who are in pain the opportunity to have the choice to end their suffering or not? It is often said that this legislation is important because it is a matter of life and death. As the chair of the Ministerial Expert Panel on Voluntary Assisted Dying, Malcolm McCusker, AC, QC, said, that is not the case at all. Under the regime we have developed, it will be open to only those who are terminally ill, and those for whom death will occur within six months, or 12 months in the case of neurodegenerative illness, and those who are experiencing suffering that cannot be relieved. It is not a choice between life and death; it is a choice about the manner in which death will occur. The choice before us as legislators and members of Parliament is: do we want the status quo to prevail, of needless pain and suffering for Western Australians; of families, helpless to witness that suffering; of medical professionals forced into legal and ethical grey areas; and of gruesome suicides that take place when people are forced to take matters into their own hands? Or do we want to set up a regime, that is safe and compassionate and that lets people have the freedom to choose an end that is dignified? That is the issue of conscience that we will be voting on.

Since 2012, when I became the Leader of the Opposition, I have made my personal position on this matter clear: I support a regime for voluntary assisted dying with the appropriate safeguards. I have never really had the chance to explain fully why I support such laws. Today is a rare chance to go into it. Many people here will have deeply personal stories of loved ones dying, and I am sure that by the end of this debate we will have heard some heart-wrenching stories by members of Parliament about their family members and friends. I know people who have had difficult and painful deaths, but I do not have the intimate personal experience that many people do. There are three main reasons I support voluntary assisted dying. Firstly, for the person who is dying, I believe that they deserve a means to not have to endure unnecessary pain and suffering. Secondly, for the families, I believe that the status quo does not serve them, and they will bear witness, horrible witness, to their loved ones needlessly suffering, or they will be forced to endure finding them after they have taken their own life. Finally, I believe it is an issue of logic and a freedom of choice. It is a freedom of choice for individuals to make their own decisions about their own lives and to not have decisions made for them. I would like to take a moment to expand on each of these reasons.

Firstly, I believe that voluntary assisted dying should be legal, for the benefit of the terminally ill who suffer. As I mentioned earlier, the regime that we have set up is for the terminally ill. If a painful death is a certainty, I believe that those who are dying should be given the choice of the means of their death. If they do not wish to go through needless suffering, they should not have to. It is not beyond us to provide them the means to do so. I believe that reducing suffering of Western Australians is entirely inside our remit as parliamentarians. The stories contained within the Joint Select Committee on End of Life Choices “My Life, My Choice” report are often harrowing, with people lives ending under circumstances that are undignified and difficult to hear, let alone difficult to experience. One such story is Melanie’s, a bright young lawyer who suffered from motor neurone disease. Melanie was shuffled between hospitals, hospices and a nursing home, where she alleged she was sexually abused, and experienced great suffering and distress. She elected to end her life rather than return to a nursing home. She was told that her only option was terminal dehydration—the refusal of all nutrition and liquids. This is a means of passing—of dying—that can take up to 14 days. This is not how any of us would wish to end our lives. It is not a dignified death; it is a painful and horrible death. It is a grim irony that it took the incredible compassion of medical professionals to facilitate the kind of uncompassionate death allowed under our legal system. It is a further grim irony that Melanie was considered lucky, as she had private health cover.

There is also the story of Belinda Teh’s mother, Mareia, who had terminal breast cancer, a reminder that palliative care—an important part of end-of-life choices for Western Australians—cannot alleviate all suffering. Despite excellent palliative care, dedicated doctors and medical staff for whom Belinda has the utmost respect, the end of Mareia’s life could not be described as a “good death”. The final two months of her life were spent in pure agony every time she moved; her breast cancer had metastasised through her bone marrow and fractured her spine. Beyond that, she was vomiting, had lost control of her bowels and in her final hours, despite terminal sedation, she would wake up gasping for air, twitching uncontrollably. It was heartbreaking for her daughter Belinda to witness. But how must Belinda have felt when she made her brave journey across Australia and found her mother’s story was all too common across this country? There is a great groundswell of Western Australians who do not want that kind of an end, and, frankly, I do not blame them.

Belinda’s story shows that this is an issue that goes beyond the individual; it affects their families, their loved ones and their friends, and it spills outward, not just from watching someone waste away, which is of course horrible, but in the consequences of what happens when people in this situation take matters into their own hands. It has been said that Western Australians have the ability to take their own lives if they so choose. This cold truism does not consider two things. Firstly, it is not physically an option to many who would choose such a thing. Secondly, and most compellingly, many people already do. It is a terribly painful and a horrific experience for their loved ones. At best estimate, one in 10 suicides in Western Australia are carried out by someone who is suffering from

a terminal or debilitating chronic illness. That figure is similar in jurisdictions such as the United Kingdom and the United States, and supported by a submission to the select committee by the coroner, who provided the committee a report detailing the instances that have occurred in WA over the prior five years. A selection of those cases and their stories are included in the committee report. It is sombre reading, in sympathy for not only those people, sound of mind, who chose the often gruesome and painful way out as it was preferable to their continued suffering, but also those who had to find them: partners, husbands, wives, family members, children, friends, carers and first responders—our police and ambulance officers. Commissioner of Police, Chris Dawson, testified to the committee about the impact on police who find these suicides. Police officers are human after all, and to him it no doubt has an effect on them.

In this context, I am reminded of the very sad story of Clive Deverall. Clive was a very prominent Western Australian. He was the former head of the Cancer Council; an incredible fundraiser and public health advocate; a palliative care campaigner; and president of Palliative Care Western Australia. For two decades he suffered from a rare form of non-Hodgkin's lymphoma. One of his friends, Terry Slevin, described him as "an extraordinarily energetic, fun but dedicated soul." He said —

"Clive had passions, Clive had beliefs and he never stepped back from those.

For the last years of his life, Clive had been a passionate advocate for voluntary assisted dying. Clive, as president of Palliative Care WA, knew that palliative care was not a cure-all. In October 2016, he told the ABC —

"Certainly I still embrace what palliative care stands for, but even with their clinical guidelines, they avoid the elephant in the room which is the very end stage patients where symptoms cannot be controlled ...

Clive, not seeing options or progress from politicians, and not feeling relief from his pain, decided to end his life himself. He told his wife that he was in a world of pain. The next day, on Saturday, 11 March 2017, he went to a public park and killed himself. That was the day of the state election. I think that is incredibly tragic, not just because a man who saw no options took his own life, which is inherently tragic, but also as a campaigner, he wanted his death to send a message. Although his death received some solemn coverage from the ABC and *The Australian*, and the member for South Perth raised his story in a written op-ed, ultimately he did not get the attention or the impact that I think Clive wanted. To me, that was devastating for him. Clive Deverall deserved better than that. I hope he would be encouraged by the progress we are now making, and that his story has made it to this place, to this second reading debate.

Even if this Parliament is too late for Clive, we do not have to be too late for others. I think this shows that inaction has consequences. Staying with the status quo has a cost. How many more Western Australians need to witness their loved ones suffer without relief? How many more family members need to come home to discover the person they love and are caring for has ended their own life horribly and painfully? How many police officers need to come off shift with a traumatic memory they cannot shake, especially when there is a model for something better, safer, less traumatic and more compassionate? It is well documented that some people, with the help of medical professionals, help their family members die when they are terminally ill. The vast majority of us would say that that is fair, humane and compassionate. However, I want to make one point on this: it is compassionate, except someone else is making the decision. The ultimate decision, one of the most important decisions affecting a person's life, is made by someone else. Does it not strike people as strange that it is accepted that a family member can make a decision for someone to die, but when they are in pain and terminal, the law blocks them from making that decision to have a humane and dignified death? I once attended a meeting where a prominent man said he opposed voluntary assisted dying, but he also said that he had taken steps to ensure that his mother died with the assistance of medical practitioners when she was terminally ill. He made the choice for her, but she was not allowed to make the choice for herself.

[Member's time extended.]

Mr M. McGOWAN: For me, I primarily see it through a lens of logic and freedom. It is my life. If the end is not only inevitable but also imminent, and if the forecast for my remaining days is for suffering and dramatic deterioration—in other words, a good death is not an option for me—I would like to decide the terms on which I die. I would like to be given the option of a calm and painless death with my affairs in order, supported by loved ones. I think that is far preferable. I do not know whether I would personally use it because I have never been in that situation. But if I were, I would be comforted by the knowledge that I had a choice. It is an option. After all, this is "voluntary" assisted dying. The government does not force it on you. If someone believes that life is sacred and it should never be ended before fate decides it, that is their choice. But for those who would choose such a thing, must everyone else be bound by your world view? I think that is the key point. People have very deeply held beliefs on this issue. That is something that I understand. But should those beliefs ultimately restrict the freedom of others—freedom from suffering at the end of our life and to choose the manner of one's end? After all, one of the restrictions in the legislation is on soundness of mind. The person must have decision-making capacity and be assessed to be free of coercion. For those in this chamber who approach politics through the paradigm of freedom and rights, and who follow the work of John Stuart Mill and others, is this not an incredibly simple issue to decide? This is the ultimate act of personal choice, of freedom, of individual rights.

For the past two years, a lot of hard work has been undertaken to get to this point. I thank the select committee, the ministerial expert panel, the Minister for Health and his department, the Attorney General, the member for Morley and the drafters for their work. I thank all of them and everyone else. There have been a lot of people and I cannot name them all. There has been extensive consultation with the community. This has been the largest public and community consultation ever undertaken by Western Australian Health. The ministerial panel heard from 867 participants and organisations during the consultation process. It received 541 submissions. More than 60 organisations were consulted. The select committee also received around 700 submissions and held 81 public hearings. I know members on all sides have been holding forums with their electorates or issuing surveys or consulting in whatever manner they have seen fit. This has been a very public discussion, well canvassed in the media, both print and television. As we have gone along, as people have seen what is happening in Victoria, and as more detail of our legislation has been released, we have seen an already high level of public support further increase. That is because we have developed a safe and compassionate regime for voluntary assisted dying.

In order to access voluntary assisted dying, a person would need to be aged over 18, be an Australian citizen or permanent resident and have been resident in Western Australia for at least a year. They would need to have a disease, illness or medical condition that is advanced, progressive and will on the balance of probabilities cause death within six months, or 12 months if it is a neurodegenerative condition. The condition would also need to be causing suffering to the person that cannot be relieved in a manner that the person considers tolerable. The request and assessment process requires three requests by the patient—two verbal, with a written declaration in between, and witnessed by two independent people. There must be a minimum of two independent medical assessments by two doctors and a final review by the coordinating doctor. Palliative care and treatment options available to the patient and the likely outcomes of that care and treatment are among a list of rigorous assessment measures and information included in the medical assessment phase. Each step in the voluntary assisted dying process, from the first request to the registration of death, must be recorded in an approved form and provided to the Voluntary Assisted Dying Board. The statutory board will ensure proper adherence to the bill and will have a monitoring and advisory role on matters related to voluntary assisted dying. This bill contains 102 safeguards. It is strict and it is conservative, but I believe that that was appropriate to achieve the broad support that it has.

This is an intrinsically hard debate to have as not only politicians, but also humans. We find it hard to talk about death. It is true that we find it very hard to talk about; I do not like talking about it. It is inevitable for every one of us. It will happen one day to each of us. We do not want to imagine a time without our loved ones and they do not want to imagine a time without us. I do not mind telling members that my parents had a conversation with me a couple of months ago about arrangements that they want for the end of their lives—funerals, notices and that sort of thing. It was hard, I have to say. I tried to change the subject, but they were very insistent on the conversation. As Premier, I am used to having difficult conversations, but although it is natural not to want to talk frankly about death, in this debate we need to put that to one side. We need to stare it in the face and have an honest conversation about the kinds of deaths available to Western Australians. Too many are suffering needlessly. I believe that we need to give them the option of a compassionate end, with the safeguards required so that the system cannot be abused.

It is a tough conversation for everyone, but it is on us to be careful but kind, and to understand that as a society we make rules and laws about all sorts of matters every single day, yet we have never had the courage to deal with one of the most important issues we all face—the death of ourselves and our loved ones. But we can do this and we can create a system that works for those who want it. Members, it is time to do the right thing morally and ethically, to be brave and to be kind. We can and should make this the law in Western Australia. Thank you.

MR Z.R.F. KIRKUP (Dawesville) [12.47 pm]: I stand today to speak on the Voluntary Assisted Dying Bill. As this bill was introduced by the Minister for Health and as I am the shadow Minister for Health, I take the responsive lead on it. This is the first piece of legislation that I have had such a privilege to deal with, so it is great to start with quite a challenge.

Looking back at the history of this Parliament, I am conscious that over the coming weeks we will be undertaking one of the most significant legislative considerations in decades. Regardless of the perspective any of us might have on this issue, the significance of this bill cannot be overstated. Truth be told, I initially was quite hesitant about this legislation because of not only the issue, but also the significant undertaking that may result in Western Australia being only the second state in the federation to implement assisted dying as an option of end of life for the terminally ill. However, from the process that I have gone through and after speaking to thousands of people and going over this legislation a number of times independently, I am no longer hesitant or apprehensive. I am emboldened that I can play a small part in contributing to what will undoubtedly be one of the most consequential legislative processes in the near future. I am proud to participate in the public discourse, this parliamentary debate and the overall process, because I know that when generations look back on this moment, I am confident they will see the best in all of us here as members of the Legislative Assembly. I am sure that they will see members who came together, regardless of our political allegiances, to discuss a concept that is momentous in its legislative capacity and, if the bill is passed, will substantially alter the futures of us all.

I am conscious that in considering this legislation, I do so from the perspective of having borne witness to very little death and dying myself. As the youngest member of this place, representing the oldest district in this state,

I have felt a somewhat heavy burden arriving at my decision here today, given that I have had only a fleeting relationship with death. I have lost only a grandfather some 20 years ago, at an age when I remember less about the brain cancer that took his life and much more about the nostalgic feelings of warmth and love that he gave me as I was growing up. In my consideration of this bill I know that death awaits us all. The reality is that this legislation seeks to ensure that there is a control over that process that has been deprived of many in this state over the course of history. The question that has been asked is whether this is something that any of us should have any control over. Should we allow suffering to overcome us or should we try to shorten that process and have ultimate control ourselves? For those who subscribe to God's plan, should we allow the intervention of humanity? Is this a concept that one considers that a controlled death is the ultimate mark of a dignified society or an intervention beyond acceptance?

As I stand here today, marking something like my ninth draft of this speech, this was not a decision that I arrived at easily. If we assume that the majority of people who wish to access this legislation will ultimately be the older cohort of our population, I stand here today as one who is the least likely, the furthest away—although it is by no means a guarantee—from needing to access voluntary assisted dying as an option if it becomes legislated.

Mrs L.M. Harvey: I certainly hope so.

Mr Z.R.F. KIRKUP: I do hope so. With this lack of proximity to death, I did not have an immediately firm position on voluntary assisted dying. To establish my decision here today, I did a lot of searching. Initially, I somehow hoped that I might be lucky enough to land at an immediate and enlightened position on how I might treat this bill. Some of that searching was a reflection of my own personal values, but most of the searching was to establish a reliance on the opinions and beliefs of the electorate that dispatched me to this place in March 2017. I resolved that no matter what, the perspective of my district, the district that I represent, should matter more to me and how I represent their views in this place, and that my views should take second place. I have always believed that, first and foremost, the role of a parliamentarian is to reflect the views of those we have the privilege of serving. With this in mind, I set about trying to establish how my district feels about this issue and the legislation itself. As members will see, it has been a somewhat exhausting process. Before I outline the work we did in detail, I would like to thank Amanda Burton and Gaynar Sanders from my office, and the volunteers who assisted me with the legislation—Olivia Fortune, Jenny Green, Jill Millman, Joanne Stillaway and John Robertson—for their assistance in what we have achieved together.

As elected representatives we operate these days in a world in which we are not well liked and, at times, not well respected, and there is an overwhelming view that sometimes we are disconnected from the citizens who send us to this place. If the process of this legislation has taught me anything, it is that people more than ever want their representatives to connect with them, to listen to them, to respect them and, ultimately, to act on behalf of them. At every point in the consultation I undertook, I found differences of opinion on this issue. In my district, those views were often shared publicly at town hall or community group meetings, and although there were differences of perspective, there was no lack of respect among participants. In the experience across my district, people listened to each other, they respected each other, they spoke with high emotion, they spoke through tears, they spoke with conviction and they spoke with resolve on their perspective on this legislation and, ultimately, the end of life. However, at no point did this get the better of them. Instead, they understood opposing views and resolved to treat each other with dignity. I have found this process of direct, democratic engagement one of the most enriching opportunities I have had thus far in my parliamentary career and it only further reinforced the deep sense of pride I have in serving the district of Dawesville and the people of Mandurah more broadly. I am thankful to the thousands to whom I have spoken and I am grateful that by and large we are able to have these difficult conversations in peace, without violence or intimidation.

The process that I went through to consult with and establish the views of my district was divided into six elements. First, I created a dedicated page and resource on my website from the moment that the report of the Joint Select Committee on End of Life Choices was released. I wanted this to become the central depository for people in my community and a reference point for those who wanted more information. The Joint Select Committee on End of Life Choices report, the minority report, the Ministerial Expert Panel on Voluntary Assisted Dying report and the bill itself can still be found there, together with a form that people could fill out to provide me with their direct feedback. In the past month alone, more than 460 individuals have accessed that page and participated.

The second part of consultation reveals a bit of a trade secret. I am fortunate that after much community engagement, I have worked to secure the email addresses of over 6 540 households in my district. As the second part of this consultation process, I emailed every one of them asking for their views on this issue and this legislation. A significant level of engagement came to me via email—sometimes one line; sometimes an essay from the citizen's perspective. As with every email I get, I read through the emails and understood and absorbed their views, and I responded accordingly.

Thirdly, we called every single household in my district where there was a resident aged 65 or over. This resulted in more than 3 040 households being called and asked specifically how they felt about voluntary assisted dying. As with all the language I have used throughout this debate, it was a very straightforward conversation. I was conscious that I did not want people to feel uncomfortable letting me know their views and that they did not feel influenced by the manner in which I might question them to understand how they felt about this matter.

Fourthly, we contacted every person who wrote to the *Mandurah Mail* or the *Mandurah Coastal Times*, even if they did not live in my district, to ask them whether they wanted to meet or discuss this issue over the phone. In total, 23 such meetings were held. Some of those meetings were the most confronting I have experienced. All of us in this place know that there is no training or handbook for much of what we do as members of Parliament. I assure you, Mr Speaker, that little can prepare you for when you have an elderly gentleman, who is otherwise quite composed, breaking down in your office when talking about the loss of his partner. As a young member of this place, and a freshman elected in only 2017, conversations like that left an indelible mark on me. Perhaps it is because we are reminded that our lives are too short and that we, too, will face death that these meetings I had with constituents were both emotionally crushing and yet full of hope for the opportunity that I might have to help relieve their situation.

The fifth part of consultation revolved around two town hall meetings that were conducted last week, one on Wednesday and one on Saturday, with a total of 139 people attending. At those town halls, I spent one and a half hours briefing residents on my summary of the legislation as best I could. Nothing can really test your knowledge of a bill quite like conducting your own briefing and then taking questions from those who attend. It was a miniature consideration in detail process from my own perspective, with people asking me questions such as why I did not include certain elements in the bill. I had to remind them that I was not the author.

Once again, as members would expect, there was a significant diversity of opinion. People such as Bill McWhirter from Halls Head told me that the legislation was too complex and that I needed to simplify it, referring to the “keep it simple, stupid” principle, and then ended, rather affectionately, by calling me stupid for not doing so. Others such as Emily Pinell remain concerned about the emotional impact that this legislation might have on practitioners.

I conducted sentiment analysis polling prior to my briefings at the town halls, and then once again after my briefings, to get the views of each participant on the specific elements of the legislation. Participants were asked to provide a score indicating their level of support for this issue prior to the briefing and then subsequent to it. The final step in the process was to engage with community groups in my district on this issue. In total, we engaged with more than 30 community groups. In some instances, I presented to them about VAD; in some instances, they provided me with direct feedback. In all, we contacted more than 9 580 households of the 18 765 households in my district. To put it another way, we contacted approximately over 51 per cent of those in my district. The youngest person who offered their view was 19; the oldest was 92. With these numbers in mind, I can report with confidence to this place that the sentiment in my district is as follows: 7.7 per cent of people remain unsure about voluntary assisted dying and this legislation; 8.5 per cent of people were against it; and 83.7 per cent of people in my district remain in favour of voluntary assisted dying and this legislation. Although this sits a few points below the research published in *The West Australian*, it is still quite obvious that the overwhelming majority of people in my community support voluntary assisted dying.

For what it is worth, I began this process with a hypothesis that perhaps the soft vote on this issue was quite high and that after individuals were challenged, there would be an erosion of support.

In the sentiment analysis that we conducted during the town hall meetings, in which every person offered a score on how strongly they supported or did not support the issue prior and post my briefing, people overwhelmingly remained steadfast in their views. A small percentage of people were unsure of the legislation prior to the briefings, but in equal measure split to be supportive or unsupportive after the briefings. It is clear to me that this matter crosses many cultural, political and social divides. I know people in my community who did not support same-sex marriage, but who stood in favour of voluntary assisted dying, for example. I know, too, when I discussed this issue with members of all three of my local Liberal branches, there was an overwhelming view, even from the most conservative of my members, that they wanted to see voluntary assisted dying introduced. Given this opportunity and experience, I strongly reject any notion that there is a high soft vote on this issue, and that somehow when people are challenged to think critically about this issue, they reverse their position in droves, and it results in a 50–50 split or the like. This is not what I have seen. The reality is that in my district, and I suspect perhaps across the state, people have made up their minds on this issue. As a parliamentarian, it is now my turn. It is clear to me that my district wants me to support voluntary assisted dying in Western Australia, and I intend to do so.

Having gone through this legislation three times and made in excess of 450 mark-ups on the bill, I still have concerns and believe elements of the legislation need to be explored through the consideration in detail process. As a representative, I will not be at odds with the views of my community and absolutely intend to support the legislation. As a legislator, I consider it my moral responsibility to ensure that this bill is deeply scrutinised and that we explore any, and all, issues that may be associated with its design and implementation. I am encouraged that the minister has come to this with an open mind and has demonstrated a willingness to work in good faith with all members of this place to ensure that the legislation passes through this house in good shape. Very few landmark pieces of legislation go through both houses without some deep investigation. I believe we all have an obligation to ensure that the Voluntary Assisted Dying Bill passes in a state of immense fitness and accountability to the people of Western Australia.

There are three areas of immediate consideration associated with voluntary assisted dying that I would like to explore briefly: specifically, the provision of palliative care services in Western Australia, the delivery of VAD and end-of-life choices to Aboriginal communities in WA and, finally, the logistics surrounding the substance that may be used to access voluntary assisted dying.

Although palliative care is not dealt with exclusively in this bill, I remain quite concerned about the lack of guaranteed funding for the provision of high-quality palliative care across Western Australia. When the Parliamentary Liberal Party had the opportunity to spend our winter conference in the Kalgoorlie district, I had the chance to meet with a palliative care nurse. She echoed my sentiments that in the regions, in particular, there is a lack of investment in high-quality palliative care. I note that the bill suggests in the principles in part 1 that all end-of-life choices should be considered and specifically singles out that there should be access to high-quality palliative care, which simply does not occur in the regions.

I think it is important that while the minister seeks to pass this legislation through this place, we should ensure that guaranteed funding for palliative care is in the forward estimates. I sincerely wish that during this debate and during the consideration in detail stage, we get an understanding from the minister on what that funding will look like over the forward estimates, and are assured that the government intends to focus on regional areas. Kalgoorlie is not that far away when compared with Broome, Esperance or Newman, but all people in Western Australia deserve equality of access to palliative care without being disadvantaged due to the tyranny of distance from our capital. I note that there are only 15 palliative care specialists in Western Australia, and that presently in places such as Royal Perth Hospital, palliative care is delivered on a nine-to-five basis from Monday to Friday.

I have made mention of the fact that Mandurah has the oldest population. With this in mind, it is my experience that there needs to be a significant investment in specialist palliative care in our city—a regional city that is just over an hour away from Perth. We know that further away from Perth, the inequality in accessing palliative care services grows. Our state deserves better than that. When I talked in my town hall meetings about the distance to palliative care services, concerns about distance and isolation came up time and again. When it comes to possibly accessing voluntary assisted dying, many residents felt they could not access practitioners in Mandurah, let alone what that might translate to in Kalgoorlie, where the waitlist for a general practitioner is over two and a half months. Many people in my district felt the bill does not properly consider how those who live some distance from Perth, in a regional city like Mandurah, or who may be mobility impaired, may access a coordinating practitioner, let alone a consulting practitioner. I pointed out to people that although there are provisions for teleconferences and the like, it is likely that this option will be removed from the legislation due to overriding commonwealth legislation.

Distance from Perth is an obvious concern for government in the provision of all services. However, as our minds turn to the end-of-life choices legislation, I think it is important that more effort is put into establishing guaranteed minimums, perhaps an overarching state palliative care plan led by the Department of Health, and a better understanding of how voluntary assisted dying might be accessed by those who do not live in the western suburbs. We must strive to ensure that citizens are not disadvantaged because of their cultural background or their socioeconomic status or simply because they have chosen to live outside our capital.

In a not dissimilar theme, I would like to discuss the delivery of end-of-life choices for Aboriginal people, in particular those who reside in remote or regional communities. All of us in this place know that Aboriginal people are negatively overrepresented in nearly every key indicator for health, wellbeing and development. Detrimental health outcomes haunt Aboriginal Western Australians from the very beginning of their life. In WA, the infant mortality rate for an Aboriginal child stands 2.7 times higher than for non-Aboriginal children. Western Australian Aboriginal children are 10 times more likely to have a mother who consumed alcohol during pregnancy, resulting in 89 per cent of Aboriginal children accounting for all foetal alcohol spectrum disorder diagnoses. As we have seen with coronial inquest after coronial inquest, Aboriginal people are 2.7 times more likely to suffer psychological distress compared with their non-Aboriginal counterparts, and are highly overrepresented in our state's suicide rate. When it comes to chronic disease, it is upsetting to consider that Aboriginal people are 3.5 times more likely to suffer from diabetes and 70 per cent more likely to die of cardiovascular disease. Ultimately, Aboriginal Western Australians die 13.4 years earlier than any other Western Australians, which is a larger mortality gap than in any other state in our Federation.

When one considers the desperate situation that our Aboriginal communities face, we must resolve to do better in the delivery of culturally appropriate and local palliative care options. We know that palliative care is not being delivered with a sense of equality in Perth and in regional areas, but the situation is far worse when we consider this in the context of Aboriginal communities, particularly those in remote settings. It strikes me as deeply unfair and deeply unreasonable that our Aboriginal Western Australians, who die 13 years sooner than everyone else, do so in an environment where they cannot access palliative care treatment—and, more than that, are now being offered the option of voluntary assisted dying. We must do better. I worry that without guaranteed investment and a plan to deliver culturally appropriate and local palliative care options to Aboriginal communities, wherever they may be, opening another avenue to death may further exacerbate the vulnerabilities that Aboriginal people face. With this in mind, I know that this government, this minister and indeed all in this place care deeply about the circumstances confronting Aboriginal people that I have described. I do not raise this issue to be controversial, but because it is a depressing reality and we must acknowledge it and resolve to work together to improve the health of our First Nations people. If we legislate to provide access to voluntary assisted dying, it is only fair and reasonable similarly to resolve to invest in better health outcomes to help extend the lives of Aboriginal Western Australians and to close the gap, so that when the end of a person's life arrives, we can provide the option of better culturally appropriate palliative care treatment, preferably on country, or voluntary assisted dying. We can and must do better.

The final concern that I would like to raise before I finish my contribution is about the logistics around the substance that ultimately will be provided in order to bring about a patient's death. When we consider remote or regional communities, it is imperative that we look at this legislation not only through the lens of application in the metropolitan area, but also with a view to how this will be delivered in areas that are thousands of kilometres from this place. Many of us know the unique challenges that regional cities and towns face at the best of times. In many places around this state, there are towns that do not have the luxuries that we all take for granted in Perth. There are very serious logistical practicalities to consider when we think about the nature of the substance that will be released for the purpose of self-administration. How will it be transported, stored, accessed, prepared, administered and then disposed of when the inevitable death occurs, when we are thousands of kilometres away in a regional centre, or even further away still in a remote community? In Victoria, there are controls in place for the dispensation of this substance. I have been told that a person who receives the schedule 4 or 8 drug receives it in a locked box. The legislation we have before us is largely silent on how this will be treated in a logistical fashion and handled throughout Western Australia. It is obviously a practical impossibility to legally bind a patient who accesses voluntary assisted dying because, if they follow through, ultimately, they will be dead. As the patient can largely ignore any framework or penalties once they have taken possession of the substance, I think it is incumbent upon us, as part of our debate during the consideration in detail stage, to ensure that we explore to the nth degree what this would look like if it was to be administered, in particular at some distance from the capital.

In addition to these concerns about palliative care funding, the impact on Aboriginal communities and the release of the substance to the public who wish to access VAD, I hope to explore other areas during the consideration in detail stage, including understanding how the identity of a patient is to be established before proceeding with the first assessment; the inclusion and use of telecommunications to undertake the request and assessment processes, which may be at odds with commonwealth legislation; the training standards that will be in place for practitioners; the level of coordination and consulting commerciality that may exist with practitioners; the role of the Voluntary Assisted Dying Board; the measures that will be in place to ensure that coercion is not being exerted on a patient; and the ways that we can ensure that a patient's mental health is ascertained before allowing an administrative decision. I intend to explore these issues in detail, together with the three main areas that I have already canvassed. I do so with a desire to work constructively with the minister to ensure that the Voluntary Assisted Dying Bill, which is important and landmark legislation, leaves this place having received the highest level of scrutiny and in the best possible condition.

The Parliament of Western Australia has a history of facing difficult decisions, having tough conversations and producing landmark legislation that often leads the nation. We do so because this Parliament reflects the broader values of Western Australia—a state and a people who embrace challenge and do not shy away from a task that may be tough or unprecedented. The debate on and consideration of this bill should be no different. It is challenging. There have been and there will continue to be very difficult conversations. However, ultimately, this is landmark legislation that I, together with the vast majority of people in my district, stand in support of. As I have outlined, I have some concerns, particularly about the existing delivery of palliative care services, the impact on Aboriginal communities, and the logistical issues that might result from the dispensation of the substance itself. However, I consider it my job as a legislator to explore these issues and make sure that we send this bill to the Legislative Council in the best possible shape, ensuring that it is up to the exacting standards that Western Australians deserve.

Starting tonight, all of us can expect late sittings. I expect I will need to bring a sleeping bag and changes of shirts to this place, and that we will be sleeping in our offices from time to time. I expect we will experience high emotion and the fatigue that comes with such a mammoth undertaking. This has taken an immense emotional toll on me already, and, in all reality, we have not even begun to get into consideration in detail. As we go about this process, I make the commitment to this house and my district that I will resolve to represent their views to the best of my ability. I will work hard to ensure that we send this bill to Government House to become an act that will ensure that all citizens have the capacity to choose how they wish to end their suffering when they are terminally ill, all citizens have their hope restored in the face of their ultimate death, and all citizens are safe in the knowledge that we have done our very best as legislators to ensure that they can access voluntary assisted dying in Western Australia.

I commend the bill to the house.

[Applause.]

MR J.E. McGRATH (South Perth) [1.13 pm]: I rise to contribute to the second reading debate on the Voluntary Assisted Dying Bill 2019. At the outset, I would like to inform the house that I will be supporting the legislation that we have before us today. I am supporting it because I think it is the right thing to do. I am supporting voluntary assisted dying because of the people who have stopped me in the street—some of them total strangers—who have expressed their support for this legislation. I am supporting it for all the people who showed the courage to come before the Joint Select Committee on End of Life Choices and give evidence on the traumatic experiences of their loved ones at the end of their lives. I am supporting voluntary assisted dying for those doctors and clinicians who I know believe it is the right thing to do; and for Emeritus Professor Max Kamien, who, as ABC reported today, has split with the Australian Medical Association on this issue. I am supporting it because of the great number of doctors surveyed by the AMA in 2016 who believe that voluntary assisted dying should be provided in

some circumstances. I am supporting it for the people who have a neurodegenerative disease and are wondering what their end-of-life experience will be like. I am supporting voluntary assisted dying for the nurse practitioner who recently came to my office and gave me a graphic description of the visceral nature of the dying and deaths of the cancer patients she has tended to, and for the 80 per cent of Western Australian nurses surveyed who also support it. I am supporting voluntary assisted dying for the 84 per cent of people who came out in support when recently surveyed by the Council on the Ageing Western Australia. But, above all else, I am supporting voluntary assisted dying for the 88 per cent of Western Australians who, as reported in *The West Australia* on Monday, are asking legislators to grant them the choice to not suffer unnecessarily at the end of life's journey.

When I entered Parliament in 2005, I said that my political ideology was quite simple. I said that politics should never get in the way of an initiative that would really benefit our state, and that I would never stand in the way of anything that would benefit my electorate, South Perth—very similar to the member for Dawesville. I believe that legislating for voluntary assisted dying will benefit not only my electorate, but also Western Australians around the state, and I believe very firmly that politics should not get in the way. Some of my colleagues might wonder at the strong stance I have taken on the issue, given that my portfolio and main areas of interest have been around sport and recreation, and racing and gaming. But to my mind, although we all bring our particular experiences and expertise to our roles as members of Parliament, we are here to represent our constituents on a broad range of subjects. If there is one thing I have learnt on the topic of voluntary assisted dying, it is that, at the end of the day, we legislators are all in this together.

I know that in this place, opposing opinions on voluntary assisted dying are genuine, and that every member of Parliament is considering the issue very carefully. On this occasion, we are entitled to vote in accordance with our conscience. Above all else, I simply urge MPs to consult their constituents, as has been demonstrated by the member for Dawesville—an amazing performance to consult so many constituents.

My views on end-of-life choices have been profoundly shaped by my work on the joint select committee. For that reason, I am grateful to the many hundreds who shared their experiences, expertise, views and concerns, and particularly those who exposed their grief, pain and suffering to the committee, often in full view of the public. I would like to specifically acknowledge the late Mr Clive Deverall, who was mentioned by the Premier in his speech. Clive Deverall was a constituent of mine. Clive's tragic death prompted me to nominate myself as one of the two Liberal Party members on the committee. As the Premier said, Clive was the former head of the state's Cancer Council and Palliative Care WA, as well as being a board member of Palliative Care Australia. On 11 March 2017, the day of the last state election, Clive ended his life in a public toilet close to the polling booth in my electorate, only a few hundred metres from my home. I later found out that Clive had chosen that polling day to send a message to us as politicians. Clive's wife, Mrs Noreen Fynn, was one of many who gave evidence to the committee. Noreen, who went on to become a member of the ministerial expert panel, spoke powerfully of Clive's life and death. Noreen said that although Clive took his own life, he did not choose between life and death. Instead, his actions were about the relief of suffering, choice and control when there was no prospect of a cure nor recovery, and no hope. Clive intended that his final act on election day 2017 would support the introduction of legislation in Western Australia to allow for assisted dying. He left a note: "Suicide is legal; euthanasia is not."

Other witnesses also had a profound effect on me. I have spoken before in this place about the evidence of Mr Bill Spanbroek and his daughter, Mrs Katherine McBarron. Bill and Katherine have seen a great deal of suffering and death in their lives largely associated with the ravages of the genetic and neurodegenerative Huntington's disease, including Katherine's biological father who had Huntington's disease and gassed himself in a car across the road from her home when she was just six years of age. Her brother Michael also died suffering terribly without effective pain relief at just 29 years of age and weighing less than 30 kilograms. I found Katherine's evidence to be most compelling. When she appeared before the committee, Katherine was a young, vibrant 39-year-old woman. Her bravery in coming forward really had an impact on me. Katherine told us that she was 25 years of age when she was diagnosed as being gene positive to Huntington's. She now lives knowing that Huntington's could strike at any time. Despite that, Katherine told us that she lives a pretty happy existence that is full of life. But her greatest fear is that if the worst happens, she will have the same limited choices that her family members did when they were dying. It is important to note that Katherine told us that she was speaking for not only herself, but also others who might be in a similar position. I would like to read to the house part of Katherine's evidence to the committee. Katherine said —

... my brother did not have a quality of life for five weeks in hospital, but they made him sit there because it is the law ... I got to witness the intensity of Huntington's. It was quite aggressive, the type of suffering he was going through and the changes he was going through. It was just horrible to watch. I just know that when it gets to be point where I do not have a quality of life and I am struggling, I will not be able to tie my shoelaces or be able to feed myself, I will be falling over and hitting my head, all of that sort of stuff ... I do not want to get to the point of my father or my two half-brothers. I want to be with family and do it on my terms and celebrate my life and do it the right way and say, "See you, guys. My time is up; I have done enough."

When I cross the chamber and vote in favour of this legislation, I will be thinking of Katherine.

By the end of a year of going through the committee process, I had come to the conclusion that legislating for voluntary assisted dying was the right thing to do, but I am convinced that parliamentarians must not only act to address the suffering of so many at the end of their lives. Assisted dying must be the choice of only the dying person, no-one else, and that point has been made by the previous two speakers. Assisted dying must be truly voluntary. That means that a dying person must not only have capacity to make a decision on assisted dying, but also not be under any compulsion or coercion to do so and, instead, have real choices. That is why the committee recommended that significant safeguards be in place in the proposed legislation for voluntary assisted dying. It is also why the committee strongly supported palliative care. I, too, am a great supporter of palliative care. I remember the day I was permitted as a committee member to accompany a Silver Chain nurse called Lyndsay on her rounds. We visited a cancer patient, a lovely gentleman, who agreed for me to come into his home with Lyndsay. I chatted with the gentleman about footy—he was an Eagles supporter and he loved watching the game on television—while Lyndsay dispensed medicine and discussed his progress with him and his wife. As we drove away, I thought to myself that if I ever get into that position, I would certainly look forward to a visit from someone like that. I often wonder whether the gentleman is still with us. I wanted to contact Lyndsay and ask about his progress but felt that might be too intrusive, so I still do not know.

As part of the committee process, members also visited hospitals and palliative care facilities around the state. I particularly want to record my appreciation of the commendable work being done by Dr Anil Tandon and his colleagues at Sir Charles Gairdner Hospital. I also acknowledge those patients of Dr Tandon who kindly gave their permission for committee members to visit them. The end of life can bring great sadness, but by being allowed to share a small part of it with those who were dying and those who cared for them, I got to witness how remarkable people can be, even in the most difficult of circumstances. It was a privilege to meet those patients and to see the work of Dr Tandon and it left me in no doubt about the value of palliative care.

These experiences explain why the committee recommended, among other things, the establishment of a hospice in the northern suburbs of Perth; that community palliative care providers, such as Silver Chain, be adequately funded to provide for growing demand; and that the government determines the unmet need for palliative care and ensures that regional palliative care is adequately funded to meet demand. I was pleased that the government, as part of its response to the committee's recommendations, allocated substantial additional funding for palliative care throughout the state. I am sure that this will be an ongoing matter for the government that will be raised again during this debate.

Now I would like to briefly address some of the more technical aspects of the proposed legislation. The Western Australian bill is largely modelled on the Victorian Voluntary Assisted Dying Act 2017, which came into effect on 19 June this year. The Victorian act is largely drawn from the model enacted in Oregon more than two decades ago. Dr David Grube is a retired Oregon physician with more than 35 years' experience in caring for patients at all stages of life, including those who have requested and utilised medical aid in dying. During a recent visit to Perth, he stated that there are some important differences between Oregon and Australia. He said that Oregon does not have universal health cover or what he described as the wonderful palliative care and hospice programs that we have here in Australia. Dr Grube also pointed out that the laws in Oregon are not defined as specifically as the proposed legislation in WA, yet he says that in Oregon that has not been a problem. Oregon's Death with Dignity Act, which has served that state for 22 years with only one very recent amendment, is just 12 pages long. The WA bill consists of 119 pages.

Safeguards in the WA bill require that coordinating, consulting and, when relevant, administering practitioners consider and certify that the patient is acting voluntarily and without coercion. Their assessment needs to be reported to the review board that will be established under this legislation and, in doing so, they risk not only their professional accreditation, but also facing fines and imprisonment if it is false or misleading. Some may argue that this safeguard is not enough. However, those same people appear unconcerned that there is nothing at all like this in place for existing end-of-life choices such as refusing life-sustaining medical treatment. Others argue that irrespective of how many safeguards there are, it still will not be enough and that the only proper course is to simply prohibit that choice and that voluntary assisted dying should never be legislated for. I cannot understand that. Why? Because it would deny everyone, including vulnerable people, the dignity to make their own choices.

Apart from Oregon, there are now another eight states in the United States where medical aid in dying—MAID—has been legislated for or is lawful, and another is expected to join them next month. All the legislation is similar to Oregon's MAID and is available to terminally ill, competent adults who have six months or less until expected death and have requested access twice orally and once in writing. Mr Acting Speaker, did you know that by mid-September, one in five Americans will live in a state where this option is available? Long-term data from Oregon and Washington shows an increase in the number of patients using medical aid in dying over time, but that these remain fewer than 0.4 per cent of all deaths per annum. A quarter of those who are prescribed the medication do not even use it. The data also shows that concerns that MAID would unintentionally target socially disadvantaged patients have not materialised.

We know that voluntary assisted dying is not limited to the United States. It is also lawful, in various forms, in Canada, Colombia and a number of European countries. But where voluntary assisted dying is recognised within a human rights framework, such as in the Netherlands and Belgium, it has never been limited to only people with

a terminal illness. Voluntary assisted dying legislation in those countries is different from that in Oregon and the other US states and Victoria and what we have proposed here in WA. Voluntary assisted dying in these jurisdictions more resembles the existing medical practices that provide for the means to alleviate suffering at end of life. I do not think it is based on a right to not suffer. It is far more limiting because it requires the person to have a predicted death from a terminal disease. Therefore, to use what is happening in the Netherlands and Belgium to argue against what is proposed here is simply confused. I support the broad thrust of the Voluntary Assisted Dying Bill 2019, which comes from the Victorian and Oregon models. But I am pleased that it varies from the Victorian legislation in a number of ways. I will return to this during consideration in detail.

I support the following. First, although participating practitioners will need to complete approved training, there is no requirement in the WA bill for a doctor to obtain a voluntary assisted dying permit from the government for each patient. Second, the Victorian prohibition against practitioners raising voluntary assisted dying with a patient has not been adopted. Third, under the WA bill, although a practitioner will still have the important right to decline to participate in the process, they will be required to immediately inform a patient who is asking for voluntary assisted dying about their conscientious objection. They must also give the patient standardised information, presumably about how to find a doctor who may be willing to assist. Fourth, in WA, key discussions relating to requesting and assessing eligibility for voluntary assisted dying can take place using audiovisual communication.

[Member's time extended.]

Mr J.E. McGRATH: Nurse practitioners can administer the lethal medication if self-administration is not appropriate. This is basically so that dying people in remote locations will be able to access voluntary assisted dying. Victoria did not include these options, but it is a small state compared with the vast and remote country areas of WA. The Nationals WA and the member for Dawesville referred to issues to do with audiovisual communication, and I look forward to the government's response during consideration in detail. Fifth, the WA bill provides for practitioner administration of the lethal medication in wider circumstances. The panel cited limited evidence of complications in 4.9 per cent of cases in which a patient self-ingested the lethal dose, mostly involving regurgitation. It recommended extending the exception beyond just physical incapacity to include a clinical determination that self-administration is not suitable, and this has been adopted in the bill. This avoids discriminating against people with certain disabilities or illnesses who would otherwise be denied access to voluntary assisted dying.

Despite favouring so much of the bill, I am disappointed that it adopts the estimated time frame to death from the Victorian legislation—that is, six months, except for neurological conditions when an estimated 12 months to death will apply. The committee's recommendation that death from the condition needed to be reasonably foreseeable was based on the impassioned evidence we received that severe and intractable symptoms may be experienced for months—even years—and that an expected time until death is not always clinically justified. Time to death is notoriously difficult to estimate. Brightwater care group has disability share houses across Perth, including some that specialise in supporting people with Huntington's disease. In Brightwater's submission to the panel, it did not support imposing a time frame until death because it said that time frames are far less predictable for people who have a neurodegenerative disorder. In fact, Brightwater had experience of people dying from issues related to their neurological disease who had accessed palliative care only the day before they died due to the difficulty in correctly estimating a person's life span with those conditions.

The WA expert panel was told by Dr Grube that in Oregon, where there is a criterion of a six-month time frame to expected death, about 50 per cent of people who commenced the voluntary assisted dying process died of their disease prior to the completion of the process. I am concerned that in adopting the six-month criterion with only limited exception, the legislation before us will unnecessarily exclude dying people from accessing voluntary assisted dying. Despite my disappointment, as I said, I support this bill. I would now like to deal with some of the recent arguments that have been raised against it.

Some people argue that if only a small cohort of people are going to access voluntary assisted dying, why is the Parliament even considering this legislation? I am at a loss to understand how someone could put forward that argument. Why do people who are dying not matter? Others claim that if a person requesting voluntary assisted dying is not assessed as eligible, the bill will allow for doctor shopping. Dr Grube pointed out on 720 ABC that this does not happen. According to my notes, he said —

These are people that are really sick. They can't "shop" around. They're in bed at home ... they have to find two different doctors like you would in WA, you have a waiting period, you have all these processes that you have to go through. Shopping around is folly. It doesn't happen.

Another argument is that despite the fairly detailed requirements for transporting and storing the lethal medication, these are not good enough because it is a poison that would be dangerous if it got in the wrong hands. As if this lethal medication would be the only poison available to the community. Perhaps they should take a look in their garden shed or medicine cabinet? Similarly, some argue that dying people should not be allowed to stay at home but should go to a health facility to have the medication administered under supervision. Requiring a dying person to leave their sick bed and travel to some unfamiliar facility to be assisted to die strikes me as heartless. It is precisely the opposite of what voluntary assisted dying is meant to achieve. It neither respects a dying person's

choices nor provides for the option to die at home even though that is what the vast majority of us hope for. Some claim that what is being proposed here breaches a foundational principle of civilised society—thou shalt not kill—and that any change would be reckless. But what have we got now? As a former president of the Western Australian AMA once stated, doctors regularly shorten patients' lives if that is the right thing to do at the very end of their life. I remind the house that even if doctors decide not to continue what they consider futile medical treatment with the intention of ending their dying patient's life, it is not called killing or euthanasia. Patients or decision-makers for patients who have lost capacity may also make medical choices, such as turning off a life support system with the intention of ending a person's suffering by ending their life. Again, I remind the house that this also is not called suicide, euthanasia or killing. If this bill becomes law, medical assistance for a dying person to hasten their death—at their request, mind you—would no more warrant being described as killing, suicide or euthanasia than does existing end-of-life practices.

I have come to the conclusion that the options in place now are not good enough. I think we can and should do more. Although existing choices allow a person to eventually end their suffering, many would find cold comfort in the option of slowly starving themselves to death, being sedated into—hopefully—oblivion until they pass away or leaving it to their families to grapple with once they lose their capacity. For all of the importance of palliative care, it has to be said that it is not the complete answer claimed by opponents of voluntary assisted dying. Data from specialist palliative care services shows that a total of 13.9 per cent of patients in their care die in severe distress from various physical symptoms. Clive Deverall at his last public appearance spoke about palliative care nightmares. He did not want to be among them and took his own life. Evidence provided to the committee by the State Coroner and other witnesses, as was mentioned earlier, demonstrated how brutal and lonely suicide is as a preferred option for those who have been diagnosed with a terminal or debilitating physical condition. Of course, as Clive noted, suicide is legal. But his and similar deaths give no reason to be complacent about existing choices, not least because of the impact suicide has on so many others.

I repeat: I am supporting voluntary assisted dying to give dying people more choice at the end of life so that they will at least discuss their situation with health professionals and be made aware of the alternatives, so that they can choose not to end their life alone by attempting to take or taking their own life. As Royal Perth Hospital chaplain Reverend Ken Devereux said this week —

It is a terribly lonely thing to do and causes great distress to family, friends and first responders like paramedics.

As Katherine said, we need a system in which dying people can, at the end of their life, be with family, celebrate their life, die on their own terms and do it the right way. Similarly to the Premier, I have no idea what course of action I would take if I came to that stage of life. I do not think any of us know. But this legislation will give people a choice. At present, there is no choice. People I speak to say that it is a choice we can all make. A lot of people say to me that they do not think they would do it, but that it would be good to have the choice. That is what this legislation is all about—choice. Nothing will be forced on anyone.

In closing, I am supporting voluntary assisted dying. I am supporting it especially for Katherine, who has asked us to give her that choice. I am also supporting it for Clive, who did not have that option. I commend the bill to the house.

[Applause.]

MR R.R. WHITBY (Baldivis — Parliamentary Secretary) [1.40 pm]: This is the most important decision any of us will ever make on legislation before this house. It is a decision with the potential to have a direct and intimate impact on Western Australians—on those facing their final days and on the ones who love them. For me, this is not a political issue. This is not a philosophical issue. This is not even an issue of faith. When we cut through all the debate, this is about humanity, compassion and love. Ultimately, it is about the right of all of us to choose. It is the right to seek voluntary assisted dying and the right not to seek it.

Under the Voluntary Assisted Dying Bill 2019, no choice is right or wrong. If someone has a strongly held faith-based conviction to oppose voluntary assisted dying, their rights are protected. The legislation does not allow force or compulsion by others. It is not about making anyone endure something against their wishes. That would be wrong. That prompts me to ask: why should someone who does seek the option of voluntary assisted dying be denied that option by others? Why should they be forced to endure against their wishes? All members of this place innately know that no-one should have the right to interfere with the fundamental and personal choices of others. When it comes to such a choice at the end of life, this should be especially so. Why would those of us who trumpet the rights of individual freedom abandon that principle when it is needed most?

I served alongside Labor, Liberal, Nationals and Greens colleagues as a member of the Joint Select Committee on End of Life Choices, which investigated voluntary assisted dying, palliative care and advance health directives. We were diligent, conscientious and respectful in our work. Apart from a strikingly divergent minority report written by one member, the final majority report represented strong agreement across party lines. Since our report, there has been exhaustive community consultation and advice sought from a range of respected professionals. The result is one of the most carefully crafted, sensitive, respectful and detailed pieces of legislation for voluntary assisted dying ever put before lawmakers on the planet. We, in this place, have had the benefit of the experience

of legislation in other jurisdictions in Europe and North America that goes back decades. We have carefully and honestly looked at this evidence and we have crafted a moderate and conservative bill to suit Western Australia. It is a bill heavy in safeguards, with a clear and careful process to ensure that those with capacity at the end of life are able to choose to end intolerable suffering.

Opponents of this bill have claimed that it represents a devaluing of human life. Nothing could be further from the truth. This is about valuing what really encapsulates life and its inherent values—the joy of life and dignity. Life is not about intolerable pain and suffering to the point at which one's will is to die instead of to live. We debate this bill today in agreement that no-one wants to die. No-one of sound and healthy mind wants their life to end. The Western Australians who may choose to use this legislation will be those who are dying and close to death. The question is not if they are going to die, but how: alone, in stress and pain, or surrounded by the love of family? When so many options are no longer available, this is an option some may want to embrace.

This legislation touches the hearts of many Western Australians. One of them is a courageous woman named Kirsten Whitby. Kirsten met my cousin Darren when she was 14. She lived over the back fence in Rossmoyne. They were childhood sweethearts and went to Rossmoyne Senior High School. Darren later served in the Navy before they eventually settled in Busselton. Darren loved to surf, he loved his dog Darcy and he loved Kirsten. He passed away at 50, just months after being diagnosed with motor neurone disease. It was a shockingly rapid decline. Darren's parents, Brian and Jan, his brother, Mark, and sister, Karyn, were there for him, along with Kirsten and her parents, John and Robin McDonald. I acknowledge John and Robin McDonald, who are in the gallery today. John and Robin had known Darren since he was 17. He was as much a son to them as he was to Brian and Jan. Not everyone is able to voice their views in this Parliament, but I am going to give Kirsten her voice here and now. These are Kirsten's words —

"The disease often leaves the diagnosed with no sense of control over their own life. Medical and other services take over, the worry about family and loved ones being left behind, the legal necessities to be dealt with, just trying to live and deal with the day to day physical and mental issues arising from the illness. It is a roller coaster nightmare of emotion and physical and mental exhaustion already without the terrifying knowledge of what sort of death the illness may give you.

The power to control this, that you can dictate your own destiny rather than the disease would be a strength to those people, and often enough to allow them to cope with it through its natural course. But they should not have to do so.

There are religious leaders and members of our community strongly opposing this legislation. That is their belief. That is their right. That is their choice. Their religion, choice and beliefs should not dictate laws for the rest and I would suggest the majority of the community.

If voluntary assisted dying becomes law, they do not have to choose it. They can choose to follow their beliefs and allow the disease its natural progression. No one will be forced to choose assisted dying. It is illogical and immoral to deny the right to choose assisted dying to the majority of the community because of the views of a minority.

I'm not religious but I pray that our politicians see common sense and the will of their constituents and pass the legislation. There can never be a one size fits all that works perfectly for everybody, exactly as we see in palliative care. But this will give hope and help so many to live the best way they can for as long as they can, their loved ones to have them for as long as they can, and if we can achieve this by passing the proposed legislation into law and help to reduce suffering, surely we must."

Those were Kirsten's words.

Opponents say we do not need these laws because palliative care can deal with any terminal illness, or at least the vast majority of them. But dying Western Australians can and do take the brutal step of ending their own lives, often violently and often alone. They do so while they are still physically able to, unnecessarily shortening their lives and time with loved ones. But opponents say we do not need these laws. Dying Western Australians shoot themselves, hang themselves, leap from buildings or jump in front of traffic to avoid an intolerable death. But opponents say we do not need these laws. Dying Western Australians refuse medical treatment, food and water, and die of starvation and thirst. But opponents say we do not need these laws. Doctors in Western Australia drug patients into comas by upping the dosage of pain killers with the result that patients endure a lingering, unconscious death. But opponents say we do not need these laws.

We know that even the best palliative care in the world is not enough for some patients. This is not to say that we should not improve palliative care in this state; we absolutely should. It is simply saying that palliative care does not meet the needs of all patients. The great majority of Western Australians want these laws, and they believe in giving terminally ill patients the simple freedom to choose their end of life. We have heard from doctors, nurses and a range of medical professionals who support voluntary assisted dying, but the most moving and convincing arguments often come from those who have lived through the experience of seeing a loved one suffer. As our committee witnessed, these are experiences that still bring tears sometimes decades later.

I have been stopped in Baldivis shopping centres, at local school fairs and even here in the corridors of this Parliament by my constituents who seem to share a sense of urgent pleading. Their shared experience was watching the suffering of partners, parents, brothers, sisters and friends, and feeling utterly helpless, unable to relieve their agony and distress. One of those constituents was a woman from Baldivis on a tour of Parliament. She had watched her husband suffer. She grabbed me firmly by the arm and, with tears welling in her eyes, made me promise to vote for this bill. For her, I am sure it is about love—life-affirming love; love enough to say goodbye.

I commend this bill to the house.

MR D.J. KELLY (Bassendean — Minister for Water) [1.51 pm]: I rise to express my support for the Voluntary Assisted Dying Bill 2019. I support this bill because I support people having the right to end their suffering and to die with dignity. I see no purpose in requiring people to prolong their suffering in a way that is intolerable to them and their families. Primarily for me, this bill is about allowing people to end that suffering. This bill also provides suitable mechanisms to allow that to happen and to happen in a way that families are also properly regarded.

I believe the bill has numerous safeguards in it to reassure fears that somehow this choice will be abused. I believe the safeguards that this legislation will put in place will ensure that that does not happen. The bill is very limited in its scope. Patients have to be within six months of their likely death. Patients need to make at least three requests before they can access this process. Two independent doctors have to sign off before a patient can access assisted voluntarily dying. The sign-off from two independent doctors, I believe, is a very strong safeguard. I am surprised that some people say that this bill will allow doctor shopping. I am confident that medical practitioners will take their responsibilities under this bill very seriously. Those are just some of the safeguards that are in place. The six-month limitation is very conservative. I should say that there is a 12-month option for patients suffering from neurodegenerative conditions. Therefore, this bill is very conservative in its approach. I commend the work that has been done by the Minister for Health and the other MPs on both sides of this Parliament who have really worked hard to make sure that this bill has all the necessary safeguards to ensure that this process is compassionate, responsible and safe.

This legislation is about ending the suffering of patients, it is about ending the suffering of families, and it is also about avoiding the terrible experiences of first responders. In my life prior to Parliament, I represented union members employed in the ambulance service. Post-traumatic stress disorder is experienced by ambulance officers and police officers in greater numbers than in the general public. They experience PTSD because of some of the terrible things they have to witness and experience every day just doing their job. Dealing with people who have chosen to end their own lives rather than suffer a painful, undignified death is an all too common experience for ambulance officers, police officers and, of course, members of the family. This legislation will give people an opportunity to have a death at a time of their own choosing, with family. This legislation will take away the need for people to take their own lives and avoid all those unnecessary experiences currently endured by ambulance officers, police officers and members of the family.

I am also of the view that palliative care cannot always deal with this issue in a suitable way. Some people would like to present this debate as a choice between voluntary assisted dying and palliative care. I do not accept that. I have the greatest respect for people who work in palliative care. Again, prior to coming into Parliament, I represented staff who worked in palliative care. I also represented staff who worked in aged care. They do a tremendous job, often in trying circumstances for very limited pay. They do an incredible job. But the experts and the life experience of many tells us that palliative care cannot always deal with the suffering patients experience at the end of their lives. That is why I do not believe that this is a debate between voluntary assisted dying and palliative care. I am very pleased that the Minister for Health, under this government, will fund palliative care to the tune of over \$200 million over the next four years. Record levels of spending on palliative care by this government over the next four years is an absolutely outstanding commitment by this government at a time when we all know that funds are always short. Therefore, I support palliative care, but, clearly, on the advice of experts and patients, it is not an alternative to voluntary assisted dying.

Surveys tell us that more than 80 per cent of Western Australians support this legislation. In some sense, this debate has already been had in the community, and I think that is true. The public has been talking about this issue for years, if not decades. The people of Western Australia have made up their mind. They want this legislation to be put in place; it is only this Parliament that is really behind the times. I urge all members in this house and the Legislative Council to listen to the views of the community. It is time that the Western Australian Parliament caught up with the rest of the community. To those in the community who still oppose voluntary assisted dying, I respect their views. To those who have religious views that cause them to oppose this legislation, I respect their views. However, I am saying to them: do not impose your views or your religious views on others. No-one has the right to impose their views in this regard on anyone else. This is about allowing people to die with dignity. That is all it is about.

Debate interrupted, pursuant to standing orders.

[Continued on page 6021.]

QUESTIONS WITHOUT NOTICE**STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES —
FIFTY-FIFTH REPORT — DARREN FOSTER — WRIT****672. Mr P.A. KATSAMBANIS to the Premier:**

I note the legal action commenced by the McGowan Labor government against the highly respected Labor member of Parliament and President of the Legislative Council, Hon Kate Doust.

- (1) Was the Premier consulted before the issuing of the writ?
- (2) Can the Premier outline the basis of the action, given he is the responsible minister identified on page 3 of the writ of summons?

Mr M. McGOWAN replied:

Prior to answering the question, on behalf of the member for Joondalup, I welcome the school captains and principal from Heathridge Primary School who are in the gallery today.

- (1)–(2) What has occurred is an attempt by the director general of the Department of the Premier and Cabinet to seek some clarity on the law as it applies in relation to matters currently being publicly aired around the upper house committee and the production of documents to the Corruption and Crime Commission. There are obviously two points of view. One point of view is that of the Department of the Premier and Cabinet, the State Solicitor, the Solicitor-General, the CCC, myself and the government that the director general of the Department of the Premier and Cabinet should cooperate fully with the Corruption and Crime Commission in relation to a corruption investigation. The other point of view is the one expressed by the upper house committee with whatever advice it is receiving. There is an effort to resolve the legalities around this issue via a judgement of the Supreme Court to see which point of view is correct. In a nutshell, that is what is occurring. I personally think that the government should comply with orders of the CCC and that we should work to deal with any potential corruption that might be present, in particular by some former members of Parliament whom the member for Hillarys might be familiar with.

**STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES —
FIFTY-FIFTH REPORT — DARREN FOSTER — WRIT****673. Mr P.A. KATSAMBANIS to the Premier:**

I have a supplementary question. Can the Premier tell the people of Western Australia the cost to the taxpayer for resources already spent on this action and the estimated total cost of the legal action that the government is taking?

Mr M. McGOWAN replied:

No, I do not have advice in relation to that. But so that the member is aware, the Parliament is independent of the government. Whatever legal advice or assistance the upper house committee is seeking, that is not something within the control of the government. If it wants to brief QCs —

Mr P.A. Katsambanis: What about your costs?

Mr M. McGOWAN: No, I am answering the question. The member probably does not understand this.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: We do not control what advice or legal advice the upper house committee might seek to obtain. It is totally outside the control or purview of government.

Mrs L.M. Harvey: Have you read the writ?

Mr M. McGOWAN: He asked me the question.

In relation to the director general seeking legal advice, the reason that the director general had to get outside legal advice is that the upper house committee denied him the right to have the State Solicitor represent him. He was not permitted to have the State Solicitor present, so he had to get outside legal advice as a consequence. That was not his doing; that was the upper house committee's doing. I know the member is frowning, as he does when I answer a question.

Mr P.A. Katsambanis: You have not seen the writ, have you?

Mr M. McGOWAN: I will explain it to you again.

Mr P.A. Katsambanis interjected.

The SPEAKER: Member for Hillarys, you have asked a question; listen to the answer.

Mr M. McGOWAN: He is not permitted to have advice from the State Solicitor when he appears before the upper house committee—he is not permitted in the room—so he had to get outside legal advice. The genesis of all this, just so members understand, was the Corruption and Crime Commission report into three former Liberal MPs, their use of allowances to go to Japan and some of the actions they have taken. That is the genesis.

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman.

Mr M. McGOWAN: That is what is going on here. It is an investigation into the potentially improper conduct of former Liberal MPs. It is the Liberal Party that has questions to answer.

WORKSAFE — INSPECTORS

674. **Mr S.A. MILLMAN to the Premier:**

Before I ask my question, I acknowledge in the gallery today former students of the member for Southern River and current councillors of Southern River College. On behalf of my good friend the member for Swan Hills, I also acknowledge in the gallery today students and staff from Holy Cross College.

Ms J.J. Shaw: Hear, hear!

Mr S.A. MILLMAN: Thank you.

I refer to the McGowan Labor government's commitment to protecting Western Australian workers at work and ensuring every worker gets home safe. Can the Premier advise the house how this government's investment in new WorkSafe inspectors will provide better support for work safety investigations, boost the number of workplace investigations and improve compliance on worksites?

Mr M. McGOWAN replied:

I thank the member for Mount Lawley for the question. Obviously, he has done a lot of work in this area over his professional life.

For the last 120 years, the Western Australian branch of the Australian Labor Party has fought to ensure that workers in our community have the safest environment possible in which to work and that they are able to go home safely at the end of each and every day of work. That is a very important principle that we hold. Over the term of the last government, WorkSafe was starved of funding. Despite racking up enormous debt, the last Liberal–National government managed to cut funding for WorkSafe, and the number of WorkSafe inspectors was cut by 10. That means that 10 fewer WorkSafe inspectors are inspecting workplaces across the state. As we know, we live in a state with a lot of heavy industry, a lot of mine sites and major industrial sites, so it is very sad that the last government did that. In March this year, we announced that we would put in place an additional six WorkSafe inspectors. I announced on Saturday that we would employ an additional 21 WorkSafe inspectors on top of that six. That means that we have put in place at least a 20 per cent increase in WorkSafe inspectors in Western Australia. This is the biggest boost to WorkSafe inspectors in living memory, and ensures that the average number of WorkSafe inspectors will be in line with the national average. It means that more people will be out there inspecting to ensure that complaints are dealt with, that there is adherence to our workplace safety laws, and provide more education and workplace awareness and support across Western Australia. Obviously, they will be able to keep an eye on some of those projects that have had some publicity, in particular the Forrestfield–Airport Link. I hate hearing stories of people dying in the workplace. On the weekend I met four families who have lost loved ones—young sons—in the workplace. They are tragic stories that have happened to those families. I would like to thank them for lobbying and advocating for this initiative that we are putting in place here today. The investment in this is \$12.9 million and it includes an extra 21 WorkSafe inspectors, 16 vehicles and, obviously, we will promote a workplace safety campaign around Western Australia to ensure that people come home safe.

FOODBANK — BREAKFAST CLUB, PILBARA

675. **Mrs L.M. HARVEY to the Premier:**

Why is the Premier refusing to provide Foodbank with \$1.25 million to purchase desperately needed everyday essentials for people in our community who cannot afford food and funding for Breakfast Club for hungry children in the Pilbara?

Mr M. McGOWAN replied:

We have put a lot of support into Foodbank over the two and a half years we have been in office. I see that the member for Victoria Park is a regular attendee making announcements and working cooperatively with Foodbank, and I have been there, too. It does a great job across Western Australia and the government supports it.

FOODBANK — BREAKFAST CLUB, PILBARA

676. **Mrs L.M. HARVEY to the Premier:**

I have a supplementary question. The government is receiving billions of dollars in GST and iron ore revenue, so why is it unable to fund \$100 000 so that Foodbank can provide breakfast meals to hungry children in the Pilbara?

Mr M. McGOWAN replied:

As I said, the government provides a lot of support for Foodbank and we will continue to do so.

Mr A. Krsticevic interjected.

The SPEAKER: Member for Carine, I call you to order for the first time.

INDUSTRIAL MANSLAUGHTER

677. Ms M.M. QUIRK to the Minister for Industrial Relations:

I refer to the McGowan Labor government's commitment to protecting Western Australian workers by strengthening and modernising the state's workplace safety laws, including through the introduction of the offence of industrial manslaughter.

- (1) Can the minister outline to the house what the two proposed offences of industrial manslaughter will mean for workplaces across the state?
- (2) Can the minister advise the house how these reforms will build on this government's record of supporting WA workers?

Mr W.J. JOHNSTON replied:

I thank the member for the question. It is a very important one.

- (1)–(2) I begin by thanking the Premier for his leadership. He personally requested that we hire those additional WorkSafe inspectors, and that would never have happened without his leadership. It is the single largest increase in resources for WorkSafe in the state's history.

The federal government commissioned, through WorkSafe Australia, the Boland review into work health and safety laws in this country. Back in 1984, when we introduced the Occupational Safety and Health Act in Western Australia, it was world-leading legislation, but it has not kept pace with reform. The work health and safety laws are being prepared for introduction in Western Australia, but the Boland review, commissioned by the federal government, has examined those laws and recommended that the offence of industrial manslaughter be included in work health and safety legislation. As we are currently preparing our laws, we were able to accommodate that recommendation from the Boland review commissioned by the federal government and supported by a Senate inquiry.

Criminal law is limited when dealing with workplace breaches because although in theory the Criminal Code could be applied to a particular workplace death, it is very, very difficult for a whole range of reasons for it to be applied in practice. A standalone penalty relating to industrial manslaughter is needed. We need to hear some of the stories that have occurred here—people such as Wesley Ballantine who was only 17 years old when he died and Jayden Zappelli was only 18 years old when he died. They were both preventable deaths. We have seen the offence of industrial manslaughter in operation in the Australian Capital Territory and Queensland, and it is on its way in Victoria. We will introduce two classes of industrial manslaughter. Industrial manslaughter class 1 will be heard in the District Court for only the most egregious cases and includes a maximum penalty of 20 years' imprisonment. Industrial manslaughter class 2 will include a penalty of 10 years' imprisonment and can be dealt with in the Magistrates Court. The prosecution will need to establish that there was a high risk of serious injury or illness and the defendant fell short of the standard of care. The new offences will also carry fines of up to \$10 million for a body corporate.

I am sure that I speak on behalf of every member in this house in welcoming the government's action to deal with the question of workplace deaths by introducing the offence of industrial manslaughter. I am sure that this legislation will be strongly supported by my parliamentary colleagues in the Liberal Party and the Nationals WA because I am sure that they are as dedicated to protecting workers in this state as I am. I expect a speedy passage of this legislation through both houses of Parliament.

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES — FIFTY-FIFTH REPORT — DARREN FOSTER — MEMBER OF PARLIAMENT EMAILS

678. Mr R.S. LOVE to the Premier:

I refer to the Premier's personally appointed head of the Department of the Premier and Cabinet, Darren Foster, who on request has given the Corruption and Crime Commission emails from former parliamentarians' electorate officers. What guarantees can the Premier give that Mr Foster has not looked at or indeed authorised access to any emails from current members of Parliament's electorate officers outside those requested by the CCC?

Mr M. McGOWAN replied:

So that the member has it very clear, the director general of the Department of the Premier and Cabinet received a summons from the Corruption and Crime Commission under the Corruption, Crime and Misconduct Act, as was passed by this Parliament, seeking various documents. He was summonsed. It was not a request; it was a summons. Because of concerns about how it might interact with procedures and privileges of the upper house, he sought the CCC's permission to advise the house of that, which he did. Then the issue has arisen with the upper house and its

committee and its contrary point of view. That is how it has come about. The advice he has given me is that the emails that have been referred to the CCC were analysed, if you like, by, as far as I am aware, the State Solicitor's Office to ensure that there was no breach of privilege. As far as I am aware—I have had no information to the contrary—there has been no examination of any other emails by the Department of the Premier and Cabinet.

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES —
FIFTY-FIFTH REPORT — DARREN FOSTER — MEMBER OF PARLIAMENT EMAILS

679. Mr R.S. LOVE to the Premier:

I have a supplementary question. Can the Premier guarantee that no access has been granted to any persons within the Department of the Premier and Cabinet to the email accounts of serving members of Parliament?

Mr M. McGOWAN replied:

To the best of my knowledge, no.

Mr D.T. Redman: You can't guarantee.

Several members interjected.

Mr M. McGOWAN: Hold on. I will get advice. To the best of my knowledge, no. It is a difficult position. I ask the member to put himself in the position of the director general. He gets a summons from the CCC to provide documents —

Mr D.T. Redman: That is not the question, Premier.

Mr M. McGOWAN: No, but I am trying to explain to you the circumstances.

The SPEAKER: Member for Warren–Blackwood, you are not the answer either!

Mr M. McGOWAN: The member is segueing into a hypothetical situation.

Several members interjected.

The SPEAKER: Members, you asked a question. Listen to the answer.

Mr M. McGOWAN: The director general has received a summons from the CCC to produce documents in relation to an inquiry into potentially corrupt conduct by former Liberal MPs. That is what this is about.

Mr D.T. Redman interjected.

The SPEAKER: Member for Warren–Blackwood!

Mr M. McGOWAN: I ask members to put themselves in his position. Does he not comply?

Mr D.T. Redman: That is not what the question is.

Mr M. McGOWAN: I am getting back to the question. Does he not comply with the order of the CCC? Is that what members would prefer he do, and deny the summons of the CCC, which involves —

Mr D.C. Nalder interjected.

Mr M. McGOWAN: Let me finish. I will get back to the question. I have already answered the question, but I will come back to it and answer it again.

Mr D.T. Redman interjected.

The SPEAKER: Member for Warren–Blackwood, I call you to order for the first time.

Mr M. McGOWAN: Let us imagine he did not comply. That involves penalties—potential prosecution—under the law. That is the position he was placed in. On the other hand, the upper house committee also threatened him with a finding of contempt if he did not comply with its position on these matters. The only reason that the upper house committee knows about it is that he went to it and told it in the interests of trying to make sure that it was dealt with amicably and sensibly.

Mr R.S. Love Which is why I am asking whether parliamentarians' accounts have been accessed.

The SPEAKER: Member for Moore!

Mr M. McGOWAN: Back to the member's question, which I have now answered twice, to the best of my —

An opposition member interjected.

Mr M. McGOWAN: I was unaware. If the member had given me notice, I could have answered absolutely and specifically. No doubt I will get advice shortly. To the best of my knowledge, there has been no such access to any emails by the Department of the Premier and Cabinet.

Several members interjected.

The SPEAKER: Are you finished, members? Everyone finished?

Mr M. HUGHES: My question is to the minister —

Mr D.J. Kelly interjected.

The SPEAKER: Minister for Water, I call you to order for the first time. I warned you three times.

HOSPITALS — URGENT CARE CLINICS

680. Mr M. HUGHES to the Minister for Health:

I refer to the McGowan Labor government's commitment to relieving pressure on Western Australia's emergency departments by delivering more than 130 urgent care clinics across the state. Can the minister outline to the house how these urgent care clinics will operate, including how they will provide more options for patients with non-life-threatening medical conditions?

Mr R.H. COOK replied:

I thank the member for Kalamunda for the question. As the member knows, we often discuss issues associated with his local hospital. I am very pleased to answer his question, which goes to the point that last week the Premier and I foreshadowed the release of the details of the urgent care clinic policy. As members will be aware, the sustainable health review identified that each year about 190 000 patients attend emergency departments who could potentially be better treated in an enhanced primary care environment. That is why at election time we made a commitment to initiate the urgent care clinic policy, which is about seizing the potential of our primary care networks right across the state to provide a better form of urgent care to those patients who have an urgent need to receive medical attention, but who do not need a fully-fledged facility like an emergency department. We know that this will provide better care for those patients because through a digitally enhanced capacity those patients will be referred to a range of appointments that are made available through the primary general practitioner network, the urgent care clinic network across the state. The important aspect of this is that it will alleviate a lot of the existing pressure on emergency departments currently. The government is not only providing better care for those patients, but also improving the capacity of the emergency departments.

The last government did nothing about emergency departments.

Several members interjected.

The SPEAKER: Has everyone on my left finished? Thank you. We will get on with the answer.

Mr R.H. COOK: In fact, what did the previous Minister for Health say? He said, "I give up."

Several members interjected.

The SPEAKER: Member for Dawesville, I call you to order for the first time. Minister for Corrective Services, I call you for the first time—that was you.

Mr R.H. COOK: There is always more to be done, but we have a plan to make sure that our emergency departments have the capacity to treat patients who knock on their door.

Mrs L.M. Harvey interjected.

The SPEAKER: Leader of the Opposition, ask a question if you want an answer.

Mr R.H. COOK: This is a very unique program. It required a partnership between the Royal Australian College of General Practitioners, the Australian Medical Association and the Australian College for Emergency Medicine. No-one has ever before brought those warring parties together in this way to bring better care to patients. The McGowan government stands for putting patients first.

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse, was that a point of order?

Mr R.H. COOK: We will continue to ensure that we meet our election commitments, provide better care to patients and overcome the legacy left to us by the previous mob and the way it managed EDs.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member for Dawesville, I call you to order for the second time.

WESTPORT TASKFORCE — FREMANTLE PORT CAPACITY

681. Ms L. METTAM to the Treasurer:

I refer to the Treasurer's comment at the Committee for Economic Development of Australia "Two Treasurers" debate prior to the state election: "Let me be clear, there is nobody who believes the capacity of Freo port is 2.1 million TEUs—nobody." Can the Treasurer confirm that the Westport Taskforce has confirmed that the capacity of Fremantle port is indeed 2.1 million twenty-foot equivalent units and that there is a massive black hole in the assumptions he used to justify the outer harbour?

Mr B.S. WYATT replied:

I am not on the Westport Taskforce. But, to be honest, it probably knows more than I do about the port and its capacity, and I will take its advice because when a government appoints experts to give advice, it takes that advice and follows it. We will do that.

WESTPORT TASKFORCE — FREMANTLE PORT CAPACITY

682. Ms L. METTAM to the Treasurer:

I have a supplementary question. Can the Treasurer confirm that the outer harbour will not be built, or even commence, under his government's watch; therefore, will he be a person of integrity and resign as he promised?

Several members interjected.

Mr B.S. WYATT replied:

You got me! Mr Speaker, I had better resign!

POLICE — RECRUITS

683. Dr A.D. BUTI to the Minister for Police:

I refer to the McGowan Labor government's massive investment in police resources and protecting our community from crime. Can the minister update the house on this government's commitment to boosting police numbers and recruiting the officers we need to keep our community safe?

Mrs M.H. ROBERTS replied:

I thank the member for Armadale for his question and for his support of our police. I am pleased his electorate of Armadale will be getting a comprehensive police and justice centre, which our government looks forward to opening hopefully next year. The fact is that our police have been doing an incredible job. They have been targeting methamphetamine and organised crime in the Western Australian community like never before. Yesterday I highlighted the fantastic drug bust on a property in Alkimos, including over 20 kilograms of methamphetamine and over \$1.2 million in cash, along with guns. People may have seen on the news last night that on Wednesday, 21 August, there was a massive seizure from Jandakot, including approximately 690 grams of MDMA powder, more cash, and an industrial pill press that can produce about 8 000 pills an hour. Those are the kinds of pills that are distributed at music parties and other venues where young people go. Taking that out of commission is a very rare thing. In fact, Assistant Commissioner of Police Brad Royce said yesterday that in his 25-year career in policing he had only ever seen one other pill press of this nature. This has really taken a dent out of those criminal enterprises.

The member for Armadale asked me how the government was going with recruitment. As he will be aware, unlike the former government, this government made a commitment to more police at the election. We have extended that commitment. At the election, the government promised 100 additional officers for the methamphetamine task force and 25 officers for the regional enforcement unit. It has delivered 13 extra officers for the 24-hour and extended police stations. That takes us to 138 officers. But, in addition to that, the government through its budget process has allocated another 10 officers to fight domestic violence in our community, so that is 148 additional officers.

Yesterday, I had the opportunity to visit the Western Australia Police Academy, which has more squads in training than previously. Previously, we needed only six colours to name our squads—red, blue, gold, green, grey and white. We are now operating two further squads—silver and brown. Two of those squads will graduate on 13 September. We have cadets in training and also a greater diversity of recruits among those. Over a third of those in training were born overseas. We also have two groups of Aboriginal police cadets in training, which has been a special priority of Commissioner Dawson. We also have some culturally and linguistically diverse trainees, which is a new initiative to diversify our police workforce. The first of the CALD trainees commenced at the police academy on 12 August as part of a police preparation program. The CALD trainees include people born in countries that have been categorised by the Australian Bureau of Statistics, but it excludes Australia, Canada, England, Ireland, New Zealand, Northern Scotland et cetera. The trainees come from Kenya, Pakistan, Malaysia, China, Brazil and Belgium. They speak a variety of different languages, including Punjabi, Hindi, Swahili, Urdu, Chinese, Mandarin, Brazilian and French.

Ms M.M. Quirk interjected.

Mrs M.H. ROBERTS: Yes.

There is a real effort by Commissioner Dawson to diversify our police force. I note that despite the academy operating at just about capacity—we have more squads to start before the end of the year—we are focusing very much on having a much more diverse workforce.

I also note that the current attrition rate for the WA police for 2019–20 is about nine a month; so many more officers are coming in to train than are exiting.

INDUSTRY — NATIONALISATION — LABOR PARTY

684. Mr P.J. RUNDLE to the Premier:

Given the Premier's party has now officially adopted socialism as one of its main platforms —

Mr B.S. Wyatt: You want us to join the Nats now, do you?

Mr P.J. RUNDLE: They are gradually coming across.

Several members interjected.

The SPEAKER: Keep talking; everybody who keeps talking, I am calling to order. Member for Carine and the Treasurer, I call you to order. I have been on my feet; I know you are full of yourselves, but just look up to the Chair occasionally.

Mr P.J. RUNDLE: Thanks, Mr Speaker. Given the Premier's party has now officially adopted socialism as one of its main platforms, can we expect to see more crazy attempts at nationalising industry, such as his government's failed endeavour to seize control of the Western Australian crayfish supply?

Mr M. McGOWAN replied:

I am a little bit perplexed. There is a saying in common usage: "Pot, this is kettle". Come in, kettle. The Nationals WA accusing people of socialism—that is an interesting phenomenon. Considering every time we ever do anything and encourage the private sector to do it, the Nationals always demand government should pay for it. "Why isn't the government paying for that?" is the common refrain I hear from the National Party. We try to get the private sector to fund something somewhere—no doubt there are numerous examples—and the Nationals' principal objection, and the Liberal Party's actually, is "Why isn't the government funding that?" We heard a question about that before. We try to pay down debt and members opposite are demanding we spend more money; it is just a constant refrain from the Liberals and Nationals.

Mrs L.M. Harvey interjected.

The SPEAKER: Leader of the Opposition, I call you to order for the first time.

Mr M. McGOWAN: I am a little bit perplexed by the National Party raising this sort of thing. It is true that we did attempt to sell, if you like, a proportion of the unallocated crayfish catch to the private market, if the member wants to call that socialism. I do not think that is! I think the member's interpretation of the word "socialism" might be slightly off—in terms of his analysis there. If the member thinks that selling a proportion of the unallocated crayfish catch to the marketplace to secure a return to government is socialism, he should go back to his dictionary. What was his name? Antonio Gramsci might have a few things to advise the member on, although I do think Gramsci is one of the leading lights in the genesis of the National Party, because, frankly, every time I meet a National Party person, I am reminded of Karl Marx!

INDUSTRY — NATIONALISATION — LABOR PARTY

685. Mr P.J. RUNDLE to the Premier:

I have a supplementary question. Which industry does the Premier intend to target next on his list of nationalisation experiments before the hubcaps come off his government completely —

Several members interjected.

The SPEAKER: Members! Start again. I could not hear it.

Mr P.J. RUNDLE: Is it pastoralists, egg farmers or yabby farmers?

Mr M. McGOWAN replied:

Yabby farmers? According to the member, I now have a secret plan to nationalise the yabby industry!

Several members interjected.

The SPEAKER: Members!

Mr F.M. Logan: Remember the potato marketing board?

Mr M. McGOWAN: That is a good point. The yabbies are frightened, are they not? They are out there waiting for me to come and take them away!

I must say that the member for Cockburn, the minister, has raised a very good point. Remember the potato marketing corporation? There we had the National Party regulating the number of potatoes that were grown, and the sorts of potatoes that were grown—the types—and they had laws in place and supported threatening to arrest people who might transport them in their car boot! There were inspection powers so if someone had potatoes in their boot, their car could be stopped to see whether potatoes were in their boot. The Nationals supported that. Then, when we came to office, the Nationals backed the prosecution of a prominent Western Australian businessperson for growing potatoes. He needed to be prosecuted and he needed to be sent broke according to the National Party.

Then, the Nationals engaged in—frankly, I do not know; I do not like throwing this around—Stalinist behaviour. Joe Stalin would not have gone that far, seriously—to prosecute someone for growing potatoes. The Soviets were pro-potatoes! The Nationals wanted to prosecute someone for growing potatoes, and we stopped the prosecution of a businessperson for growing potatoes, and the Nationals objected to it.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: It is true that this government is pursuing other industries, and I want to explain a few to members. Lithium—we want to expand the lithium industry in Western Australia. Tourism—our Minister for Tourism is off now and he will shortly be bringing home the first flight from Japan. He will be flying in. I would not be surprised if he were at the controls, knowing him.

Mr B.S. Wyatt: He will be.

Mr M. McGOWAN: He will be at the controls, using some of his Navy skills.

There is lithium and tourism. Defence—do not worry; we are working hard on fixing the submarines in Western Australia. We are building rail carriages in Western Australia. This government is after numerous industries to locate and provide jobs in our state.

TRANSPORT — KARRATHA–TOM PRICE ROAD — ABORIGINAL EMPLOYMENT

686. Mr K.J.J. MICHEL to the Minister for Transport:

I refer to the McGowan Labor government's record investment in job-creating road projects across regional Western Australia, including the Karratha–Tom Price road.

- (1) Can the minister update the house on the construction of this important piece of road infrastructure?
- (2) Can the minister advise the house how this and other regional road projects are supporting Aboriginal employment in the Pilbara and throughout the state?

Ms R. SAFFIOTI replied:

- (1)–(2) I thank the member for Pilbara for the question and his strong support for road infrastructure in the Pilbara, in particular for advocating that the \$1.2 billion the commonwealth set aside for a project that we are not going to build be spent on regional roads in Western Australia. Good work, member for Pilbara.

Several members interjected.

The SPEAKER: Members! I call the members for North West Central and Swan Hills to order for the first time.

Ms R. SAFFIOTI: The member for Pilbara's strong advocacy is because he understands the importance of regional road spending. Of course, no work had been undertaken on the Karratha–Tom Price road since we were last in government. The last work undertaken on this project was by a previous Labor government. Under eight and a half years —

Mr V.A. Catania interjected.

The SPEAKER: I call the member for North West Central to order for the second time.

Ms R. SAFFIOTI: The last time there was expenditure on this road was under the previous Labor government. This is a big project. I am pleased to advise that MACA Civil has been awarded the contract for the Karratha–Tom Price road stage 3. It is the delivery of a key election commitment for the people of the Pilbara.

I also want to outline that this project, like many in the Kimberley and Pilbara, will target significant local Aboriginal employment in those projects. Last week, I visited the Cape Leveque Road, where we have obtained 64 per cent Aboriginal employment on that project. We went along to the Maggie's Jump Up project on Great Northern Highway, where, again, there is over 30 per cent Aboriginal employment. Importantly, we are working with the Wyndham Work Camp to get inmates trained on the job to create really positive futures for those people involved. Something I want to see more of is young Aboriginal people of the Pilbara and Kimberley given real on-the-ground training in building and maintaining roads. Of course, for the Kimberley maintenance contract, we have changed the nature to make sure that we have more direct management and a higher rate of Aboriginal employment. Working with the Minister for Corrective Services, we will continue to see how we can explore those opportunities and give them to those who do not have the opportunity to get out there and get real jobs, and create jobs and futures for their families.

I thank the member for Pilbara for his strong work. I think we will be doing some more work on this project very soon. I want to share the concern that the member for Pilbara raised about the fire at Tom Price Primary School. I think the whole community should get behind the school to support the work that is happening there.

LABOR PARTY — BULLYING ALLEGATIONS

687. Mrs A.K. HAYDEN to the Minister for Public Sector Management:

I refer to the Premier's recurring nightmare of the internal chaos and division at the Labor Party conference over the weekend.

Several members interjected.

The SPEAKER: Members! Start again.

Mrs A.K. HAYDEN: I refer to the Premier's recurring nightmare of the internal chaos and division at the Labor Party conference over the weekend.

Several members interjected.

The SPEAKER: Member for Balcatta, I call you to order for the first time. Start again. We can do this all day; we will just keep starting the question again.

Several members interjected.

The SPEAKER: Members!

Mrs A.K. HAYDEN: I refer to the Premier's recurring nightmare of the internal chaos and division at the Labor Party conference over the weekend.

Is the Premier aware of serious allegations that Labor staffers and members of Parliament had their careers threatened if they did not toe the government line on certain issues?

Mr M. McGOWAN replied:

Any such claims are false.

LABOR PARTY — BULLYING ALLEGATIONS

688. Mrs A.K. HAYDEN to the Minister for Public Sector Management:

I have a supplementary question.

Ms R. Saffioti interjected.

The SPEAKER: Minister for Transport, I call you to order for the first time. Can you ask your supplementary question, please.

Mrs A.K. HAYDEN: Will the Premier ask the Public Sector Commissioner to undertake an immediate investigation into these serious allegations of bullying and intimidation against staff?

Mr M. McGOWAN replied:

I am aware of allegations of bullying. They were by Helen Morton. Members might recall Helen Morton, who was a member of the upper house. She made allegations of bullying against another member of Parliament, who was a female member of the upper house, who blocked her in the corridor. That is what Helen Morton had to say. The allegation made by Hon Helen Morton was that she blocked her in the corridor and threatened her.

Several members interjected.

The SPEAKER: The member for Darling Range has asked about bullying; the Premier is talking about bullying.

Point of Order

Mrs A.K. HAYDEN: I would like the Premier to provide information.

The SPEAKER: Sit down.

Several members interjected.

Questions without Notice Resumed

The SPEAKER: Premier, have you finished?

Mr M. McGOWAN: No, I am not finished. There is no substance to whatever scuttlebutt the member has indicated there.

Mrs A.K. Hayden interjected.

The SPEAKER: Member for Darling Range, I call you to order.

Mr M. McGOWAN: I am aware, as I said, of allegations of bullying. I want to read out what Hon Helen Morton had to say. I think people in this house might want to answer a few questions about it.

Point of Order

The SPEAKER: Members, I have already ruled on the relevance of this.

Mrs L.M. HARVEY: Mr Speaker, under standing order 92, "Imputations and personal reflections" —

Several members interjected.

The SPEAKER: Members, there is a point of order. I will hear it in silence.

Mrs L.M. HARVEY: Standing order 92 states —

Imputations of improper motives and personal reflections on the Sovereign, the Governor, a judicial officer or members of the Assembly or the Council are disorderly other than by substantive motion.

If the Premier has an issue that he needs to raise about a member, it must be by way of substantive motion.

Several members interjected.

The SPEAKER: Members! Premier, I have been advised that you have to be very careful about making allegations against members of the upper house.

Questions without Notice Resumed

Mr M. McGOWAN: Thank you, Mr Speaker. I think my allegation is not against a member of the upper house. According to my notes, Hon Helen Morton said on ABC radio on 20 September 2018, “The worst bullying I experienced was by a woman.”

Point of Order

Mr Z.R.F. KIRKUP: Point of order, Mr Speaker.

Dr A.D. Buti: You shouldn’t throw stones!

The SPEAKER: I will throw you onto the called-to-order list, member for Armadale. Yes.

Mr Z.R.F. KIRKUP: The supplementary question from the member for Darling Range was about allegations of bullying of staff. I believe that the answer from the Premier must be relevant to that supplementary question.

The SPEAKER: It is relevant. If the member had not brought up bullying, the Premier could not have brought it up. Premier, finish this off, please.

Questions without Notice Resumed

Mr M. McGOWAN: According to my notes, on ABC radio on 20 September 2018, Hon Helen Morton said —

“The worst bullying I experienced was by a woman. And I’m informed that this woman perpetrated bullying against male colleagues ...

The most serious bullying that I experienced in the Parliament was perpetrated by a woman, that person was obviously carrying out a mission or undertaking the business, of that preselection, being made safe for her.

In my case I’ve been blocked from walking down a passageway to get to my office and I was quite literally shirtfronted by this person, as I shifted from one way to the other, pass, the member deliberately would block me, making physical contact with me, in quite a threatening manner, I was literally disgusted and appalled that this was happening, by a member of parliament, in the parliament of western Australia, and in view of the public. It was just appalling to me that it could happen. I did ask for an apology, but that was not forthcoming, and the reason I was given was because fear of admission would lead to some sort of prosecution for assault.”

Member for Darling Range, that is what Hon Helen Morton had to say about one of her colleagues. It might be appropriate for the member for Darling Range to explain that matter to the house.

The SPEAKER: That is the end of question time.

LEGISLATIVE ASSEMBLY ESTIMATES COMMITTEE A*Supplementary Information A16 — Correction of Answer*

MR R.H. COOK (Kwinana — Minister for Health) [2.46 pm]: I rise in accordance with standing order 82A to provide a correction to supplementary information A16, which was provided following the Legislative Assembly Estimates Committee A hearing on division 21, WA Health, held on Tuesday, 22 May 2019, in response to a question from the member for Darling Range regarding funding allocated to preventive health services. I have been advised by the Department of Health that due to an oversight, the supplementary information did not include expenditure for prevention services for the health service providers. I now table the correction to supplementary information A16.

[See paper 2679.]

**STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES —
FIFTY-FIFTH REPORT — DARREN FOSTER — MEMBER OF PARLIAMENT EMAILS**

Question without Notice 678 — Supplementary Information

MR M. McGOWAN (Rockingham — Premier) [2.47 pm]: I rise under standing order 82A. In response to the member for Moore’s question, I can advise that the Department of the Premier and Cabinet has not read or accessed any past or present member of Parliament’s emails. Any emails that are subject to a current Corruption and Crime Commission inquiry have not been read by any person who works in the Department of the Premier and Cabinet.

PEEL HEALTH CAMPUS — MANAGEMENT CONTRACT*Question on Notice 5223 — Answer Advice*

MR Z.R.F. KIRKUP (Dawesville) [2.47 pm]: I rise in accordance with standing order 80(2) about overdue questions. Question on notice 5223 to the Minister for Health was due six weeks ago.

MR R.H. COOK (Kwinana — Minister for Health) [2.48 pm]: Six weeks suggests that we have lost track of it, so I will chase that up.

WESTPORT TASKFORCE — REPORT*Matter of Public Interest*

THE SPEAKER (Mr P.B. Watson) informed the Assembly that he was in receipt within the prescribed time of a letter from the member for Vasse seeking to debate a matter of public interest.

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

MS L. METTAM (Vasse) [2.48 pm]: I move —

That this house condemns the McGowan government for its flawed Westport Taskforce report.

The Liberal Party and Nationals WA in opposition join a great many people around this state who have great concerns about the significant waste of taxpayer funds. An amount of \$18 million was committed to a process with a predetermined outcome. The taxpayers of Western Australia have every right to feel ripped off by a process that deliberately excluded an important proposed road project, that being Roe 8 and 9. This report has been fatally flawed from the very start. The fact that it completely ignored one of the great challenges facing the ports and the transport corridors—that is, Roe 8 and 9—means that this process should be condemned. The report states that the current capacity of the port of Fremantle is conservatively three times more than current demand. Investment in this port would see the capacity increase to 3.8 million 20-foot equivalent units in the future. The report also recognises that the significant constraint is in the transport corridor. At the same time, the Westport Taskforce failed to consider a road project that has \$1.2 billion on the table, has the potential to create 10 000 direct and indirect jobs and would provide great road safety outcomes for the congestion issues faced by the people of the south west metropolitan region. This issue is about politics over good governance. This issue and the concerns about missing objectives and the best outcomes for the state of Western Australia were on display on the weekend quite clearly at the WA Labor state conference when a motion was put forward about extending the life of Fremantle port. In *The West Australian* of Monday, 26 August, Nick Butterly wrote —

Transport Workers Union boss Tim Dawson claimed Labor staffers and MPs had their careers threatened if they did not tow the Government line.

That was about opposing a motion to extend the life of Fremantle port. He also wrote —

Significantly, two Labor state MPs—Kyle McGinn and Martin Pritchard—backed the plan, putting them at odds with Government policy.

What an extraordinary display we saw on the weekend. What chaos there was within Labor ranks about an approach to government policy that put politics over good governance. The reason for such concern is not only this government's approach to this issue in not analysing this important road project, but also what this project means to Fremantle port. Fremantle port has a long, 130-year history. It is important as it lends character to the City of Fremantle and it provides jobs, but we also know that Fremantle port provides great economic benefit to the state by way of \$60 million every year in tax and dividends. It is a multibillion-dollar facility and good governance suggests that we do not duplicate infrastructure ahead of time.

The obsession with shutting down Fremantle port has been illustrated by this government's approach to the Westport Taskforce, in which Fremantle port made up only two of the five options. The first option of a dedicated outer harbour is obviously the government's objective. When the now Treasurer was in opposition, he made a commitment to resign if the outer harbour did not happen. What is extraordinary is that although the government talks about the costs associated with developing Roe 8 and 9 in connection with the Westport report, it is fair to say that these allegations are quite unfair given that those costs were not analysed. It is also extraordinary that the number one option, the outer harbour, has no costings attached to it at all. Although some inflated costings have been attached to the Roe 8 and 9 road project, even though it has not been considered or analysed, the report provides no costings at all for an outer harbour, which we know would come with a conservative price tag of about \$5 billion to the state, which this state cannot afford, particularly when the current Fremantle port has a conservative capacity of three times the current demand. But it gets worse. Other issues have been raised in the community about this government's approach to the Westport Taskforce. The task force claims that there has been much consultation and that a great amount of work has been undertaken with stakeholders in the community. What is extraordinary is that despite this so-called consultative process, the blue highway was rammed in and became the third option. Adrian Evans from the Maritime Union of Australia stated —

“Only two of the five options even entertain Fremantle retaining its identity as a working port—and one of those two dubbed the ‘Blue Highway’ was never considered by the reference group and only introduced late into the process by Westport staff,” ...

I find that extraordinary for a process that is meant to be consultative and transparent. How on earth did the staff of Westport, when moving from 25 options down to five, shove in and implement the blue highway option at that last stage? Many believe that it probably had a lot to do with an effort by this committee and this government to appease the unions —

Ms S.F. McGurk: Where did you quote Adrian Evans from?

The SPEAKER: Minister!

Ms L. METTAM: I have an article here.

Ms S.F. McGurk: She did not outline it.

The SPEAKER: I does not matter. I call you to order for the first time.

Ms S.F. McGurk: By way of interjection, member, can you outline where you quoted Adrian Evans from?

Ms L. METTAM: No, I am not taking interjections. I will provide the quotes to Hansard, absolutely.

Ms S.F. McGurk: You did not outline the source.

Ms L. METTAM: It was referred to in an article in *The West Australian*. We are talking about slippery numbers, which is pretty consistent in this report.

We know that past Labor governments have form in this area. In 2007, the then Minister for Planning and Infrastructure, Hon Alannah MacTiernan, stated that she believed that Fremantle port would reach capacity in 2015. Now how wrong was that! Again, that is an ideological and political approach to shutting down Fremantle port to the detriment of this state. Further concern also exists about the extraordinary demand estimated in this report. This demand figure was even highlighted by Brad Pettit, the Mayor of the City of Fremantle, on one of those rare occasions when Brad Pettit and Gareth Parker actually agreed on something. I will quote the Mayor of Fremantle, who refers to the fact that the demand for capacity, according to the report, has basically tripled. He said —

“This has been the average for the last decade. Westport is predicting that this figure is going to radically change over the next 40 years, jumping to 1.1 TEU’s per person per year or around three times the current level of consumption per person ...

“This extreme jump in imported consumption sounds highly unlikely and highly undesirable.”

Again, there are inflated figures from a Labor government in an effort to shut Fremantle port, and that is the reason that this side of the house condemns the government for its flawed Westport Taskforce report. This is extraordinary. The Westport Taskforce and Labor’s commitment to the outer harbour was in many respects this government’s response to the obvious transport needs in the south west metropolitan area. But the reality is that what is outlined in the report creates greater challenges and transport issues. Shutting Fremantle port will obviously increase congestion in Fremantle, particularly if we are looking at high-density living. The government made a half effort with a Stirling Highway roundabout, which has raised concerns from the heavy haulage industry, and an upgrade to High Street, which falls well short of what is required in the south west metro area. If the government is going to increase density, it can add to that rehabilitation costs and the road demands required for a dedicated outer harbour. We have real concerns. The road demands and additional transport needs include the expansion of Anketell Road, nine grade separations on Tonkin Highway and the duplication of rail in the area, not forgetting the intrusion into Beeliar Regional Park, Wandi Nature Reserve and Jandakot Regional Park, and land acquisition. As I stated, this is not only a concern for the opposition, it is also felt in the community. People know that this report is fatally flawed. Paul Murray writes —

For most sensible people, the McGowan Government’s Westport process lost all credibility when it refused to factor the extension of the Roe Freeway—for which Federal funding is still available—into its projections for an outer harbour.

...

What has always been a highly political process has now become an economically dodgy one. Labor ideology should not be the determinant.

Gareth Parker writes —

This, unfortunately, is the charade of Westport, an incredibly detailed, incredibly expensive, and fatally flawed look at Perth and the South West’s future port needs.

...

... the inquiry was nobbled from the start, directed to exclude from its detailed projections and planning entirely the idea that Roe 8–9—a critical missing link to the port—would be built.

It is not just members on this side of the house; many people in the community recognise it. The big losers are the taxpayers, who invested so much money in a process that is fatally flawed, and one that ignores the transport corridors as highlighted in the report. The big losers are the people of the south west metropolitan area, who do not have any commitment from this government to address their significant road safety concerns. The government has provided only a roundabout at Stirling Highway and a minor upgrade to High Street. That is why this side of the house condemns the government for this fatally flawed report, which is unsound and a sham and should be condemned by all sides of this Parliament.

DR M.D. NAHAN (Riverton) [3.03 pm]: This is a real shame and a complete waste of \$18 million. By the way, this government has cut a lot of money from essential needs, including the \$18 million that it has cut this term from the two high schools in my electorate, Willetton Senior High School and Rossmoyne Senior High School, which were rated last week as the top two non-selective schools in the state. The government has wasted money. It may as well just pump money into the ocean, rather than invest it in quality education.

We know what the flaw is: it is the government's ideology. The government set up a Westport strategy that had good intent. For a long time, we have needed a group to independently, without political guidance, look at the long-term future needs of the port. It had potential, but the government left out Roe 8 and Roe 9. It nobbled it and turned it into a complete waste of money. When the Westport Taskforce went out to the community, including mine, everyone asked, "Where's Roe 8 and Roe 9?", and they were told that the task force was forced to exclude it. It spent most of its time in the community talking about something that was excluded from the review. The task force said it did the assessment of Roe 8 and Roe 9 and then the government came in, "Would Roe 8 have enabled Fremantle port to make the shortlist?", and it was added in without any data. This is a con job. This is a travesty of good government. This government was elected on the basis of gold standard accountability.

One of the great challenges is the outer harbour. We are not necessarily against it, but the questions are: Can it be built on environmental grounds? How much will it cost? Where will it be located? When will it be needed? No data was provided on the cost, yet the outer harbour model was rated number one because of various criteria, including —

Low environmental impact in comparison to other options.

Give me a break! We were here in 2005–06 when the previous Labor transport minister asked the government for \$1.5 billion for an outer harbour. The government of the day said, "Well, let's look at the environmental impact", and it did, and it said that of the four options considered, all would have a significant adverse impact on Cockburn Sound. It also said that each option would cause the accumulative threshold set by the Environmental Protection Authority for assessments of the sound to be exceeded for both seagrass and sand habitat that used to have seagrass. In other words, there were warning signs from environmental studies that the government could not build the facility, yet this study gives it a tick on environmental grounds. It reads —

Hydrodynamic impacts on Cockburn Sound still to be thoroughly tested.

Give me a break! The task force did not look at the environment—it was excluded.

The second major issue with the outer harbour is the cost, which was excluded—there is no costing! Give me a break! The government has spent \$20 million on this without addressing the fundamental issue. It left out Roe 8 and said that the top option is an outer harbour, but it did not look at the environmental impacts, it did not look at the hydrological impacts and it did not do any costings. You know what? The government did not look at the simple issue that Anketell Road goes through the Beeliar wetlands. I thought the government stopped Roe 8 on that basis. This is a joke! Hey, where are the government's accountability experts? Where is Mr Langoulant, the person who stands up to defend accountability in this state? He was a consultant and earned \$3 250 per day. I call that silence money. Why would somebody with such a good reputation as Ms Lockwood, and she had one, put her name to this rubbish? I put it to members that she earned \$438 000 to produce rubbish. She sold her soul on this. This is trash. The government is not fooling anybody. It will not fool the people in my electorate who want Roe 8 and who really want the government to put back the \$18 million that was ripped out from their schools to fund this rubbish.

MR D.T. REDMAN (Warren–Blackwood) [3.08 pm]: I also support the shadow Minister for Transport's motion and highlight the fact that when articles are put in the paper from op-eds railing against what has happened, we know that it has not passed the pub test. It is massively flawed. The government has already stopped Roe 8 and Roe 9, but it is choosing to put a bill through this Parliament to secure it without giving it proper scrutiny. Stand up. Make it transparent. Put it through Infrastructure WA. Do the assessments that should be done for the future interests of Western Australia. That does not do it. Even the chair of the Westport board says that the issue with Fremantle is not capacity, but transport infrastructure. She says that. Yet the government has absolutely denied the opportunity to put it through the independent organisation that it put up in order to assess and check that. It is massively out of play. The chair of the Westport board said that there is capacity at Fremantle for 20 years, yet the government still wants to drive this agenda, which is clearly coming from the left.

It is a shame the member for Bunbury is not here, because going into the last election, he made some interesting comments. I will quote from the *South Western Times* of 20 August 2019, which states —

Prior to the ... 2017 State election, Mr Punch outlined in his "Plan for Bunbury" a desire to develop the role the port could play in the State's freight task.

Ms L. Mettam: That's been dropped.

Mr D.T. REDMAN: That is right. The same article states —

Bunbury MLA Don Punch said the Westport process had "unfolded exactly as I expected" ...

He was saying, "Let's go out and tell the electorate that we're going to make sure that we deal Bunbury right into the game. And by the way, Bunbury's not there—it missed the cut—but it came out exactly as I expected." That

is misleading one's electorate! It is a darn shame he is not here to be accountable for that. It missed the cut. We know where Bunbury and regional Western Australia sit in this. We know that the debate about the transport infrastructure that goes into Fremantle port has happened. Even blind Freddy could tell us that the blue highway is not going to stack up. How could we take containers into Fremantle port, put them onto a truck, take them on down to the barge, put them onto a barge, take the barge right round to Kwinana, take them off the barge, put them onto a truck and take them to where they are supposed to go? What do members think is going to happen with that? It even says at the bottom of a page of the report —

Further, the operational costs of this option are likely to be high ...

Surprise, surprise! Why does that even make the cut? As mentioned, that option came in late. That has come in from the left. We know that must be coming from the left, because it has gained a bit of power and is dealing itself into the game.

The other really interesting thing is that the minister talks about multi-criteria analysis. We know that just about everything that happened in the past was done under multi-criteria analysis, but that has been rolled out as a little headline figure. I think it is meant to confuse people who read the articles. I know one group that was not asked about the multi-criteria analysis, and that is the progressives. They are not interested in multi-criteria analysis! They tried to exert their influence on the weekend, but it did not happen. I wonder what the members for Belmont, Midland and Girrawheen think about that. Multi-criteria analysis did not deal them into the game because they also know it is flawed. We know that they are not going to stand up against what has been a very orchestrated report to deal to the government the outcomes it wants to see, rather than something that is pragmatic, efficient and meets the needs of transport in Western Australia. This is massively flawed. The Nationals WA and I support the motion that has been put up by the Liberal Party. The government needs to go back to the drawing board on this because, quite frankly, it is not good enough. Everyone is seeing through it. It does not pass the pub test.

DR D.J. HONEY (Cottesloe) [3.12 pm]: I join my colleagues in supporting this motion. As has been pointed out by my colleagues, there is a fundamental flaw. I know that some members have had an interest in this topic for quite some time, so I looked with keen interest at these reports and thought I would see some analysis and some facts and figures around all of this. Of course, what one does with any analysis is compare what we are doing now with what we are going to do differently in the future. This detailed analysis cost \$18 million, as the member for Riverton pointed out. That is a massive sum of taxpayers' money. We are not talking about a few idle pennies here; we are talking about an amount of money that could make a real difference in other areas. I am looking at the member for North West Central, who could use that money very effectively to really help and change peoples' lives.

Mr A. Krsticevic: It would help the people in Rockingham.

Dr D.J. HONEY: Yes, the homeless people in Rockingham could really use that money. We could do something meaningful to help those people. What do we see when we compare these options with the base option, which is to keep Fremantle harbour and use the substantial capacity that it has? The member for Fremantle knows that that harbour is utilised at about only 25 per cent of its ultimate capacity.

Ms S.F. McGurk interjected.

Dr D.J. HONEY: With very minor adjustments, that port could be at 50 per cent capacity. In fact, it could then be doubled further with some moderate expenditure. What do we see? The August 2019 *Westport Beacon* states —

Westport did not consider the Roe 8/9 road corridor in our technical studies as the State Government made a firm commitment not to build it at the last State election.

This is not an analysis of options; this is a political direction from the minister to the committee to come out with a conclusion. The government has excluded the safest and most economic option available to it; hence, this is a fundamentally flawed report.

A lot of members on the other side of this place have a lot of time on their hands. They are bored witless. Look, there are a lot of them. That is one of the things that happens when a party has a thumping win at an election—people on the government side do not have a lot to do.

Mrs R.M.J. Clarke: Speak for yourself!

Dr D.J. HONEY: Not in this place, members; I know they are very busy out there.

Several members interjected.

Dr D.J. HONEY: It is not in this place. Let us get back to the topic. I am not sure that members opposite have looked at these reports, but I have. I care about this issue and I have looked at the reports. I know there are a lot of ecowarriors on that side of the house—a lot of people who express great concern about the environment. I am not sure that they have looked at the options.

Several members interjected.

Dr D.J. HONEY: I am seeking your protection, Madam Acting Speaker; I am getting a lot of interjections.

I refer to option 1 for the ecowarriors. I did a basic area calculation. One hundred and fifty hectares of Cockburn Sound would be occupied by option 1. If we go to option 2, 105 hectares of the seagrass and ocean floor in Cockburn Sound would be occupied. As we know, option 3 is just made-up nonsense—that was pointed out very well by the member for Warren–Blackwood. I will skip option 3, because it is rubbish. With option 4, 62 hectares—look at the map — Several members interjected.

The ACTING SPEAKER: I am offering the member for Cottesloe my protection.

Dr D.J. HONEY: Thank you, Madam Acting Speaker; I am very grateful for your protection.

Under option 4, 62 hectares of seagrass would be decimated. Members should look at where it is. It is a kilometre offshore. It is smack bang in the middle of the breeding ground for fish, as was pointed out by our leader in some detail yesterday. Under “ecowarrior option 5”, 115.5 hectares of Cockburn Sound would be occupied. Members opposite who say that they care about the environment should look at the options their government is proposing. If we did not have a port or somewhere to go, the government might have to do that, but the simple reality is that everyone knows—the member for Cockburn knows—that Fremantle harbour is overwhelmingly the best economic option for the state to sustain its critical container transport into the foreseeable future. That is readily apparent. What would happen instead of that? It would cost an estimated \$6 billion, at least, of taxpayers’ money, which could otherwise be used for hospitals, schools, roads or other critical infrastructure and projects for this state. Perhaps a new maternity hospital could be amongst those other things. An amount of \$6 billion would be wasted on this folly.

The truth is that these Westport reports are not worth the paper they are written on, as pointed out by the member for Riverton. I am extraordinarily disappointed. I do not know how the members of that committee allowed themselves to be used in such a partisan, political way. These are a waste of taxpayers’ money. They simply reflect the minister’s partisan, political view. They are not a proper consideration of the available options. As I have said, we know that the best available option is to make sure that we have adequate transport options into Fremantle harbour—that is, Roe 8 and Roe 9, and then a proper connection into the port. All of that has been analysed in detail. I have reports with me, which are publicly available, that outline that in detail and give those options. It is extremely disappointing that the minister has gone down this path for purely partisan reasons and to the enormous detriment of the people of this state.

MS R. SAFFIOTI (West Swan — Minister for Transport) [3.19 pm]: The questions I have are: How did this government and Parliament operate before the economic mastermind of the member for Cottesloe hit this place? How did we know how to wake up and come to this place? How did we know how to operate until the mastermind came to this place? Again, that was an ignorant contribution. Members might have noticed the roads he mentioned—Roe 8, Roe 9 and Roe 10, but he did not mention Curtin Avenue, did he? He always seems to forget that little bit of his electorate. He always mentions Roe 8, Roe 9 and Roe 10, but he forgets to mention the roads in the western suburbs. Why is that? Like I said, he raised with me the importance of the bushland near the train track where we are building the next stage of the cyclepath, but he thinks the Beeliar wetlands are of no consequence whatsoever. He says, “Minister, make sure you are across that bushland next to that train track for the next stage of the cyclepath.” Yes, member; I will be across that. The member for Cottesloe rocked up to an announcement that he thought was a ribbon-cutting. He thought he was going to jump on a horse —

Mr F.M. Logan: Or a bike!

Ms R. SAFFIOTI: — or a bike and maybe crash through, Sydney Harbour Bridge–style. I was there talking to a few workers and this guy popped out of the bushes! Member for Cottesloe, I am not part of a government that has not delivered this project for many, many years. I do not know how we all operated before the member for Cottesloe came here, because the economic genius of him is just incredible! What I found most telling of the contribution made today by the member for Cottesloe and the member for Riverton in particular, and the other contributions, was the complete dismissal of Nicole Lockwood, as chair of the Westport Taskforce, and John Langoulant.

Dr M.D. Nahan interjected.

Ms R. SAFFIOTI: How much did the member for Riverton spend on financial advisers to sell Fremantle port? Member for Riverton, I have reports of \$22 million spent for financial advisers to sell Fremantle port and Utah Point. What happened to that, member for Riverton? The reason he does not like our plan is that it undermines his privatisation and toll road plans, because, remember, they work together. The privatisation of the port, which the opposition spent \$22 million investigating —

Dr M.D. Nahan interjected.

The ACTING SPEAKER (Ms J.M. Freeman): Member for Riverton, stop!

Ms R. SAFFIOTI: The privatisation of the port that the opposition spent millions and —

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Member for Riverton, I call you to order for the first time.

Ms R. SAFFIOTI: While the member for Riverton was paying consultants and going through the financials of Fremantle port, my school needed funding too. He spent up to \$20 million on financial advisers for that privatisation, and the Nationals WA was there clapping by the sidelines. The puppies of the government were selling the rail network and we are still dealing with the consequences of that. He was out there preparing the sale, but this undermines the sale and the toll road. That is what it does. The whole model that the member for Riverton was preparing was to give millions of dollars to consultants to sell Fremantle port, which was backed by a toll road that was going to raise billions of dollars. That is a fact. The toll road was going to be 86 kilometres. After projects like Gateway WA and NorthLink WA had already been funded, he was going to retrospectively apply a toll on those roads. That was his plan, and that is why the opposition did not release a business case to us because we would then have it —

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Member for Riverton!

Ms R. SAFFIOTI: — to show to everybody. Let us go through those facts.

Mr D.C. Nalder: Release the business case.

Ms R. SAFFIOTI: Release the business case? That business case would show not the —

Several members interjected.

The ACTING SPEAKER: All right, that is enough now. Are we all good? Members, just remember that you are all yelling across a Hansard reporter who is trying to take *Hansard*.

Mrs L.M. Harvey interjected.

The ACTING SPEAKER: Leader of the Opposition, I call you for the second time.

Ms R. SAFFIOTI: The Leader of the Opposition says to release the business case. She should defend her decision to not release the business case, which I have written to her about, regarding the Perth Freight Link. We have our documents out there; she has gone through them.

Mr D.C. Nalder interjected.

The ACTING SPEAKER: Member! Can you stop yelling across the chamber.

Ms R. SAFFIOTI: I have two things to say about that. First, the Infrastructure Australia analysis showed that the opposition did not actually include building a new outer harbour as part of an analysis. Second, John Langoulant and Nicole Lockwood are the chair and deputy chair of Infrastructure WA. The member for Riverton has just come out saying that they are rubbish and they respond only to things that they are paid for and they have thrown away all their credibility. That is what the member for Riverton has said in this place. They are the head of Infrastructure WA and now he wants us to give those projects to them!

Let us go through the multi-criteria analysis —

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Member for Riverton!

Ms R. SAFFIOTI: The member for Riverton, who for eight and a half years could not deliver this project, now comes in here as if —

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Member for Riverton! I call you for the second time.

Ms R. SAFFIOTI: The member for Riverton was there for eight and a half years. I do not know what he was doing.

Mr W.J. Johnston: Warming up the bulldozer!

Ms R. SAFFIOTI: He was warming up the bulldozer. I do not know what he was doing, but for eight and a half years, he could have managed to build that project.

Ms J.J. Shaw: Seat warmer.

Ms R. SAFFIOTI: That is exactly right, member for Swan Hills.

The member for Warren–Blackwood might be concerned about multi-criteria analysis, but I actually think it is an important point. It looks at all the different aspects about the port, knowing that all of them have trade-offs. But which is the best one for WA's future? That is the work we have asked the task force to do. This whole idea —

Several members interjected.

The ACTING SPEAKER: Members!

Ms R. SAFFIOTI: If the member for Warren–Blackwood actually read the *Westport Beacon*’s analysis, he would know that it shows —

In Westport’s view, due to the cumulative impact of major social and economic impediments, Fremantle would have rated poorly in the multi-criteria analysis on the long-list of options, even if Roe 8/9 were included in the supply —

Several members interjected.

Ms R. SAFFIOTI: It looks at an alternative road —

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Member for Riverton!

Ms R. SAFFIOTI: Roe 8—I mean, honestly, if you guys do not understand —

The ACTING SPEAKER: Minister, sit down. Can we stop? The member for Cottesloe asked for protection. I now want to afford that same protection to the minister.

Ms R. SAFFIOTI: It looked at a road option for if Fremantle port were to grow continuously. It said, “That road option or the other road option would not make it stack up.” In fact, Roe 8 and Roe 9 is a more expensive option, so it would have ranked lower in relation to the multi-criteria analysis. That is what the report says. It did not need to cost Roe 8–Roe 9, because the opposition had already costed it in respect of the technical analysis. That is what it actually says in the report.

Dr M.D. Nahan interjected.

Ms R. SAFFIOTI: Go and read it. The member for Riverton should apologise today to Nicole Lockwood and John Langoulant. He should apologise. Nicole Lockwood was appointed to the Infrastructure Australia board not by a Labor government, but by a conservative government. It is an absolute disgrace.

Dr M.D. Nahan interjected.

The ACTING SPEAKER: Member for Riverton, stop!

Ms R. SAFFIOTI: It is an absolute disgrace that you sit here like a coward. Go out there and say it.

Once again, the member for Riverton has lost all perspective on this issue. He is embarrassed because for eight and a half years he could not deliver the road project. He sat there as Treasurer and spent \$22 million to sell a port and he is upset because we are not selling that port. That is what he is upset about. It is an absolute disgrace. He has to be calmed down by his colleagues because he has lost all perspective. The member for Riverton failed to deliver a project that he had committed to. He spent \$20 million on a privatisation plan and failed to deliver Roe 8–Roe 9, yet he came in here and most explicitly criticised—the worst criticism I have ever heard of heads of a task force or independent people—John Langoulant and Nicole Lockwood, who are doing their job. They are going through the analysis, consulting with the community and talking about stakeholder engagement. It has been widely acknowledged by all infrastructure bodies across Australia that it is one of the most extensive consultation processes ever, yet the opposition, when in government, drew up the Perth Freight Link on the back of an envelope after failing to deliver its commitments for eight and a half years.

Mr D.C. Nalder interjected.

Ms R. SAFFIOTI: Did members just hear the member for Bateman do some sort of noise that my seven-year-olds would not even do at the moment? They have outgrown that type of foolish behaviour.

Again, this is a desperate attempt. Today, it is Nicole Lockwood and John Langoulant. I do not know who it will be next week. But this is a refusal to accept that the world is moving on, that we have proper planning underway and that we are delivering on our commitments. That is something that the opposition cannot and never will accept.

I will go through all the other falsehoods that were said today. The member for Vasse referred to comments made by Hon Alannah MacTiernan about the life of the port, but refused to acknowledge that Troy Buswell, when he was Minister for Transport, said in 2014 or 2015 that the life of the Fremantle port would be 10 years. That is what he said. Let us go through it. The member for Vasse said that the Westport Taskforce completely dismissed Roe 8–Roe 9. No; go and read the *Westport Beacon*. She said that careers were threatened at the conference. When I was listening to the member for Vasse, I closed my eyes and her speech brought Sunday back. It could have been the Maritime Union of Australia talking, but it was the member for Vasse. It was so on message it was incredible. The member came in here and quoted the MUA—that is up to the member—and she dismissed John Langoulant and Nicole Lockwood. That is the modern Liberal Party, quoting the evidence provided by Christy Cain but dismissing—actually, not dismissing but, even worse, personally insulting—them today. Very bad words were said by the member for Riverton. The opposition said that the costs were not properly analysed. Again, members of the opposition have the idea that all they have to do with Fremantle is build Roe 8–Roe 9 and that is it. They still have the view that all they need to do to continue the growth at Fremantle forever is build Roe 8–Roe 9. They do not tell us exactly how they would get to the port, what they would have to do to Curtin Avenue or all the other road upgrades that they know would need to be undertaken. They do not tell us what further dredging would need to happen at

Fremantle port, or about the extra berth capacity or the laydown areas. They do not tell us any of that—the impact on North Fremantle primarily. They do not come in and tell us the full picture. This report does and it says that Fremantle is not a cheap option. It is \$7 billion to \$8 billion worth. That is what it is. Members opposite say that Roe 8–Roe 9 is needed for the outer harbour. They still do not understand the road system. They do not understand the eastern corridor.

Mr Z.R.F. Kirkup: That is not true; we love it.

Mr D.C. Nalder interjected.

Ms R. SAFFIOTI: Honestly, it is like Kermit, really. Both of them—it is like *The Muppets* over there. Those two angry men—the two muppets—sit there in the front row providing irrelevant comments.

They do not read the report; they come in and criticise the report. The other thing that I think is quite interesting is that the opposition was not only channelling the MUA and criticising Nicole Lockwood and John Langoulant, but also quoting from the Westport report in one section, saying, “I just want to quote the Westport report that says this”, and then in the next section saying, “It’s crap! It’s rubbish! I don’t believe it!” Members opposite either quote the Westport report and accept it or criticise the whole thing. They should not say, “I like this page; this page was really good because it said this, but then the next page was really bad and it shows that the whole report doesn’t make sense.” Does the member for Vasse like the report or not? She quoted it quite a bit. She quoted bits of it. How can someone do a good job in one bit and a bad job in another bit? She selectively quoted it, saying —

Several members interjected.

The ACTING SPEAKER: Members!

Ms R. SAFFIOTI: What do you think of Nicole Lockwood, member for Vasse?

Ms L. Mettam: Read the motion. It is about what we think of you.

Ms R. SAFFIOTI: The member for Riverton said that the report is rubbish. Where is your rubbish?

Ms L. Mettam: Use your 15 minutes and defend your rubbish.

Ms R. SAFFIOTI: Do you stand by the member for Riverton’s comments today?

Ms L. Mettam: We’re standing against you.

Ms R. SAFFIOTI: Do you stand by the member for Riverton’s comments today?

Ms L. Mettam: Do you stand by the report?

Ms R. SAFFIOTI: She is refusing to stand by the member for Riverton’s comments today.

The ACTING SPEAKER (Ms J.M. Freeman): Members, it is not a debate across the floor. The Minister for Transport has the call. I understand, but you have had your opportunity, member for Vasse. You have put your point. The Minister for Transport has an opportunity to respond. Can we leave it at that. The member for Vasse cannot answer a question.

Ms R. SAFFIOTI: The member for Vasse has refused, by way of interjection, to support the member for Riverton in his outrageous attack today on Nicole Lockwood and John Langoulant.

The other key point is that the member for Vasse came in and quoted the report and then went on to say that the report is rubbish. The other point just raised by the Minister for Water, which I had forgotten, is that Nicole Lockwood was also appointed by the Nationals WA to the Water Corporation board. Honestly, the opposition’s complete attack on her is unfounded. She is one of the most professional consultants I have ever met. Members opposite do themselves no service by their attack on her.

MS S.F. McGURK (Fremantle — Minister for Child Protection) [3.37 pm]: Overwhelmingly, in the lead-up to the last state election, I got a lot of feedback about the Perth Freight Link and what people thought. It is true that everyone, many of them average citizens, became an expert when it came to freight management, port management, road infrastructure and environmental issues. But, overwhelmingly, what people said to us in the lead-up to the last state election was that they reacted against the Liberal–National Parties’ chaotic infrastructure planning around Perth Freight Link. It was a joke. The previous government announced the so-called Perth Freight Link, which was Roe 8 and then Roe 9, which initially went down Stock Road and took out houses in Moody Glen. It then realised that this was a problem, because whole communities would be wiped out, and this caused the then government significant political heartache.

Mr D.C. Nalder interjected.

Ms S.F. McGURK: I am not taking the member’s interjections.

That is not to say the businesses that it would interrupt. Then it went to the tunnel option, which, by the way, is the option that the opposition still sticks with, incredibly enough. That option would have a tunnel starting at the Southern Cross aged-care facility, going under the houses and schools of Hilton and White Gum Valley and coming up just before the river.

Mr D.C. Nalder interjected.

The ACTING SPEAKER: Member for Bateman!

Ms S.F. McGURK: There was never a complete cost of the whole project. It was chaotic. There were leadership disputes between the then Minister for Transport and the Premier over this issue and its management.

When I was campaigning with the now member for Bicton, people in the suburbs told me what they thought about the chaotic handling of this project by the Liberal–National government. I guess members' actions speak volumes. If members of the former government were so confident of their proposal, they would release the business case and allow us to look at their decision-making, but, of course, they have failed to do that. We took a commitment to the last state election to do a detailed study of the long-term freight and transport logistics needs of the state. Through the Minister for Transport, we then appointed Nicole Lockwood. There has been quite a lot of discussion about her credentials. Obviously, at one stage, she was endorsed by the Liberal Party, because the former government appointed her to a number of boards. It recommended her for Infrastructure Western Australia and the Water Corporation. Her profile on *Business News* states —

Nicole Lockwood is an experienced non-executive director with a track record on regional, state and national boards focused on infrastructure, planning and regional development. She is principal of Lockwood Advisory and chair of the Westport Taskforce Steering Committee and the Freight and Logistics Council. She serves on the boards of the Water Corporation, Tourism WA, and Infrastructure Australia, Infrastructure WA, and is deputy chair of Leadership WA. Her earlier career spanned a range of fields including local government, regional economic development, law, events and corporate governance.

I think it is well understood that Nicole Lockwood not only has the detailed expertise in freight and logistics, but is widely respected. That is why it was important that she oversee the Westport process. I am amazed by the sorts of claims that have been made in this Parliament about Perth Freight Link and our future port needs. I am astounded by the superficial analysis and the laughable claims made by the opposition and, frankly, some media commentators and, as I said, thousands of citizen experts. Many in my electorate hold very passionate views. I hold very passionate views as well, but I do not claim to be an expert. I think it is important that the government takes expert advice on these issues when we are making billion-dollar decisions on behalf of the state. Just look at the jobs claims, for instance, regarding Perth Freight Link. In 2015, the member for Bateman said that Perth Freight Link was expected to create 2 400 construction jobs. In the lead-up to the 2017 election, that number magically increased to 3 360 jobs for Perth Freight Link. That figure of 3 360 jobs was then backed up by then Treasurer Mike Nahan. In 2017, the Minister for Transport, Bill Marmion, announced that the figure had increased again and 6 640 indirect and direct jobs would be created for the construction. Direct jobs and a total onsite workforce would lead to over 6 500 jobs, incredibly enough. Now we have heard it increase to 10 000 jobs. That is what Libby Mettam, the member for Vasse, said in Parliament this week. She said that Roe 8 and Roe 9 would create 10 000 jobs. How many jobs will this project create? Members opposite think of a figure and double it. It is a joke. In 2017, some of the claims made about Perth Freight Link were scrutinised in freedom of information documents. *WAtoday* reported —

Major discrepancies between Roe 8's environmental report and its business case have raised concerns that the project is a rush job based on massaged figures that could hang WA taxpayers out to dry.

That report was released on the eve of the 2017 election. It also states —

Independent urban strategy consultant Mike Mouritz said he believed the FOI documents showed that Main Roads WA misused land use data to suggest a doubling of system usage within 20 years.

Mike Mouritz is a very credible urban strategy consultant! I do not think he ever made his way out of Queensland to make those claims. The article states that the FOI documents —

... reveal the enormous pressure placed on federal Department of Infrastructure and state Main Roads staff to assemble traffic forecasts for a major infrastructure project already awarded funding—the reverse of normal proceedings.

There has been some scrutiny of the work that the former government did. The more scrutiny, the more the figures and the claims folded like cards. The Westport process was designed to apply some rigour to this process. I am very confident, and I know other government members are very confident, in the leadership provided by Nicole Lockwood to properly scrutinise the whole process and the claims so that not only is taxpayer money well spent and responsibly spent, but also our freight and logistics needs will be best served into the future.

MR P.C. TINLEY (Willagee — Minister for Housing) [3.45 pm]: Here we are once again dealing with the fantasy created by those opposite that somehow this government has been asleep at the wheel in the way we approach infrastructure assessments and undertake the necessary work to achieve the outcomes that this growing state needs. Again, this is a fact-free zone. As the Minister for Transport and the Minister for Child Protection have already outlined, we can say whatever we want to in this debate. We can say 10 000 jobs. We can say that it is a flawed plan. Members opposite can say that Nicole Lockwood is unprofessional even though they appointed her to many things. They can say that Langoullant is a fool even though they had him as an Under Treasurer. I am fully expecting members to get to their feet at some point in the debate—because no doubt members will not let this go and will continue—and say that somehow Roe 8 and Roe 9 is going to cure cancer! The opposition will go to that ridiculous level to confect an argument that somehow will support the idea that this government does not take seriously its obligation to plan infrastructure correctly.

The opposition has accused us of political ideology, but the reality, as the Minister for Transport said, is that the Liberal Party wants the port retained in Fremantle, and to build Roe 8 and Roe 9, so that it can sell the port. It wants to consign the urbanised people around Fremantle, through the complete change of the original use of that port and the land use around the port of Fremantle, to a future of more trucks, more traffic, more congestion, more risk. Even if the former government had built Roe 8, Roe 9 or Roe 10, or the eight lights we need to get through to get to the port, we know exactly what would come afterwards. We know exactly how the Liberal Party would want to pay for that road, and that is with tolls. Liberal Party members are on the record as saying it and it is in their DNA; they want to privatise single-use infrastructure, monopolise infrastructure and apply tolls to and impose more costs on the people of Western Australia. They want to consign the suburbs around the single-entry port to limited use over a long time. They are not serious about the future of this state.

When we look at it in a more open way, members opposite do not want a truly internationalised state. The opposition is against the state of Western Australia achieving its full potential. On Friday, I will launch this state's first-ever Asian engagement strategy. For the first time, we will articulate the ambition we have for our time zone and the markets to our north. Sixty per cent of the world's consuming class is to our north. Somebody is added to the middle class every five minutes in our time zone. To do that justice, and to achieve the outcomes we need for the people of Western Australia in a diversified economy, led well by this government with vision, we must make sure we have an internationally competitive port, an internationally competitive freight system and an internationally competitive approach. When members opposite want to start having their own views about the people of Western Australia, I look forward to hearing them, rather than the puerile, limited, partisan views of Ben Morton, who is sitting out there and telling them what to do and how to prosecute a campaign from inside Parliament, that serve not the people of Western Australia but just their own myopic view of what we ought to be doing as a state.

Division

Question put and a division taken, the Acting Speaker (Ms J.M. Freeman) casting her vote with the noes, with the following result —

Ayes (15)

Mrs L.M. Harvey	Mr A. Krsticevic	Mr J.E. McGrath	Mr D.T. Redman
Dr D.J. Honey	Mr S.K. L'Estrange	Ms L. Mettam	Mr P.J. Rundle
Mr P.A. Katsambanis	Mr R.S. Love	Dr M.D. Nahan	Mrs A.K. Hayden (<i>Teller</i>)
Mr Z.R.F. Kirkup	Mr W.R. Marmion	Mr D.C. Nalder	

Noes (38)

Ms L.L. Baker	Mr M. Hughes	Mrs L.M. O'Malley	Mrs J.M.C. Stojkovski
Dr A.D. Buti	Mr W.J. Johnston	Mr S.J. Price	Mr C.J. Tallentire
Mr J.N. Carey	Mr D.J. Kelly	Mr D.T. Punch	Mr D.A. Templeman
Mrs R.M.J. Clarke	Mr F.M. Logan	Mr J.R. Quigley	Mr P.C. Tinley
Mr R.H. Cook	Mr M. McGowan	Ms M.M. Quirk	Mr R.R. Whitby
Ms J. Farrer	Ms S.F. McGurk	Mrs M.H. Roberts	Ms S.E. Winton
Mr M.J. Folkard	Mr K.J.J. Michel	Ms C.M. Rowe	Mr B.S. Wyatt
Ms J.M. Freeman	Mr S.A. Millman	Ms R. Saffioti	Mr D.R. Michael (<i>Teller</i>)
Ms E.L. Hamilton	Mr Y. Mubarakai	Ms A. Sanderson	
Mr T.J. Healy	Mr M.P. Murray	Ms J.J. Shaw	

Pairs

Mr K. O'Donnell

Mr P. Papalia

Question thus negatived.

MEMBER FOR DARLING RANGE

Labor Party — Bullying Allegations — Personal Explanation

MRS A.K. HAYDEN (Darling Range) [3.53 pm]: I rise under standing order 148 to make a personal explanation.

The ACTING SPEAKER (Ms J.M. Freeman): Proceed.

Mrs A.K. HAYDEN: The Premier raised a point in question time today and referred to me. I wish to address that now. I rise to give this statement as I want to clear up any misconceptions. I accept that the Premier would not be aware that this matter was investigated and that the allegations were found to be false. I encourage the Premier to make his own independent inquiries into this matter to verify that what I have said is correct. I am the first to admit that I am always up for a robust debate in the chamber, but what I will not stand for is my courage to be tainted, and falsehoods. As members, we are subjected to vigorous scrutiny and media attention, but false personal attacks should never be tolerated or encouraged. I welcome the opportunity to discuss this with the Premier privately if he so chooses.

VOLUNTARY ASSISTED DYING BILL 2019*Second Reading*

Resumed from an earlier stage of the sitting.

MR D.J. KELLY (Bassendean — Minister for Water) [3.55 pm]: I started speaking before question time on the Voluntary Assisted Dying Bill. I want to summarise my position. I support this legislation. I do not believe there is any reason someone whose death is imminent should have to die a painful, undignified death. This bill will give people who find themselves in that unfortunate situation the opportunity to die with dignity. It will also allow families to avoid the painful experience of watching a loved one die a painful death. This bill will also prevent first responders, ambulance officers and police officers in particular, from having to experience discovering a member of the public who has committed suicide rather than endure an undignified, uncontrolled death. I feel strongly about the circumstances of ambulance officers and police officers in particular. They suffer greatly through things such as post-traumatic stress disorder, and this bill will reduce the likelihood of their having to attend unpleasant suicide events.

I believe this bill is compassionate. It is safe and it is conservative. It contains a range of safeguards that will ensure that the procedures will not be misused. I thank members of Parliament on both sides of the house and the bureaucracy and community who have come together to put this bill in place. This bill reflects the majority view of Western Australians. The overwhelming number of Western Australians support people being allowed the option of voluntary assisted dying if they find themselves in these circumstances. I do not see any reason this option should be denied to those people. People who do not support voluntary assisted dying, for whatever reason, should not stand in the way of those who do. They have the option of simply not choosing it for their own life. I am pleased and proud to be part of a government that has put this bill together and brought it before the house. I support it and I urge others to do the same.

MRS R.M.J. CLARKE (Murray–Wellington) [3.58 pm]: I rise today in support of this very important legislation, the Voluntary Assisted Dying Bill 2019, but more importantly to pay my respects to the lives of terminally ill patients who have passed in immeasurable pain and suffering, leaving their families traumatised, and to those who may in the future want the choice of medically assisted dying. I have had an open-door policy with constituents in my electorate of Murray–Wellington from the day I was elected. I have been approached about many issues in our community, their needs, arising issues and ways we can improve our community to become more resilient and innovative for our region's future. Voluntary assisted dying is an important subject, filled with high emotions and perspectives, stories of suffering and those of morality, and views of a vocal minority contrary to wishes of patients to have a dignified end to a great adventure. The emotionality of this subject, however, does not deter the conversation from occurring, nor should it. Many members of my community have questioned why we need a conscience vote on this legislation or a law to represent this topic. The reality is that without the right to choose, with careful and cautious safeguards in place, there is no protection and no relief for sufferers, health professionals and family members.

Hearing and learning about people's harrowing experiences around end-of-life choices has been a choice for representatives in Parliament. I have attended as many forums and briefings as were available. Throughout this process, it has become clear to me that terminal illnesses do not discriminate, and every person who suffers from these illnesses deserves the right to decide from what is available to them on their treatment and care. These choices and this right should be respected. I believe everyone has the right to a dignified end to his or her life.

On 23 August 2017, the Parliament established a joint select committee to inquire into and report on the need for laws in Western Australia to allow citizens to make informed decisions regarding their end-of-life choices. The Joint Select Committee on End of Life Choices was formed and its terms of reference included —

- a) assess the practices currently being utilised within the medical community to assist a person to exercise their preferences for the way they want to manage their end of life when experiencing chronic and/or terminal illnesses, including the role of palliative care;

Debate interrupted, pursuant to standing orders.

[Continued on page 6048.]

McGOWAN GOVERNMENT — ECONOMIC MANAGEMENT*Motion*

MR D.C. NALDER (Bateman) [4.01 pm]: I move —

That this house condemns the divided McGowan Labor government for failing to deliver on its jobs bonanza and for implementing policy decisions that have damaged the economy and inflicted financial pain on Western Australia's struggling households.

At the outset, I want to highlight that this government is buying its jobs target. According to KPMG, 59 per cent of the employment growth in Western Australia in the past two years is in public service roles. This government is using restrictions on increases to public servants' wages to employ more public servants. This government's

attack on international students has stripped \$700 million a year out of the Western Australian economy. This government has smashed the housing construction sector when it is on its knees, destroyed the household budgets of thousands of Western Australian families through rampant increases to household charges and failed to use windfall gains from iron ore royalties and the GST fix to support the WA economy.

The government paints an interesting picture of the financial situation that it inherited. The government inherited a financial situation that was coming off an iron ore royalty of, on average, \$US52 in 2015–16. The budget forecast iron ore royalty for 2019–20 is just over \$US73. We are talking about in excess of \$US20. Based on Treasury's analysis that will add \$1.6 billion to the state government's bottom line. If I compare the budget forecast for 2019–20 with 2015–16 across two measures—that is, GST share and iron ore royalties—we see that the government is forecasting \$9.828 billion for this year versus a total of \$5.48 billion for 2015–16. The state government is receiving nearly \$4.35 billion extra per annum.

It is frustrating that this government wants to continue to mislead this chamber and the people of Western Australia about the financial situation that it inherited. Part of the government's claim is that it inherited state net debt of \$40 billion. In fact, the audited accounts as at 1 July 2017 show that net debt was at \$31.96 billion. If we go into technical detail with the Treasurer, he uses the forward estimates as the basis for determining that net debt was going to grow to \$40 billion. If we use those forward estimates—there was no GST solution or iron ore royalties at current prices—we can demonstrate that this state government is receiving an additional \$4.35 billion relative to what the state government received through those two measures alone in 2015–16. In addition to that, in the month of July, the state government received a windfall benefit from iron ore royalties that have averaged just over \$US120 a month. Based on Treasury's estimation of \$80 million per dollar, for the month of July alone, it is a windfall bonus of an additional \$300 million over and above the budget forecast. When we look at that windfall and the current exchange rate, which is sitting at around 67¢, versus a budgeted 71.4¢, we are potentially talking about an extra \$100 million per annum for every cent. When it came into office this government would not have believed it would be the beneficiary of a windfall like that.

One would think that, based on those windfalls, the government would be doing something to underpin those parts of our economy that are really hurting and desperately need support at this time. Today I want to highlight that this government has done the opposite. This government has not underpinned the areas of our economy that are really struggling. The government hangs its hat on the GSP, which shows that exports are growing —

Mr T.J. Healy: What?

Mr D.C. NALDER: It is gross state product, if the member really wants to know.

The GSP shows that exports and export revenue are growing, as we can see with the iron ore royalties, and the government is using that as a basis for saying the economy is doing well. If we look at state final demand, we see it contracted last year. When the budget was issued in May, I highlighted that the government's claim that it would deliver three per cent growth this year was quite aspirational. I doubt that the government will be able to achieve that growth, and I will step through that a bit more in a minute.

This government does not understand the consequences of its policy decisions and it does not understand how to act on the economic challenges WA is currently facing. I will step through that a little more. Australia is facing three broad economic challenges. The first one that I want to talk about is what I refer to as peak personal debt. In the early 1980s, we saw the beginning of the deregulation of the financial system, which provided easier access to finance for everybody. By providing easier access to finance, the banks no longer had to hold one dollar of deposit for every dollar lent. Because banks could access wholesale markets to fund their loan book, they made finance more readily available to people. During the late 1980s and early 1990s, we started to see banks relax their lending standards so that people did not need to hold large deposits. In the early 2000s, we started see "low doc" lending and the ability for banks to provide loans on smaller deposits. Access to finance became easier, which increased demand and property prices went up, but what we were doing was bringing forward future generations' asset growth.

On top of that, we have had three decades of an environment of lowering interest rates. Since the early 1990s, interest rates have been coming down. That stimulated demand in the economy; people could afford to borrow more and therefore continue to buy houses and house prices went up continually. We now have a scenario in which there is not a lot of room for interest rates to go. Despite the Reserve Bank of Australia dropping interest rates twice in last couple of months—very quickly—we know that there is not much room for rates to go compared with where they have come from. We are in an environment of low inflation and low wages growth, which means that people cannot borrow more money. It flattens demand for housing stock and creates huge challenges within the economy. Add to that the challenges to the economy from disruptive technology. People's buying habits are changing as they shop online, and that is having an effect throughout the retail economy. On top of those two, we have what I classify as "environmental disruption". Every year we are seeing a population growth around the world that is three to four times the population of Australia, or another billion people to the world's population over 12 years. A challenge that comes with that is the issue of waste management. I admit that I was extremely embarrassed to find that we export our waste to emerging economies. I believe that as a state and as a country we need to take

responsibility for the waste we create and learn to deal with it appropriately. On top of that is the issue of energy generation, and the challenge for the government to maintain a sustainable environmental future. That has a real potential to disrupt our economy.

They are the three broader issues facing the Australian economy as a whole, but we in this state are seeing the impacts of those issues. I refer to what is happening in Western Australia. Parts of the Western Australian economy are doing well. As I said, our iron ore exports and commodities have been doing exceptionally well. Mining exploration is up; the general activity in regional Western Australia from the mining sector is doing exceptionally well. Added to that, as an ex-farm boy and growing up on the land, last year was probably the best year for the agricultural sector I have ever seen in my life. The agricultural sector is in the best shape it has been in for decades, particularly compared with what I lived through on our family farm throughout the 1980s and 1990s when wool prices collapsed, meat prices were really low, and farmers were struggling for two or three decades.

Given these economic conditions in Western Australia, what has this government done to underpin our economy? For a start, the McGowan government has made a number of decisions that have ultimately hurt Western Australia's economy. The first decision I will talk about is the imposed massive increases to fees and charges that have hit families who have already been struggling with low wages growth and declining house prices. Power bills have gone up by about 20 per cent, or \$850 a year in household fees and charges. Mums and dads are struggling to pay their bills, with power disconnections in Western Australia at a six-year high and mortgage delinquency the worst in the country.

From pretty much the first day that this government came to office, it changed the regional migration status of Perth. On the surface, one could argue that that is meeting a need for Western Australia. The political line the government ran was that we want local jobs for local kids; we are tired of people from overseas taking our kids' jobs. Not one person in this chamber disagrees with that politically. Members agree—yes, we want our local kids to get local jobs. However, the government changed the regional migration status, and that immediately had an impact on international students. The government's very own press release says that for every three international students, there is a local job. How many students have we lost? I can tell members that in 2017, the number of international students in Western Australia relative to the Australian market was around 7.5 per cent. In 2019, it is down to 5.5 per cent. We have lost a two per cent market share in a couple of years. When we have a look at the total number of international students, on a relative basis, that two per cent drop in market share is the equivalent of an extra 12 000 international students we would have had if we had held our market share over the last two years. Our population share is 10.3 per cent. It is interesting that at 5.5 per cent, we are generating \$1.9 billion into our economy. Nationally, international students generate around \$35.2 billion for the economy. Our 5.5 per cent generates \$1.9 billion. If we got to our population share, it would add another \$1.6 billion a year to the domestic economy in Western Australia. There are arguments about whether this is the third or fourth largest industry across Australia; I have seen reports claiming both. This has been a direct result of the change in the regional migration status.

It is interesting to note that if we just held that market share, it would mean an additional \$700 million a year to the domestic economy. To put that into perspective and give this some context, we trumpeted the fact that Manchester United came to Perth with an estimated impact on our domestic economy of \$30 million. Just holding our market share with international students would mean an additional \$700 million a year. These are the consequences of this government not understanding that by doing that we are stripping 4 000 jobs out of our economy. I would hazard a guess that we actually lost more jobs than we provided to our kids in Western Australia. We can see this flowing through the retail sector; we can see this in hospitality. Shops are shutting, and it is reflected in that way.

We saw an amazing double backflip from the Treasurer in the last week with the introduction of the foreign investor surcharge. When the government brought this policy in, we argued in this house that it is not about the intent or the merit of such a bill; it was about the timing. I said in this house to the Treasurer that the timing was wrong. We have an industry on its knees and we are going to soften demand further. No, claimed the Treasurer; he claimed that we were trying to give a benefit to foreign investors in Western Australia over locals who were buying property. It was not the case. He said that this would generate over \$120 million of additional revenue over the four years of the forward estimates. The Treasurer has been very quiet. If members look at the budget line items now, the foreign buyers duty does not have its own discrete line. It has been merged into everything else. We are not quite sure exactly what has been generated, but I can assure members it is substantially less than what it was. I have had meetings with a number of developers; I have talked to the Real Estate Institute of Western Australia and companies such as Mirvac; I have met with the Property Council of Australia. The industry is saying that this is having a diabolical effect on housing construction in Western Australia. This is flowing through to the housing sector in Western Australia and really hurting it at a time when it needs support.

Some people point to the eastern states and say that they did it. They were in different circumstances, and that is why we talk about the timing. They had a huge rampant demand of overseas foreign buyers purchasing properties. It was not sustainable, and it justified the actions. We, on the other hand, did not, and the government could not justify those actions. All it did was force demand down. We saw reports in the press of development opportunities being withdrawn purely because the sales market had dried up as a result of this policy.

This government has also increased payroll tax. Members should think about the logic of this. We have a domestic economy that is really struggling and the government is claiming that it is because of the financial circumstances it inherited. What it inherited was low iron ore prices and a broken GST. Those things have been fixed. What one would hope to see is a government that is cognisant of those issues and understands the consequences of its policies that have created a drag on our domestic economy. We have seen very little action from the state government in this regard.

Let us look at payroll tax. I would like to relate an analogy that I heard from another party recently. If there is an issue with drinking, we increase the tax on alcohol. If there is a problem with smoking, the tax on cigarettes is increased to reduce smoking. If we want to reduce smoking or drinking, we increase the tax on those products. If we want to increase jobs, do members think that we should increase the payroll tax? Payroll tax has been increased to the point that Western Australia has the highest payroll tax in Australia, and we wonder why job numbers have not been growing! The government will claim that jobs figures are growing: “We have created 52 000 jobs.” The problem this government has is that a report by KPMG states that 59 per cent of all jobs created in Western Australia in the past two years have been in the public service. The state government is buying its own jobs target. This is not sustainable growth. This does not underpin the economic growth of Western Australia. Public servants in Western Australia do a fantastic job. They make up 14 per cent of the market, according to KPMG, yet 59 per cent of jobs growth in the past 24 months has gone into the public service.

Mr A. Krsticevic interjected.

Mr D.C. NALDER: Thank you, member for Carine, because this will segue into something. What is even worse, the Treasurer in May 2018 put out a press release that said that the government would be putting in place a voluntary redundancy program and removing 3 000 FTEs. Let me assure members that the footnotes of the current budget state that the general public sector FTE figure will have grown by 3 800 by the end of this financial year. This government has employed 6 800 people just within the general public sector. What is the total figure for the public sector—Western Power, Synergy, Water Corporation and all these other corporations that are big employers? Well, guess what? We do not know because we do not have visibility on it. This is what is really important. In his May 2018 press release, the Treasurer said that the 3 000 FTE redundancy program, which would cost \$300 million, would deliver \$1.1 billion in savings over the forward estimates and \$189 million would be retained by the public sector for renewal or transferring people into appropriate roles. The replacement of some roles would save \$189 million, but there would be \$1.1 billion in savings over the forward estimates. If members refer to volume 3 of the 2019–20 budget and go back over the previous four years, they can see how our salaries are going and what they are now projecting for the forward estimate. What I cannot see in there is \$1.1 billion in savings. If we have, all of a sudden, 59 per cent employment growth in public sector, then there is not that \$1.1 billion in savings. It is starting to look like this whole redundancy program was a sham. The Treasurer has given golden handshakes to a lot of public servants and those positions are being backfilled with new people to do the job. Something does not look right with that.

If we want to get our economy going, the private sector needs to have the confidence to employ people. It does not have that confidence while this government puts up payroll tax and changes the ground rules that will wipe out sectors of our domestic economy at a time when they are on their knees and should instead be getting support. I have demonstrated that in this year alone, the government is receiving \$3.5 billion to \$4 billion more than what the state government received in 2015–16 just from iron ore royalties and the GST fix.

What is the government doing to support our domestic economy, which is hurting? We know that broader structural issues are impacting and outside the control of government. But we also know that governments can play a role in softening the economy to ensure that things are not as harsh and people are not hurting as much. As I said, the Reserve Bank has put in place, in quick succession, two reductions in interest rates. The Australian Prudential Regulation Authority has lowered its standards to make access to finance easier again after tightening it up following the royal commission. The federal government has also provided a massive handout in tax reductions to stimulate the economy. What is the state government doing? The notes from the Reserve Bank plead with state governments to spend more on infrastructure and enable greater economic reform to support their parts of the economy. The government will say that it is helping the economy by creating jobs with infrastructure, but those infrastructure jobs are around for a period and then they are gone. They are transactional issues, and that is where this government has not got the balance right. Its problem is that the promises it made at the last election were unfunded. Many of these windfall gains are being moved into the unfunded election commitments made by this government—its pet projects that will deliver questionable ongoing sustained economic benefit to Western Australia.

The government is not doing any of these things, so how is this playing out in our economy? Let us have a little look at things. In the March 2019 quarter, housing financial starts were at half of what they were in the corresponding quarter five years earlier. In the last 12 months, house prices have gone down 8.9 per cent, almost 20 per cent lower than the 2014 peak five years ago. What did the Premier say in November last year? He said, “Now’s the time to buy. I am a great financial adviser. I recommend that you all buy a house.” Goodness me! Where I come from that is called “offering financial advice” and I do not believe he is qualified to do so. If people have taken his advice and purchased a property, I wonder what responsibility he will take for their negative equity.

The ACTING SPEAKER: Member for Bateman, can you please speak into your microphone. There are issues with hearing your voice.

Mr D.C. NALDER: Sorry. The other issue is negative equity. House prices in Western Australia have been falling for a sustained period—longer than the Premier thought they would, but he did not really understand that his policies were contributing to this—and one in six people who have a mortgage in Western Australia are in negative equity. That means that they owe more to the financial institution from which they borrowed the money than is the value of their property, and if they sell their asset, they will still have a debt. One in six is a massive issue! Over 140 000 households in Western Australia are under mortgage stress. They are struggling to meet their bills and struggling to make their way. We know that mortgage delinquencies and mortgage arrears in Western Australia are double the national average. This is what is happening, Treasurer, in Western Australia. To take that further, this government made changes to the hardship utility grant scheme, which was there to support people who were struggling to meet their bills. At the time, the Treasurer claimed that people were rorting the system, but as a result of the government's tightening, we have the highest disconnection rate compared with the situation in other states, with 19 743 Western Australians having their power switched off for not paying a bill in 2017–18. That is 3 800 more than in the previous financial year. Nearly 20 000 homes in Western Australia had their power switched off. This comes at a time when we have also seen the government try to manipulate the hardship utility grant scheme; there has been another spike in hardship utility grants.

Let us look at what is happening in retail trade in Western Australia. ANZ Research said in June that growth in retail spending had slowed to its weakest level since 1991. According to Treasury, Western Australia's retail trade grew by 0.5 per cent for the year to June 2019, compared with a three per cent national average. It is worse than every other state in Australia. The Treasurer might like to tweet, "Yeah, there's more to do, but things are on the improve", but I do not think they are for various sectors in our community. When I look at the number of utility disconnections and mortgage delinquencies and the figures for retail trade, I say that this government needs to act on underpinning the domestic economy a little more urgently than it has done.

The government could be doing things to support the economy. It needs to start finding a balance between its pet projects and infrastructure spend, and policy reform that is actually going to help the domestic economy. That is what it needs to be doing, and that is not happening at this time. The Western Australian government is utilising windfalls to pay for unfunded election commitments. It needs to consider what it can do to support the domestic economy. If we look at payroll tax and the foreign investor surcharge, we see that they are not bringing in much revenue. The foreign investor surcharge is not bringing in a lot of revenue. I have heard from industry that there was a couple of million dollars in the first six months, but it is supposed to be \$120 million over four years. I believe that may be a bit high, but it is hard to get accurate numbers on that. It would not cost a lot, because I reckon the government could actually drive greater revenue flow back through existing stamp duty processes.

We can add international students to that. The state government is now throwing money at international students, yet it has never addressed the underlying reasons that created the problem. I encourage the government to come clean and admit that it made a mistake and look at that again. An extra 12 000 students would actually do a lot. It would drive 4 000 jobs, because according to the government's own press release, every three international students deliver one job. We know from the Plan for Jobs that the Labor Party put out at the last election that the spend of international students is five to six times that of a standard international tourist, so we know that would help our retail and hospitality sectors. These things would be of immediate benefit, and as we explained to the Treasurer, parents will use a student visa to buy an established property in their kids' name, and that will assist our housing sector at a time when it is struggling. If we had rampant migration to this state, as experienced in Sydney and Melbourne, I would not suggest that we go down this path or that the government should reconsider these areas, but given that we have literally zero growth, I think this is worth the government's consideration.

I will reiterate a few key points. This government is buying its jobs target. It set the target at 50 000 and now it is 150 000. For the first year and a half the government was really struggling; then, all of a sudden, it looked like it was getting the numbers, but out popped a KPMG report to show that 59 per cent—just under two-thirds—of all jobs created in the past two years were in the public sector. That is of concern because it is not sustainable growth.

At the same time, the government is restricting wage growth in the public service and saying that it is making savings because of the financial situation that it inherited. The reality is that it is using those savings to fund new people in the public service, and I think that is highly unfair. The Reserve Bank has already commented that if the government continues to use a low-wages policy to fund new public sector jobs, it will impact negatively on the economy through low wages. We can see that the jobs target is a bit of a scam, we have seen the government attack international students and we have seen the government strip \$700 million a year out of the domestic economy. It has also smashed the housing construction sector at a time when it is on its knees.

Another policy decision that this government made was to remove the first home owner grant boost. I have said in this house that I am not a big fan of first home owner grants because I believe they do not ultimately help first home owners but flow through to the sellers of properties. However, my concern was about the government's timing in removing that. It came at a time when the housing sector was already struggling. I did not believe that was a prudent decision at the time, and this government's policies have contributed to the situation we have in a depressed housing market in Western Australia.

Finally, the government has failed to use its windfall gains in an economically prudent manner that could actually help drive a sustainable economy or, at a minimum, soften the blow of the broader structural issues that the Australian and global economies are facing through changes in buying habits as a result of disruptive technology. There have also been changes in people's ability to borrow more and more money, which has underpinned our economy for the last 30 to 40 years. There are also challenges that future governments will face with global population issues surrounding waste and energy, which will have an economic impact. That is what we have to be cognisant of, and that is what we need the economy to do. I look forward to hearing further contributions from my colleagues.

MR S.K. L'ESTRANGE (Churchlands) [4.36 pm]: It is always a pleasure to hear the shadow Treasurer outline some very pertinent points to the Treasurer while he is in the chamber. Today in this place we are grappling with a very serious and difficult social issue in euthanasia, but the fact is that the number one thing affecting the people of Western Australia right now is the economy. We can make social changes through legislation in this place and people will have a view on that either way, but the number one thing a government must never lose sight of is how its people and communities are faring in their quality of life and their standard of living. Standard of living is very much underpinned by strong economic growth. In fact, those members who have studied and observed economics for an extended time will know that when the economic growth of a society is going well, the chances that its people are going well are exponentially increased. With strong economic growth comes strong employment, and with strong employment comes strong consumer demand. With strong consumer demand comes strong small business sector growth. Right now in Western Australia, all of what I just said is not happening. It is the worst it has been in a long, long time.

I remember when we first came into this place at the start of the new Labor government's term of government in March 2017, and the Labor Party had promised so much in the lead-up to that election. Premier McGowan actually said that when it took over, the state of the economy was worse than it had been during the Great Depression. The Premier got to his feet and said that in the public domain; in fact, he repeated it time and again—that the economy was in worse shape than it had been in the Great Depression, that it was in dire straits, and that everything was bad. Just this week we heard the Premier say that the opposition is all doom and gloom and that it is about painting a negative picture. No, the Premier was all doom and gloom and he has delivered on his doom and gloom. He came into this place and told everybody that the situation was dire and promised that he would fix it. He promised that he would fix it with employment growth. He created the Western Australian Jobs Bill to send a message that he would fix the dire economic situation that he said he inherited. The facts are that the economy was going through a tough time because of a downturn in the commodities sector, which is very much a key sector of the Western Australian economy. If a jurisdiction has all its eggs in that resources sector basket and it is unable to diversify its economy because its population is not strong enough, it will suffer the consequences if there is a quick downturn. The Premier knew that going into the 2017 election. He promised the electorate that he would turn the economy around and grow jobs, yet when he took office in March 2017—or April 2017 when he established his first cabinet—the unemployment rate was about 5.8 or 5.9 per cent. That is what it is now. Two and a half years on, with the passage of the jobs bill and with all his communication efforts that the economy was in dire straits in March–April 2017 and about how much good he is doing, how many jobs he has created and how effective his government has been in turning the ship around and putting it back on the right path, the data does not support the rhetoric, and it never has. The motion as outlined by the shadow Treasurer is about reminding and refocusing the Premier on what really matters to the people of Western Australia. He should get the economy back on track so that their lives improve. Once he has done that, he can start to look at the signature projects that he wants to take care of.

The government is not looking after the economy; it is simply looking after itself and, in fact, as we have heard in this place, it is not doing that very well either. On Sunday, government members were tearing themselves apart. The Premier's entire focus has been on himself and the government in either the communication spin released to the people of Western Australia in his ongoing barrage of media releases that tell everybody how wonderful he is or in Labor members tearing themselves apart at their own state conference. Either way, the Premier's complete focus is on himself, with no real effort to improve the situation of the families, mums and dads and communities doing it tough in the suburbs and regional areas of Western Australia. We urge the Premier to do something about it. If he does not, it can be summed up quite simply—he has left it to luck. He has left the economy to luck with a lot of spin and he does not genuinely care about households. If anything, the only economically focused policies that he is implementing are doing damage, not good. The shadow Treasurer has already highlighted some of those, and I will outline some as well.

This lack of care in trying to turn around the economy was evidenced by the Premier's early policies, which had a massive impact on the cost of living. In two and a half years and three budgets, electricity prices have gone up 19.6 per cent under the Premier's watch. When the Premier came to government, he said that the previous Liberal–National government had increased electricity prices too much. He did not come in and say, "We'll fix that and lower them." Rather, he added 19.6 per cent to the cost of electricity. Then, when we have a go at him and say, "Hey, you're making it really tough for people out there in the community", he blamed us for increasing the cost of electricity when we were in government, completely ignoring the fact that he added 19.6 per cent to that cost. The Premier cannot have it both ways. He cannot blame us for increasing electricity prices when we were in

government and then say that it was not his fault that his government had to further increase them by 19.6 per cent. It is an each-way bet that he does not deserve—he cannot have it. He put the cost of water up by 14.5 per cent and that does not include sewerage charges, which, no doubt, the shadow Minister for Water will highlight another time. Public transport fares have increased by 15.25 per cent and the cost of motor vehicle registrations is up by 7.9 per cent. Interestingly, the 15.25 per cent public transport increase will have a greater impact on those living in the outer suburbs because they have to be on public transport for longer and pay a greater ticket price. They are the communities that the Premier purports to look after. If members look at the electoral map, they will see that they are the people who voted Labor members into Parliament. There is not a lot of blue out there—there certainly was not back in 2017. Western Australian constituents put him in power to look after them, but how does he look after them? He does so by hurting them in the hip pocket, and his lack of care has had consequences.

There is no better example of the consequences of his lack of care than the result of the Darling Range by-election. Fortunately for us, there is a bit of blue out there on the fringe and we have the member for Darling Range to prove it. She got out there and doorknocked with a number of us. We handed out how-to-vote cards and spoke to constituents in the lead-up to the by-election. We listened to them when they told us that the cost of living was hurting and that it matters, but the Premier ignored them. His campaign for Darling Range was presidential in style and centred on him versus the now member for Darling Range. It was a presidential campaign versus the battling “I want to become an MLA in this place” campaign. It was David and Goliath—David-esque and Goliath out there having a go. What happened? The Premier lost, with a 9.3 per cent swing. He was absolutely smashed out of the park and had egg on his face. What did he do? He said, “Not my fault. It was nothing to do with me. We had issues with the candidate. That is really what happened.” Do members know what that communicated to people after the election? It communicated that not only was he not listening before the election, but also he was refusing to listen after, and he has refused to acknowledge the people’s voices as reflected at the ballot box. That is what the Darling Range by-election was about.

He doubled down on that effort during the Bill Shorten campaign at the last federal election. He made sure that his face was on the big red bus that went all around town in, again, another presidential election-style approach: “Don’t worry about this, Bill. Mark’s got it under the control. I’ll lead you to victory in my town because people love me.” There was so much ego and hubris in the way the Premier approached the federal campaign, the likes of which we have never seen before. Can anybody in this place remember a Leader of the Opposition or a Premier of the day having front and centre position on a federal election campaign in the state of Western Australia? I have never heard of it. Do members know why the Premier was happy to be front and centre? It was because he believed that the people loved him.

The ACTING SPEAKER (Ms M.M. Quirk): Member, can I just remind you that we are talking about the economy.

Mr S.K. L’ESTRANGE: Thank you very much, Madam Acting Speaker. I bring it back to the economy because the Premier leads the Western Australian economy; and because the Premier leads the Western Australian economy, how he presents himself as the leader is critically important to how the economy is being led.

The ACTING SPEAKER: No, it is not, member for Churchlands. Keep going, but I am watching you carefully.

Mr S.K. L’ESTRANGE: I appreciate your close counsel, Madam Acting Speaker.

The fact is that the Premier thought that it was an unlosable election and he wanted to attach his name to it for his own hubris. What happened? It failed, and it failed catastrophically for Labor, because all the Premier did was endorse the federal Labor Party’s economic policies—policies that would have hurt mums and dads and households and damaged the Western Australian economy. Western Australians are not stupid—they are not stupid. If they think a political party will take money out their pockets to look after themselves when they are already doing it tough and when they have already been whacked with a 19.6 per cent increase in electricity charges in two and a half years and three state Labor budgets, they will vote no for that party and its economic management policies. That was demonstrated by the number of seats won by the Liberal Party at that federal election. More than that, it was demonstrated by the swings towards the Liberal Party.

The ACTING SPEAKER: Management of the state economy, member.

Mr S.K. L’ESTRANGE: Management of the state economy relies on people being confident that the economy is on track and that they can contribute to it in a productive way. The swing towards the Liberal Party was 4.8 per cent in Brand, 2.1 per cent in Burt, 4.8 per cent in Canning, 3.7 per cent in Durack, two per cent in Forrest, 0.6 per cent in Fremantle, 3.3 per cent in Hasluck, 0.6 per cent in Moore, 3.9 per cent in Pearce, and 0.4 per cent in Tangney. The lack of care and the mismanagement of the economy by the Premier and the Treasurer is evidenced by the political consequences in the two examples I have just given—the Darling Range by-election and the recent federal election. Importantly, the Premier and the Treasurer must take responsibility for not just the political consequences of their lack of care and mismanagement of the economy, but also the consequences for the people of this state. If the economy is not being managed properly to support the people of this state, it hurts them. As I said at the beginning of my comments, in April 2017, the unemployment rate was 5.8 per cent. In August 2019, the unemployment rate is 5.9 per cent. The unemployment rate has gone up. All the government’s efforts and talk about our government’s failures and its successes is not reflected in the data. The government has moved the employment rate backwards.

The “WA Super-CCI Survey of Business Confidence” for the June quarter is quite telling. It states that 25 per cent of Western Australian businesses have employed fewer staff, 80 per cent of businesses expect to reduce their workforce over the next three months, and 33 per cent of retailers expect to lay off staff over the next three months. It states that that is not welcome news for the almost 90 000 unemployed and 123 000 under-employed Western Australians who are looking for additional hours of work. The reason they are looking for additional hours of work is that they are struggling under economic pressure and trying to make ends meet.

I have highlighted in this place previously that the CommSec “State of the States” reports are not very positive about the performance of this state Labor government. The July 2019 report placed Western Australia last of all the states and territories on relative economic growth. Western Australia is on the Indian Ocean rim. We have the greatest abundance of resources in the world, and we have people who have a can-do attitude and are aspirational. We cannot blame the people of this state for what is happening to the economy of this state. When the Labor Party came into government, it said that it would diversify the economy, because the former government did not diversify it enough. How is that going? Where are the results?

As the shadow Minister for Housing, I know, as every member of this place knows, that a successful domestic economy is underpinned by a successful housing sector. If the value of people’s homes goes up, their paper wealth goes up, and they feel confident to look for a new job, or do extra study that will enable them to earn extra income, and they are more inclined to go to a movie, use a taxi service, go to a restaurant or local cafe, or go on a holiday in Western Australia or overseas. If people’s personal wealth is going up, they have greater confidence to participate in the economy. However, the housing sector is struggling.

[Member’s time extended.]

Mr S.K. L’ESTRANGE: CoreLogic’s latest housing market update shows that dwelling values fell by 2.2 per cent over the three months to July 2019. They fell by 8.9 per cent over the last year, and they have fallen by 20.2 per cent since June 2014. Those numbers are significant. There is a pretty good chance that a house that was bought in 2014 is worth 20 per cent less today. That impacts on the confidence of households. This state government needs to show leadership and help the households of Western Australia by supporting the housing sector. However, that is not forthcoming. Mortgage stress and mortgage defaults is a serious issue in the Western Australian economy. An article in *The West Australian* online of 21 April 2019 by Josh Zimmerman states, in part —

Fourteen of Australia’s 20 worst-performing postcodes for mortgage delinquencies are in Perth ...

...

Separate data shows the percentage of loans 90 or more days in arrears has tripled ...

...

Based in Joondalup, AnglicareWA financial counsellor Kevin O’Hare estimated 70 per cent of his clients who owned homes were experiencing mortgage stress.

...

From their peak in 2015 the median Perth house price has already fallen 18 per cent ...

I refer also to an article in the Rockingham newspaper *Weekend Courier*. We would expect the Premier to be well across this particular newspaper and fully understand what is happening down his way. The article is headed “Mortgage default aid”. It states, in part —

The increasing number of people seeking legal help because they can’t pay their mortgage has prompted Legal Aid WA to start outreach services in Baldivis, Merriwa and Midland.

...

Last year Legal Aid supported 301 people, a 550 per cent increase from 2013 when 46 people required assistance.

The article quotes Legal Aid WA’s civil law director, Justin Stevenson, as saying —

“Ongoing financial hardship in the WA community with a sustained softening of property prices, unemployment and an end to interest-only loans mean we are only going to see more West Australians struggle to pay their mortgage in 2019,” ...

Mortgage stress and negative equity are serious issues that people worry about. An article in *WAtoday* of 13 August 2019 by Hamish Hastie states —

Commonwealth Bank said 72 per cent of its customers in negative equity were from WA or Queensland. *WAtoday* understands more than half of those were from WA.

The article highlights another serious issue —

The figures reflect a June report from ratings agency Standard & Poor’s that found the amount of WA households behind on their mortgage payments had increased by 3.1 per cent in just one month between March and April.

This impacts on the confidence of people to engage in the economy of Western Australia. The business community has taken it upon itself to fix the policy vacuum by trying to write policy for the state Labor government. It is pushing and prodding the Treasurer to do something to repair the housing sector. An article in the *Southern Gazette* of 22 August 2019 refers to some recommendations that were made by Damian Collins, president of the Real Estate Institute of Western Australia. These recommendations are not necessarily endorsed by the opposition, but they are certainly topics that need to be explored by the government. The government needs to take a position on these recommendations and do a proper and thorough analysis to see how much economic growth could be achieved through the initiatives promoted by REIWA. One example is population growth. REIWA has suggested that the federal government should put Perth back onto the regional migration scheme.

We certainly have been advocating for that, because putting us back on the regional migration scheme would encourage foreign students to land in Perth and not bypass us and go to Adelaide, which has regional status, or bypass us both and go to Sydney and Melbourne, which have the same status as Perth but which, in the eyes of students, have bigger populations of students from their countries. They feel that that is where they should be going because that is what students over there are telling them to do. If we do not encourage people to study here through policies such as the regional migration status, it will not help our population grow, which will have an impact on aggregate demand in our economy.

The president of REIWA also talked about the reintroduction of the first home owner grant for established homes. The Liberal Party was a strong advocate of the first home owner grant and the first home owner grant boost, which we introduced just prior to the 2017 election. Of course, on coming to office, the Treasurer cut that short by six months, which had an almost immediate effect on that sector.

Another thing that REIWA and other industry groups are looking for is stamp duty relief for downsizers. The article states —

A key issue that would assist with the improvement of the WA housing market is the need for diversity in housing stock.

Encouraging people in big homes to downsize would start to create the housing supply-and-demand economic activity that the market is in desperate need of. The article outlines some other points by other people. Master Builders Association of WA housing director, Jason Robertson, made some comments, including —

Infrastructure projects help keep capacity and flexibility in the industry.

One infrastructure project that we are pretty strong on right now is Roe 8. Get it built. Support the economy. Get it moving.

Ms S.F. McGurk: How many jobs would that be?

Mr S.K. L'ESTRANGE: I do not have those statistics on me right now, member for Fremantle. Given it is such an important project in the member's area, she should tell me how many jobs it would be.

Ms S.F. McGurk: We just addressed that in the MPI. The figures went from over 2 500 up to 10 000, according to your side. They kept escalating.

Mr S.K. L'ESTRANGE: They kept escalating, did they?

Ms S.F. McGurk: They did.

Mr S.K. L'ESTRANGE: Is the member for Fremantle not a fan of infrastructure development in Western Australia?

Ms S.F. McGurk: I am just saying that the job claims around Roe 8–9 involved people thinking of a figure and then doubling it.

Mr S.K. L'ESTRANGE: The member for Fremantle and I both know that when we go to the election in 2021, the building of Roe 8 will be a key election commitment of the opposition and that the government will make it a key point of difference. We will let the people decide. I think the people understand that economic infrastructure and key road networks in Western Australia are important, for not only the jobs involved in building those infrastructure networks, but also the ongoing growth of the economy. Those infrastructure networks grow jobs and enable things to progress at a faster rate.

The chief executive of the Western Australian branch of the Urban Development Institute of Australia, Tanya Steinbeck, also made some comments in this article. She said —

In terms of strengthening the WA economy, we need to see greater overseas investment in the state by promoting WA as a safe and stable place to invest.

She went on to say —

Investment in sectors such as education and tourism are welcomed.

UDIA would also like to see the abolishment of the Foreign Buyers Surcharge given this is a detractor for investors looking at our property market at a time where we need to be promoting ourselves as a viable option..

UDIA would also welcome a stamp duty concession introduced for seniors looking to downsize.

Again, people are looking for stimulus-style packages to encourage economic growth. These are people who represent business sectors and the different industries associated with them. While we are on the foreign investor surcharge tax of seven per cent, I note that the Treasurer came out very strongly this week by saying that anybody misrepresenting his view that he was looking to get rid of it —

Mr B.S. Wyatt: Get rid of?

Mr S.K. L'ESTRANGE: The seven per cent foreign investor surcharge—the Treasurer made it very clear that he has no intention of getting rid of it. He clarified that for the record. But that is impacting greatly on the ability of people to buy a house. What about families in which one spouse is a foreigner and the other spouse is a Western Australian? That Western Australian is disadvantaged if they are a co-owner of a property, because they are hit with 50 per cent of that foreign investor surcharge. The government is damaging the capacity of people to get ahead in our economy.

We have talked about the first home owner grant. Another aspect is Keystart. That is another area in which the government made some adjustments this year. The UDIA recommended a 25 per cent increase to Keystart thresholds in its 2019 state budget submission. The government announced that it would make some increases in the income threshold for a Keystart loan, but UDIA is saying that the government did not go far enough. It is also saying that restricting it to that six-month period, or up to January 2020, is not long enough.

A number of people in the community are asking the government to make some decisions around economic policies that support growth. The one problem we are starting to see very much in this place is in how the government addresses the requests of industry groups for some sort of relief by saying that it is trying to pay off debt and get us on a downward debt trajectory. The problem is that it is not. Debt is not coming down. The government is actually increasing the debt. We are yet to see the debt that will be attributed to the government's Metronet plan. One thing that comes to mind for me with Metronet is that all of the government's economic recovery eggs have been placed in that Metronet basket. The problem with that Metronet basket, into which the government has put all its economic-recovery eggs, is that the government will not start building Metronet until after the next election, which effectively means that it will have made zero progress on improving the state of Western Australia in its four years of economic management, at a time when the government said the economy needed support. The government is banking all of the goodwill of that first election. It will run through to the 2021 election with the hope that it has banked enough to get it across the line at that election, and then all of its effort will be in one basket called Metronet. That is it. It is literally a one-shot government. If that does not work, what will happen then? We have not seen the business case for this project. We have not seen the full costs for Metronet. We hear a lot of talk about jobs and job numbers, but we do not actually know how it will be reflected.

In conclusion, what the Western Australian people are looking for and what they need is strong, sensible economic management from the state Labor government and the Premier. They do not need media spin. They do not need the government to keep telling them that Metronet is the answer. They want the government to support them so that they have more money in their pockets to spend in the economy.

MR B.S. WYATT (Victoria Park — Treasurer) [5.07 pm]: I might, if I can, bring us back to the motion. I will read the motion, because it is one I intend to address. It states —

That this house condemns the divided McGowan Labor government for failing to deliver on its jobs bonanza and for implementing policy decisions that have damaged the economy and inflicted financial pain on Western Australia's struggling households.

To be honest, I am surprised by what we have heard so far from the opposition. It is a general spray that we have heard a number of times before. In fact, I suspect that I have had to deal with this sort of motion about half a dozen times during private members' business. To be honest, after what happened on the weekend, if I were sitting on that side of the chamber with the member for Cannington and the member for Cockburn, we would have had a cracking time! We would have had an absolute belter during private members' business. Instead, we have this generic kind of commentary around all sorts of different things.

I want to deal with the actual motion. I also want to deal with some of the issues that were raised, particularly by the member for Bateman. I found the start of the member for Bateman's contribution interesting. He critiqued the kind of jobs that are being created in Western Australia. What I think is alarming the opposition is that jobs are being created in Western Australia. We have now created 52 000 jobs in Western Australia. The member for Bateman perhaps understands that his critique of job creation was going to fall flat. I have to say that it was kind of an odd critique—he was critiquing the nature of the jobs. He said, "That job's not good enough; it's got to be this sort of job. Otherwise, as a government, you've failed." It is always a danger, member for Bateman, to grab a report without understanding what it refers to. The member referred to the KPMG report that mentioned a 59 per cent increase in the number of public servants between 2016–17 and 2018–19, but that report referred to all levels of government—local, state and commonwealth. Of course, all I can be responsible for is what happens at a state level. I refer members to the UBS report that was mentioned on the front page of *The Australian* on 22 June, highlighting that public sector growth, of all states across the nation, was lowest in Western Australia by a long

way. Rather than sticking commonwealth and local government jobs onto my books, perhaps the member should stick with the fact that we have had the lowest salaries growth in 20 years, but I will come to that in a moment. I get that that stings the shadow Treasurer and the opposition, because the Liberals understand that they left the incoming government with its only recession on record—four consecutive years of job losses in the economy, and five years of state final demand contraction. Interestingly, a lot has been made of negative equity and falling house prices, 70 per cent of which occurred under the former government. However, when I sat on that side of the house, at no point do I recall the now shadow Treasurer ever raising any of those issues of concern.

When I look around my colleagues on this side of the chamber—not just on this side; colleagues supporting the government—I see that we would all love to be doing more than we do. Every day, a good proposal is put to me or to ministers, by members of Parliament across Western Australia, but every day we also have to say no to many of those ideas. Perhaps the main reason that we have to do that in Western Australia is the \$40 billion in net debt that we inherited when we came into government. I know it upsets the opposition and the shadow Treasurer in particular when that figure is utilised, but I want to once again refer to the *Pre-election Financial Projections Statement* that makes the point that total public sector net debt was forecast to reach \$41.1 billion. I also make the point that I have made time and again, that I would accept the previous government's argument on the basis that it had left me with forward estimates full of operating surpluses, but it did not. It left me with forward estimates containing not one operating surplus. It never gave the new government the capacity to do anything, because it gave us zero money and billions of dollars in expected deficit positions, driving net debt to over \$40 billion.

The shadow Treasurer says, "What about GST?" Yes, what about lots of wonderful things that this government has managed to do to turn this all around? That is not just on the revenue side; it is also on the expense side, which is why we can do so many different things—again, I would like to do more, but the Liberal–National government's recession and record debt makes that really hard—and we are in a position now to actually do a fair bit at the same time as we drive down that debt profile. That is a pretty good outcome. It is not just me saying that. The credit rating agencies are now looking at what is going on over here and saying, "You know what? This government knows how to govern, budget and deliver, so let's upgrade the credit rating", and that is what they have done. These agencies look at governments around the globe, and that is what they have done. I am not saying that Western Australians love every decision that has been made, and we understand that we have had to make some tough decisions, but I think overall Western Australians understand what we have inherited and what we have been trying to do.

I want to spend some time going over the last five or six years. I know the opposition does not like me referring to its time in government, particularly its second term, but the reality is that when we talk about datasets, whether they be about house prices, negative equity, as the shadow Treasurer likes to refer to, jobs, economic growth, state final demand or whatever, they are contextual. We have to look at the path that we have been on, and it is clear that the ship that we inherited is certainly in much better shape than it was two and a half years ago.

Several members interjected.

The DEPUTY SPEAKER: I think he said "ship", did you not?

Mr B.S. WYATT: I said "ship", as in marine vessel.

The DEPUTY SPEAKER: I am just clarifying that for Hansard.

Mr B.S. WYATT: Sierra, Hotel, India, Papa, Madam Deputy Speaker.

The most interesting point made by the shadow Treasurer was about the three challenges faced by not only this country, but also most mature economies around the world. I did not hear him say that this is all the problem of this current government, but he made a point on three different things, and one of those was retail, and I will make some comments about that in just a minute.

I became Treasurer in March 2017. At the time, as I said, the WA economy was in recession. It has not happened before—2016–17 is the only recorded recession. I know that the member for Bateman is now very interested in state final demand. We had seen five consecutive years of state final demand contraction. Having said that, I have done a couple of *Hansard* searches, and I have never actually heard one former minister reference state final demand. The only person I heard reference state final demand was the former Premier, Hon Colin Barnett, who referenced state final demand as he was critiquing my focus on it when I was the shadow Treasurer. But it was never actually of any particular concern to the member for Bateman when he sat on this side as Minister for Finance.

Mr W.J. Johnston: Increasing taxes.

Mr B.S. WYATT: Correct—increasing both payroll and land taxes quite dramatically as well, and I will come to that in just a minute.

Coming into an environment in which the economy was shrinking, jobs were being shed—the final term of the former government saw a net loss of 600 jobs; that is, not one job was created during the second term of the former government—and turning that situation around has taken some effort. That is why we are particularly proud that,

as at budget time, around 38 000 jobs had been created, or up to 52 000 jobs created in Western Australia up to now. We are creating jobs and, contrary to what the shadow Treasurer says, they are overwhelmingly in the private sector, and the majority are full-time jobs. We are actually doing exactly what we committed to do. The first part of the motion moved by the member for Bateman seeks to condemn us for failing to deliver on our jobs bonanza. I guess I will admit that I would like to see more jobs created, but that is what we are working on—to create more jobs to give more Western Australians opportunities. The member for Churchlands said that we had to give Western Australians the opportunity to participate and enjoy the economy. The singular most important way we can do that is by giving people the opportunity to do either one of two things—get a job, or get more time in a job. The datasets on both of those are going the right way. More work needs to be done, and we always admit that.

I want to highlight this, and I want to confirm it, because I think the numbers speak for themselves. In the second term of the previous government, as I said, not a single job was created. Indeed, a total of 35 700 full-time jobs were lost in that second term of the former Liberal–National government. The number of unemployed people went from 64 000 to 88 300, a 36 per cent increase. I will say that again—a 36 per cent increase in the number of unemployed Western Australians in the second term of the former Liberal–National government.

That, of course, was why the unemployment rate surged up to 6.3 per cent. I remind everybody again that when Colin Barnett became the Premier, the unemployment rate was 2.9 per cent. As is always the way in Labor, we govern for the future. We understand that we like to keep the books in a position so that future governments can also respond to issues of the day. To share something with members, when I became Treasurer, I was terrified of further international events. I was terrified because I knew that I did not have the balance sheet to respond. I did not have it.

Mr W.J. Johnston: Billion-dollar writedown.

Mr B.S. WYATT: A billion-dollar writedown on revenue day one. I was, as Treasurer, coming in terrified, and I used to critique Colin Barnett heavily on the point that he had the arrogance to assume that he could consume the economic and fiscal capacity of future governments on the basis of: “I’ll just spend it all and be gone. I don’t have to worry about the circumstances that future governments may find themselves in. I don’t have to pay down debt. I don’t have to pay it off.” In reality we do not have to pay down the debt, according to the former Premier. But the point is that if there had been a global circumstance, we would not have been able to respond as a state. I did not have the spare cash capacity, because we had large operating deficits; we had debt at levels that we saw what was doing to both our credit rating and interest rates—we did not have it. But, we have now. Through the effort that this government has undertaken, including record road and rail programs, we have created some capacity in the balance sheet. When I look around the world at the moment, I think that it is not a bad thing to have some of that, should we need it. I think that is a pretty good thing. That is something that if I were to finish my role as Treasurer when I sit down tonight, I would be pretty proud of that, because I have ensured that we can do an infrastructure program, deliver services for Western Australians now and also create opportunity for future governments to respond to issues as they arise.

Obviously, the Minister for Transport has in this place outlined extensively the issues around our rail program, and we will start to see that roll out with some gusto in the coming months. But, unsurprisingly, with the Infrastructure Australia process, the planning process, that has taken some time, but I think it is strongly supported by Western Australians and I think it will have a positive impact on not just job creation—but, again, those jobs are second-rate jobs according to the member for Bateman—but how we want Western Australians to live in Western Australia. We have also seen a significant pickup in job advertisements, which is likely to bring more people into the job market, which is why we are seeing our participation rate increase, and we are expecting employment growth to lift to about 1.75 per cent this financial year before getting up to about 2.25 per cent by the end of the forward estimates.

In respect of the economy, I find it galling that members of the opposition, who left me a recession, now complain about state final demand. I find it bizarre. Indeed, as I said, there was not actual period under the former Treasurer, Mike Nahan, in which state final demand grew—at no point during his entire time as Treasurer. It contracted every year he was in the office. State final demand has finished its contraction and we expect it to grow again. Importantly, the economy is growing again. The one thing the shadow Treasurer did right was making the point that this is driven largely by exports; that is not unusual in Western Australia. That is not unusual, but I dispute the points he made—in fact, member for Churchlands made the same point—that nothing else is going on.

Again, I will take us through some statistics of the average growth in the last year in these sectors versus the average growth in the last year of the former government. In the last year of the previous government, mining grew at 2.2 per cent; the last year it has grown at 2.8 per cent. Manufacturing, colleagues, grew in the last 12 months at 3.4 per cent; in the last year of the former government, it contracted at nearly four per cent. Construction grew at 2.4 per cent over the last 12 months; in the last year of the former government it contracted at 24 per cent. Accommodation and food grew over the last 12 months at three per cent; in the last 12 months of the former government, it contracted at five per cent. The professional and scientific sector grew at 3.2 per cent over the last 12 months and contracted at 7.3 per cent over the last 12 months of the former government. Arts and recreation

grew at 2.4 per cent and contracted at just under one per cent during the final year of the previous government. The point I make is that the Liberal–National government gave us all an economic basket case, and in all sectors we are now doing way better than what we inherited.

Mr F.M. Logan: Sounds like good job creation.

Mr B.S. WYATT: That is why we are creating jobs, member for Cockburn; that is exactly right. That is exactly why jobs have been created in Western Australia.

With fees and charges, I am always, again, perplexed that the opposition would even raise fees and charges in this place. But it is clear that this goes back, in particular to electricity prices. If we go back a long way to the disaggregation of Western Power, when to get the support of the Liberal opposition—I am looking at you, Minister for Energy, because you will correct me if I get this wrong—Matt Birney, who was then the Leader of the Opposition, required that electricity prices be capped to ensure that the disaggregation of Western Power made its way through the Parliament. I was not here at the time, but I think most people would accept that a lengthy capping of electricity prices perhaps was not the best thing to do and it left us with the issue that we have seen over the last decade, which has been, I think everybody accepts, significant increases in power.

Mr A. Krsticevic: The rationale for that was that the prices would go down if we were to aggregate it.

Mr B.S. WYATT: No. Again, member for Carine, that is not correct.

Mr A. Krsticevic: That's my understanding of it.

Mr B.S. WYATT: The member for Carine's understanding of this and on other things is incorrect. We have had a decade of significant increases in power bills. There was a 90 per cent increase in power bills under the former government. At the same time as the former government put the economy into a recession and wrecked the finances, it also dramatically increased not just power bills across the fees and charges spectrum. That is why at this year's budget for 2019–20 we have kept power bills to the lowest increase in 13 years. That is an important thing to do because we understand that a decade of significant increases has an impact, so we have kept that to the lowest rise in 13 years. That is not a cheap thing to do. That is a \$300 million spend to do that so I think the balance is quite correct, as opposed to the opposition's view of just freezing everything that would have a billion-dollar impact through the budget and the forward estimates. We thought that was over the top, because, ultimately, it was driving debt back to the levels it was previously.

Interestingly, I now often hear that we should keep everything at the rate of inflation, which we have done in this budget, but, of course, not once did the previous government keep power bills at the rate of inflation. The lowest increase was three per cent, and the rate of inflation at the time was 0.6 per cent, so let us not look back on the past for a minute and think that the former government was somehow generous when it came to the household budgets of Western Australians. It rampaged through them at the same time as it bequeathed to Western Australian's record debt and record deficits.

The other issue I want to deal with is around the hardship utility grant scheme—HUGS. When we came to government, it was not funded. It was funded for one year and then I had to find the money to not just top it up in that year, but then fund it across the forward estimates. Very early on, Western Australian Council of Social Service, and I suspect others, was on to me and said, "You've got to reform this HUGS. It's too expansive." I said, "What do you mean?" There is actually no limit on who can actually go and get the cheque. That is why the Premier and I have made the point that I could, as Treasurer, have simply taken a HUGS payment of something like \$600, because there were no checks or requirements for anything.

Mr W.J. Johnston: There was a top-up for Synergy.

Mr B.S. WYATT: That is correct. Therefore, we made some changes that have been supported by WACOSS, which represents the most vulnerable Western Australians. We have made changes that have had an impact on the HUGS spend, as they should do, because I do not think a lot of people who were getting it should have been getting it. That is the reality.

At the same time, we understood that often when somebody could not pay their power bill, it was a sign of broader issues. Although the former Liberal government said that it would cut out a key support—that is, access to financial advice and support—we restored that. We made it a requirement so that people had an opportunity to see a financial counsellor for that sort of support and understanding of how to manage their own finances. That was a good thing to do and it restored something that the former Liberal government had taken out.

Ms S.F. McGurk: Integrity.

Mr B.S. WYATT: Correct. I think that was a good decision by the government.

The foreign buyers surcharge was an election commitment that the government is committed to. It is now in place and has been operating since 1 January this year. At the moment, it is tracking as we expected. I noticed that I was critiqued about lack of transparency around it, but I have never been asked a specific question on the foreign buyers surcharge. As at a week or two ago, since the beginning of the year, I think 399 transactions attracted the surcharge. The revenue is tracking as we expected, so it is doing as we expected. Of course, there is a significantly lower percentage of foreign

buyers in Western Australia's residential market compared with that in most other states—depending on the year, somewhere between one and two per cent. In fact, there is no suggestion that the broader economic and housing downturn has been exacerbated by that. However, the argument has been put to me by the Property Council of Australia, the Master Builders Association and the Real Estate Institute of Western Australia about how large apartment developments that require a certain percentage of off-the-plan sales get away. That has been more difficult, led also by a couple of other things: firstly, requirements out of domestic banks and, secondly, capital controls out of places such as China. A lot of things are going on at the moment that make it harder to get away a large apartment complex, the main one being, of course, demand. The point is that I am open to those conversations around what levers we might be able to pull. I have made that crystal clear to all the property representative groups.

I want to say a couple of things about negative equity, and I will quote some information on it in a minute. The shadow Treasurer spends a lot of time on negative equity—he does now. I want to confirm a couple of things around the decline in the price of property in Western Australia. Around 70 per cent of the fall in Perth property prices happened under the former government. The decline in property prices in WA has been happening since 2014. It has been happening for quite some time. That 70 per cent of the decline happened under the former government. I will read straight from a REIWA source. The median house price fell by more in the last two years of the previous Liberal–National government than it did in the first two years of the McGowan government. Under the previous government, the median price fell from \$546 500 in the March quarter 2015 to \$507 700 by the March quarter 2017—a \$39 000 drop to the median price. No-one disputes that it has been dropping again, but certainly not at the rate it dropped under the former government. That is the point I want to make. Negative equity is not something that has happened in just the last few months; it has been happening since 2014. When I plug in a *Hansard* search for negative equity under former ministers, unsurprisingly, it comes back with a zero result because they did not care back then. That decline in property prices has been happening for some time. Interestingly, though, thankfully—I make this point, and Treasurers from other states make the same point to me—I am glad I am here and not in Victoria or New South Wales. From their peak, Melbourne price values have fallen twice as much as those in Perth, and Sydney values have fallen nearly four times as much. They are experiencing some significant pain.

Unsurprisingly, that then flows into another issue mentioned during the debate around mortgage arrears. Seventy per cent of the decline happened under the former government. Unsurprisingly, the vast majority of mortgage arrears occurred during the term of the former government. Indeed, I was expecting a question on this some time ago because I saw that the member for Bateman had made some comments in the media, but I did not get a question about it. I am talking about a speech given by Reserve Bank assistant governor Michele Bullock who made the point, highlighted through the data that she had released, that the value of arrears increased by around 150 per cent under the former government. That is the value of arrears. Standard and Poor's data on 30-day arrears shows that they increased by 93 per cent in the last term alone of the former government. It has increased during our term by about 30 per cent. The point I am making is that we are arresting this increase. When a government comes in and there are these sorts of property price declines and increases in arrears, it takes some time to recover. Do members know one thing that the Reserve Bank has particularly noted in the data? In Western Australia, two areas are exposed to 30-day arrears in particular. One is mining towns, of course. Unsurprisingly, mining towns make up a very large percentage of the arrears data. That is why the Premier, I think, and the Minister for Mines and Petroleum appear to be in the media every second day with a shovel in the ground somewhere in the Pilbara. They understand that creating those opportunities is how we get people back into the demand for housing.

The other area that has been particularly exposed to increasing arrears is investment properties. Let us think about that for a minute—investment properties. What has been the single biggest attack on investment properties in the last decade, colleagues?

Mr W.R. Marmion interjected.

Mr B.S. WYATT: Oh, ho, ho! This burns, but it is true. This is the reality of those three increases.

Mr D.C. Nalder interjected.

Mr B.S. WYATT: Interestingly, the member for Bateman was worried about state final demands. At a time when state final demand was contracting at about four and five per cent every year, the former government, without a bleat from those ministers, increased land tax three times. The member for Bateman was the minister who did it. He came in here and introduced the legislation. I want to remind members of exactly what happened and what it did to the housing market. Actually, so did the current Deputy Leader of the Opposition. I think the member for Nedlands might also have introduced one of the bills. There was a swag of finance ministers for a while there. They kept hitting us all with land tax increases.

What did that do to building approvals? This hurts, but I will say it again, colleagues. With the first land tax increase, building approvals were still growing. With the second hit they were stable, but the third hit was really when the damage was caused. That was the billion-dollar increase. That was the member for Nedlands' increase, which was huge. The investment property market has still not recovered from the Liberal Party's land tax increases. All the evidence highlights is that the first two hits were cumulative, but the third hit was quite dramatic.

Mr W.R. Marmion: How many years ago was that?

Mr B.S. WYATT: How many years ago was that? Let me take that interjection because it highlights the whole psychology of the former government. It governed for the immediate month it was in. It never thought, “What happens when I do these things? What happens when I get debt to \$41 billion; what happens when I run consecutive operating deficits; what happens when I drive the economy into recession; what happens when I pull 40 000 jobs out of the economy; and what happens when I increase land tax into a shrinking economy?” Members opposite never thought about those things. The member for Nedlands’s interjection confirms that. In the 12 months before that third increase in land tax, which was the most dramatic, house prices, which now the Liberal Party is so worried about, were declining by about 1.1 per cent. In the 12 months after that, straightaway in that first year, they collapsed by about five per cent. Since that time, they have been very difficult to recover. The member for Nedlands looked to his staff and said, “You’ve got to make me look good”, but I am not sure that that legacy is one he will look back on with some fondness because it had a dramatic impact.

Mr W.R. Marmion: That’s what made housing affordable.

Several members interjected.

Mr B.S. WYATT: The member for Nedlands interjected—I am sure Hansard picked that up—and said, “It was the way we made housing affordable.” The member for Nedlands is right, but I am not sure collapsing the property sector is the way to go about making property more available to Western Australians! That is one for the record, and I thank the member for Nedlands for that interjection, because it was indeed a cracker.

The point I make is that despite the deliberate policy intent of the former government to collapse the property market, as now confirmed by the member for Nedlands, the reality is that property prices in Western Australia have been declining for some time. We think, I hope, that we are well and truly through it—early data suggests that is probably the case, but these things will jump around for a while. Again, I note the shadow Treasurer made a point around the Premier making a comment that it has never been a better time to buy, or words to that effect. I cannot help but reflect on watching the former Premier Colin Barnett on Channel Seven news, as he stood at Mirrabooka TAFE announcing Metro Area Express light rail, and how it was going to be the destination for MAX light rail. He looked down the camera of Channel Seven and said, “Let me tell you: this is the time to buy, right here in Mirrabooka.” I shudder to think what happened to those people who might have purchased on that advice from the then member for Cottesloe.

I move on to the voluntary targeted separation scheme. I could go through all the issues that have been raised by the opposition. I think I have dealt with the issue around the growth in the public sector and I want to confirm this as well. The reason we have managed to keep expense growth at record lows is because of our wages policy and VTSS, there is no doubt about that. But I think the opposition thinks that we put a cap on the public sector. We never did that; that was never the intent. We were clear about that point when we announced the VTSS, the largest single VTSS in history. But of course, demand on public service activity increased, mainly driven by ratios, for example schools and hospitals, which increased the personnel required. That was just like during the entire term of the former government. From memory—I have to go back and check—the three rounds of VTSS was about 4 500 public sector jobs. But, of course, the number of public servants increased by dramatically more than 4 500. There is this sort of binary view taken to the public sector by the opposition who do not understand how the thing works. If we unpick the total salary costs, which includes increases in employee numbers as well as wage rates, they are forecast to increase by 1.6 per cent in 2019–20 and 1.9 per cent on average across the four years to 2022–23. These rates of growth are well below the decade average of 5.8 per cent per annum. That is why we have managed to get expense growth under control, as acknowledged by third parties—credit rating agencies in particular. Public servants are still, generally, the highest paid in the nation in all categories, which is good because we still want them well paid and wanting to work in the public sector, but I think everybody, in both the public sector and certainly in the private sector, understands that controlling wage costs is utterly essential to doing a range of things, not just restoring the balance sheet, but also giving the capacity to do things outside of the wages component, as we have seen the Minister for Industrial Relations do. We have always made it clear that we are a government willing to negotiate and come up with priorities that various employee representatives and unions may want to talk about that were not part of the conversation. I suspect the nature of the wage discussion under the former government was, “We want 12 per cent over three years”, and it said, “Yes, you’ve got it.” That is probably as far as it went, to be honest.

Mr W.J. Johnston: They would say, “We want 12 per cent”, and the government would say, “No, no—here’s 15.”

Mr B.S. WYATT: Yes, and looking at the reaction from the former Treasurer, the member for Riverton, yesterday, when challenged by the Premier about his own comment that he supports the wages policy, he said, “Yes, other than the police”. We can see why the government went to water so quickly almost every time there was a wage conversation.

I think it is fair. All the data around wage inflation in the WA economy suggests and supports the wages policy of the government, but we have a very creative and I think responsive Minister for Industrial Relations who is happy to have conversations in other areas, and we will, of course, continue to do that.

The retail space is interesting. This was an interesting point raised by the shadow Treasurer. I wrote down how he described it; I may not have got it quite right. He said it was “disruption around buying habits”. That is quite

correct. I had the pleasure of a couple of interesting PhD theses sent to me recently around what is happening in the retail space globally. This has been a topic of conversation at the Board of Treasurers—that is, the state Treasurers without the commonwealth—about what is happening in the retail space. The member for Bateman is quite correct: there has been a disruption, globally, to how we shop and how people purchase goods and services. That is why even in places where the economy is going very well, for example the retail space of Sydney in New South Wales, there are quite dramatic impacts on old shopfronts in the CBD. CBDs in particular are feeling the brunt of this disruption. Perth is no different. We are seeing it on high streets around the world, driven by a range of different things. Firstly, of course, we are familiar with people purchasing online. When people spend billions of dollars online, many of those companies are based overseas, and that will obviously take spending out of our local high street or CBD. But we are also seeing change where people shop, which is why places such as Westfield Carousel and Karrinyup Shopping Centre, I guess —

Mr F.M. Logan: Gateway.

Mr B.S. WYATT: Correct—those large shopping centres are expanding dramatically, and their throughput in traffic and retail spend is increasing dramatically.

Mr W.J. Johnston: The offer is much broader.

Mr B.S. WYATT: The offer is unbelievable. I will use Carousel as an example, because it is one that I am familiar with; it used to be in my electorate. The offering there is quite unbelievable. By way of an aside, the best and most recent example is that I took my nine-year-old to the cinemas there; she had a birthday party to go to. I dropped her off, wandered around the shops, bumped into my mum and had lunch with her. It is a place to not only go and shop, but also recreate.

Mr W.R. Marmion: And parking was cheap, wasn't it?

Mr B.S. WYATT: It took me a long time to get a park, but eventually I got one. Parking is another issue. There are lots of things that dictate where people go. But this is not a Perth issue. Even economies that are much stronger than Western Australia have the same issue. There is no question that it has been exacerbated by the wealth effect and declining property prices over the last six years.

Mr W.J. Johnston: There are 300 empty malls in the US.

Mr B.S. WYATT: There are 300 empty malls in the United States, as the Minister for Industrial Relations said. This is not unique to Perth. I find it interesting that our retailers are generally responding well, in incredibly challenging environments. Indeed, I was interested in news that Wesfarmers posted a record profit. I quote Rob Scott, the CEO, in today's *The West Australian* —

“The domestic economy is not too bad ... A lot of people like to complain about things but when you compare the Australian economy to other economies around the world, things aren't too bad.

“The results today show there is the opportunity to deliver growth, reward employees (and) reward shareholders when you are executing well.”

Wesfarmers, which has a lot of earnings through the retail space, Bunnings being a fine example, is managing to deliver record growth. I had a look, to make sure it was not just about expense control, and it is managing to secure retail growth in this tough environment. There were also some interesting comments in *The West* on 25 July 2019 by David Coomer, who ran Star Anise. He made this point, which I guess is part of that post-mining boom hangover —

... part of the problem is too many chairs. You've had this burst of restaurants come onto the scene in the last couple years, but you put one more restaurant in a suburb and it dilutes the restaurant next door.”

That was supported the day after on 26 July by Mike Keiller, who owns the Mustang Bar, a place where the Minister for Industrial Relations has spent a lot of time, I understand. This is what Mike Keiller had to say —

“There is an oversupply of restaurants as well as small bars, pubs and restaurants. We don't have the population to support these businesses”.

Marion Fulker also said something similar. We have to remember that competition plays its role.

Mr W.J. Johnston interjected.

Mr B.S. WYATT: I am going to come to that in just a tick.

I guess the number of hotel rooms that are available right now is a prime example of decisions made during a different economic environment. More product is available, and competition ensures that as things change, businesses close. That is why, at the height of a boom, businesses will continue to close and competition will make decisions for people. Having said that, although much of the conversation has been around Beaufort Street in Mt Lawley, some of that conversation has been a bit unfair, to be honest. Let us look at what it was like in that area, say, a decade ago. The general conclusion is that there is no future for Perth high streets, yet Victoria Park in my electorate is thriving. It is mainly a restaurant strip but it is doing a roaring trade from Wednesday through to Sunday. It can still be done, but competition also provides its inevitable challenges.

I want to make one point before I get to my concluding remarks about the Perth CBD and address some of the comments that have been made. The Premier made some comments on this matter yesterday. I will be brief. I have no problem with the opposition critiquing and challenging government policy, but we have to be careful how we do that and with the rhetoric we use. I have a particular problem with the rhetoric around meth zombies. I recently spoke with a school friend who had kids well before me. His kids are now adults. One of his children developed a drug habit. He made the point to me that that rhetoric around meth zombies for him, as a father of somebody who had experienced that dramatically, puts in his head that the political leadership of our state already views those people as dead and not worthy of effort. I found that quite striking. I say that by way of an aside to this debate. Those terms are so demeaning to people and Western Australians, and so disrespectful to their families who suffer with them and try to help them. We need to be a bit careful. The member for Bateman has not been using that term; he did not yesterday. I want to make that general statement to the chamber, without focusing on anyone in particular. We need to understand that it does have an impact.

One final point that I wish to make, as was raised by members, relates to the number of small businesses. Again, we have that classic binary view that if the number is different, therefore something must have happened. The number of small businesses has continued to grow in Western Australia, even during the toughest period of the 2016–17 recession. In 2017, the number of small businesses grew by 1.7 per cent; in 2018, they grew by 1.1 per cent; and we are expecting growth again throughout 2019. The average growth under the previous government was 0.9 per cent. I suspect that if we went back year on year, there would have been pretty heavy growth during the mining boom, and I suspect growth would have declined after about 2014. The reality is that the number of small businesses in Western Australia continues to grow. It is now growing at a reasonably healthy rate historically. Businesses will always cease trading for a range of reasons, not necessarily economic, as people restructure their businesses. I note that the comments made by Tony Barlow about his business were very much to that effect as well. Those businessmen and women who are actually in business understand it very well.

One other point I want to get on the record relates to foreign buyers. Western Australia has one of the lowest rates of foreign buyers surcharge. New South Wales and Victoria have increased their foreign buyers surcharge to eight per cent. They both have an ongoing land tax liability as well. Queensland has the same rate as ours but has an ongoing land tax liability as well. We do not have an ongoing land tax liability and we will not impose one. The point I make is that if the logic of the opposition is correct, we should see dramatic increases in the number of foreign buyers in the Western Australian residential space because we have a lower rate. The reality is—this point has been made by Philip Lowe and Michele Bullock from the Reserve Bank of Australia—that the decisions around foreigners purchasing residential property is driven by much more important things than price. I note the comments reported in today's paper by a real estate agent from the western suburbs. I will remember her name in due course. She made the point that she likes selling to foreigners because they will always pay way more than a property is worth. That was an interesting comment from a real estate agent, bearing in mind that she is saying that the foreign buyers surcharge has an impact. There is something illogical in her argument around the impact of foreign buyers. The point I made at the Property Council of Australia lunch that I attended the other week, and which I will make again, is that we will always have a dialogue around what policy levers we can pull to support the industry. At the same time, when foreign residents purchase a property in Western Australia, I always expect them to pay that surcharge and contribute to the infrastructure that has been paid for by generations of Western Australians. That is why every state in Australia has a foreign buyers surcharge. When we allow foreigners to purchase residential property—many countries do not allow foreigners to purchase residential property—the vast majority of countries whose residents purchase property in Western Australia have something similar in place, and usually higher.

In conclusion, I return to the motion, which seeks to condemn the government for failing to deliver its jobs bonanza. I agree with that in the sense that I will always want more jobs to be created. We are delivering jobs; we have created 52 000 jobs thus far. We have set ourselves a target that we are determined to meet. It will jump around from month to month. That is always the way with jobs data, frustratingly, but it is going the right way. Western Australians are finally working and, importantly, underemployment is declining. To state the bleeding obvious—it has been said by the Reserve Bank time and again—once we get the unemployment and underemployment rates down, we will start to see pressure on wages. With respect to the second part of the motion—implementing policy decisions that have damaged the economy and inflicted financial pain on WA's struggling households—there is no doubt that WA households have endured significant increases in power bills, in particular, for over a decade. We are now through that, which is why we had the lowest rise in 2019–20 in 13 years. That was a \$300 million spend to protect Western Australian households. We are determined to keep that rate and ensure that rises continue to be very low. I might add that it is the first time the rise in the cost of power was at the rate of inflation, and it is something that we will continue to focus on. We will also continue to listen keenly to organisations such as the Western Australian Council of Social Service et cetera about how we can continue to reform the concession framework so that it is well targeted—we do not apologise for that—to those who need it the most.

The decisions made around the economy appear to be working, not just around the capital spend. I am talking about decisions around Keystart, for example, which is working. The applications that are coming out of the Keystart process are clearly working. We want to support the housing sector and we want to support those jobs and skill

sets. That has been a good thing. Yes, we increased payroll tax for larger corporations in Western Australia in our first budget as part of the budget repair—a decision that was not opposed by the Liberal Party, I remind everybody. Even with those increases, companies such as Wesfarmers and FMG are still experiencing record profits. It has not had a dramatic impact on their capacity to invest and employ Western Australians. It has been very important as we go about trying to fix the financial mess that we inherited when we came to government. We will continue to make decisions to ensure that the key issue for Western Australians participating in our economy is the opportunity to find employment. That is what drives the Premier and the cabinet—decisions that drive employment and diversify the economy, whether it be submarine maintenance, manufacturing railcars or the lithium value cycle.

I think we are doing well pushing the state economy into areas we have not been before and giving opportunities to Western Australians that they have not had before. Western Australians understand that compared with what we inherited, we are managing to turn the economic ship around. Of course I would like it to be turning faster, but the reality is that our policies are working and we will continue to deliver for Western Australians. I am happy to stand in this place and have this debate with members of the opposition as they move motions such as this time and again as a spleen vent from them, ensuring that they understand that they left the place in a mess, both economically and fiscally. I think this government is having some success fixing both of those. As I said, there is always more to be done. This government will continue to focus on ensuring that we leave a set of books much better than the ones I inherited because we want to ensure that future governments have the capacity to respond to the financial circumstances they find themselves in, which is very much not what was left to me. That was not what I inherited. I am pleased to say that the effort we are putting in and the changes we are making are working, and the balance sheet is certainly under repair.

Sitting suspended from 6.00 to 7.00 pm

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [7.00 pm]: I am speaking on the motion that was moved by the opposition. It states —

That this house condemns the divided McGowan Labor government for failing to deliver on its jobs bonanza and for implementing policy decisions that have damaged the economy and inflicted financial pain on Western Australia's struggling households.

This is the sort of typical nonsense that we get from the opposition. This is the eighth or ninth occasion that effectively the same motion has been moved. I do not understand it. If the Liberal Party is so interested in this issue, why has it not, after moving the exact same motion on other occasions, brought it back on for debate and taken it to a vote? Instead, the Liberal Party continually raises the same old, tired arguments that are completely without substance.

I want to point out something about the member for Churchlands' contribution in particular. He does something that Liberal members like to do—paraphrase things that Labor members have said. They do not quote what we say; they paraphrase it and then attack what we have said. I raise that because this is the old-fashioned straw man argument—they create a false narrative and then argue about the false narrative. If they looked at what we said, they would see why our points are so important. We never hear them quote things that our ministers and the Premier have said. That lets them off the hook for being the laziest opposition in the history of the state because they have not done the research, they have not done the hard work and they have not come up with any ideas.

I point out that two and a half years into this term of Parliament we have not seen the opposition use private members' time to explain their agenda. What is their agenda? They have no agenda. They have no idea what they want to achieve.

Mr D.T. Punch: They just say they oppose.

Mr W.J. JOHNSTON: They oppose Western Australia. Rob Scott, the CEO of Wesfarmers, said today that it is time for people to stop putting negative spin on the economy of this state. That is exactly what Rob Scott was quoted as saying on the front page of today's *The Australian Financial Review*. Time and again, this tired, lazy opposition does not do the hard work, does not explain what its agenda is, and just carps negativity. No wonder they were so heartily rejected by the people of this state. The largest ever victory of any political party in the history of this state was in the 2017 election, and not once has a Liberal member come in here to explain why the people of this state rejected the Liberal Party.

I understand that the Liberal Party is backgrounding journalists on the basis that nine per cent of the negative swing against it was due to the leadership of the former Premier, Colin Barnett. Liberal members now say that backgrounding journalists say that that is what their research says. I do not remember them talking about that before the election. Remember, the Liberal Party had a choice: the member for Bateman, along with a number of other members, tried to challenge the leadership of Colin Barnett. They all lined up behind him. They threw the member for Bateman under the bus, particularly the member for Riverton—that was very entertaining. He said that he did not know why the member for Bateman came and saw him at his home.

[Quorum formed.]

Mr W.J. JOHNSTON: It is always entertaining to get a bigger audience after the dinner break, I can tell members that. It is not always what you want!

We have a tired opposition that still has not come to terms with why it lost the last election. Its members have to come in here and tell us why they lost. They also have to come in here and apologise for being the worst managers of government finances in the history of the state. When will they apologise for leaving the Labor Party with \$41 billion of debt?

Mr S.A. Millman: Not just the Labor Party; the people of Western Australia!

Mr W.J. JOHNSTON: Indeed, the people of Western Australia. That is very true, member for Mount Lawley. It is the people of Western Australia.

The shadow Treasurer challenged the Labor Party about its expenditure on the asset investment program. Our asset investment program is larger than the one that was left to us by the former government. The member for Churchlands said that the only thing we are investing in is Metronet; then he said that Metronet was not included in the budget. Get a load of that! Our asset investment program is larger than the one under the former government, and according to the member for Churchlands, it does not even include all of our Metronet projects! That is an interesting thing. Our asset investment program, according to the member for Churchlands, is significantly larger than what was left by the former government. Do members know what else? Because of our sensible financial management under the leadership of the Premier and the Treasurer, we are also starting to see our debt position improve. Within two years, we will be paying back the debt that was left to us by the former Liberal government. But, more importantly, our asset investment program is being paid for out of the surpluses that we are generating. I have had this conversation with the member for Bateman so many times—he still does not get it—the asset investment program is paid for by either borrowings or the surplus. We are now able to manage the finances so that we can continue to have an asset investment program that is larger than the one that was left to us by the former government, but our debt levels are still coming down. That is an extraordinary achievement. The last time that was done was by the last Labor government.

Mr D.T. Punch: No wonder they're all looking at their phones over there!

Mr W.J. JOHNSTON: Member for Bunbury, not only are they looking at their phones, but also they are not participating in the debate. I am indebted to the Minister for Corrective Services, who points out that on six occasions they have had the same debate.

Mr F.M. Logan: The same debate!

Mr W.J. JOHNSTON: The same debate!

Mr Z.R.F. Kirkup: We're all on message!

Mr W.J. JOHNSTON: The Liberal Party's message is that it still has not apologised to the people of this state. The Liberal Party's message is that it still has not admitted why the people of Western Australia rejected it. We know one of the reasons they rejected the Liberal government is that it was divided. This Labor government is the most united Labor government in the history of the state. There is not a wafer of difference between the positions of any of the ministers in our cabinet. This is the most united cabinet in the history of the state—no difficulties. We have the strong leadership of the Premier, the member for Rockingham, with his strong vision and his delivery for the people of this state.

Several members interjected.

The ACTING SPEAKER (Ms S.E. Winton): Members, I am finding it difficult to hear the minister. It is going to be a long night; just save the energy.

Mr W.J. JOHNSTON: He is supported by a united cabinet with not a skerrick of difference between the views of any of us—not a skerrick of difference between one of us in the cabinet, not one. That is different from the other side. We have all seen what happened to the member for Churchlands. Think about this: the new Leader of the Liberal Party thinks that the member for Dawesville has more experience and capacity than the member for Churchlands—how embarrassing! How embarrassing to think that the member for Dawesville is considered to be more talented. How amazing! The member for Churchlands has been sacked from his portfolio twice in two and a half years in opposition and ends up with the cast-off positions of the member for Dawesville; the stuff that the member for Dawesville was not interested in and could not deal with is thrown away for the member for Churchlands. In two and half years he never left a scratch on the minister—not a scratch once on the minister, not once. Let us look at corrective services for a second. There has been over \$1 billion of additional investment.

Mr Z.R.F. Kirkup interjected.

Mr W.J. JOHNSTON: Acting Speaker, I am not inviting interjections.

The ACTING SPEAKER: Thank you!

Mr W.J. JOHNSTON: There has been over \$1 billion of investment into the corrections portfolio to fix up the mess left to us. The trajectory of admissions to the prison estate was just going up every year and not a single additional bed—no additional beds—was built. We have built, or are finalising, the equivalent of a full new prison in just two and a half years. That is because the Minister for Corrective Services knows that he wants to do the job. Then there is the women's drug prison—what a superb piece of infrastructure and great internal programs. It is actually making a difference. Think about this: a woman returned to prison so she could go to the graduation. Think about it. She was so excited; it was the first time in her life that she had ever graduated from anything. That has made an incredible difference. That is because the Minister for Corrective Services had the vision to implement a great program.

Mr F.M. Logan: And they call them meth zombies.

Mr W.J. JOHNSTON: The opposition comes in here and calls them meth zombies—what a disgrace.

Then there is the member for Cottesloe, who wants to have a superhighway built through his electorate.

Several members interjected.

The ACTING SPEAKER: Members!

Mr W.J. JOHNSTON: He wants 100 000 trucks a year added to the traffic flow in his electorate. I have never heard of a member come into a chamber and ask for 100 000 trucks to be added to his suburban streets. It is bizarre. Not one cent was allocated by the former government to deal with the 100 000 trucks that were —

Dr D.J. Honey interjected.

The ACTING SPEAKER: Member for Cottesloe, thank you!

Mr W.J. JOHNSTON: I remind members that in estimates the then Minister for Transport, the member for Bateman, tabled a chart showing that there would be 100 000 extra trucks going north on Stirling Highway—north not south—if Roe 8 and Roe 9 were built. That is what he tabled in the Parliament. If he wants me to, I will table it again. I have tabled it once already as a minister and I am happy to table it again.

Mr D.C. Nalder: Table it.

Mr W.J. JOHNSTON: I will; I do not have it with me tonight, but I am happy to. That was the member for Bateman's piece of paper. When we challenged him in question time, do members know what he said? He said, "We're going to do that traffic modelling again because we don't like that traffic modelling." That is what he said. It was bizarre. There was the former government with a plan for a road to nowhere and no access to a port—not one explanation about how to get a truck from the south side of the river to the north side of the river, never once. The member for Bateman had four years.

Mr D.C. Nalder interjected.

Mr W.J. JOHNSTON: The member for Bateman needs to be quiet. He does not have the call.

Mr D.C. Nalder interjected.

The ACTING SPEAKER: Member for Bateman, enough!

Mr W.J. JOHNSTON: You had four years to get things done, but the fact is that you failed in your job. You were so scared you would not even run for your own seat. You knocked off a sitting Liberal member and ran in a neighbouring seat. That is exactly what happened and everybody knows it.

Mr D.C. Nalder interjected.

The ACTING SPEAKER: Member for Bateman!

Mr W.J. JOHNSTON: He was too scared to contest his own seat and he ran for another one. He has defeated lots of people in this chamber. He defeated an Independent Liberal and he defeated a Liberal. He has not scratched a Labor member, but he has gone after the Liberals pretty solidly. I am sure the member is proud of it. His grandfather was the Deputy Premier of the state, his father was a respected member of Parliament and he is a great disappointment. That is the story here. He was incapable of being a minister. He failed as a minister and he was sacked twice—sacked as Minister for Finance and then sacked as Minister for Transport.

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Mr W.J. JOHNSTON: He was the only person to be sacked twice.

Mr D.C. Nalder: I resigned.

Mr W.J. JOHNSTON: Absolutely he resigned; he resigned after he was the subject of an adverse finding by the —

Mr D.C. Nalder: I resigned in 2016 because I chose to resign.

Mr W.J. JOHNSTON: That is very interesting! I draw the attention of the chamber to the document tabled in the Parliament by the former Premier, Colin Barnett, with the subject “Cabinet in Confidence: Ministerial Code of Conduct: Review of the Interests of the Minister for Transport; Finance”, dated 4 December 2014. It says —

The latter identified one holding of public shares that had been overlooked in his first declaration.

That was in March 2014, nine months after he declared it to the government.

Mr D.C. Nalder interjected.

The ACTING SPEAKER: Thank you, member!

Mr W.J. JOHNSTON: I quote again —

In August 2014 further details about the various investments he had identified as well as a breakdown of shares held in a personal separation fund was requested.

That was in August 2014.

Mr D.C. Nalder interjected.

The ACTING SPEAKER: Thank you!

Mr D.C. Nalder: This has to do with Horizon. That is what it is; this is payback.

The ACTING SPEAKER: Member for Bateman, I have warned you enough times.

Mr W.J. JOHNSTON: No, this is because the member interjected when he should have been quiet. This is because he was part of a divided government and he got sacked twice. He got sacked as the Minister for Finance following this matter and then he got sacked as the Minister for Transport when he challenged the leadership of Colin Barnett. That is what happened. On page 2 of the document it says —

These interests include interests held by way of holding companies and other structures. The Minister’s initial declaration of interests ... identified only the SMSF and family trust structures ... They did not identify structures and interests underneath those interests.

It goes on —

It was with these interests that issues have arisen primarily because insufficient detail was provided related to third party interests ...

This is a damning document. It was not tabled by the Labor Party; it was not given to anybody in the Labor Party. This was tabled by the former Premier of Western Australia, Hon Colin Barnett. Page 3 of the document says —

This creates an actual conflict of interest with the Minister’s responsibilities for government ICT matters and procurement.

That was not a perceived interest.

Mr D.C. Nalder interjected.

Mr W.J. JOHNSTON: The member resigned because he had no choice. It was not found that he had a potential or possible conflict of interest; it was shown that it was an actual conflict of interest. How disgraceful. Now he comes in here and talks about us. What does he really want?

Mrs A.K. Hayden interjected.

Mr W.J. JOHNSTON: It just reminds me of the member for Darling Range—careful where you go, member.

This is not the Labor Party talking about the member for Bateman; this is Peter Conran, the personal selection of Hon Colin Barnett to head the Department of the Premier and Cabinet. It was a disgrace. This report showed that the member for Bateman as a minister behaved improperly and he resigned because he knew he would be sacked. That is what happened here.

Mr D.C. Nalder: Why was I still a minister?

Mr W.J. JOHNSTON: That is a good question, because we brought in a matter of public interest that called for the member for Bateman to be out of cabinet. But it was okay because he was out of cabinet soon enough because he undermined the leadership. The member for Riverton said that the member called him for an appointment, but he did not know that the member for Bateman was coming to see him to call for the ousting of the Premier. The member for Riverton stood on his front lawn and said that the member for Bateman had not told him —

Mr D.C. Nalder: You know the truth!

Mr W.J. JOHNSTON: Sorry? What is the truth? Is the member saying that the member for Riverton did not tell the truth?

Mr D.C. Nalder: I said that you know the truth.

Mr W.J. JOHNSTON: What is the truth?

Mr D.C. Nalder: You tell us.

Mr W.J. JOHNSTON: I am telling members what the member for Riverton said.

Mrs A.K. Hayden: Why don't you talk about the motion?

Mr W.J. JOHNSTON: I am talking about the divided Liberal Party. This resolution claims that we are the divided party. Maybe that is why the member for Bateman undermined the member for Riverton when he was the Leader of the Opposition. I wonder where his loyalties lie, because we know that it is not with his colleagues. We have seen that again and again.

Mr D.C. Nalder: I'm really with you!

Mr W.J. JOHNSTON: I do not think you are with me, mate, and I do not want you to be, because I have standards and I would not accept you on our team. If the member wants, I can continue to quote from this report. This is not a report by the Labor Party. This is a report into the member for Bateman's behaviour by his government. That is what this is! I do not know why the member accuses us of undermining his authority and launching personal attacks. I am reading from a document that was tabled in Parliament.

[Member's time extended.]

Mr D.C. Nalder: What personal attacks did I make?

The ACTING SPEAKER (Ms S.E. Winton): Member for Bateman, thank you.

Mr W.J. JOHNSTON: It would help the member if he listened occasionally. He has just demonstrated the very point that I made before; that is, the problem with members of this current Liberal opposition is that they paraphrase things said by members of the Labor Party. I said that the member accused me of making a personal attack. That was his allegation against me. I am making the point that this is not my attack. I am reading into *Hansard* a report that was tabled by the member's government when he was a minister, but he has accused me of launching a personal attack on him when I read quotes from his own government about him into *Hansard*. How is that a personal attack? It is bizarre. The problem the Liberal Party has every time it comes into this chamber —

Mr D.C. Nalder: You cannot look at your own government's failings. That is your problem.

Mr W.J. JOHNSTON: Every government has more work to be done, but unlike the last four years of the member's government, we are achieving things. Unlike the government he was a member of, this government is achieving —

Mr D.C. Nalder: Record levels!

The ACTING SPEAKER: Member for Bateman!

Mr W.J. JOHNSTON: We are achieving record levels of recovery from the damage that the member for Bateman caused as Minister for Finance. The first bill the member for Bateman brought to this house as Minister for Finance was a tax increase. Before him, when the member for Riverton was the Minister for Finance, the first bill he brought into Parliament was a tax increase. When it was the member for Nedlands' turn to be the Minister for Finance, his first bill brought in a tax increase. That is the opposition's legacy. One of the challenges we have in Western Australia is that even though we have an overhang of housing stock, which is keeping prices low, we have an undersupply of rental properties. One reason for that is that members opposite put up land tax rates, which has discouraged investment in rental accommodation. That is one of the challenges we are dealing with in government. One thing we are doing is the Metronet policy, which is not just about building trains; it is about changing the way the city operates. The other thing we have done is change the eligibility criteria for loans from Keystart, which is one of the most important ways to get people into housing. It is a two per cent deposit. Keystart has a lower default rate than the banks and yet —

Mr Z.R.F. Kirkup: That's not true.

Mr W.J. JOHNSTON: No; it is true! The member for Dawesville should read the reports tabled by the member for —

Mr Z.R.F. Kirkup: In estimates last year, I think we established that that was not necessarily the case.

Mr W.J. JOHNSTON: As far as I am aware, it is still the case, but I will look at that and if I need to correct myself, I will.

Keystart has no mortgage insurance and a lower default rate. It is interesting that people on low incomes usually pay their debts. It is amazing! All around the globe, if people lend to low income earners, they will get their money repaid. It is one of the most amazing things.

Mr F.M. Logan interjected.

Mr W.J. JOHNSTON: The minister is saying that it has a high turnover. One challenge that we are having is that the churn has gone down because of the problems with bank finance. The churn rate is lower and that is a challenge, but the Minister for Housing has convinced the cabinet and the Expenditure Review Committee to increase the borrowing capacity to deal with that issue. We are going through each of the issues that confront us. The crisis in the corrections estate was unbelievable.

At the first ERC meeting after we came to government, Michael Barnes, the Under Treasurer, presented a \$1.4 billion writedown of revenue. That was the first thing that happened when we came into government. Over \$1 billion of our expected revenue was written down and we had to come to terms with that. Members should remember that we had all these unidentified cuts—the so-called efficiency cuts—into each agency. It was crazy, and we had to find them. The first two years were really tough work.

I have to make the point that it is not about revenue; it is about expenditure. The one thing I know as the Minister for Mines and Petroleum is that the price of iron ore will go down. I just do not know when. We cannot budget on the idea that the price of iron ore will stay high forever. The moment a government does that, it ends up in exactly the same position as the last government in 2011 did, when it made assumptions that the price of iron ore would stay high and that the GST revenue would be recovered, even though the formula did not allow for that. It built that into the forward estimates and spent that money. The other thing that government did was to write budget savings into the budget to make the books look good and cancel them at the midyear review when the revenues had come in. It was crazy! Members can go back and have a look. I would be quite happy to walk them through it. For four or five years they wrote in some quite significant budget cuts, then reversed them. It did not make the cuts. It dressed up the budget on budget day, but did not change the spending profile. The member for Dawesville was probably down in the back room helping to make those decisions as he was advising the member for Bateman's good friend Colin Barnett. That is one of the reasons that Moody's said that the government did not have the political discipline to get those things done. It was ridiculous!

There is no question that more work needs to be done. We need to do more to create jobs in Western Australia, but we have a plan to do that. The July unemployment rate of 5.9 per cent is too high, but the rate of 6.3 per cent, which it was when we came to government, was even worse. It was 0.4 per cent higher. The shadow Treasurer is right to say that we need to do more work to get the unemployment rate back down to where it was before the Liberal Party was elected in 2008, but he should have a little bit of humility, honesty and grace. He should admit that although things can be better, they are better now than when his government was in charge. That is the whole point. The budget and employment positions are better than when the member's government was in charge. The Treasurer went through all these statistics that I am pointing out. The participation rate is very high, which is fabulous because people are looking for work. More can always be done. When the Liberal Party was in government, 400 people worked in the lithium sector; now, there are 3 000 people and we are on the way up.

Mr D.C. Nalder: And you're claiming credit?

Mr W.J. JOHNSTON: I am claiming credit for the fact that we work with industry to make sure that when issues come up, they are addressed. That makes us unique in governments over the last decade. Every time we meet with businesses, they tell us that what they most appreciate about us is that we have meetings with them and respond to issues. Let us look at the potash industry. It could not operate under the regime left to us by the former government. I challenged my agency to come up with a plan. It pointed out that there was a provision in the Mining Act that allowed it to create a specific mining lease for an individual mineral. We have done that. It has lowered the cost structure for the potash industry very significantly and allowed these projects to proceed to investment decisions. There is a range of them now that either have completed or are about to complete their fundraising so that they can get into active investment. It is going to be a new opportunity for Western Australia. Australia will go from being an importer of potash to an exporter of potash. We will be able to meet all of our domestic requirements and export.

Mr S.A. Millman: Plus create jobs.

Mr W.J. JOHNSTON: Plus create jobs in remote areas where Aboriginal people will have real opportunities for employment—individual Aboriginal communities, living on country, working on active mines. That is a fabulous outcome. The Minister for Transport has walked back in; she has done great work in the Kimberley, creating Aboriginal employment, and this is another opportunity to create Aboriginal employment.

Something like 18 per cent—it is in the high teens—of Horizon Power's employees in the regions are Indigenous, and we are talking to that company every day about how we can create additional jobs in regional Western Australia. What did the previous government do? It brought Horizon's headquarters back from Karratha to Bentley. I have challenged Horizon to identify what jobs can be moved back to Karratha from Bentley. The previous government did it the other way around; it moved people from Karratha to Bentley. We are trying to do the opposite. There will be some positions that cannot be done that way, because it is not just the Pilbara but the entire off-grid part of the state. Western Power has a globally leading program of investment in standalone power systems. What is being done is extraordinary. Again, one of the first things we asked for was to meet the challenge of Western Australian employment.

MR A. KRSTICEVIC (Carine) [7.31 pm]: After that speech by the member for Cannington, I think members have forgotten the motion we are discussing today, so I take the opportunity to remind them. It is —

That this house condemns the divided McGowan Labor government for failing to deliver on its jobs bonanza and for implementing policy decisions that have damaged the economy and inflicted financial pain on Western Australia's struggling households.

If we were to listen to the Treasurer and the member for Cannington, we would think that things are all peachy and rosy. The Treasurer said, “I’ve done my job. If I was to leave tomorrow, I’m happy with what I’ve achieved and the situation that we are currently in”. I would suggest that the people of Western Australia would disagree with that. Members who speak to their constituents and businesses out there will know that that is not true.

Before I get on to that part of my contribution, let me start by talking about the divided Labor Party. I think the conference on the weekend was a perfect example of what has been simmering for the last two and a half years in the Labor Party between progressive Labor and the left. The left is obviously in charge of this Parliament, it is in charge of the Labor Party and it is obviously the Premier’s preferred choice. We know that left faction ministers are not the most capable ones on the government side and that progressive Labor members have much more talent. Unfortunately, they cannot get to the front bench because the left has control of the numbers. That is unfortunate for the people of Western Australia, but it is a good thing for us as an opposition. The left will continue to make mistakes and make ridiculous decisions that will hurt the people of Western Australia and ultimately, at the next election, the people of Western Australia will get a chance to reflect on that.

That was never more evident than at the Labor Party’s first state conference after its massive election victory, at which half the delegates walked out before the Premier got up to speak and did not come back to listen to what he had to say. That is unheard of; I have never heard of that happening at a state conference. There were also members of Parliament —

Mr M.P. Murray interjected.

The ACTING SPEAKER (Ms S.E. Winton): Minister! Calm down.

Mr A. KRSTICEVIC: It was not only delegates and union officials who walked out; sitting members of Parliament walked out on their Premier and their colleagues, and heckled them on their way out. That is unheard of, and it is unbelievable to think that those are the people who are governing this state. Members on that side may not take this seriously, but I think the people of Western Australia and the opposition do, because we care. Progressive Labor has previously complained about Hon Pierre Yang and the recruitment he was doing for the left. He is recruiting more numbers for the left because he wants the left in power, and so be it. The right can complain, but it needs to recruit.

Yesterday when we debated the suspension of standing orders and the Premier stood to speak, there were only 18 of 40 government members in the chamber; 22 of them walked out while the Premier was speaking to the suspension of standing orders. I am not sure whether that is a reflection of what happened on the weekend as well or whether they were just not interested in listening to the Premier. It was very, very interesting. When we talk about division, there is nothing more divisive than when —

Mr M.P. Murray interjected.

The ACTING SPEAKER: Minister, please!

Mr A. KRSTICEVIC: There was nothing more divisive than when Tim Dawson from the Transport Workers’ Union of Australia made the claim that members of Parliament and their staff had been threatened with losing their jobs if they did not toe the line and vote as they were told. That is a very serious accusation. The Premier has sat here and discounted that and said that it did not happen. He is saying, “Tim Dawson is a liar. He’s not telling the truth. That didn’t happen. I didn’t threaten anybody. Nobody got threatened by anybody or told that they had to vote in a certain way; their careers were not put on the line.” It is up to Tim Dawson, progressive Labor and the Premier to reconcile that; that is where that particular issue stays. The factional battles within the Labor Party will continue. It will try to make out that it is a united team here in front of us, but we know the undercurrents are there. We know that the lazy left will continue to do what it does and to hurt the economy, and that is evident every single day when we go out and talk to people on the streets of Perth or Fremantle, or at the homeless camp in Rockingham. That is a direct result of the policies of this Labor government, and those numbers are growing.

When we talk to the Treasurer, he says, “Well, you’re using certain statistics or figures and you’re being selective.” I thought to myself, “You know what? I’ll try to listen to what the Treasurer had to say in previous speeches and I won’t be selective. I’ll try and see if there is a trend.” I thought I would look at the “State of the States” report and analyse it—not just the latest one, but three consecutive reports. The January 2019 report showed that Western Australia was in seventh position. There was only one jurisdiction behind us in our economic performance—the Northern Territory. In April 2019, guess what? We were still in seventh position and only the Northern Territory was below us. Then we get to July 2019 and Western Australia is still in seventh position and only the Northern Territory is below us; however, if we analyse the other states, we see that Tasmania is above the Australian Capital Territory, and that Queensland, South Australia, New South Wales and Victoria are moving up and down the rankings. That means that the other states are actually doing things. They are being progressive and innovative and they are creating jobs and driving their economies to try to get them out of their difficulties. That is why we see movements every couple of months when these reports come out.

For Western Australia, we do not see anything; we are always seventh. Thank God for the Northern Territory, because if it were not for the Northern Territory, we would be last! I would not say that the Northern Territory is

exactly a beacon of economic prosperity, God bless it, but at the end of the day, if we are competing with it for last spot, we have a lot of work to do. When we dig into those figures, whether it is economic growth, retail spending or economic investment, we find that everything is suffering. Even construction work is suffering. The January 2019 CommSec “State of the States” report states that in the June quarter, Western Australian construction work was 40.6 per cent below the decade average. We would think that in the April quarter it would have been a bit better, but it went down to 42.7 per cent. In the July quarter, it went down to 48.4 per cent. Every time the CommSec “State of the States” report comes out, the data for Western Australian construction work gets worse. Across all the indicators, the trend is not good. Treasurer, I am not selectively picking the figures in just one report; I am comparing the last three reports. I am also comparing the states and territories with each other. If this is what the Treasurer calls a great job and a great outcome, this state is in big trouble. When this state ranks above South Australia, that will be very impressive. The government of South Australia is doing a very good job. Therefore, I do not know that we will be able to catch up with South Australia. South Australia is now competing with Queensland, and we know how good Queensland has been in the past. Even the Australian Capital Territory is above the decade average. All I can say is that things are not looking good for the people of Western Australia.

The government talks about jobs and creating economic stimulus. Let us not forget that what the federal government has put on the table is not \$1.2 billion, but \$2.4 billion. It has given the government \$1.2 billion for Roe 8, and another \$1.2 billion to spend on whatever projects it wants. Roe 8 is a very important project. It is not as though people do not need the jobs that this project will create. It is not as though the construction industry does not need a boost. As much as members opposite might want to argue that it is a road to nowhere, and it is going to build the outer harbour, the government should take that \$1.2 billion and build that road.

Several members interjected.

Mr A. KRSTICEVIC: Lots of people will benefit from that road—trucks, cars, and contractors. It will create jobs. It will take traffic off the surrounding roads. Lots of people will benefit from that \$1.2 billion investment. That road will have many different benefits. It not just about getting to the port, albeit that is important, as we have heard from the Maritime Union of Australia and others. As we found out from the Labor Party conference, almost 50 per cent of the delegates support Roe 8. If 100 per cent of Liberal Party members and nearly 50 per cent of Labor Party members support Roe 8, between us, we have the numbers. I do not know whether we need to come over and join the ride —

Dr A.D. Buti interjected.

Mr A. KRSTICEVIC: The member for Armadale is in the wrong faction, so he should sit there and be quiet. If it were based on ability, he would be in the front row, but it has nothing to do with ability, so he should sit in the back row and wait for his number until someone falls off the perch.

We all remember the famous document that the now Premier carried around with him prior to the 2017 election. I do not know whether members remember it. It was the “WA Labor Plan for Jobs”. In the last two and a half years, I have not seen the Premier carry that document around. I still have a copy of it. It had about 17 blank pages, and 22 pages of photos, indexes and summaries. I think I condensed it to about 10 pages of content. When it came to a specific target, nothing in that document was of any value. That is the why the Premier no longer carries that document around. That document has been shredded. It has been lost. No jobs have been created by that document. We have seen that in the figures that come through every month.

I turn now to my shadow portfolio of homelessness and community services. This is a growing issue. It is absolutely out of control. I am passionate about doing something about it. I will do whatever I need to do. I have said to people that I will insert myself into Rockingham. I will be the de facto member for Rockingham. I will fight for every person in Rockingham who is suffering and is being neglected by the Premier. If the Premier of Western Australia will not look after the people in his own electorate, guess what? I will. I will drive from the northern suburbs for an hour every day to try to help people in Rockingham. They might even want me to run as their member. Who knows? I will do that. Members opposite have said to me, “Why would you bother about Rockingham? You’re never going to win Rockingham.” It is not about winning the seat of Rockingham. It is not about doing it for political reasons. It is about helping vulnerable people in our state who are being neglected. If those people are being neglected by the Premier, everybody in this state is being neglected. That is a fact. I will fight for those people every single day in this Parliament. I will stop when the Premier does something. When the Premier helps these people, I will stop badgering him about it. However, until that day comes, I will be a thorn in his side, and I am sure the Premier will be a thorn in the side of the relevant ministers, who will be saying, “Get this guy off my back. I don’t want him coming into this Parliament and going to the media.”

Mr W.R. Marmion: He’s too scared.

Mr A. KRSTICEVIC: That is right. Ultimately, I want the Premier to do something. Homelessness is a very serious issue. In the 2019–20 budget, \$53 million was provided for homelessness support services. That is a very small amount of money. In the forward estimates, in 2020–21, it is \$51 million; in 2021–22, it is \$44 million; and in 2022–23, it is \$46 million. The budget for support services for homeless people is decreasing, not only in dollar

value, but also exponentially in real value. The purchasing power of \$44 million three years down the track will be a lot less than \$53 million today. Funding for intervention and family support services has also decreased, from \$84 million, and then up to \$87 million and \$86 million, but then back down to \$84 million. It is the same amount of money four years down the track. We know that family and domestic violence is a serious issue. Everyone in this place is passionate about that issue. The funding goes from \$49 million to \$54 million, and then in 2021–22 and 2022–23 it is \$51 million. The funding in the budget does not reflect the rhetoric of this government and the minister. It does not give us confidence that the government is taking these issues seriously. These are the most vulnerable people in our state. These are people who are homeless or verging on homelessness.

We should not forget about other people in this state who are suffering. The other day, the Leader of the Opposition and I visited Foodbank. Foodbank is a great organisation. It is doing a fantastic job. We were told that Foodbank is doing great business. It has double digit growth each year. What does that mean? It means that each year its business is increasing by more than 10 per cent. People who cannot afford to eat are going to Foodbank to get food. That has to be a signal for the government to talk to Foodbank. The government thinks it is doing a great job in managing the Western Australian economy. Yesterday, I read that the banks have approached Foodbank and asked whether they can refer customers who cannot afford to pay their mortgage and also eat. The banks are trying to get Foodbank to subsidise people. They are saying to their customers that if they can pay their mortgage, they will get Foodbank to supply food for them. Foodbank is struggling to meet the demand. It has to fundraise in order to buy food. Foodbank now has to buy certain staple foods, because not enough food is being donated. That is how bad the situation has become. I urge members to visit Foodbank and other not-for-profit sector providers. They are doing an amazing job. However, they are getting very little support.

We have just had Homelessness Week. I did not see many ministers at events during Homelessness Week. I did not see the Premier anywhere. I went to as many events as I could, which was a fair few.

[Member's time extended.]

Mr A. KRSTICEVIC: It was a great insight into the passion and commitment of the people in that sector. However, unfortunately, they lack support. I want to make an interesting point. The government has announced funding of around \$1.5 million to extend the opening hours of Tranby House. That is fantastic. It is not a huge amount of money, but every bit helps. However, that money has been taken from other services in Fremantle. The government has partly closed down one service in order to provide money for another service. That is hardly providing more money; it is just shifting the pie around. Unfortunately, that is what is happening. The pie is being shifted so that the government can put out a media announcement that it has done something. That is pretty sad as well.

The government, as we know, is preparing a 10-year strategy. It has been meant to come out three or four times already, but I think it is now coming out in November. The federal government requires all the state governments to have such a strategy, although not necessarily a 10-year strategy, because it hands out a lot of money but does not see a lot of results. It requires benchmarks, information about what is happening and how effective it is. There is a bit of accountability along the way, and that is a good thing. It has taken two and a half years to get to this point, but the strategy still has not come out. When I approached the sector, I was told that when the government approached the sector about the strategy, it was told that one had already been done, covering 2018 to 2028. The whole sector got together and put in a huge amount of work. It was the work of the Western Australian Alliance to End Homelessness, and it is a great strategy. Members can have a look at it online. It is really detailed and refers to the housing first approach. It includes business cases and details. I can guarantee 100 per cent that when the government comes out with its 10-year strategy, it will be pretty much the same as this one, although the difference is that the government cannot take ownership of this one. The government wants to say that it is its own strategy, not that of the sector, which has already done the strategy. This strategy could have been implemented two and a half years ago. We could be helping homeless and vulnerable people right now, following the guidelines in this strategy, instead of saying that we will not do anything yet but, rather, wait until we finish our strategy. Two and a half years later, it may still be another six months before we get there, and then where is the money? The money is not in the budget, for a start. There is no money in the forward estimates. Who knows what the outcome of this will be? I feel really sorry for all the people who put in all the hard hours, the dedication and the commitment, and they are not respected or valued for the things that they do. Shelter WA did a great job in running Homelessness Week, and I would really like to commend Michelle Mackenzie and all the other stakeholders involved in that, and the great work they have done for such a long time.

Before I get off the track too much, I just want to touch base very quickly with people to show them the wonderful work that the Liberal–National government did in this space. It is actually quite amazing. Until I started doing some research and putting it together, I did not realise how much we actually did in this space and how many facilities we opened up. People would remember that back in 2011–12 we allocated \$604 million over four years to be injected into the not-for-profit sector. It was amazing. People do not give us credit for that. Nobody else has done that. The most important referral service is called Entrypoint Perth, and it is run by Centrecare. I have to go and visit them very shortly; I have an appointment. We established that in February 2014 to coordinate all the facilities, so that people could get to one point where there was an opportunity for them to get some help. In

saying that, there is obviously not enough help out there, so they cannot always find a spot, which is what we see every day, unfortunately. In August 2016, we injected millions of dollars into Tom Fisher House, purchasing land and building that.

[Interruption.]

Mr A. KRSTICEVIC: That would be the Attorney General's phone, with a sound like that.

Foyer Oxford is an amazing facility, opened in March 2014. I went to Foyer Oxford. Anglicare is doing an amazing job there with young people. They have about 98 young people in that facility, and the work they do to help those people is absolutely amazing. It is a great model; it works. We need more of those Foyer Oxford-type establishments, but there is not enough money, unfortunately, going into that.

Mr S.A. Millman: Why is that? Why is there not enough money?

Mr A. KRSTICEVIC: Because the government is not putting it in. We built a new one in March 2014, but the government is doing nothing. It is doing a strategy, when there was already a draft strategy here. The government is not doing much at all, unfortunately. That is very disappointing. We know the Salvation Army is doing an amazing job, and it has the Beacon, which was opened in February 2014.

Mr W.R. Marmion interjected.

Mr A. KRSTICEVIC: The Deputy Leader of the Opposition was there.

When members go around to all these facilities and see everything that is happening, they should remember that pretty much every single one of them was done under a Liberal–National government. Government members need to understand and appreciate that. There is also St Bartholomew's House. In the regions, the Wooree Miya women's refuge was opened up in December 2016 for Aboriginal alcohol and drug services. There was also Tuart House, and crisis accommodation for women in Busselton. The Ellenbrook Family Support Service was opened up. Aboriginal short-stay facilities were opened in Kalgoorlie and Derby in December 2013 and May 2016, and again the current Deputy Leader of the Opposition was there at all those events.

The Treasurer mentioned how well the government is doing in this sector, but many of these organisations were established under our government, and members opposite should not forget that. The government should at least do that much. It should try at least to match what we did, because the problem is much worse today than it was when we were in government. It is obvious every single day to anyone walking through the streets of Perth or Fremantle. Unfortunately, it is probably the case in every single electorate. Whether we know it or not, homeless people are in every single electorate, and they are struggling and at their wit's end trying to find some help and support, and it is not there. Apart from Entrypoint, it is not as though there is a government agency or department that people can go to and ask for help when they are in trouble. There is nowhere to go. People are just palmed around from one not-for-profit provider to another, told there is no space, and they have to find their own spot. That is pretty bad. We need to do better. There are not enough spaces, and there is nowhere near enough capacity in the not-for-profit sector.

I was in the foothills the other day, at Forrestfield, talking to a not-for-profit organisation there that offers financial advice and counselling. The people there said that although the government had reinstated funding for financial advice and counselling, they have to reapply, and they never know until three months before their contract expires whether they have another contract. They say they are distressed because they do not know whether they will have a job in another month or two or whether they should be looking for another job. Rather than just saying it has reintroduced financial counselling, the government needs to make sure that people know well in advance that the funding will continue and that the services can be provided, rather than keeping them under stress. They are under stress right now.

Mrs A.K. Hayden: What organisation is this?

Mr A. KRSTICEVIC: It is the foothills referral service, I think. I cannot remember the exact name right now; there was something else in there. The service has written to the Minister for Community Services and asked what is going on, because its limited number of staff are starting to look for work elsewhere because they do not know whether the contract will be renewed. It is the only provider of financial services up there. No-one else does it. It does not do just that; it also services the homeless. We know what it is like in the sector. People go above and beyond their commitments to help people who are in need. They are in need. They need certainty about their funding. They need to know that they will be able to come to work and open their doors tomorrow. They do not know that right now, but they have written to the minister and they have come to see me. I said that I did not wish to make an issue out of it yet, so I told them to write back to the minister and give her a chance to try to help them, and if they did not get a response, they could come and see me and I would raise it in Parliament.

Mrs A.K. Hayden: The Foothills Information and Referral Service.

Mr A. KRSTICEVIC: It is the Foothills Information and Referral Service. They are great people and I had a meeting with them. Hon Donna Faragher and I went out there to catch up with the people there. They are in need and are struggling. They sent another email to the minister, which they copied me into, as the minister knows. Hopefully, it will encourage the minister to do a bit more, rather than pretending.

We know about the past number of jobs. It is interesting to look at the job situation. The federal government announced that in the next four years it will create 1.4 million jobs, and probably the state government on the back of that will work out its figures and say, “The federal government is going to create a whole lot of jobs and we will take credit for them.” I would say that there is a lot of pinching in the job sector between the private sector, the federal government and the state government. They are all playing with the same figures; at least, that is the impression I have. Obviously, I have not dug down to that level, but I can see that there is a lot of murky water in these job figures. All I know is that people out there are struggling. They do not have work; youth unemployment is rampant. There is 17 per cent youth unemployment, and members opposite are saying they are doing a good job.

Mr F.M. Logan: Look at the July figures, you moron.

Mr A. KRSTICEVIC: I have checked online. We are not talking about unemployment of 5.9 per cent. I am talking about youth unemployment.

Debate adjourned, pursuant to standing orders.

VOLUNTARY ASSISTED DYING BILL 2019

Second Reading

Resumed from an earlier stage of the sitting.

MRS R.M.J. CLARKE (Murray–Wellington) [8.01 pm]: Prior to the dinner break, I was in the middle of my speech. On 23 August 2017, the Parliament established a joint select committee of the Legislative Assembly and the Legislative Council to inquire into and report on the need for laws in Western Australia to allow citizens to make informed decisions regarding their own end-of-life choices. The Joint Select Committee on End of Life Choices was formed. The terms of reference included —

- a) assess the practices currently being utilised within the medical community to assist a person to exercise their preferences for the way they want to manage their end of life when experiencing chronic and/or terminal illnesses, including the role of palliative care;
- b) review the current framework of legislation, proposed legislation and other relevant reports and materials in other Australian States and Territories and overseas jurisdictions;
- c) consider what type of legislative change may be required, including an examination of any federal laws that may impact such legislation; and
- d) examine the role of Advanced Health Directives, Enduring Power of Attorney and Enduring Power of Guardianship laws and the implications for individuals covered by these instruments in any proposed legislation.

I thank the members and who conducted the inquiry and I thank the staff members.

In August 2018, the report of the Joint Select Committee on End of Life Choices was tabled. Ms Amber-Jade Sanderson, chair of the joint select committee, states starkly in her foreword —

Unnecessary suffering at end of life, and broad community agreement regarding individual autonomy, form the basis for the Committee’s recommendation that the Western Australian Government draft and introduce a Bill for Voluntary Assisted Dying.

The committee received hundreds of submissions highlighting that the public conversation about this issue has changed over the years. The committee recommended that a bill be drafted with extensive consultation from an expert panel, including health and legal professionals, as well as health consumers. The Ministerial Expert Panel on Voluntary Assisted Dying was formed and it tabled a report in Parliament on 27 June 2019. The panel was chaired by Malcolm McCusker, AC, QC, and included clinicians, along with experts in law and palliative care. I thank the expert panel members for their contribution and I welcome that report.

As part of its consultations, the ministerial expert panel received a total of 541 submissions from individuals and organisations. It is clear that this subject evokes strong emotions. Sharing stories of painful and often traumatic memories is not an easy thing to do, and I would like to thank everyone who shared their experiences in the hope that this Voluntary Assisted Dying Bill would be passed. The report was the result of an extensive consultation process, with sessions and forums held throughout Western Australia attracting hundreds of participants. The panel’s final report includes recommendations to help inform the upcoming voluntary assisted dying legislation through its introduction to state Parliament. The report was extensive, both in process and detail.

Unnecessary suffering at the end of life, and broad community agreement for individual autonomy, formed the basis for the committee’s recommendation that the Western Australian government draft and introduce a bill for voluntary assisted dying. The WA government considered its response to the committee’s report and instructed the Department of Health and the Department of Justice to implement the committee’s recommendations on voluntary assisted dying, including developing legislation. Recommendations surrounded advance care planning,

end-of-life palliative care and voluntary assisted dying. Of interest is the leading quality of palliative and end-of-life care that our health services deliver across our state. A palliative approach is used by health professionals to improve quality of life for individuals with a life-limiting illness, their caregivers and family.

Palliative care is a holistic approach to care that incorporates the needs of patients and caregivers. This is reflected in the assessment and treatment of pain, and in the provision of physical, psychological, social and spiritual care. Palliative care options are introduced at early indication of life-limiting illness, instead focusing on active, comfort-focused care and a positive approach to reducing suffering and promoting understanding of loss and bereavement.

I had the privilege of attending an information session with Oregon-based doctor David R. Grube, MD, who kindly visited Parliament in Perth to talk about the voluntary assisted dying laws that have operated in Oregon for more than 22 years. Dr Grube served on the then Oregon Board of Medical Practitioners for seven years and was chair from 2006–2007. He was awarded Oregon Doctor–Citizen of the Year in 2009 and is currently the National Medical Director of Compassion and Choices. Dr Grube confirms that in the 22 years of operation of the voluntary assisted dying laws in Oregon, there has been no evidence of abuse or misuse; no groups at risk, including disabled, minorities or the poor; no evidence of doctor shopping; and no adverse unintended consequences. Dr Grube also believes that meticulous record keeping, training, analysis and a genuine concern for sufferers of terminal illness ensure that legislation around end-of-life choices continues to develop. In Dr Grube's words, "It relieves suffering. It is compassionate."

I have attended many other information events to assist me in my understanding of the process, the outcomes and the protective mechanisms within the Voluntary Assisted Dying Bill 2019. What I saw when I attended these events is the community's need to have this conversation transparently, without fear of conviction. I would like to tell you about a young, wonderful, inspirational woman who has honoured her mother Mareia. Belinda Teh witnessed her beloved mother suffer in uncontrollable pain for several weeks. These are memories that will be with her forevermore. I will read some excerpts from Belinda's experience with her mother, Mareia's, illness, care and passing. Mareia Teh was just 63 years old when diagnosed with metastatic breast cancer, which was so advanced that chemotherapy only hastened her demise. She died 11 weeks later. As a devout Catholic and nurse for 39 years—much of her nursing career spent in aged care—Mareia was well informed about the moral and medical considerations at the end of one's own life.

Her faith was everything to her. But when the writing was on the wall, and she understood the suffering that was coming to her, she asked for help to pass quicker from life on earth. It took great courage for Mareia to ask for something that did not sit with the teachings of the Catholic Church—a change in her, born of humility and her firsthand experience of unrelenting suffering. She twice requested help to die on her own terms but was refused. Her request was denied because this kind of medical assistance is illegal in Western Australia. She went on to die in a way that she did not want to—devoid of dignity. It was a horrific death that even the best of modern medicine and caring specialists could not save her from. She did not want her suffering to be in vain. Belinda spent many months planning a way to do just that—to not allow her mother's suffering to be in vain. She walked from Melbourne to Perth, inspiring people in Western Australia to take action and show that there is widespread community support for the introduction of legislation to Parliament around end-of-life choices. Through her perseverance, grace and will to make a difference to others, Belinda has shown that terminally ill Western Australians want access to safe and workable voluntary assisted dying laws. Thank you, Belinda. You have made us all proud. You are inspirational, exceptional and courageous.

I and my fellow members of Parliament have the privilege to listen to and represent our communities to the best of our abilities. We have heard over and over again that our communities want this choice. The physical suffering experienced by dying patients can be enormous, and is not always manageable. The length of expected suffering differs with diagnosis and condition. In addition to pain and disability from terminal illness, nausea, loss of bodily functions and medication side-effects are common.

As with all good medical practice, end-of-life care should be patient-centred and transparent and provide safeguards. Compassion, dignity, respect and participation in decision-making are important to the delivery of high-quality palliative and end-of-life care, something our highly qualified expert medical community is well known for. To facilitate a patient-centred approach, there should be open and informed discussions between GPs and their patients, the families, carers and those people nominated to make treatment decisions when applicable. This should be an ongoing conversation, covering topics such as symptom-control measures, goals and direction of care, advanced needs care planning, diagnosis and prognosis.

Immeasurable suffering can cause the patient and their loved ones to be left feeling completely hopeless. Many have told me of their feelings of indignity, saying that the loss of independence has left them believing their meaningful life has ended. For some patients, a sense of control over the manner and timing of death can bring the kind of comfort that palliative care cannot provide. Widening the choice of and access to end-of-life options is, at a minimum, an opportunity for our loved ones, friends, family and neighbours to not only live with dignity, but also die with dignity. For me, there is a high priority that thorough safeguards are included in legislation to protect those most vulnerable.

Requests for voluntary assisted dying must be patient-initiated, voluntary and free of coercion from family members, health practitioners and others. Although requests for voluntary assisted dying are few in number, people who express these wishes must be supported in a way that allows time for full exploration of their concerns and options. A great amount of effort and consideration has gone into ensuring that safeguards are in place and will remain in place.

Eligibility criteria for access to voluntary assisted dying should be clear to provide certainty and clarity to the community and health practitioners, and patient-centred to allow patients themselves to judge whether the suffering and experience cannot be relieved in a manner they deem tolerable. In the process, I have enquired extensively about palliative care options. WA is leading the world in palliative care.

We are profoundly responsible for honouring our fellow human beings. We are called on to carry burdens and responsibilities, to exercise duties and to support those who are in need, who are ill, who are elderly and who are helpless and those of the next generation to value life with passion, respect and responsibility. What is of certainty is my role in the process. I am representing my electorate—an electorate that has contacted my office, had in-depth conversations and participated in community forums on this subject. The overwhelming majority of not just my electorate, but the entire state, supports this bill. They support allowing people to make a choice. They support the option of stopping their loved ones from suffering in ways that we cannot imagine, and that is why I am voting to support this legislation.

Today would have been my father's ninety-sixth birthday. In January 1999, I watched a great man suffer immeasurably over a six-week period. He had the very best of palliative care, but in his case, and I am sure in so many more, this was not always enough. He was begging to be put out of his misery. The sounds of my father's screams and watching him throwing himself around in his bed from the pain haunt me every day. We should not have our loved ones end a life of fullness in a manner of such extreme pain.

Today I stand in this chamber and honour my father's last wishes and support voluntary assisted dying so that people like my father have the choice to leave this earth on their terms with their family, friends and whoever they want to say their last goodbyes to be with them and allow them to go in a dignified manner.

I commend this bill to the house and hope for a positive outcome of passage through both houses.

Happy birthday, dad; this is for you.

MR M.P. MURRAY (Collie-Preston — Minister for Seniors and Ageing) [8.15 pm]: During this debate on the Voluntary Assisted Dying Bill 2019, there will probably be a lot of repetition but everyone in this house has a right to speak and they should be able to put their position. I have been a member of this place for about 18 years. A similar bill was discussed about 10 years ago. At that time, I carried out an extensive poll of my electorate. About 60 per cent of my constituents supported assisted dying; it was called something different at that time. The results of that poll were presented to Parliament, and different people had a look at those results but the bill did not go any further. I think it was foreshadowed at that time. It started me thinking about what would happen in the future. Ten years or so later, society's views have changed tremendously. Society itself has changed. After looking at all my research, the work that has been carried out and the views of lobbyists, it is a positive move for our society. I have a great deal of respect for people who have emailed me in the positive or negative. I do not have as much respect for some of the straight-out lobbyists, who were probably more on the professional side and had a different view of the world compared with the people who emailed me, stopped me in the street, talked to me at the pub or at the footy and told me which way they would vote.

It was interesting to hear the previous speaker talk about people with a Christian view, which is opposite to what the bill says. Some of those people have said to me on the side that they are glad they do not have to vote on this bill but they hope we vote the right way, meaning they hope we vote in favour of the bill. Their views may be that of their faith; others hold values for people's health at the end of their time. It has certainly put a lot of pressure on politicians in this place, especially some of the newer members who have not been here as long, given some of the quite emotional views expressed. It is very difficult to stand and vote against your electorate or against your beliefs. As one of the more senior people in here, I say to them: stick with your beliefs but at the same time listen to what your electorate is saying to you.

It is very much on my mind that the bill will provide a safe and compassionate option for people with a terminal illness. In some cases I think the bill is a little overdone, with 102 safeguards. The red tape will probably turn some people away and they will not be able to get the care or to finish their lives in the way they would like. Having 102 different safeguards is a little over the top. Again, I will not be making any noise about that because, as we go along, I do not want any disruption. I hope that when the bill gets to the upper house, it is viewed in the same way and that it goes straight through. People will have different views from me. I am a bit of a fatalist. There is an old saying—perhaps I cannot say it in here!—things happen. There is not always a reason they happen, but that is on the way through. When I get to the end of my life, I want a choice, and I want others to have a choice. It is not compulsory; the choice will be well and truly your own. With 102 checks and safeguards, it will be quite an onerous process for some of those people. As we move into this debate, I will respect everyone's view and certainly will not be making any interjections on anyone in this area.

The bill will enable compassion. It will give people some hope that they do not have to go through a very awful end of life. It will give families some comfort that if mum or dad, a brother or sister or another relation wants to go that way, they can, and that it will not be against the law. There is always a personal story. The way I look at it, everyone is a little bit different. In my house, there was certainly a difference of opinion at the end of my father's days. My sister had one view and I had another, but for Christ's sake, dad did not leave anything there because there was no way he could tell us which way he wanted to go. In the end, it was probably a different way that it ended—the morphine was turned up, he went into a coma and drifted out. That was not what he wanted. He said, "I've had enough." To me, that was quite simple, but my sister was saying a different thing. We were out in the passageway talking to a doctor who said, "I can do this and this, but I've got legal responsibilities." It will be quite possible now with the way that the bill is set out. My father had cancer for some years. He kept going after a complete blood transfusion, which he called his oil change, and was able to go on a little bit longer, with a reasonable quality of life. When it got to the end and he said that he had had enough, there was no way he could go and do what he wanted to do and move on. There may be family disagreements. There was no law that we were able to use to say, "Dad, it's your opinion" or, in my case, my opinion or my right to do what I want to do to finish my life, if I am in that sort of condition.

I am not going to go on for too long other than to say to the people who rang in, emailed me or contacted me in many different ways, to be quite honest, thank you for your guidance. For me today, it is a very simple process for me to say that I commend the bill to the house.

MS R. SAFFIOTI (West Swan — Minister for Transport) [8.24 pm]: These types of bills do not come along very often. When they come along, I think we all personally take a lot of time to reflect on what we should do, how we should vote and what will be the impact of our decisions. This is a bill that I have given a lot of thought to. In my spare time, I have been thinking about how I should vote and also, of course, the implications of this bill in the community. We all bring different personal circumstances and experiences to this place. It is important to note that everyone's experience or perspective is important. Although some people may think their experience or perspective is more important than others, this conscience vote allows all members to bring in their perspectives and views, and of course the views of their electorates. All views need to be respected and listened to.

I say at the outset that I really commend and congratulate all those involved in the community consultation and in bringing this bill to the house. I thank in particular the parliamentary committee and the member for Morley for their work in driving this legislation, the expert panel, the stewardship of the Minister for Health, and the Department of Health. This is one of those times when you are listening to the briefings and you are really impressed by the thoroughness of the work, all the issues that they have looked at, and you can really understand that this was something that was very well considered. They looked at what happened in Victoria and then built the WA case. I thank everyone involved in having to do what would have been very difficult, and directly listening to all those personal examples that were given.

From my electorate perspective, it is something that the community has raised. One very good friend of mine, who is opposed to it, sat down with me to talk about it for a long time. He told me his views and concerns. As we have seen in all community surveys and polls, it is something that has overwhelming community support. The key for me, which the Premier outlined today, is that this bill does not determine life or death—this is really determining how you die. The circumstances and the criteria laid out in the legislation are that a person must be diagnosed with a disease, illness or medical condition that is advanced and progressive and will cause death and that will, on the balance of probabilities, cause death within a period of six months, or 12 months in the case of a neurodegenerative illness; and that the person is experiencing suffering that cannot be relieved in a manner that the person considers tolerable. The criteria are laid out. They have learnt from some of the potential legislative issues in the other state and really made sure that the criteria can be applied effectively in WA.

My other concern is whether there will be enough safeguards. As the member for Collie–Preston outlined, there are 102 safeguards. Going through them, it is clear that the process has been well laid out. People really want to be in a position to make a choice. I believe that the safeguards, the criteria and the whole process have been laid out for the community. I support this bill. I had an open mind about this issue initially. When I first looked at the bill, I was not really informed about all the scenarios. It sometimes causes a little bit of fear and angst, but once it is understood what we are doing here, this will basically allow people who are suffering and dying the ability to determine the way that they die. From a patient perspective, it may not be something that I would choose to do, but people knowing they have that option would give them peace of mind if and when they find themselves in that situation. It is also about the family. I will explain my personal circumstance if I can manage to talk about it in the chamber. One of the things I realise is that many people at that stage actually want to go because they know the impact their suffering is having on their family and they are ready to accept the next stage. In most instances it is harder for the family to accept than the person directly involved. People put judgement on how they could let that happen, but it is that person's choice. This bill will make sure that a person has the ability to make that choice and give consent, and I think that is another significant safeguard.

My story is more recent and I will try to get through it without too many tears. My father passed last year. My father, at 92 years old, was fighting fit. Unlike some other older members of my family, he was a person who did not talk

about death or dying. He never accepted old age and he never accepted the concept of death. He was 92 years old and fighting fit, picking fruit, you name it. He probably had only a couple of nights in hospital in his entire life. At 92 years old, he broke his hip in November 2017. Six weeks later he was back to picking fruit and going to the market. He was an incredible person. He ate well. He knew to eat well and to be physically active, and his mind was absolutely incredible. In February 2018, he was diagnosed with non-Hodgkin's lymphoma, together with my mother, and in May 2018, he broke his other hip. This basically led to a significant deterioration. He went to hospital. We talk a lot about palliative care and I want to make a point. This is not a criticism of everyone who was involved in my father's treatment, but I think sometimes when people see a 92-year-old come into the hospital, they treat the age and not the person. They did not realise that a week earlier he was picking fruit, very active and very, very fit. The comments made to him were that he would never walk again. His deterioration started from there. I noticed when I went to visit him after his second fall that he had changed completely from the man who would fight death to the extreme. He was looking like he was accepting it. I asked whether he had had a stroke, because his mind seemed to have changed so much. He told my sister a few months later, "I am ready to die; you have to accept that, Connie." Again, she could not accept it and I still cannot accept it, but it was an acceptance by him that his time was coming to an end. He did not drink and he did not eat very well. In a sense, even though I am a member of Parliament and should have known better, my sister and I were a bit naive about what was happening to my father. I kept assuming that he would get up one day and say, "I'm picking the avocados; I'm out of here", but it never happened. He died in his sleep at home. It was his way—how he wanted to go. When I look back, he did not eat and refused to take much water. In a sense, he was making that decision for us. But, God willing, he had the opportunity to do that. Yes, I would like him to be here today—I would love him to be here today—but then I think of the other option of him being bedridden, probably in a lot of pain and just so frustrated. When I talk to other people, they say he went in a good way, but of course I do not accept that, because he was my father. We do not think any death is appropriate when it comes to a family member. If he was still bedridden and suffering in pain, I do not think he would have appreciated it or that the family would have been able to accept it. As I said, in many instances people in that situation are more willing to accept their fate than the family around them. In making these decisions, it is about the person; it is about the individual. This is a very, very important bill. We have heard in the stories given by my colleagues and through the reports and other examples some of the excruciating ways that people pass. It is awful. To sit there and watch a loved one go through that serious pain would be the absolute worst experience.

I support this bill. As I said, it is not one that I take lightly. I think it is a mature response to a very complex issue. Of all the things that we need to fight against, this is not one of them. This shows that we are a mature society. The process is backed by the medical practitioners. It is a process that has so many safeguards. I would not want to be sitting there next to a family member who is in pain and suffering and just having to accept it. There were examples given of what people would have chosen to do with their own lives if they had had the ability. That is not something we should accept. These types of options should be far more available to the community. This issue has morally challenged me, but the model that has been put forward is very, very good. I read the story of the first Victorian person who accessed that state's legislation just about a month ago. I read it and I cried. It was an incredibly touching story. The family's view of how they got to see their mother exit the world was incredibly touching. Not having to watch your parents or loved ones suffer is a very, very important thing for me. As I said, I do not accept death yet. Accepting mortality and that we are basically visitors on this earth and not permanent is very hard. I still do not really accept it and my dad did not accept it. When he did accept it, it shocked me, because I thought, "Hang on, you've been resisting growing old for 92 years; how are you accepting it now?" The fact that even he accepted death shows that we all one day will need to accept it, and I think this bill is a compassionate, sound and very ethical process that will allow that to happen.

MS J.M. FREEMAN (Mirrabooka) [8.37 pm]: I want to answer yes to the question put by the Premier. Do we wish the terminally ill who are in pain to have the choice to end their suffering? I emphasise for the community of Mirrabooka that it is a choice on how death will occur, not a choice between life or death. It is a personal decision of each individual, and that person is also provided with access to good quality palliative care. The Voluntary Assisted Dying Bill 2019 will provide safe and compassionate access to voluntary assisted dying to a very small group of eligible Western Australians. The bill protects people's rights to prevent coercion through rigorous and inflexible measures around assessment of the patient's decision-making capacity. It is not euthanasia; it is not suicide. There will be 102 safeguards and the establishment of a board to ensure that the law is followed. The safeguards include that the choice will be available only to permanent WA residents over the age of 18 years and only for those with a disease, illness or a medical condition that is advanced, progressive and will, on the balance of probabilities, cause death within six months, or within 12 months in the case of a neurodegenerative condition.

I commend the work done by the Joint Select Committee on End of Life Choices, the expert panel, the Minister for Health, the member for Morley and the Department of Health. The two major reports tabled in the Parliament were extensively researched and consulted on to give us the appropriate path to deliver legislation that 88 per cent of Western Australians want us to adopt. I have made myself available to the Mirrabooka community to discuss the legislation through doorknocking, telephoning and stalls at local festivals, and by speaking to community leaders. I have attended many of the presentations made available to us as parliamentarians.

I want to talk about culturally diverse communities. As people know, Mirrabooka is predominantly a community of people who were born overseas and have English as a second language. I am satisfied that the appointment to the ministerial expert panel of Ms Maria Osman, with her extensive background and understanding of substantive equity and cultural context, and her policy experience as a former executive director of the Western Australian Office of Multicultural Interests, ensured that these considerations were given the emphasis they deserved. The contribution of the ministerial advisory group and the Ethnic Communities Council of WA to the framing and implementation of this bill will ensure that information and training on voluntary assisted dying will be culturally appropriate and that translators will be used to ensure that patients understand their choice. It is vital to recognise the importance of that because people from some cultures may not tell family members of terminal illnesses such as cancer to avoid what they consider to be unnecessary suffering. This is an issue for people with English as a second language, as they can be taken to doctors who tell family, in English, that the aged person is ill, but that person does not understand the diagnosis because of language difficulties. Indeed, that is the premise of a movie that is currently showing in Perth, *The Farewell*, which is set in Hong Kong and deals with not telling an aged relative of a terminal illness.

The collective nature of important life decisions in many culturally diverse communities, in comparison with the individualism of modern Western society, should be a foundational consideration in the delivery of this legislation. This will require access to translators and material to ensure correct representation of the information and terms, with which people in many communities may be unfamiliar. Many may be unfamiliar with the term “voluntary assisted dying”. Good translation and information dissemination will ensure that safe access will be afforded and that all of the safeguards will be understood.

I have had arms-length exposure to terminal illness—thankfully—but I have witnessed its ravaging effects. My university housemate, Bruce, died far too young of motor neurone disease. He developed it long after we had stopped sharing a house and he had gone on with his career and had had a child. My friend and legend Tony Cooke had a cancer that stole his ongoing contribution from this world. The former commissioner Jennifer Harrison lived her life well and also passed away from cancer. I cannot say that they or the few others I have known who have died through illness would have used the tools of this legislation and I cannot ask them that, but I knew them well enough to know that they would have wanted the choice. However, I had the privilege, along with many others in my family, of being with my maternal grandmother when she died. It was a sad but loving experience. Although she did not suffer from a terminal illness, she had become increasingly frail and fell at her home. Consequently, she suffered from renal failure. Her daughters—one of them my mother—were consulted by the medical practitioners as to treatment. They did not treat her to prolong her life. They withdrew certain treatments, which enabled her to die with family members who had arrived from all parts of the country and surrounded her with love and care as she passed from this world. As she was a good Catholic, I have always thought of her up there keeping an eye on me. Given that experience, I understand why people with a terminal illness would want their family members to be with them as they die. I cannot imagine that they would want to be alone, as many have been when they took their own lives to alleviate their suffering. Many would not have wanted to have their loved ones watch on as they suffered without the capacity to assist. Being with my grandmother was a very important experience.

I understand that the counterargument to this is palliative care. I congratulate the government for committing to improving the quality of palliative care at the same time as the choice for voluntary assisted dying is offered. I congratulate the government on its investment of \$41 million this year to palliative care services, which will make up part of a four-year \$206 million package. I know that the government will meet its aim to support people of all ages with life-limiting or terminal illnesses to live their lives as fully and as comfortably as possible.

Due to my history as a workers’ compensation advocate, I know that people want efficacy in decision-making for medical treatment. I know how important it is for people to feel like they have control when they have an illness or other injury. That, after all, is what we all want. Research has shown that if a person has control and choice in their medical care, their wellbeing will increase. Wellbeing is at the heart of our dreams for our lives and the lives of our family members. We all want dignity in our lives, and we all wish for dignity in death. In *Being Mortal*, Atul Gawande, the American surgeon, public health researcher and author wrote —

All we ask is to be allowed to remain the writers of our own story.

This legislation will give terminally ill people and their families that capacity and choice.

MR J.N. CAREY (Perth — Parliamentary Secretary) [8.45 pm]: From the outset, I have sought to have an open, genuine and respectful discussion with my local community about the Voluntary Assisted Dying Bill 2019. I deeply respect that many people have strongly held views, including those based on faith or their own personal experiences. Given that, I have sought to engage the community in an honest and meaningful way. I advertised and promoted a community forum across the whole Perth electorate, where people could ask questions of committee members about the legislation. Over 200 people contacted my office and more than 140 people attended on the evening. The forum provided a real opportunity for a thoughtful and insightful discussion. In addition, I promoted an online survey, which, again, asked for people’s views. Throughout this process, I have tried to personally respond to every constituent who has contacted me and speak to them directly about their wishes or concerns. On reflection, I was surprised by the response; a strong, clear and overwhelming view was generated from the community as part of the consultation. That view was in favour of voluntary assisted dying.

I will not attempt to address all parts of this legislation, but rather, I will discuss one key principle. For me, there is one consideration and one simple truth; that is, no matter how excellent or well-funded palliative care can be, there are terminal diseases that cause human beings suffering that is so intolerable and insurmountable that not even the best of care will provide relief. I believe that in this context of human suffering, individuals ultimately must have the right to decide whether they wish to continue and that we should provide safe conditions for the choice to be made so that they may die with dignity. I do not subscribe to the belief, as some people have put to me, that human suffering is inevitable, redemptive or part of God's will. I cannot believe that any god would be so cruel. I have borne witness to that suffering firsthand, and I recognise that my decision is guided by my personal experience. Some may see that as a failing, but I do not. It has given me, like others in this Parliament, a critical insight.

For the public record and for the understanding of my local community, I will detail some of this personal experience. Our community often struggles to talk about death. I know it is difficult. They say that until you have lost someone very close, it is often challenging to really understand and talk about death, loss or grief. I lost three members of my immediate family in seven years. My father died from complications due to old age, but both my mother and sister died due to cancer. I want to share my mother's story, Delys Carey. My mother was my best friend; I loved her dearly. She was a brilliant mum, incredibly creative and smart, a people person who would light up the room. She always supported me and made me feel accepted and loved, even sometimes when I found it hard to accept myself. The early signs of mum's illness were there, in hindsight, but fleeting and easily overlooked at the time. She would repeat the same story and forget things; she had balance problems and had fallen over in the street. Then, one weekend, she had extremely powerful headaches. She was in profound pain.

From that point, everything changed rapidly. In a huge shock, within 48 hours of the onset of the headaches, my mother was diagnosed with brain cancer in March 2006—a glioblastoma grade 4 brain tumour. GBM 4 is one of the most aggressive forms of brain tumour, with an average survival rate of 10 to 12 months. Only five per cent of patients survive more than four years. It grows quickly and has finger-like projections into normal brain tissue that are near impossible to remove with surgery. My mum would have her first brain surgery within two days of that diagnosis. She followed the typical pattern of treatment: twice having debulking brain surgery to remove as much of the tumour as possible, and then radiation to kill any cancer cells that were left behind after surgery and chemotherapy.

With my elderly father, my sister and I took responsibility for supporting her and being her carers. I have to say this: it was the greatest honour in my life to look after her during this time. I witnessed a woman who was incredibly courageous. She had a depth of courage that I do not think I could ever personally find. She fought and fought against a shocking and terminal disease that can strip a person of everything they know and treasure. I was working full time, but cut down to four days a week. I visited her every night and stayed over to care for her three nights per week. Every night we had the same ritual: I would massage her feet and hands and stay with her to keep her company. She fought desperately for her life, and we nearly lost her after the second surgery. This was high-risk surgery with potentially severe consequences, including brain damage and death. She survived, but then, just before Christmas in December 2006, my mum fell over again, this time breaking her hip and requiring hip surgery. From this point on, my mother would never speak again.

In January she went into a hospice, but after five excruciating weeks, she was released to go back home. I remember one distinct moment during this time in the hospice. I was sitting in her room—no noise, everything quiet. She could not speak; she did not even show a facial expression. But, in a moment I will never forget, I turned to her to see tears streaming down her face.

My mother's last three months were not a fit or dignified way to die, her body and mind wasting away. To cope with the swelling in her brain, her level of steroids increased, but with that came significant side effects—blurred vision, massive mood and personality changes, body swelling, muscle weakness and insomnia. She suffered severe neurological deficits, with confusion, bouts of distressing delirium, significant intracranial pressure, seizures, and fluctuating levels of consciousness. She became bedridden and incontinent. She would not eat for a few weeks, and she slowly starved to death.

My mother died in February 2007.

The end stages that my mum experienced are, unfortunately, not uncommon for those with grade 4 brain tumours. Following my mother's death, I founded the Brain Tumour Association of WA, a support network for patients and their families, because I found that there was no support network for this community. During that time, I witnessed another 30 members lose their battle against this disease.

This experience has crystallised my views on this legislation. My mum, Delys, should have had a choice, and every other individual facing a terminal disease now should have that choice—a choice to fight; a choice to determine their own treatments; a choice to endure; or a choice to end their suffering, in dignified conditions, on their own terms. That is why we need these laws now.

I want to congratulate the Joint Select Committee on End of Life Choices and the ministerial expert panel for the way in which this issue has been considered and examined. A significant body of work has been undertaken with key experts in the field to develop this legislation, and I believe it strikes the right balance with considered and necessary safeguards. It cannot be described as a rushed process. The Ministerial Expert Panel on Voluntary Assisted

Dying consulted widely, considered, and delivered, with its significant experience and expertise, recommendations for resulting legislation in its final report. Neither the select committee nor the ministerial expert panel were reluctant to tackle the key concerns. The panel's key guiding principles showed a responsive and considered regard for this issue, and I wish to highlight one. It gave consideration to the proposal that people who may be vulnerable to coercion and abuse in relation to end-of-life choices and decisions should be protected.

Opponents of VAD argue that particularly vulnerable groups of people will be subject to greater pressure or undue influence. Given human nature, it is right and proper to consider protections and safeguards for those who may be unduly influenced, but research from other jurisdictions indicates that coercion is very rare and, when it does exist, is more likely to be in terms of not accessing VAD and continuing treatment. For example, I refer to the report, "Attitudes and Practices of Euthanasia and Physician-Assisted Suicide in the United States, Canada, and Europe". The report found that in no jurisdiction was there evidence that vulnerable patients had received euthanasia or physician-assisted suicide at rates higher than those in the general population. In fact, it found that the demographic profile of patients in the United States who received these interventions was white, well educated and well insured. A further study into data collected in Oregon and the Netherlands found —

"Rates of assisted dying in Oregon and the Netherlands showed no evidence of heightened risk for the elderly, women, the uninsured ... people with low educational status, the poor, the physically disabled or chronically ill ... people with psychiatric illnesses including depression, or racial ethnic minorities, compared with background populations."

A similar line of argument is put that these laws will enable family members to coerce their mother, father, sisters, brothers or any other loved ones to end their own life. With regard to this argument, firstly, I would argue that these laws have the necessary checks and balances in place, through a thorough request and assessment process. Secondly, I would argue that there is often considerable and incredible pressure on an individual to go on, because their loved ones want them to. I wanted so desperately for my mother to live and fight. I researched everything I could find—alternative treatments, anything and absolutely everything—to prolong her life. I suspect that after the second debulking surgery, my mother was finished; she was done. But I simply did not want to admit that.

In conclusion, I want to sincerely thank every one of my constituents who contacted me regarding voluntary assisted dying. I know some of you will be disappointed in the way I am voting, but I want you to know that I thoughtfully considered the issues you raised with me, and truly valued your input in my consideration of this bill. I want to acknowledge that many of my constituents, both for and against this legislation, shared their own deeply personal and traumatic experiences of watching someone they love die. I do understand that pain, and I want to say that I am deeply honoured to hold and understand your experience. I want to end on this: I hope we see a decision in the upper house. I hope we do not see a filibuster or any attempt to deliberately delay, or ultimately stop, a vote from being taken. This would be an abuse of our democracy. It would block the will of people. Ultimately, it would rob us all of the choice to have a dignified death.

MR B.S. WYATT (Victoria Park — Treasurer) [8.59 pm]: In speaking on the Voluntary Assisted Dying Bill 2019, I want to begin—as have many members this afternoon and tonight—by acknowledging the people of my electorate. The nature of these debates—which are rare—is that we are required to engage with our electorate more than we would do ordinarily on the legislation that comes through this place on a daily basis. We have a conscience vote on this issue. I listened intently to the Premier's speech today. At some point, we all have to face our own death, or the death of people we love and are close to us. That is inherently difficult. We are all, of course, creatures of our own experiences. The member for Perth, who spoke before me, outlined his experiences wonderfully well. All members have outlined their own experiences incredibly well over the course of this debate. Of course, our approach to this issue is overlayed by our religious background, religious convictions and faith, and how we approach death.

I say from the beginning that I will be supporting the passage of this legislation. I want to spend some time outlining why I believe this legislation is appropriate for me to support. There has been a long debate around the issue that I guess is generically described as euthanasia. I look to the Minister for Health, knowing full well that that is not what we are dealing with in this legislation, but that is how it has colloquially become known in the broader debate. In fact, back in 2006, not long after I was elected, this issue was raised with me from time to time, and of course closer to today's debate it has been raised with me much more frequently. To be fair, it has been raised generally by my older constituents—people who are approaching the end of their lives, and who have had family and friends who have died badly, as other members have talked about in describing their experiences. I have not had that experience with my close relatives. My father passed away after a very good experience with palliative care. Palliative care saw my father out very well.

It is clear in my electorate that there is overwhelming support for people to be given a choice about how they want to end their life, in a very narrow and specific circumstance. I want to emphasise that. I know that the debate that will continue in my electorate with my constituents is that people will be disappointed about how narrow this legislation actually is. I will give an example. My mother is a very healthy woman. I hope she has many years of life to go. However, due to the experience of her mother, she is worried about dementia. That is her great fear.

This legislation will not apply to her. I think a lot of Western Australians would like the opportunity to counter the onset of dementia. This legislation will not apply to that situation, because the key word is “voluntary”. I will come to that in just a minute.

Clearly, there is overwhelming support for this legislation. Western Australia is generally considered around the country as a conservative state. We are having this debate today after an incredibly productive period, with hearings by a joint select committee of this Parliament, and an expert panel, and also, as the Minister for Health has outlined, after the most significant consultation period ever undertaken by the Department of Health. The fact that we do not have a protest at the front of Parliament about this legislation highlights that Western Australia is a very different state from what some of our colleagues on the east coast think we are. I am very thankful about that.

The point has been made by many members that the key issue is choice. However, the point has also been made that we need to ensure that that choice is legitimate. Some colleagues have raised the issue of people who live in regional and remote parts of Western Australia. I have had those conversations with the Minister for Health, and during consideration in detail we will flesh out how we can provide the opportunity for people who do not live in the city to access palliative care and/or the voluntary assisted dying regime that is embedded in this legislation, assuming it passes this Parliament. That is fundamental. I think all human beings, regardless of who we are and where we are from, have an innate desire to fight for life. That is what we do. None of us wants to pass away. All of us will pass away, but none of us wants to do that. I think about my family and friends, particularly those who live in regional Western Australia. I think about Aboriginal people in particular. Aboriginal people have been referenced by a range of speakers tonight. The great desire of Aboriginal people is to be given the opportunity to go home and die on country. That is something that we need to ensure. I know that the Minister for Health is attuned to ensuring that people are given the opportunity to go back home to pass away, whether that be through palliative care or voluntary assisted dying. Assuming this bill makes its way through the Parliament, fundamentally Aboriginal people in particular desire that return. I find time and again that even though Aboriginal people may have spent the majority of their lives in Perth or other cities, their home country is in another part of Western Australia. The Minister for Health has spent some time on that, and that will be fleshed out during consideration in detail.

My reading of my electorate of Victoria Park is that there is strong support for this legislation. It is not surprising that in a progressive electorate like mine, the overwhelming response has been in support. However, that has not been one way—absolutely not. As I have said, we are all creatures of our own experience. We are also creatures of our religion. I am a Catholic. I came up through the Catholic system. I will not say I am a particularly wonderful Catholic, but I am a Catholic. I remember that when the now Premier was the Leader of the Opposition, he flagged that he wanted to have this debate in the event that the Labor Party won government and he became Premier. This issue had been around for a long time. I will be honest with my colleagues and say that when the Premier first raised this issue, I was inherently suspicious of this debate. This issue does not come easy to any of us. However, I believe this bill has struck a balance between providing safeguards, and, as the Premier articulated wonderfully well today, handing to us all the freedom to make the final decision of our lives, should we choose to take it. That is what this legislation seeks to do. It provides safeguards that will protect us all from the things that we worry about. The member for Perth outlined that research suggests that when it comes to, I guess, undue pressure, that tends to come, unsurprisingly, from family members who want to keep a family member going for longer and longer. I found that with my father’s passing. The Minister for Transport touched on this issue. We all struggle with the passing of our own parents, to the point at which—I think back to the passing of my own father—I think that he had made the decision well before me. It was done, and he was keen to go. As I said, though, the palliative care process was very good to my father. I cannot fault that at all.

I have not had as much correspondence as I would have expected. I have had a reasonable amount from all over Western Australia, and in fact from all over Australia. I have had correspondence from Tasmania, Queensland and other states, and a reasonable amount from my own electorate, but I think it has been mainly through mobile offices, where I have had the conversations with my own constituents. I want to read in two emails from my constituents. They are for and against. The first one reads —

Dear Ben

I am writing regarding the proposed euthanasia laws being introduced in W.A.

By way of an aside, I make the point that, colloquially, it has become the euthanasia laws, but it does not actually deal with euthanasia. I will finish off this email —

I realise my one voice is no more important than any other but feel strongly enough to write to you and express my opposition to any form of euthanasia. As background, I am a 64 year old parent of 4 children (who went through Ursula Frayne) —

That is where my own children are going, so I know a bit about that school —

and have lived in the area my whole life. I usually vote liberal but may vote independent at the next federal election.

This goes back to March —

The only times I voted Labor was for Geoff Gallop and yourself who both do a great job for our local community and are both very decent blokes.

That is very good of him —

I am not sucking up, rather just giving you my background. I am also a catholic (though don't believe in all the man made type laws that churches have). I do think however that going to a church on Sundays does help keep life in perspective, and gives time to reflect.

I say, by way of aside, that I agree —

I have been struggling with euthanasia for quite a while but after listening to arguments from both sides, and having been involved (as others have) in the deaths of people who have waited quite a while in a bad state, I am now satisfied that my beliefs have been right and am firmly against it. I feel it will harm irreparably the people involved in having to provide the service and everyone involved in the preparation. The process of death does have many lessons for the people involved and it is those learnings that shape the values of our future. Any attempt to end life would be destructive to our development.

Anyway I can only ask that you vote against this legislation and encourage others to do the same.

This is from a constituent in Gallipoli Street, in Lathlain. It highlights the point that I think Western Australians have been very considered in the way that they have gone through their own debate in households and community groups around Western Australia, as highlighted by the fact that many of us have had local conversations about it with our electorate. Before I make some comments about both of them, I want to read in another email from a constituent. It reads —

Dear Benjamin Wyatt MP,

I am writing this to ask you to please vote for Voluntary Assisted Dying Laws.

I watched my husband suffer with cancer and cared for him until he passed away. It's not easy believe me. It's an extremely painful slow death.

I have since had experience with Palliative Care when I sat with my dying best friend and I can tell you now that it doesn't work.

I watched her suffer dreadfully with terminal secondary bone cancer, in a private hospital here in Perth for weeks. It was heartbreaking listening to her pleading with God to take her as she had suffered enough. She certainly didn't deserve to die like that.

It is beyond me as to why we are having to fight for this, after all we are continually told that we seniors, who built this country I might add, are now being told we are a burden on society. How sad.

By way of an aside, I do not think any of us, hopefully, regard any of our seniors as a burden on society, and that is not something we want. The email continues —

Clearly we are obsolete now.

People like me, on a seniors pension, and can't afford private health cover can languish for years on the back-burner waiting for hospital appointments and surgery.

Yet you won't allow us to chose the time of our death.

I am only 67 years old but sadly already I feel like I am an inconvenience.

I live alone, my son has MS and a family of 4 children, so if I should become terminal with cancer at any stage in my life, I will not be an extra burden on my family, I can assure you I will not go through what my husband and my friend went through.

Don't make me and people like me, have to take our own lives, we deserve more than that.

We should have the right to make our own decisions, whether we are terminal or not, after all no-one really cares about us now, yet the minute we say we want to die, everybody wants to save us!

I am not religious so the Churches have no right to make decisions on my behalf, do what they want with their churchgoers but leave the rest of us to make our own decisions.

I fully support Voluntary Euthanasia.

My life, my choice, my decision.

This is from a constituent who lives around the corner from where I live, in Heirisson Way in Victoria Park. I want to make a couple of points about these emails. These are two people with obviously very different views. I think the second email, from my constituent in Heirisson Way, makes the point, as stated in the final sentence, that we should have the right to make our own decisions. Although I suspect that, for her, this legislation actually is not as broad as she would like it to be, we are giving her, I think, the comfort of the knowledge that what happened to

her husband will not happen to her. She will be given the opportunity to make that decision about how her life concludes, should those narrow circumstances apply to her. As she said—I think this is ultimately the key issue for my religious friends in particular, and I pay particular attention to what they say because I value their views—the choice is there to be made for people based on their own value judgements and their own choices that they want to make about how they end their lives. I think, ultimately, that is the key. The principles listed early in the legislation and how we effectively define decision-making indicate that we are being particularly careful—some may say overly careful—about how we go about defining how people get the opportunity to make a decision in that regard.

[Member's time extended.]

Mr B.S. WYATT: The other point made by my constituent in Heirisson Way in Victoria Park—this was made by the Premier very well in his speech today—is that there are regular instances of people who find themselves forced, through their own experiences, to take their own lives. People who do that—I think we all know this—find themselves in a scenario that is a violent and often unsuccessful attempt to end their own suffering. This legislation provides us with a better, more compassionate opportunity for people beyond something that I do not want to see. I do not think any of us want to see people who have to take their life into their own hands to end the suffering that they endure. I think this legislation does that.

As I said at the beginning, back when the debate started, I was still in opposition and I was inherently suspicious of this debate, because it was always going to be difficult to have. How do we have these conversations about how we end our lives? I do not know whether in the distant future I may have to take advantage of this legislation should it make its way through the Parliament, but that will be my choice, as it will be for all of us. The point has been made by many that we all want to provide palliative options, and, as I said, my experience with my father in palliative care was very good, but I want to ensure, as other members have raised, that people who do not live in inner-city Perth, as I do, also have those opportunities. I know that the Minister for Health is very aware of that, and the budget has attempted to deal with that early. No doubt there will be further conversations around that.

Finally, I want to thank the Joint Select Committee on End of Life Choices. I think it did a wonderful job in taking the leadership of the conversation around this into the communities early and then to the expert panel. Member for Morley, I think a great job has been done in fleshing out the conversation. As I said, the emails I have received—many from my electorate but from all over Western Australia—highlight that I think Western Australians have given this great thought. I think people are really sophisticated in their understanding of this issue. I fully respect members of my family, those who are perhaps more reliable Catholics than I am, who will not support this legislation, but I hope they understand the position I take in supporting it.

I want to conclude I guess, with final points about my mum. Growing up with my parents, my mum was a much better Catholic in the family than my father, to be honest. She was the one who insisted we all go to church and do the sorts of things that we had to do. However, ultimately, it is my mother who has been a big part of my decision-making around this. She wants to ensure that she has the opportunity, even though I suspect for her it is a long way to go yet—it may or may not be an opportunity for her—she wants to know that in the rare circumstances that this legislation contemplates, she has an opportunity to make that choice rather than having to either suffer or take matters into her own hands, which I doubt she would in any event.

I support this legislation. I think it strikes the balance of security, of compassion and in giving people what they want. The people of Victoria Park have clearly articulated to me what they want: choice over a point in life that is so fundamentally personal to them that they should have the right to make that decision.

DR D.J. HONEY (Cottesloe) [9.21 pm]: There has not been a more important bill come before Parliament since I came into this place. I suspect that could also be said for many members here. Members often allude to the importance of issues by highlighting that a particular decision can make the difference between life and death. This is often an overstatement. However, in the case of this Voluntary Assisted Dying Bill 2019, that is literally true. We are debating whether or not it should be legal for the state via medical practitioners and others to provide and/or administer a poison with the specific purpose of ending a human life before that would have occurred otherwise.

This is an issue that demands a collaborative and non-partisan approach. It is our responsibility as legislators to listen in good faith to those who disagree with us and consider with an open mind alternative points of view. In view of the vital importance of this bill, I have found some of the public debate disappointing and lacking proper reflection of the gravity of the matter we are deciding. Much of this discussion has focused on whether people approve of voluntary euthanasia as a general concept. We have seen the results of opinion polls on the matter given great prominence. I expect that the polls do reflect a general consensus on the ideal concept of voluntary euthanasia. However, our task is not simply to consider an idealised concept and give it our endorsement. With this bill, we are deciding on a form of words that will give legal effect to a specific process by which that general concept is actually to be put into practice in Western Australia.

It is not simply a matter of being for or against voluntary euthanasia. It is quite possible to approve of the general concept of voluntary euthanasia but to disapprove, even strongly disapprove, of this bill either as a whole or in

part. So this, in fact, is the difficult and important work with which we are charged. Is this form of words adequate to ensure an appropriate manifestation of that general concept? Does the process that would be put into operation by this bill actually reflect people's general concept of acceptable voluntary euthanasia? Do the provisions of this bill demonstrate a proper understanding and due consideration of the very many factors that must be considered when legislating to operationalise the concept of voluntary euthanasia? Are there adequate protections to ensure that vulnerable people are not preyed upon; that decisions are made freely and are properly informed and properly motivated; that the person who will die has the capacity to make that fatal decision; that untreated, preventable health decisions are not influencing the decision; that others, for their own reasons, ranging from a sense of compassion for a loved one, through to personal gain, are not influencing the person to make the decision; that family and/or societal abandonment of a person is not influencing the decision; that the lack of other adequate alternative treatments is not influencing the decision; and that people are not compelled to participate in an act or process that they find morally and/or personally offensive?

These are all complex matters and are critically important. They require rigorous analysis and careful deliberation before we consider passing this bill. Any bill dealing with this matter must be scrutinised in great detail and not rushed to meet some artificial deadline. As I stated earlier, we are not simply endorsing a concept; we are legislating to put into operation specific acts and processes that will lead to people's lives ending by their own hand or by someone else's. We have a duty to ensure that there is proper scrutiny of the considerable detail behind that proposal.

It is my observation that in many cases when people are dying of natural causes at an older age, it seems to be more distressing for the people observing the process than the person who is dying. I have met many older people who are reconciled with their imminent death and are satisfied that they have lived meaningful lives. They want to die at home, recognising that their final moments may be undignified and/or painful. I also understand that in some cases, the distress is equally felt by everyone. Watching someone deteriorate and gradually lose function and independence is distressing. Many people find the thought of a quick death before too much function is diminished or lost a desirable outcome. Many people express a view of "a good death" as the best way to die—that is, someone lying comfortably in bed, conscious until their sudden end, surrounded by loved ones. I believe that the observer's distress drives a lot of the emotion around legislating an alternative outcome, avoiding untidy or disconcerting outcomes with a certain outcome, being able to stage a good death. It is easy to confuse our own distress at seeing a loved one incapacitated and in pain for distress on their part. The dying person may sometimes be in less distress than those who cannot bear to watch them die.

I am concerned that in some cases it may be the observer's distress that leads to overt or unintended pressure for a dying person to access voluntary euthanasia. I am also concerned that a medical practitioner's apprehension about observing their patient in distress could influence their estimate of an earlier predicted death than is actually the case. I am also concerned that in passing this bill, we may be seen to be accepting the premise that there is an ideal death; that a good death means a controlled death. It is normal for people to feel anxious about things that are beyond their control. There might be some comfort in the knowledge that we could control when, where and how we die. While I wholly accept that no-one should die in pain and indignity, I question the premise that seems to underline this bill—that there is an ideal version of a good death and, in particular, a good death means a controlled death. If we accept this premise, it may be inevitable that there will be pressure to expand the availability of voluntary euthanasia to give a wider class of people access to a good death. Will people with diagnoses of dementia or other terminal illnesses that would not under the provisions of this bill, if enacted, allow them to access voluntary euthanasia feel that they have been disadvantaged—that a death, albeit without pain, is not as good if it is not controlled nor does it otherwise conform to an ideal notion of a good death?

Finally, if we accept the premise that death is not dignified unless it is controlled, then almost all deaths that occur naturally are undignified. We have already heard one member in this place express concerns that this bill is too restrictive. I have also been disappointed by the overuse of phrases such as "dying with dignity" or this being "compassionate legislation". It is personally upsetting to me that people state or imply that in order to demonstrate compassion to a person who has a terminal illness, we must provide them with a means to end their own life, and that to do otherwise is to deny a person a dignified death. There are other ways that we can ensure people with a terminal illness have a dignified death that are compassionate and caring. It is my view that these options should always be the first choice we pursue.

Some of the shortcomings and essential services have been covered by previous speakers, and I will be examining that further in the consideration in detail stage. This bill if passed, constitutes a momentous step. It is important that we do not, even through a sincere desire to ease the suffering of others, ignore or gloss over the contentious factual assumptions and value judgements implicit in it that would, by passing this bill, be imported into the law of Western Australia.

This bill presupposes that a person can be reasonably known to be dying within a certain period—in this case, six months for a disease or illness, or 12 months for a neurodegenerative condition—and that they will be enabled to ingest a poison that will simply bring forward an inevitable outcome. Members will be aware from their own experience and the several briefings we have had that there is considerable uncertainty about when a person will

die when they are in the final stages of a terminal illness. People who are strong proponents of this bill are keen to point out that many practitioners are overly optimistic about the estimated likely period left to live. The scientific literature supports that view. However, there are also a large number of occasions when the prognosis is overly pessimistic. Many of us would know of instances when someone has had a prognosis of imminent death, often from cancer, and they have gone on to live for a good few years. One of the factors that causes suffering for many patients is the apparent imminence of death. It would be a dreadful unintended consequence of this bill if that distressing fact led to a person taking their own life early.

There are inadequacies in the bill around ensuring that the most informed estimate of someone's probable remaining life span is obtained. The bill outlines training requirements, and we need to see the detail for this, I presume in the associated regulations. Experience in other jurisdictions would indicate that training can be perfunctory. I am also concerned that there is no provision in this bill to validate whether the prognosis of imminent death is actually accurate. For example, there is no requirement for coronial oversight. As I mentioned earlier, many people have concerns that intended safeguards on estimated life span will be eroded over time. I appreciate that the involvement of the coroner can cause a delay in someone's funeral. However, given the gravity of this legislation, I believe it is prudent to have some form of substantive review and a non-identifying reporting process to ensure that the mandated safeguard around estimates of imminent death are actually correct.

On a related issue, I am concerned about the short time allowed between when a person applies for voluntary euthanasia and when they can access the process. The bill indicates that this can occur in nine days and, in fact, in certain circumstances the time can be less than this. It disturbs me that a person may not be in a fit state of mind to make such an important decision in such a short time, especially if the prognosis of imminent death has been recently delivered. It would be more reassuring if there was a strong qualification period, especially when it is in close proximity to a prognosis being delivered to a patient. One of the key elements in this bill is that the person making the decision to end their life is doing so of their own free will and is not subject to other influences. I am troubled that this bill does not go nearly far enough in resolving concern about this issue. Indeed, I am concerned that it may be beyond the capacity of this bill, however amended, to resolve this issue.

Many stories in support of this bill are about a loving family member who has been distressed by the plight of a parent or close relative. We have heard some of those stories in this chamber. These moving stories are often similar—the dying person is suffering unimaginably and the caring person is extremely distressed to see them in that condition. They believe that access to voluntary assisted dying would have been the compassionate alternative to end everyone's distress and suffering. However, this scenario is not the case for many people. Very many people are alone and uncared for by anyone they know at the end of their life. Hon Ken Wyatt, who was the Minister for Senior Australians and Aged Care in the previous federal government, informed me earlier this year that 40 per cent of people in aged care do not have a single visitor in a year. Imagine that! You are in the final stages of your life and you have been completely abandoned by everyone you know—brothers and sisters, sons and daughters, relatives and friends. This is a very cruel and unpleasant fact. Would a person who has been completely abandoned in this way be in a fit mental state to make a decision to end their life if they also have a terminal illness?

There is a considerable body of legal cases that look at the ability of people to make free and informed decisions, mostly relating to financial matters. In many cases, they involve close relatives or friends. In the case of a person dying, there are often significant financial implications associated with disbursement of their assets. Typically, close relatives are the major beneficiaries. Although we all like to think that we would not seek to influence a person to our financial advantage in such a situation, many legal cases indicate that this happens all too often. Sometimes that influence is overt and amounts to bullying a vulnerable person. Sometimes it is unconscious influence, which can be caused, for example, when a pending recipient of an inheritance is suffering financial hardship. In these latter cases, the person responsible may be a genuinely loving relative or friend. Nevertheless, by their actions, they influence the vulnerable person to carry out an action that benefits themselves.

I find it very hard to believe that the option of hastening someone's death through voluntary euthanasia will not become entwined with overt or covert pressure from a relative or friend who has financial issues or is greedy. Thus, this bill must include rigorous protections against this real possibility. By its nature, identifying such influence is difficult. It typically occurs in private. The dying person may be embarrassed to disclose the coercion or not want to cause problems for the relatives or friends by disclosing the coercion. Identifying such coercion requires an intimate knowledge of the dying person. It requires that that person trusts someone enough to reveal the coercion. Even more concerning than coercion is subtle manipulation and the improper use of influence. A dying person might be persuaded by someone whom they love or trust that an assisted death is best for them. This kind of coercion is extremely difficult to detect. Indeed, the dying person might not even know that their decision-making had been influenced. They would not realise that there was any abuse to report. Unfortunately, we know that coercion and undue influence of vulnerable people is extremely common.

On its own terms, this bill is directed at people whose circumstances must render them extremely vulnerable. I do not see any adequate protections in this bill to deal with this issue. There is no requirement that the coordinating practitioner, the consulting practitioner or the administering practitioner have any relationship with or knowledge

about the patient before they participate in the procedure. There may be cultural differences between the dying person and the practitioners that make the person cautious about revealing coercion. There are substantial barriers for a third party—a concerned person—to intervene and reveal fears or evidence of coercion.

The bill does include the ability for a person to apply to the State Administrative Tribunal if they believe that there has been some error or unfair influence. However, I do not believe that this provides effective protection in these instances. In a great many cases, the person who is aware or suspects the coercion will be a friend or close relative. It is reasonable to suspect that they will likely be known by the people responsible for the coercion. Going to SAT is a daunting exercise that requires a significant amount of time—time that most people do not have. There is a high likelihood that it will become known that a person has made an application to SAT, and this could have significant personal repercussions for the concerned person. There needs to be a much simpler mechanism in the bill for a person to confidentially raise concerns of coercion and specified mechanisms to ensure that these concerns are properly investigated. The bill should provide some means by which undue influence might be detected and dealt with so as to assure that the integrity of the decision to access voluntary euthanasia has not been compromised.

I believe that there is a strong argument that at least one of the practitioners should have a prior professional relationship with the dying person. There should also be some protection to ensure that cultural differences are not a barrier to open communication between the dying person and the practitioners.

[Member's time extended.]

Dr D.J. HONEY: Many people have expressed a concern to me that a focus on assisted voluntary euthanasia may be simpler than governments dealing with more complex issues around coping with ageing and dying people. I make it clear that I believe that the current health minister is genuine in his concern for people and believes that this bill is important. I do not believe that the current health minister views this bill as an expediency. However, I believe that, over time, there is a risk that people terminating, or being assisted in terminating, their own lives will be seen as a solution to dealing with the complex issues of ageing and dying. There could be a temptation to avoid cost and complexity by encouraging people down this path. Again, this can be subtle pressure. The dying person becomes aware that they are a problem; they feel that they are a burden to others; the hospice has pressure for beds and staff are overstretched. There is a danger that in the long term, the option of assisted euthanasia may diminish the government's resolve to deal with more complex solutions. For example, what is the government doing to eliminate the cruel loneliness of so many people in aged care? Is the government doing enough to improve palliative care in our community, in particular in the remote regions of our state? What is the government doing to change the view that older people are a burden, so that, rather, they are recognised as an asset to society? What is the government doing to give older people meaningful and productive lives so that they can continue to contribute to the community in their older age?

It is very clear that the dramatic increase in life expectancy and general improvements in medicine have increased, and will continue to increase, the importance of dealing with these issues. Some of the issues are the immediate responsibility of government and some are issues that require a whole-of-community response and change of attitude. It is certain that government has a key leadership role in all these areas. I would much prefer to see a stronger focus by government on dealing with these issues before it devotes so much focus to this bill.

Palliative care is a key area for concern, particularly because one of the very common justifications for this bill is the great difficulty or impossibility of preventing extreme pain for some people who are dying. Arguments about the impossibility of managing the pain of a dying person figured very prominently in the public debate leading up to the introduction of this bill. I have attended many briefings on this bill, including several from leading experts in palliative care. In the greater part, I was satisfied that these people have considerable expertise in palliative care and also extensive experience with people who are dying. It was the common and unequivocal view of these experts that the inevitability of untreatable pain is untrue. In their experience and expert knowledge, there was never a clinical reason for a person to experience unacceptable pain when ill or dying. Their concern was that there is an appallingly small number of palliative care specialists in Western Australia and that many general practitioners did not have adequate knowledge of effective pain relief.

They also expressed great concern about access to proper palliative care in regional areas. I understand that the Minister for Health has indicated a greater focus in this area. I have not seen the evidence that this area has had anywhere near the focus that compares with the government's focus in trying to progress this bill. In my view, even if the concept of voluntary euthanasia is accepted, it ought to be the option of last resort. Until Western Australia has acceptable access to palliative care, how can we possibly assess the need for voluntary euthanasia?

A key principle enshrined in this bill must be that a medical practitioner should never be compelled to participate in voluntary euthanasia. As with the rest of the community, medical practitioners have a range of views on this subject. From my interactions with many medical practitioners, I believe that the great majority oppose voluntary euthanasia, as reflected by the Western Australian branch of the Australian Medical Association in its formal position on this bill. Equally, it is clear that some medical practitioners are keen proponents of this bill. Many medical practitioners have a deeply held view about the sanctity of human life and that their principal objective must always be to preserve life. Medicine is most often a vocation and many medical practitioners hold this view

with very strong conviction. As such, they never wish to be involved in voluntary euthanasia. They see this as a fundamental conflict with their principal objective—the preservation of life. It would be entirely wrong if this bill were to force these medical practitioners to be involved in the process of voluntary euthanasia at any level. Unfortunately, as I read this bill, it is actually the case that any medical practitioner, once asked by a person, will be compelled to be involved in at least part of the process of voluntary euthanasia. If asked about accessing voluntary euthanasia by a person, the medical practitioner will be compelled to agree or disagree to be the coordinating practitioner. If a medical practitioner has strong opposition to voluntary euthanasia and objects to any involvement in the process, they are still compelled to compile a report outlining the details of the request and their reason for declining. They will also be required to provide the requesting person with information prepared by the CEO. At this stage, we have no idea what this information is; it is not clear in the bill. However, it is reasonable to suppose that this information will direct the requesting person to other resources to assist them with voluntary euthanasia.

One of the most egregious aspects of this bill is that if the medical practitioner does not provide the CEO's information and/or submit a report to the Voluntary Assisted Dying Board within 48 hours, they could be subject to a \$10 000 fine. This is intimidatory and oppressive. If it is the minister's intention that a medical practitioner is not going to be forced to be involved in any part of voluntary euthanasia, the bill should reflect that. I believe that compelling by force of law the submission of the report to the board and providing the information from the board CEO is inappropriate and inconsistent with the minister's stated intention. It is morally repugnant to force a medical practitioner, under threat of penalty, to provide information to someone so as to facilitate that person's access to voluntary euthanasia. As parliamentarians, we accept that the nature of this issue demands that we ought to be allowed to follow our consciences in performing our duty. In that case, we should not deny doctors the right to be guided by their own consciences when, in the practice of their profession, they are obliged to make a decision about the extent to which they will participate in facilitating the death of another person.

I do not support this bill as it is presented. My opposition to the bill is not based on any religious or philosophical belief or on any political allegiance. Legislating for the state to facilitate someone taking their own life or allowing someone else to assist someone taking their own life is an enormously complex matter. Any such bill must have adequate protections to ensure that vulnerable people are not preyed upon; that decisions are made freely and are properly informed and properly motivated; that the person who will die has the capacity to make that fatal decision; that untreated, preventable health conditions are not influencing the decision; that others, for their own reasons, ranging from a sense of compassion for a loved one through to personal gain, are not influencing the person to make the decision; that family and/or societal abandonment of a person is not influencing the decision; that the lack of adequate alternative treatments is not influencing the decision; and that people are not compelled to participate in an act or process that they find personally offensive. I believe that this bill fails to achieve adequate outcomes in several of these areas.

The Minister for Health has told us that there are 102 safeguards in this bill that ensure that key concerns are resolved. However, I do not see sufficient safeguards for several of the issues I have just listed. There is insufficient time to detail all those concerns during this brief speech. However, I intend to explore those issues thoroughly when we commence the consideration in detail stage of the bill.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [9.47 pm]: I would like to make a contribution to this very important debate on the Voluntary Assisted Dying Bill 2019. I listened to the member for Cottesloe. I am not going to be critical but when I heard some of his comments, I wondered when we would have actually considered a bill of this nature. The expert panel came to Mandurah a couple of months ago. Malcolm McCusker, the chair, and two other committee members were there. It was a good meeting; I think there were about 100 people there. The members for Dawesville and Murray–Wellington were also there. The only downside for me was that I was introduced as Hon Colin Holt! I was again mistaken for Hon Colin Holt, who of course was a member of the select committee.

Mr Z.R.F. Kirkup: They were very happy he was there!

Mr D.A. TEMPLEMAN: I had to correct His Excellency Malcolm McCusker.

I was drawn to something. I am not being critical of the member for Cottesloe, but a gentleman who was at my table during that expert panel discussion leaned across and said to me—this is true—“I'm a Liberal, always have been, but this bill would not be debated if it wasn't you guys bringing it forward.” I think that is true. I do not mean that to be a political statement, but I think it is true. We in this place are put here for a whole range of reasons, and there comes a time when we need to address issues that have been debated, discussed and talked about for a long, long time. I am sorry, member for Cottesloe, this is not rushed; it is not. This issue has been debated for probably a couple of generations. It has been highlighted as something that people want this Parliament—want us as elected members—to consider. It is the Labor Party, and I am very proud of it, that has brought this bill to this place. I want to acknowledge the members who have already spoken this afternoon and tonight for their contributions. I do not agree with most of what the last speaker said, but he has absolutely every right to say it. I think it is a fact that had it not been a Labor government bringing forward this legislation, we would not have seen it.

Quite rightly, it is a conscience vote; quite rightly, every single member of this place will have upon their conscience, and make a decision based upon it, where they land in regard to the bill. I congratulate the Joint Select Committee on End of Life Choices and its members, and I particularly highlight and acknowledge the member for Morley and others who have been stoic advocates for bringing this bill to this place. I acknowledge the expert panel and the advisers. To the Minister for Health, congratulations. There are many people in Western Australia who are grateful that this bill is now before this place. There are many people who I am sure want their voice to be heard through the debate we are having tonight and will have going forward when we consider the bill in detail and when we conclude its passage with third reading contributions. Like a number of members, I attended, and organised along with the member for Murray–Wellington, a forum that had around 150 people turn up, which was wonderful. Last Wednesday, I also attended a forum at the Catholic parish organised by Mr Carl Brown. About 16 people attended and people at that meeting were clearly opposed to this legislation. Like many members, I have had a massive amount of feedback by email, handwritten letters, phone calls et cetera—a large cross-section. Like many members also, whenever I speak to any constituent, I always finish the conversation, if it is appropriate of course, by asking their view on the voluntary assisted dying proposal before the Parliament. I can report that the overwhelming response of people from my district, the seat of Mandurah, has been that they support voluntary assisted dying. There are varied views about how they believe it should apply, and I am going to highlight a couple of those shortly. Then, of course, there are those who, for a variety of reasons, have expressed their dissatisfaction with or non-support of the voluntary assisted dying proposal. Overwhelmingly, though, they want us to have this debate.

There has been plenty of opportunity to ensure that we landed in this place a bill that was well and truly canvassed through the expert panel, the select committee process and the extensive consultation process. The media has been conducting an ongoing debate and journal, if you like, of the issue. Indeed, I think many, many households throughout Western Australia have considered this issue. We also have had the opportunity to look at what has occurred in other states in Australia in recent times. In South Australia, a bill to provide for assisted dying failed by one vote—I think it was the casting vote of the Speaker. A similar fate occurred with a bill in New South Wales. Consideration of this issue is now before the Queensland Parliament. Of course, Victoria passed its legislation just over 18 months ago, and the first person to take advantage of the Victorian legislation did so only a few weeks ago. I do not subscribe to the view that was put by the previous speaker that this issue is somehow rushed or should not be a priority of government. I believe it is a priority for our community. It is a priority that our community wants us to debate, and that is why I am very pleased that we now have this bill before this place.

I have always been a supporter of this issue, albeit cautious of it. Like many, I have seen loved ones who have suffered, particularly my grandmother, who died at the wonderful age of 95, but the last four months or so of her life were not quality. My nanna was a farmer, and like a lot of farming folk, their livelihood was around life and death. They were sheep and wheat farmers, and even as a boy growing into a man I would talk to her regularly about her views on matters such as this. Had she known that the last few months of her life would be seen out in the way they were, I think she would have wanted to have had a choice. I think that is what this bill comes down to. It comes down to two words for me: “voluntary” and “choice”. It is a voluntary choice made by the person themselves about the way in which their death is met. When we speak to people about this, as many of us have, they say that the fact that this is a Voluntary Assisted Dying Bill that allows a person to voluntarily choose is significant.

I want to turn to a few of the comments by people that I think sum up how I have landed with regard to this bill. Geoff wrote to me. I am just going to quote some of this correspondence. He said —

... we just wanted to write to say that we are whole heartedly in support of assisted death. Put simply, people have a right to their way of life and equally they have a right to their way of death. All this of course needs to be done within the acceptable bounds of society and there equally needs to be a strong legal framework around such things. The proposals put forward by the state government are eminently reasonable.

...

We are now in the latter stages of our life and death is not some distant concept. Without wishing to sound negative or maudlin death is a reality that grows closer each day. Neither of us are ill and neither of us have any thoughts of wanting to die but we do find that our concern is not so much about dying as about the way we die.

We feel quite often that opponents talk about the sanctity of life rather than the dignity of death. As we age the inevitably is that we witness the passing of friends and relatives. Some have gone peacefully but more than half in pain and discomfort. All of these people had no hope of recovery and they acknowledged their time was up: they simply saw no point in prolonging the agony.

A gentleman from Mandurah has featured quite significantly in this debate over the last few years. He was part of the advisory group, and his name is Nigel Haines. I know that he does not mind me using his name. Nigel cared

for his wife, Susie, during her time of suffering. Susie's death was not one of dignity, and has haunted Nigel since her passing. He appeals to all members of Parliament to consider this legislation as an important means of allowing choice for those who want to choose how they leave this earth. Nigel Haines is a loving man and continues to campaign for the passing of this legislation and for all people to understand that the impact of the suffering of loved ones lasts well into their lives.

I only found out today that a dear friend of mine, Ailsa Rice, has passed, and I am so sad. Ailsa and her husband, Phil, have lived in Mandurah for a long time. She passed the other day and I found out only today. She was a great woman. She was one of the first people I met when I was first elected. She was a great volunteer with the school volunteer program, as it was called then. I am very sad to hear she has passed. She wrote to me and to the Chair of the Joint Select Committee on End of Life Choices and said —

My Husband and I have just added Advanced Care Directives to our wills. The wishes of each of us is to have as peaceful and dignified death as possible when our time to die comes. We support voluntary euthanasia or assisted dying and we hope the laws can be changed to allow us this choice if needed at the end of our wonderful lives.

I have nursed a dying husband who wanted to die only one week before he did die. One long and suffering week for him and his family. He begged me to find some way to help him go. We have sat with a friend and his family who also took four long suffering days to die. Both John and David had terminal illnesses and accepted palliative care but these wonderful men were denied at the end the compassion we show to our beloved animals.

My husband's sister suffered a severe stroke and had not put in place an A.C.D. before this happened. The result was that despite her wishes she lingered for five long years in a nursing home fed liquid food through a tube inserted into her stomach and unable to do anything for herself. ...

If for some reason a chronic condition makes life unbearable, giving us the choice of assistance from a doctor to end our lives with dignity **should be the right of every individual**.

We are part of the older generation, enjoying the birth of great-grandchildren but aware that dying is getting ever closer. **We want to have as peaceful and dignified death as possible, a good death at a place of our choice with whoever wishes of our family and friends around.**

That was Ailsa Rice. Vale, Ailsa. You were a gorgeous woman.

[Member's time extended.]

Mr D.A. TEMPLEMAN: As I finish I want to highlight something the Premier touched on in his contribution earlier today, as did the Minister for Health. A constituent named Reg wrote —

... there are some pointers you may wish to enlighten the meeting with.

I think he means this Parliament. Reg continues —

Most people say watching their loved ones suffer and lack of dignity which is quite correct.

What isn't often mentioned are the drastic measures some take whilst they are able and this in itself can be horrific for all to cope with.

The Premier mentioned the number of people who take their own lives because of the suffering. The important thing about Reg is this, and I quote again —

I served as a volunteer Ambulance Officer in Mandurah for many years and during the course I attended volumes of people ending their own pain and suffering.

He talks about the impact of that on emergency services.

I certainly support ...

This legislation —

... having witnessed my own parents suffer and as I say the trauma that family and friends also are forced to cope with when their loved one commits suicide.

The time is right for this legislation. This is the right time to have a dignified and respectful debate. This is the right time to reflect on the important decisions that we will be making. This is the right time to remind people that this Parliament is listening to what people have been calling for for a long time. This bill is a very good bill. It is compassionate and has the important checks and balances. It acknowledges the importance of the voluntary aspect and the choice. Many of my constituents have highlighted to me that they want the checks and balances in place, but they want that choice. I am going to support this bill. That is a reflection of how my community has asked me to consider this bill.

MR T.J. HEALY (Southern River) [10.08 pm]: I rise to contribute to the second reading debate on the Voluntary Assisted Dying Bill 2019. First and foremost, I support my community and its majority view that voluntary assisted dying be legal in Western Australia. The Speaker may place my vote on this bill in the aye column. I will vote yes—for voluntary assisted dying to be safe and legal. For my community of Canning Vale, I vote yes. For my community of Gosnells, I vote yes. For my community of Huntingdale, I vote yes. For my community of Southern River, I vote yes.

Everyone is entitled to an opinion on this issue. My opinion is that a person should have the right and the legal protection to make their own end-of-life choices. I believe that respect is important in this debate. I believe that safeguards are important—crucial in this legislation. I believe the bill before us balances the needs of the community and the individual well.

I am not alone in having lost friends and grandparents. Some have died relatively quickly and peacefully, and others have passed in pain, over a long time. This bill gives people an individual choice about the circumstances of their passing—not whether they will live or die; that is already confirmed. For the relatively small number of people who will be eligible under this legislation, their death will sadly be imminent. This bill will allow individuals in my electorate to control the manner of their passing and reduce their suffering.

The status quo does not serve the individual or the family. This is not euthanasia; this is about freedom of choice for individuals to make their own choices. Life is messy; everyone's circumstances are different, and the details of every circumstance do not need to be detailed on the floor of this chamber. However, they do need to be detailed between the individual and their medical professional. We should, and will, maturely and responsibly discuss how individuals can have the choice that they are currently legally denied. Individuals should not have to starve to death or refuse to eat, to wilfully crash their cars or to take random mixes of medication to relieve their suffering. We have the opportunity to change the lives and deaths of many, and I am humbled that my electorate placed its trust in me, and I will vote yes to support its wishes.

I ran an online survey amongst other ways of consulting with my community, for my residents in Gosnells, Canning Vale, Huntingdale and Southern River, and I greatly appreciated the words and guidance that came from their submissions, in addition to the face-to-face conversations I had on doorsteps and in my office, as well as conversations on the phone and through emails and letters. I believe, from the data that I have collected, that 94 per cent of the constituents who interacted with me on this issue support voluntary assisted dying legislation, and a strong majority were also impressed by and supported the safeguards that we listed in the survey as being important.

I would now like to read out a few of the quotes from people who completed my survey and who speak on behalf of the community that I represent —

I am 100% in favour of making my own choice. Having seen parents & husband suffer & die, I see no advantage or need to put patients and families through this agony.

Another one stated —

I don't believe that people should be made to suffer when they are dying. This happened to my mother and father

A further submission stated —

I have watched my grandparents all die horrendous painful deaths and all of them wanted assistance to end their suffering. I don't want this for my parents or for myself.

And finally —

My sister is currently in the end stages of —

A disease. It continues —

She has chosen to starve herself to death as no other option is available to her. This is extremely cruel and she should be allowed to end her life peacefully.

I again thank the people who participated in that survey and shared those stories with me.

My mum and my wife live in my electorate, and it is a very tough conversation for those two very important constituents of mine. My wife and I find this very difficult. I cannot imagine ever wanting to leave my family, even for one day less, no matter the suffering; but I will not deprive the right of one of my constituents to make that choice for themselves. My mum supports voluntary assisted dying but, as the member for Victoria Park mentioned, she would like dementia to be included; she thinks the legislation does not go far enough. She fears being bedridden for years without an option, if that were to eventuate. As I believe a member has already said, some people will think that this legislation does not go far enough. I believe we have struck the right balance with this bill, but I note on behalf of my wife and my mother—two constituents who certainly struggle with parts of this bill—that, as I said, there will be many who say this legislation goes too far, or does not go far enough.

Labor party supporters tell me that they support having a choice over their own end of life; interestingly—this has been raised anecdotally in previous speeches—I have also been told by Liberal Party supporters in my electorate that they support having a choice over their own end of life. However, Liberal voters in Southern River also tell me that they are not happy about former Christian Democrats, like Hon Nick Goiran in the upper house, and Christian lobbies who may seek to filibuster and avoid a vote. That is what Liberal Party supporters tell me that they are frustrated about. Labor is not perfect, either; we have had many individuals hold us back over many years, and we must keep them from holding us back from being brave.

We have a very good Minister for Health and a very good shadow Minister for Health—a future leader of his party. If I could give any words of advice, I would say that he should shape the party into what he wants it to be now. If he is the shadow Minister for Health, he should not let nonstop filibustering deprive my community of its voice. Let this come to a vote. Let the debate take place, but do not let one individual stand in the way of relieving pain and restoring dignity to my families.

There are mums and dads, seniors and young people, who support having a choice over their own end of life. One of my Liberal predecessors in the 1990s in Southern River, Monica Holmes, supports the principle of voluntary assisted dying. Another predecessor, Paul Andrews, has sadly passed away, but I talk regularly with his wife, Gim. Gim and I agree that Paul would have argued vigorously on this bill. We do not know how he would have voted, but we both agree that he would have valued the safeguards as being of great importance in the parliamentary process.

I would now like to discuss those safeguards. I think they are key to how this legislation will operate and will ensure that the community is protected going forward. It is important that it is voluntary and without coercion. It is important that the individual must be over 18 years of age, be from WA, and have sound decision-making capacity. It should be, as it is, restricted to those who will likely die within six or 12 months. It is important that this legislation is in place for those who experience suffering that—these words are key—cannot be relieved in a manner tolerable to them. Not me or you—they.

The legislation also requires three separate, clear requests—two verbal, one written; two medical practitioners; and two witnesses who are not family and will not benefit financially from the will of the person passing. It is key that medication can be self-administered or practitioner-administered. People should have the right to choose the location and circumstances of their death; that is what this is about. For self-administration, it is also key to the safeguards that the full process involved is considered—what happens at every step of the process to ensure that the products and medication are safe. It is important that health practitioners can refuse to participate. There are also many offences listed in this bill, broadly, for inducing a person to access voluntary assisted dying.

I fully support palliative care services, and so does the McGowan government, with record investment in palliative care services across WA. But please let me be clear: palliative care is a valid choice; voluntary assisted dying is a valid choice. It is not palliative care versus voluntary assisted dying; it does not need to be, nor should it be described as such.

I would also like to speak about my Christian influence on this decision. My faith calls for compassion. My faith calls for dignity. My faith supports this bill. It is not easy to take direction from scripture on this; most Abrahamic and biblical texts do not address these circumstances, and the Bible is also often misquoted, as it has been for hundreds of years. It was used to justify slavery; more recently, to stop women from voting; to stop interracial marriage; and to stop two men or two women from marrying the person they love. Again, we know that none of those things come from the scripture. But it is very simple to see, I think, that Jesus relieved suffering; he cared. We are all called upon, regardless of faith or religion, to be caring and compassionate. Every faith calls for this. There are some so-called Christian leaders who say there is, in suffering, a resolution. I was raised Catholic, and there is a certain dogma within the Catholic Church that suffering is important in the process of death. I do not agree with that, but some churches emphasise the importance of not interfering with the natural process of death, and that the time before death is a profoundly spiritual time and should not be interrupted. Personally, I think that seems cruel and out of touch.

A Catholic church leader said that he observes that “the Christian faith, with its emphasis on the redemptive value of suffering, can offer answers”. I say that again: “the Christian faith, with its emphasis on the redemptive value of suffering, can offer answers”. That was said by Cardinal George Pell. His words help me, because if Cardinal George Pell had those views, it helps us know that we are in a good place in opposing them. Following that train of thought about the value of suffering—which I disagree with, by the way—any medical care, including palliative care or government-funded health care, should be declined. That is, of course, ridiculous. I think of a person caught in a flood. The waters are rising, their house is flooded, and they are trapped on the roof. They pray to be saved. A boat comes, and they say, “No, God is looking after me.” A chopper comes, and they say, “No, God is looking after me”, and they pass away. When they die, they say, “God, why didn’t you save me?”, and God says, “I sent a boat, and a chopper.” If we recognise that it is okay to provide palliative care as an option to relieve suffering, can we not recognise that voluntary assisted dying is also permissible?

I want to thank the many individuals who have brought this issue to a vote in the chamber. I thank those individuals for the thousands of hours of consultation, committee work, drafting and preparation. The Leader of the House

said that this issue has been discussed for generations. That is true. I thank the members of the Joint Select Committee on End of Life Choices. I thank the members of the Ministerial Expert Panel on Voluntary Assisted Dying. I commend Premier McGowan; the Minister for Health, Roger Cook; and the tireless member for Morley and cabinet secretary, Amber-Jade Sanderson—very well done. I also thank former Governor Malcolm McCusker, Andrew Denton, and Belinda Teh. I thank Hon Stephen Dawson, who will carry this legislation in the upper house, and is still doing the work. I also thank the thousands of activists and campaigners who have pushed, petitioned and placed this issue in the public eye.

There is an obligation for government to create a safe, secure and compassionate community. This bill will assist us in reaching that goal. I again say thank you to my community of Canning Vale, Gosnells, Huntingdale and Southern River for discussing with me their views on this issue. Not everyone in my electorate will be happy with my vote in support of this bill, but I believe the majority will be happy. I hope my 30 000 friends and neighbours in my electorate will understand the reasons for my decision. Once again, I will be proudly voting yes for this bill. Thank you.

MR S.J. PRICE (Forrestfield) [10.21 pm]: I rise to speak on the Voluntary Assisted Dying Bill 2019. This is a very important and highly emotive issue. I want to start by thanking everyone in my electorate who has contacted me, had a discussion with me or shared their stories with me, both those in support of this legislation and those against it. My decision to support this bill may upset some of my constituents. However, the overwhelming support for this bill has gone a long way towards making this very important and difficult decision easier for me. I also acknowledge and respect the different views that may be held by people within this place, for whatever their personal reasons may be.

The Joint Select Committee on End of Life Choices was appointed by the Western Australian Parliament in August 2017 to inquire into end-of-life choices. In compiling its report, the committee undertook the most comprehensive consultative process ever undertaken in this state. The committee, which ran for a year, and was ably chaired by the member for Morley, Amber-Jade Sanderson, received over 700 submissions, heard from over 130 witnesses and held 81 hearings. The committee report, “My Life, My Choice”, was tabled in August 2018. I would like to acknowledge everyone who participated in the development of that report. Arising from the recommendations of the joint select committee, a Ministerial Expert Panel on Voluntary Assisted Dying was appointed to undertake consultation and develop legislation for voluntary assisted dying in Western Australia. The panel heard from 867 participants and organisations during the consultation process, and received 541 submissions. The panel’s final report provided recommendations for the introduction of voluntary assisted dying legislation. I acknowledge and thank everyone who participated in the development of the “Ministerial Expert Panel on Voluntary Assisted Dying: Final Report”.

As members have heard, a significant amount of community and stakeholder consultation has been undertaken to bring us to the debate we are undertaking this evening. It is evident from the legislation that the concerns of as many people as possible have been taken into consideration. Like every member of this house, I have had to examine not only my own conscience but also, more importantly, that of the people in my electorate. I thank the many people in my community who have taken the time to come on this journey with me and let me know their thoughts and feelings.

My personal view on the introduction of voluntary assisted dying legislation has remained consistent over my time in this place. Even though I may be a Catholic, I fully support allowing terminally ill people to choose how they wish to die. I have heard from people who work within the health sector, people who have lost loved ones, and elderly and young people alike, and, overwhelmingly, the feedback is in support of this legislation. However, most often, that support is given with the caveat that strict guidelines should be in place, with the emphasis that this should be a voluntary act. One person I spoke with, who raised opposition to this legislation, was particularly concerned that this would be a slippery slope that would enable people to more easily end their life or that of family members. With over 100 safeguards within this bill, I feel there are enough protections to protect patients who wish to access the voluntary assisted dying process. Those safeguards include the requirement that access to voluntary assisted dying is available to a patient only if that patient has been diagnosed with a disease, illness or medical condition that has certain characteristics—namely, it must be advanced and progressive, and will cause death. It must also, on the balance of probabilities, cause death within six months; or, in the case of a disease, illness or medical condition that is neurodegenerative, within 12 months. The strict eligibility criteria that must be met include that the patient must maintain decision-making capability throughout the process. The patient is required to make three separate requests, initiated by themselves, within a particular time frame, to enable them to continue with this process. These are just two of the safeguards that are in place in this legislation. These safeguards are very important, because they highlight an important aspect of this legislation—that is, that the use of terms such as “euthanasia” and “assisted suicide” are a misrepresentation of what this legislation is about. I have satisfied myself that, as best as possible, the concerns raised by not only opponents of this legislation, such as the person I have just mentioned, but also those who support it, have been met.

In the face of overwhelming support for this bill, it would be easy to dismiss the smaller number of people who oppose voluntary assisted dying. However, it is their opposition that makes me delve further into this legislation

to ensure that, as best as possible, their concerns are addressed. One issue that was raised with me centred on coercion. Section 15(e) of the bill states specifically that one of the eligibility criteria is that “the person is acting voluntarily and without coercion”. The bill is very prescriptive about how that issue must be dealt with, and that will provide an extremely safe and strong level of protection for the patient.

The stories of those who have lost loved ones resonate the most with me. Many of the people who communicated with me in support of this legislation did so having watched a loved one suffer at the end of their life. I listened to the story of a woman whose father accepted his terminal diagnosis. His only concern, through surgeries, chemotherapy and radiation, was the manner in which he was going to die. No doctor could, or would, give him a specific answer. One night he discussed at length his desire to be able to end his life on his own terms. He did not fear dying. He feared living in a state in which he could not walk, talk or do things for himself anymore. Sadly, his worst fears were realised, as he slowly lost his ability to walk unaided, think coherently, or feed himself unassisted, until he was finally bedridden and unable to talk, eat and drink. Although his family nursed him and cherished every moment they had with him, his wishes for a pain-free and dignified end were not met. Given the option of voluntary assisted dying in this instance, this man’s family would have accepted their father and husband’s wishes, had he been given that choice. Of course, they would have likely tried to coerce him out of doing that, because, as we all know, saying goodbye is never easy, and the more time we have with a loved one, the better.

Others in my community expressed the strong opinion that death should not be used as a way out. However, they conceded that life can be cruel, and the option of dying should be available if no other options are left. Although many people, constituents and others, have been in contact with me to support this bill, having watched a loved one suffer, concerns have rightly been expressed for those who do not have strong family networks, are vulnerable or could be coerced into dying for another’s financial gain. I am confident that the process set out in the legislation for requesting access to voluntary assisted dying, followed by the assessment process, is rigorous. One member of my community raised concerns that, in the face of vocal community support, the opinions of those opposing voluntary assisted dying may not have been sought or considered. It is therefore reassuring to note that, as I mentioned previously, the ministerial expert panel undertook a rigorous community consultation process, receiving and considering 541 submissions, outlining the broad spectrum of views, concerns and opinions.

The words “compassion”, “dying with dignity” and “strict guidelines” run through most communications I have had from those supporting voluntary assisted dying. The overwhelming majority of people in my community have expressed a desire for our society to show compassion and allow people to have the choice to die with dignity, free of pain and suffering, should they desire. When outlining the details of the bill to my community and the safeguards that are in place to meet their desire for strict guidelines, my community seems very satisfied. The comments provided by one of the respondents to my survey quite nicely sum up the sentiments of the majority of people I have spoken to. They said —

Assisted dying should be legalised. It would be far more compassionate to let a person decide to end their own life with dignity, surrounded by their loved ones, rather than suffer in unbearable pain with no quality of life until they take their last breath. It would be wonderful to see our government pass this legislation as soon as possible.

You should be able to die with dignity if you want to. You should be able to plan your passing with your family. You should be able to choose when that time is. Having considered all the views put forward by my community, this bill, in my view, meets all their requirements. I will be voting in favour of this legislation. I commend the bill to the house.

MS L.L. BAKER (Maylands — Deputy Speaker) [10.32 pm]: This is a very complex and confronting debate and I am pleased to have an opportunity to contribute my thoughts on the Voluntary Assisted Dying Bill 2019. I was not sure that I wanted to, or that I was going to spend the time outlining my views, simply because I thought that I had made them pretty public in my constituency anyway. I had an article published in the local paper, and I have run the same sorts of consultations in my electorate that we have heard other members talk about today. I must congratulate the member for Dawesville, though, for an outstanding piece of consultation—well done. I think I have a pretty good understanding of what my community wants as a result of talking, as many of us have, to thousands of people over the past 12 months, or maybe even a bit longer. This issue is clearly not about life and death. It is not that simple or straightforward. This is about a choice that people, in my view, should be allowed to make about their death, when they are already on a journey, having been diagnosed with a disease that means they are facing imminent death.

Although the aim of this bill is to provide people suffering from a terminal illness, or approaching the end of their lives, with a choice about how to manage their journey to death, the process will be complicated and difficult to manage. When we were campaigning, and the Premier was speaking, prior to the 2017 election, in support of voluntary assisted dying, he made it very clear that it was his opinion that it would work only if it could be shown to him, and if he could believe in his heart, that the process we had come to was the best that it could be. I suppose that is why I wanted to speak tonight, because I actually believe that, although this legislation may not be perfect, it is as perfect as it can be in Western Australia at this particular time in our history as a community and a culture.

It is very clear to me that this is not about euthanasia, or someone else making a decision about when a person dies; this is about an option available to a person who is over 18 years old, and is facing the end of their life within six months, or within 12 months in the case of a neurological condition such as motor neurone disease. More than 100 checks are outlined in this bill to ensure that someone seeking to end their life is not coerced, and that anyone involved in the decision is safe, including doctors, nurses, relatives and friends. There is an allowance for conscientious objectors to remove themselves from involvement in the process. I have heard that that issue is a worry to people who are concerned about the process. How does a doctor, nurse or somebody who genuinely does not believe that they can be involved in this process find a way out quickly and safely? I think this bill has identified and allowed for that in a very clear and rigorous way.

I know that, right now, if I have an incurable disease and I am suffering beyond medical help, it is legal for me to end my suffering by committing suicide. I think that is an absolutely terrifying notion. From reading the literature, and the evidence from the coroner and others, I found that many of the suicides reported in Western Australia are committed by people with terminal illnesses, and many of those people have had to resort to horrific and quite gruesome and violent means to take their life, often in the loneliest of circumstances. If I have a terminal illness, it is legal for me to refuse all medical treatment, food and water, and to die slowly of starvation and dehydration. My death could take weeks. That is not a compassionate response to an imminent death. It is also legal for my doctor to slowly drug me into a coma while I wait to die, my family watching for days or weeks, or however long it takes, for my suffering to end, and this can happen without my consent. It is illegal for me to ask for help from my doctor if I am dying and suffering beyond medical help. I do not have any legal right, at the moment, to insist that a doctor gives me more or faster pain relief. I may not be in a state to ask for this. That decision is entirely up to the doctor, and that would be a doctor whose personal beliefs about suffering and dying may not be the same as mine. We have heard evidence tonight about various high-profile medical people who have commented about exactly that issue, and also a very strong religious component who argue that issue.

I think Australia has one of the best palliative care systems in the world. But in Palliative Care Australia's own words, even with optimal care, not all pain and suffering can be relieved. Palliative Care Australia estimates the number of people truly beyond its help at about four per cent. In the words of the father of Australian palliative care, Professor Ian Maddocks —

If compassionate and loving care towards patients and families is what palliative care is all about, then assisted dying is part of that. It is time the profession dealt with it.

I cannot find any independent evidence anywhere in the world to tell me that where voluntary assisted dying laws exist, sick people have been coerced into taking their own lives.

Australian palliative care physician Dr Linda Sheehan's 2012 Churchill Fellowship study of how these laws work overseas concludes that the slippery slope in terms of risk to vulnerable groups has not been demonstrated by the data.

I want to be protected from unnecessary, unmanageable suffering at the end of life and I want doctors to have a legal right to help me. I think we should be allowed access to a more compassionate choice if we are dying and suffering, rather than starving ourselves to death, being slowly drugged into a coma or taking our own lives violently and alone.

I have read the emails and messages that have come to me about this complex issue. I have talked to many people, friends and strangers, about their views. I was not surprised that many of those I have spoken to have their own personal experience to share. I think it is timely that I perhaps repeat a few of those that people have brought to me with the specific request that they wanted their thoughts understood by me before I made my choice to vote yes for this. I would like to take you through a couple of them. One is from Carol, an Inglewood resident, who writes —

Many years ago I worked as a young registered nurse in a world-class award-winning medical unit for people with terminal illnesses. Many patients suffered excruciating unremitting physical and emotional pain as they entered the last phases of life. With great courage they faced death and most (including children and adolescents) asked their care givers to cease efforts to prolong their lives because they ready to die.

Palliative care units help many people achieve a 'good death' but not all. Neither of my parents were eligible for palliative care. Once my father (a medical practitioner) knew he was close to death he signed himself out of hospital and refused to take any more medications even though these drugs were keeping him alive. A medical colleague and friend helped him to die peacefully, painlessly and with dignity. Sadly his wife and children couldn't be with him because of the risk we'd be charged with aiding a suicide.

My mother's last months of life were appalling. She couldn't talk, swallow, eat or walk and she was incontinent. She begged to be allowed to die but the nursing home and her GPs would not cease her medication because 'nature' must take its course. Medicine kept her alive not 'nature'! Therefore my mother who knew what was happening was forced to wear a nappy and was fed by a tube in her stomach. The last months of her life were humiliating and emotionally painful.

Once my parents knew they suffered from terminal illnesses they signed Advanced Life Directives and documented their wishes not to be kept alive once they'd had 'enough'. After 12 years of profound

disability my father chose the time and place of his death. He died in his bed cuddling his beloved dog. My poor mum, still wearing her nappy and being tube fed took several weeks to die. She remained conscious until the last few hours of her life but was unable to tell us what she wanted.

If enacted WA's Assisted Dying Legislation will eventually help people close to death choose to die in a time, place and accompanied by people of their choosing. They and their families will not live in fear that they may face charges of homicide should the police believe they have aided a person's suicide.

I ask you as my elected MP to support this legislation

There is another constituent of mine whom I have had many years of discussions with. Mary is a strong animal welfare supporter and writes to me often about her thoughts on a range of subjects, but this came out of the blue today —

This is hard for me to write, but as the bill is in parliament today, I feel I have to write. My husband, Chris, died of cancer when he was 42. We found out in July 1987 and he died 28th December 1987.

...

I took the kids down to see him on Christmas day, by this time he had lost so much weight and hardly recognized us.

Excuse me for a minute.

The ACTING SPEAKER: Please take your time.

Ms L.L. BAKER: They lived about an hour away from the hospital. She continues —

This was the last time we seen him. He died on 28th December.. It was a very very painful death even in hospital. He suffered so much as did our 4 children, they can all still see in their minds that last day ... If Chris had the choice he would have taken his own life. He felt degraded not being able to look after himself he was complete bed ridden. For a man of 42 not being able to hug and kiss your family was the worst thing that could happen he could not talk he could not do anything for himself.

Mary finished by saying —

This is our life, not the Doctors, we should be the ones to our own decisions about our own lives.

...

Thank you for reading I hope this gives you an insight to how it affects they families.

I have only a few more comments to make, but one of them comes from a letter that I think we all got on our desks this morning when we came in. It is from Doctors for Assisted Dying Choice. I want to put on the record a few of the comments they made in their letter. The voluntary assisted dying legislation has far more support amongst doctors than has been claimed. Their letter states in part —

... the 2016 AMA survey revealed that 51.5 per cent of responding members are in support not against assisted dying ... A survey by *Australian Doctor* in the same year found 65% of doctors were in favour of VAD.

With increasing public acceptance (now standing at 88 per cent) support from doctors would most likely be even higher today.

...

Many throughout WA have been waiting patiently for end-of-life legislation. They do not like the idea of a 5% chance, at the end of life, of having a bad deaths. Doctors *will* make this Bill work if it passes. Contrary to what the AMA and some individuals have asserted, assisted dying is very much a part of medicine. It will represent an overdue and welcome option in the care of dying.

On careful analysis, we believe that the Bill before the House is excellent and undoubtedly the safest of its type ever put before a legislator. It is the right Bill for WA and it deserves your support. It is compassionate and humanitarian, yet full of safeguards against abuse.

...

It is stressed that under the proposed legislation VAD will be **voluntary**—that is, a **matter of choice**. This Bill is too important to too many people to allow it to fail.

This is signed by Dr Peter Beahan, Dr Richard Lugg, Dr Alida Lancee, Emeritus Professor Max Kamien, Dr Roger Paterson, Dr Johan Rosman and Dr Ian Catto.

I want to be protected, as I have said, from unnecessary and unmanageable suffering. That is particularly important to me, given I have also had my own experiences, which I will not go into in any detail. It is sufficient to say that my family and I watched my father die a slow and very painful death from cancer. No amount of palliative care or pain relief helped him. My good friend was diagnosed with an incurable disease and died six months after his

diagnosis, and my best mate, Liz, cared for our mutual friend for two years while she battled with her long and agonising journey to death from leukaemia. That was just recently. I think many people here knew Mary Del Casale when she was alive. I was talking about Mary.

Unbearable suffering is the thread that binds many of us together as we watch loved ones suffer and die. I understand that others will have a very different world view or want to see their journey differently. I am convinced that having a choice about how to live and, if needs be, how to die, should be central to my existence in the place I call home—WA.

MS S.F. McGURK (Fremantle — Minister for Child Protection) [10.49 pm]: Bills like the Voluntary Assisted Dying Bill 2019 before us tonight are personal, not just for all of us as legislators in this place, but for the thousands of Western Australians who will look to the words spoken here hoping for the passage of this legislation. It is Parliament's primary function to consider how we best support the members of our community. Every day we come into this place with the aim of improving the lives of the people we represent. Tonight we have an historic opportunity to achieve this aim for not just those confronted by death but also their loved ones, those supporting through to the end of their loved one's life.

As I have discussed this issue in my electorate and beyond, one thing has become painstakingly clear to me: rejecting this legislation will not save a single life, but passing it will give comfort to thousands of Western Australians and their loved ones. I am proud to support this bill. I want to state from the outset my intention to vote in favour of this important legislation.

I am lucky to say that I have not witnessed painful and traumatic death. On the contrary, in supporting this bill and hearing contributions to the debate, in the lead-up to this bill I reflected on my own experiences, including the passing of my parents. Along with my siblings, we were at the bedside of my mother when she took her last breath. It was a great privilege. She was cared for very well at the facility in Wembley where she resided. She had good palliative care. My father had multiple sclerosis. He and his wife, who was trained as a nurse and social worker, had talked through the level of intervention he would have towards the end of his life. He had an advance healthcare directive. When at 80 years of age he had been in and out of hospital with pneumonia and various infections, his wife told us that the advance healthcare directive would be enacted and he would not go back into hospital. It was difficult to comprehend but their choice was very clear. For those who knew him—some in the chamber and the Parliament did know him—he had so much verve and in fact had so many false starts towards the end that I recited Dylan Thomas's *Do not go gently into that good night* at his funeral. A few days before he died, I went to see him while he was frail. As he was laying on his bed, I asked how he was. "Not too good, kid", was his reply. They were his last words to me. A few nights later, I was at an event in my electorate and I realised I needed to be at his house. I went over there and was surprised that my brothers were thinking the same. It was in August. The fire was alight in the lounge room, we had a glass of red with his wife, and dad was in the bedroom in a coma by then. We told stories and went in and out of seeing him in his room. It was then that he passed. It is how he wanted it. It was calm, warm, planned and peaceful, as much as it could be. I can only hope that if this legislation becomes law, the same passing can be offered without pain, with some grace and comfort and, perhaps like dad, with a fire, some jazz and a glass of red.

We have arrived at this point because it is clear that an injustice is occurring in our community. For some time, those who have suffered have largely been invisible amongst friends, amongst colleagues and amongst the broader attention of the public. The reason is understandable; the dead cannot talk. For a time, those left in the aftermath have found it hard to talk as well, particularly those whose experiences have been traumatic. But we are all indebted to those who have stepped forward and shared their experiences. As others have observed, our society is not very good at talking about death in the best of circumstances. Instead, we often choose to avoid the subject and place it in the too-hard basket, but this is a conversation that must be had, particularly as our ageing population is demonstrating the time for change is now and it is clear that pain cannot always be relieved for people confronting death. The pain being inflicted across the community and all around the state can no longer be avoided. People confronted by death should not have to choose between palliative care or suicide. People confronted by death should not have to choose between opiates or starving themselves. People confronted by death should not have to make family members choose between breaking the law or ignoring their final wishes. And just as equally, family members should not be forced to sit by the bedside of loved ones who, at the end of life, are in untreatable pain or have lost control. The guilt, the shame and the enduring pain that this horrific confrontation often brings can and must be addressed.

Let us be very clear: this is a law about allowing personal choice for people in our community who are dying. As Andrew Denton succinctly stated in his evidence to the parliamentary committee, this is actually about how we die, not how doctors feel about how we die. I would like to add that this law is not about what the church or any other particular institution thinks about how we die either; it is about what we as individuals think about our own death, because the confrontation that death causes is personal. Let us not be distracted by any other argument. This bill has broken shackles. It has given permission for people to come forward and talk with us about something incredibly important, and they have embraced the opportunity. They have shared their opinions and experiences. As other members have outlined for themselves, I communicated with a number of people in my electorate. Perhaps the

most compelling occasion was on speaking to one of the mothers I got to know at the Fremantle Primary School P&C, Lizz Clarke. She was present at some of the demonstrations out the front of Parliament because her husband and the father of their two children, Colin, had been diagnosed with mesothelioma. He is 44. Their family story was profiled in *The Sunday Times* on the weekend. I thought I would share those circumstances. There is a video available on the Go Gentle Australia Facebook page. I am quoting from *The Sunday Times* —

... Colin Clarke has been forced to accept he will die before his children graduate high school.

What he will not accept is leaving them with an enduring memory of a shallow husk of a human being begging for the end.

...

In his own words, he is in no hurry to die. But as a doctor of more than 20 years, he knows when battling mesothelioma death is inevitable and, regardless of the best palliative care on the planet, can be excruciating.

That is why, with the help of Go Gentle Australia, he has filmed a plea to all State MPs ...

...

In it, Dr Clarke explains that his 14-year-old son and 10-year-old daughter will carry their experience of his death with them forever.

“We, and families like ours, already face immense suffering,” he says. “I want to be able to choose when the pain or the suffering is too much and to end my life on my terms.

“For me, that ideally means at home painlessly with my family there to share last words and farewell me as I drift off into a deep sleep and stop breathing.”

While describing himself as a firm believer in palliative care, Dr Clarke said he had witnessed firsthand that it was impossible to ensure the comfort of every patient.

...

“I have always held the opinion that once death is inevitable it is not a failure if the patient dies, it is a failure if it is a bad death.”

...

He said the knowledge that voluntary-assisted dying was available as an option would provide peace of mind and the strength to keep battling against his disease, rather than contemplating taking matters into his own hands while he was still capable.

“If VAD was there then even if things were feeling too difficult I could hang on a little bit further,” Dr Clarke said.

It is evident that the community has a strong interest in this legislation. It was most noticeable last week when I hosted a public forum with the member for Bicton, Lisa O’Malley, and the member for Morley and Chair of the Joint Select Committee on End of Life Choices, Amber-Jade Sanderson. It may surprise some here to learn that at the forum, the majority of the questions from the 130-plus people in attendance were about why the bill did not go further. I understand that some people in the community will feel the bill is not bold enough, but I also firmly believe that the legislation before us strikes the correct balance between compassion, safety and protection. Members can rest assured that the process has been thorough.

I can confidently state that because of the 730 submissions, 81 hearings and evidence collected from 130 witnesses by the parliamentary committee, that over 860 participants were involved in the consultation process, and a further 541 submissions were received and considered by the ministerial expert panel. With guidance from the ministerial expert panel, which comprised 13 experts from medical, palliative care, advocacy and legal backgrounds, we now have the bill that is before us in this Parliament. At least 15 jurisdictions from interstate and around the world have implemented or are implementing legislation of a similar nature, from which we have been able to learn. In fact, Simon Towler, a former Chief Medical Officer of WA, stated last week that he did not think that any other legislation in the history of the Parliament had been scrutinised as much as this bill.

People are entitled to different values and beliefs. This is what democracy is. But these values and beliefs should never be imposed upon others when they can clearly be rebuked by evidence. When misinformation is spread with the primary objective of misleading people, we as decision-makers representing our communities must stick to the facts. It is important that we remain focused, not on who can shout the loudest or who can talk for the longest, but on what the evidence clearly demonstrates.

We know that the opposition to this legislation will be fierce. In light of this, I want to add my comments to some of the concerns that will likely cloud this debate and how the legislation addresses them. If you are concerned that palliative care will suffer, you can rest assured that this government has invested over \$200 million of extra resources into palliative care. We are voting on legislation because we recognise that even the best palliative care cannot relieve all suffering. If you are concerned about vulnerable people being coerced to die, you can rest assured that over 100 safeguards in the bill will protect people’s decisions. We are voting on legislation that is designed

specifically for people who are already dying. If you are concerned that people will choose to die because they feel as though they are a burden, you can rest assured that psychiatric and psychological referrals can be made to support their mental health through this process. We are voting on legislation that will require support from third party witnesses, which will encourage deeper discussion. If you are concerned that voluntary assisted dying will lead to doctor shopping, you can rest assured that all decisions will be reviewed by an independent board. We are voting on legislation that will ensure that rigour and safety are applied. If you are concerned that voluntary assisted dying breaks a doctor's oath to do no harm, you can rest assured that doctors who do not want to take part in voluntary assisted dying can choose not to. We are voting on legislation that gives as much choice to doctors as it does to patients. If you are concerned that voluntary assisted dying laws will lead to a slippery slope, you can rest assured that the long legislative process to enact change is heavily scrutinised and requires consensus. We are voting on the legislation before us, not the possibilities of future legislation.

Finally, if you are concerned that this legislation will set a dangerous precedent, I would say that this is a principle that we as a community have already accepted. We allow cancer patients to stop treatment; we allow life support to be switched off; we allow people in palliative care to refuse food and water. In terms of the choices people are making currently in our community, there is no oversight, no review, no scrutiny, no guidelines and no accountability. However, the single fact that should weigh on people's minds in this debate is reflected in community sentiment—that about 88 per cent of people in our community support these laws. Really, what I think the community sentiment boils down to is a debate about a fundamental human right: constituents want to be empowered to make decisions about their life and their body. They do not want legislators or other organisations trying to control that human right.

As the Minister for Women's Interests, I am acutely aware of how this issue can play out publicly. We have seen that in the abortion debate recently in New South Wales. The community is asking us to find a way to make voluntary assisted dying happen in this state, not to find a way to stop it from happening. I am proud to be a member of a party and a government that has the courage to have the difficult conversations and to take decisive action.

I would also like to place on record my thanks to the parliamentary committee and the ministerial expert panel for the countless hours of work that have been put into bringing this bill to a vote. I would also particularly like to thank the countless advocates who have joined us in this fight, including Belinda Teh, who walked from Melbourne to Western Australia in support of these laws, in honour of her mother; Andrew Denton, who founded Go Gentle Australia following the passing of his father, for his realisation that we can and should do better; and Noreen Fynn—who also knew my father and his wife—whose husband, Clive Deverall, carried out his final act on election day 2017, which should serve as a staunch reminder of the choices people in the community currently face. But last, and most certainly not least, I would like to thank all those people who have come forward to courageously share their experiences, particularly those who shared handwritten notes with my office.

We now arrive at the next step in this important process. The decision falls on us, through our voting on this legislation, as leaders of our respective communities. There is no disputing this is a significant bill. We are not starting from a blank page with this legislation. I would urge members not to delay this any longer. The time for consultation is over; the time for change is now. I urge members to consider the evidence that has been presented and to carefully weigh up what their communities want. Do not be on the wrong side of history—choose courage, maturity, compassion, safety and dignity. I know that I will, on behalf of my constituents, in the aim of strengthening our community and for those people who are suffering as they die.

MR M. HUGHES (Kalamunda) [11.07 pm]: Like my parliamentary colleagues who have spoken before me, I have carefully considered my position on the matter of voluntary assisted dying and I support the Voluntary Assisted Dying Bill 2019. Prior to the last state election, I was asked by many voters what my attitude was towards the concept of voluntary assisted dying. At that stage, I was able to say that in principle I would support legislation to that effect but that my support was qualified on the basis that I would have to be satisfied the proposed legislation would be carefully measured and contain appropriate safeguards. I have kept abreast of the issue as my community has lobbied me prior to and since the 2017 state election. I have read the select committee's report, "My Life, My Choice", including the minority report.

In early May, I held a community forum on the issue of voluntary assisted dying. I thank the member for Morley and Hon Alannah MacTiernan for facilitating the forum. I have carefully read the recommendations to the government from the ministerial expert panel. I have not struggled to decide to support the legislation. I acknowledge that for other members of the Legislative Assembly it has not been easy. For some members, it could never be countenanced. My constituents clearly know my support for voluntary assisted dying legislation. I have made it clear to them. I acknowledge that there are some among them who have a diametrically opposed view. However, the overwhelming majority of my constituents, in common with the broader community of Western Australia, want this legislation to be enacted. Within that majority, there are those who hold the view that the legislation does not go far enough, and I know they will be disappointed by the conservative nature of the proposed legislation, particularly that access will not be permitted through the mechanism of an advance healthcare directive. The nature of the legislation is measured, the structure of the legislation has been carefully drafted and an important principle of the legislation is that, right to the very end, the person who seeks voluntary assisted dying should be fully able not to proceed should they wish; therefore, advance healthcare directives are not an option.

Despite the claims that the Australian Medical Association is opposed to the voluntary assisted dying law reform, the fact is that the membership does not have a uniform view on this matter. I am aware that Associate Professor Brian Owler, a neurosurgeon and past president of the AMA, speaking to the National Press Club on 12 October 2017, said —

Voluntary assisted dying is not about a choice between life and death. No. Rather, it is about respect for a dying person's choice, about the timing and manner of their death.

The need for this legislation —

He was speaking of the Victorian legislation —

is plainly evident. Many of those most determined to see this law pass have personal anecdotes of loved ones whose death has been terrible. Not only was the person's suffering prolonged and unbearable but it left deep lingering wounds in the hearts of their family and friends.

I also note that the Australian College of General Practitioners, with a much larger membership than the AMA, has welcomed the Victorian Voluntary Assisted Dying Act, in contrast to the position of the AMA.

My constituents will be well aware that my career prior to becoming a member of Parliament was as a teacher, and that I spent 21 years between 1996 and 2017 as principal of an Anglican community school. I am amongst many Christians supporting choice for assisted dying. I believe there is nothing about voluntary assisted dying that is inconsistent with Christian values and the teachings of love and compassion, especially for those who are close to death and suffering. Lord Carey, the former Archbishop of Canterbury, speaking in support of the Falconer assisted dying bill in the United Kingdom Parliament, as reported by *The Guardian*, said —

It would not be “anti-Christian” to ensure that terminally ill patients avoid “unbearable” pain.

...

“One of the key themes of the gospels is love for our fellow human beings ... Today we face a terrible paradox. In strictly observing accepted teaching about the sanctity of life, the church could actually be sanctioning anguish and pain—the very opposite of the Christian message.”

But on a much broader front than the opinions of a single eminent cleric, the 2016 Australian election study conducted by the Australian National University found that support for the statement that “terminally ill people should be able to legally end their own lives with medical assistance” was overwhelming, with 74.3 per cent of Catholics, 79.4 per cent of Anglicans and 77.8 per cent of those in the Uniting Church supporting the statement. Of those with no religion, 90.6 per cent were in favour. There is overwhelming community support for this legislation. As Hon David Templeman has said in this place, this is the time for this legislation to be enacted by this Parliament.

Providing patients with control over dying is a palliative process equal in value to the effective control of pain. The legislation before us does not seek to be a substitute for effective palliative care. Voluntary assisted dying is not, as some would have it, assisted suicide; nor is it euthanasia. It provides a means by which a competent adult, facing the inevitability of their imminent death, is able, should they choose, to take control of the process rather than it being left to others. Should the individual choose, choice—an individual and confident choice—is at the centre of this legislation.

I have two older brothers who have died in the last five years. The first died from progressive congestive heart failure. Had he had the option, he would have wanted to have access to the provisions of the proposed legislation—to go out on his own terms, as he would have said. The second died much more recently from the consequential effects of oesophageal cancer. He, I believe, would not have sought access to voluntary assisted dying, but would not have denied others access to it. I will not go into great detail on matters that are essentially personal and very private, but in May of this year, my younger sister, brother and I, in the absence of an advance healthcare directive from our older brother and his lack of capacity, were left to decide to withdraw all medical intervention—no hydration and no nutrition—for our brother, whose death was judged to be imminent. Palliation was begun. It took eight days for my brother to slowly die, with increasing levels of medication to prevent his increased anxiety during the process. Although he was not able to speak to us, he was very conscious of what was happening to him. This was, by default, a decision we took on his behalf. I would rather not have been placed in that position, but the issue of advance healthcare directives is another matter. In that regard, I digress.

The creation of legislation to give effect to access to individual choice in the manner of their death is, I believe, a community good, even though the evidence from other jurisdictions where voluntary assisted dying is available is that few people will use it. The ability to talk openly about dying with an empathetic doctor is seen as a profound benefit that this legislation provides to those who would choose to take advantage of it. When it becomes necessary, putting the means to end life peacefully into the hands of the person who is suffering and no-one else is the greatest safeguard against possible abuse. Experience elsewhere where voluntary assisted dying has been introduced tells us that a person given the opportunity will not necessarily embrace that opportunity unless there is an absolute necessity in their view to do so, and indeed some do not need to use it at all. This legislation places the dying individual human being in full control. It allows a competent adult person to use their intelligence as to how and when they will die, and respects every person's decision, whatever it may be.

Dr Rodney Syme, awarded the Humanist of the Year at the Australian Humanist Convention in April 2017, reflected on voluntary assisted dying legislation. From his 25-year journey, talking with, not to, people with intolerable and unbearable suffering, and studying the medical and bioethical literature, he proffers six self-evident truths. The first is that dying people may experience severe suffering that may crescendo as death approaches. The second, and crucial truth, is that such suffering will end only with death. The third is the observation that doctors have a duty to relieve suffering. The fourth is that palliative care, despite the wishful arguments to the contrary, cannot relieve all pain and suffering in dying. The fifth is that some people persistently and rationally request assistance in dying. The final, and sixth one, is that doctors have a duty to respect their patient's autonomy. For those doctors, however, who are unable to accept a role in providing a patient access to voluntary assisted dying under this legislation, there is no compulsion to do so. All they are required to do is provide opportunities for people to receive information about that process.

It has become evident during the course of the debate across the wider community that most people in Western Australia want control over the end of their lives; that is, they want, should they choose, to be given the ability to decide when, where and how they will die. Under the Western Australian legislation, voluntary assisted dying will be accessible only by those people who meet strict eligibility criteria, as detailed in the minister's second reading speech. The Joint Select Committee on End of Life Choices found that although existing models differ, they all have in common robust legal frameworks that focus on transparency, patient-centred care and choice, and that there was no evidence of institutional corrosion of the primary intent of the legislation or what is often cited as the slippery slope. Of the 18 jurisdictions that have legalised voluntary assisted dying—or in some jurisdictions, voluntary euthanasia—only one jurisdiction has made an amendment to their law. All others have remained unchanged. Belgium passed changes in 2014 to permit doctor-assisted death for minors in hopeless medical situations and with their explicit consent. That is not contemplated at all by this bill.

I have had many emails and letters from persons urging my support for the legislation and very few urging my opposition. I might add that there has been a fairly comprehensive email campaign by some peak bodies that are determined that this legislation does not pass. I do not count them as my constituents. However, I do count Janet from Darlington as one of my constituents. She wrote —

I am writing to you in the hope that basic human decency and compassion will guide you in your choice to vote FOR the Voluntary Assisted Dying ... when it is scheduled in the near future.

My sister, who has always been a strong advocate for the right to choose how and when she dies, is now dying of pancreatic cancer, and without this law being in place faces an agonising death.

For the love of all that is true and good within you please remember her, and all the countless others who will suffer a similar fate, and allow them to make this choice for themselves.

Palliative care resources and availability in WA is stretched too thinly to be considered a comfortable way for her and their lives to end. Please factor this also into your decision making process.

I say to Janet from Darlington that this government understands the need to more adequately fund palliative care and has responded to this need with significant increases to the budget allocation for palliative care, as reported to this Assembly by the Minister for Health. The McGowan government has demonstrated its commitment to supporting and improving palliative care services. In the 2019–20 budget, the government announced \$47.4 million towards palliative care. This takes expenditure over the next four years to 2023 to a record \$206.2 million. We have heard from the Minister for Health that detailed planning has begun to implement the Department of Health's 10-year end-of-life palliative care strategy released in 2018. This will ensure, member for Dawesville, a statewide policy direction for quality end-of-life palliative care.

Anita of Lesmurdie writes —

Please accept this email as my support for the VAD Laws.

As an individual with debilitating chronic disease ... if this legislation passes it would make my future decisions easier. It would be comforting to know, if I suffer multiple organ failure (a likely outcome as I age). I will have the choice to terminate my existence legally and without causing distress to others.

Currently I am undergoing expensive (to the Government) biologic infusion therapy as well as ... pain relief ... which entails consuming considerable quantities of strong medication. I am only able to work 15 hours a week (this is becoming unsustainable) ... if my condition deteriorates. If my future consisted of being bedridden and unable to function as I wish to, it would cause me a great deal of mental and physical suffering.

I also have seared in my memory, my much loved mother in law begging me to help her end her life. She had terminal cancer which had spread through her body and finally to her brain. Her pain was excruciating despite hospice care workers coming into the home to try and ease her pain. I of course could not help her as I am generally law abiding —

We all know what that inference is —

and had small children to raise. I wish she had been able to have someone support her in this endeavour legally and with dignity.

[Member's time extended.]

Mr M. HUGHES: I have read the correspondence sent to me by my constituents, the vast majority of whom want the passage of this legislation. I have responded to individual constituents seeking meetings with me and urging my support for the legislation. I also appreciate the frank exchanges of views from the few constituents who have voiced their opposition to this move. I thank everyone who has taken the time to write to and meet with me.

My support for the bill is grounded on respect for each person to make a considered decision to end their life at a time of their choosing in a way that is safe and supported, providing the option to die with dignity. Sadly, as we have heard, there are those who already choose to end their lives. It is done in circumstances that are unconscionable. The suicide statistics of terminally ill patients are disturbing, with upwards of 10 per cent of people who commit suicide being terminally ill persons. This cannot be allowed to continue. A person should not be denied the option to end their life at a time of their choosing in a safe and supported manner.

It has been argued that palliative care will be able to manage pain and provide comfort for those nearing the end of their lives, but, unfortunately, that is simply not always the case. Palliative care is a vitally important care option. Voluntary assisted dying is not a substitute for palliative care. However, when pain and suffering have become intolerable for the individual, individual choice should be respected and the option to voluntarily end one's life should not be denied.

Michelle of Lesmurdie writes —

As an exnurse who worked in oncology I witnessed the incredible pain of many dying patients. There was nothing dignified or respectful about it. Often it resulted in patients being in immense fear of what was to come. In the event that a person wishes to end their life to avoid such a miserable end and doctors support their decision and prognosis then there have no right to override their final wishes. I am sure many families would be relieved by their loved ones not being put through this due to antiquated legislation

The Voluntary Assisted Dying Bill 2019 sets out clear parameters that will allow people to access voluntary assisted dying only in very limited circumstances. In order to be eligible, a person will need to be an adult resident of Western Australia with decision-making capacity who has been diagnosed with an incurable medical condition that is, on the balance of probability, expected to cause death within six to 12 months, depending on the particular circumstance, and is causing suffering that is intolerable to the person seeking access. For the small number of people in these very limited circumstances, having personal choice to end their lives will give them some control over the timing and manner of their death. For many more people, knowing that this option is available will provide them with comfort. Some may choose to access voluntary assisted dying but ultimately not administer the drug because they feel a greater sense of control. The reality is that the vast majority of Western Australians, as borne out by the evidence from other jurisdictions where voluntary assisted dying exists, will never want or need or choose to access voluntary assisted dying.

A number of concerns have been raised with me about the protection of vulnerable people and the potential for coercion. These are concerns that I once shared, but I believe these concerns to be groundless. I am now confident that this is a measured and very carefully crafted piece of legislation. The 102 safeguards included in the bill protect the vulnerable and remove the potential for coercion. These measures include the prescriptive multistage process, with safeguards embedded throughout the request and assessment phases that, taken together, establish a comprehensive system of checking, oversight and clear accountability, as well as the limited criteria for eligibility, including the need for decision-making capacity.

Importantly, these protections exist to ensure that people are not being pressured by others to participate in the process. These protections are also entrenched through the offences included in the bill, such as the offence of inducing another person to request voluntary assisted dying; the offence of inducing self-administration of a voluntary assisted dying substance; and the offence of making a false statement—each punishable by imprisonment. I am satisfied that the safeguards address the concerns that have been raised with me about the implementation and application of the proposed framework, and as such I am supporting the bill and respect for the individual's right to decide. Supporting voluntary assisted dying is a human rights issue—dying with dignity, and giving people the choice, under the safest and most rigorous framework possible.

For people who are nearing the end of their life, where the strict criteria in the legislation has been met and the pain and suffering is no longer tolerable, the individual should have the option to end their life at a time of their choosing and in the most dignified way possible, and this bill provides them with those mechanisms. With that, I support the bill.

MR D.T. PUNCH (Bunbury) [11.31 pm]: I support voluntary assisted dying, as expressed in the Voluntary Assisted Dying Bill 2019. I have made this decision after spending a considerable amount of time thinking about my own values, about living and dying, and about what a "good death" might mean. More importantly, though, I have listened to many people in my community whose views I respect, even though some I may not agree with. Many people I have spoken with have had very personal stories about the death of a loved one, and many still bear the pain and grief of seeing a loved one suffering. I want to especially acknowledge all those people who shared their intensely personal experiences with me over the last few months.

The fundamental reason I am supporting this legislation is that it provides people with choice. It provides people with control over the manner in which they will die, the time at which they will die, and where they will die, when they are suffering from a life-limiting disease and the suffering is intolerable. It puts the person at the centre of decision-making about their life and their death. The title of the legislation, Voluntary Assisted Dying Bill 2019, reflects the core of what the legislation is about—enabling people to seek assistance to end their lives at a time they choose, when they are faced with the likely probability of death within 12 months for neurodegenerative diseases, and six months for other conditions, and when they are experiencing suffering that is not tolerable to them.

In my view, it is assisted dying, not euthanasia, because it is a decision made by the person. There may be an arguable point in those circumstances where a third party has to physically assist with the medication, but critically, the person receiving the medication is still capable of deciding their future and exercising a choice. It is a decision of the person; it must be voluntary, and it must be enduring over time. It is a decision that can be withdrawn by the person, should they choose. It is an intensely personal decision that should be made in a climate of compassion and acceptance. I know that for some who are family and friends of the person at the centre of this decision, it may be very difficult for them to accept.

I support this legislation because of my belief in a person's ability to make a decision that is the right decision for them—a decision that they are deemed legally competent to make, with full knowledge of the implications of the decision, and a decision that is not subject to coercion by a third party. This is a belief that is shared by many in my community, but not all. Tomorrow I will table a petition from more than 200 people who do not support this legislation, and I will do so respecting their views and their right to be heard in this place. Amongst other things, the petitioners are concerned about the possible extension of choice to the notion that eventually assisted dying would be a choice made by others; that it would become commonplace as an option for those who are mentally ill or the elderly; that economic decisions in relation to the cost of health care might drive expansion of the legislation in the future; and that the legislation might lead to circumstances in which the community's trust in health professions could be diminished. The petitioners also stated their concern about the adequacy of palliative care, which is a topic I will come back to in detail.

I do not share the fear that this legislation is a slippery slope, that it will open the door to reducing safeguards or that it will lead to mistrust. There are 102 components in the legislation that are intended to safeguard the decision-making process, including oversight of each individual decision designed to ensure that the person remains at the centre and the person remains in control. I know there are many in my community who believe the legislation does not go far enough, and that the ability to request an assisted death should be included in an advance care directive, detailing the circumstances under which a person wishes their life to end. There are others who have expressed a view that next of kin should be able to request an assisted death on behalf of their loved one, if they are no longer capable of making that request.

As a parliamentarian responsible for contributing to the consideration of this bill, I thought about these limitations carefully and I have come to the firm view that a person must have the legal capacity to request an assisted death, and that this request must be enduring right to the end. Removing the requirement of legal competence at the point at which a person wishes to take the medication leaves to a third party the final decision about when a person's life will end. Even though such a decision may be in accordance with a previous expressed wish, the person no longer has voluntary control over that decision, and that makes a difference for me.

The broader eligibility requirements of this legislation also mean that it cannot simply be extended to the mentally ill or to the elderly. It is firmly based in the notion that a person is facing a life-limiting disease and that the associated suffering, as defined by them, cannot be relieved. Aside from the other eligibility criteria, the core of this legislation is the juxtaposition between an enduring decision by a legally competent person, and limited life due to disease and intolerable suffering, as defined by the person.

The notion of choice, though, requires people to have access to full information about the options that are available to them through both palliative care and end-of-life care, and it embodies notions of what is a good death. I personally think a good death is one that is a long way off! But the reality is that we will all die, and some of us here will know that we will have a finite lifespan at some point. It is time we talked about what a good death really means, and that can be tough.

Emeritus Professor Ian Maddocks, Senior Australian of the Year 2013, observed —

“Sometimes I think it's better to step back and say you don't need all that procedural stuff, what you need is good care now. You are going to die. Let's do it well.”

This concept of dying well is the common thread that ties end-of-life choices together, and I want to use the remaining time to explore that concept.

The Australian Institute of Health and Welfare describes seven features of dying well. They include being cared for and dying in a place of one's choosing; involvement and control in decisions about care; access to high-quality care given by well-trained staff; access to the right services when needed; support for one's physical, emotional and spiritual needs; having the right people knowing one's wishes at the right time; and having the people who are

important to the person to be supported and involved in their care. These are pretty basic principles. Dying well means that the person is at the centre of those principles. The person has control of what is happening to them, understands what is happening, and has access to information. Care is determined by the person, in partnership with healthcare practitioners, family and significant others. Assisted dying provides an expansion of the choices available to a person and complements their choices within a palliative care framework. It is not a case of one or the other. It is a case of the person being at the centre—defining their end-of-life pathway in order to define what is a good death for them, not a good death as some other person views it.

This pathway can be different for each person. The Australian Institute of Health and Welfare has described three patterns of life-limiting illness. The first is characterised by a short period during which bodily functions decline rapidly, with no sign of recovery, and a relatively short period between onset of the disease, and death. That is found in many cancer conditions. The second is characterised by long-term limitations, with intermittent serious episodes, and a slower decline, with intermittent sudden declines, and a longer period between onset of the disease, and death. That is found in heart and lung failures. Finally, there is a pattern of prolonged decline, with loss of bodily function over an extended period. That is found in diseases such as dementia. Each of these would result in a different pattern of care response. The latter group may well not meet the eligibility requirements for access to voluntary assisted dying. These patterns highlight that choice with regard to care implies being given access to viable options. Some of these options are determined by the nature of the disease itself.

Most people wish to die at home, surrounded by loved ones. The Productivity Commission noted in a recent inquiry that accurate data about how many people die at home is limited, because people's wishes change over time, and these changes are not captured by the surveys. The research estimates that up to 70 per cent of Australians would prefer to die at home. However, the reality is very different. Only about 14 per cent of Australians actually die at home. The majority end up dying in a hospital setting. This is a pretty significant statistic. The majority of people end up dying in circumstances different from what they had wished for. At the beginning of the twentieth century, death and dying was very much a family and community matter. Today, with advances in medicine, the end-of-life experience has become increasingly institutionalised in hospital settings. Notwithstanding the excellent care and support that is provided in these settings, this trend is likely to increase over the next 25 years as the number of older people increases.

Community-based hospice care is a good option. However, it is limited, and in regional Western Australia is difficult to access. In addition, the costs are significant, even though research by Silver Chain shows that hospice care service recipients had, on average, eight per cent fewer emergency department admissions and spent five days less time in hospital in the last year of life, with a greater probability of death occurring at home.

I saw the challenges of dying at home firsthand with two friends, Peter and Helen. Helen had been battling cancer for a number of years and eventually went into palliative care at St John of God Bunbury Hospital. Her overwhelming wish was to die at home, with family. Helen had major problems with mobility, and needed constant nursing care in order to achieve dying at home. Towards the last few days of Helen's life, the palliative care unit provided a loan hospital bed and equipment to enable Helen to relocate to home, and family and friends came in to support Peter, her husband. Helen achieved her wish. However, in that last few weeks, their life as a couple was dominated by negotiating palliative care pathways that were difficult, not patient-centred, and expensive, and resulted in Peter receiving a serious injury from heavy lifting, which required extended time off work. This was a family in desperate need of support, and it found it largely through family and friends. A palliative care system that embraces community networks would have done so much more to make this family's experience of loss more bearable.

I support assisted dying legislation. However, I also support the view that we need to rethink palliative care and end-of-life care if we are to maintain genuine quality options to support people to make end-of-life choices. Quality palliative care is not simply about throwing more money at a system that is increasingly providing an institutional response to a person's end-of-life needs. We need to rethink palliative care as a public health issue and revisit the role of primary healthcare systems, as well as acute hospital systems. We cannot see palliative care solely in the context of professional symptom management and professional nursing management. It is also about how we can mobilise social assets at a community level to ensure that supports are in place for the person and their family between periods of episodic care, and to enable people who are dying to be supported by the people who are closest to them. A recent report from Western Sydney University described the networks and relationships that surrounded people who have died at home, and the struggle around the interface between professional and non-professional networks. Groups in Western Australia, such as Solaris Cancer Care and Dot's Place in my own community, are good examples of how community assets can be mobilised in support of people and coexist with medically based palliative care.

Two questions are behind the notion of rethinking a community-based approach to palliative care. The first is what work currently carried out by professionals could be performed within the community. The second is what solutions could professionals come up with to provide care for a person who lives remotely from a service centre. The answers to these questions will most likely involve social and psychological support, physical care, and the role of palliative care nursing, particularly in remote areas. It is clear that if palliative care is to meet the increased demand, it will need to engage with the community and mobilise community assets. It cannot be simply a replication of

hospital palliative care beds and specialised clinicians. Building on naturally occurring community networks, especially in regional Western Australia, that exist among friends, family, neighbours, local government and business groups, would be a key step forward. However, building these networks will mean that communities will have to start talking about death and dying as part of community life, and that is something we are not really used to doing. In Bunbury, the Compassionate Communities Network has been established to help build the community conversation about death and dying, and advance care planning, and to create a better understanding that dying is a part of living, and what a good death might be—helping to define death and dying and caregiving as social matters with medical aspects, rather than a medical problem with social aspects. The ability to mobilise practical and social support within the community at the end of life should be a high priority in building long-term sustainability in palliative and end-of-life care, and better outcomes for families and individuals.

One of the counterarguments to voluntary assisted dying that has been articulated is the need for adequate palliative care funding, especially in regional and remote areas, before this legislation is passed. Voluntary assisted dying should not be a trade-off for more funding. It needs to stand on its own merits, and we need to have the maturity to build an integrated and responsive approach to end-of-life care. Palliative care practitioners need to embrace the opportunity to consider how we might do things differently in the future, recognising that this government is putting in additional funding of over \$41 million over the next four years, with a total commitment of \$206 million, including enhanced community palliative care services.

I hope I have sketched out a sense of direction for how I think palliative care needs to evolve around a partnership between health practitioners and the community that is person-centred in order to build a responsive and better system. This concept is well supported in the recent literature examining palliative care practice. I believe the bill we are debating is based on compassion, concern and love. The bill provides choice to enable people, who are experiencing intolerable suffering and are dying, to have a different kind of death—a choice that does not resort to people taking their own lives and in so doing leave a legacy of trauma, and a choice that does not involve hazy notions of terminal sedation over a prolonged period or death by dehydration. Quality community and hospital-based palliative care sit side by side with voluntary assisted dying. It is not an either/or. It is not about one system to the detriment of another. It is about genuine choice that puts the patient first. Thank you.

MRS J.M.C. STOJKOVSKI (Kingsley) [11.48 pm]: I also wish to speak on the Voluntary Assisted Dying Bill 2019. When I heard that a joint standing committee would be convened to conduct an inquiry into end-of-life choices, and subsequently that voluntary assisted dying legislation was to be introduced into Parliament, I was concerned, and very conflicted. I value life. As someone who struggled for many years to create life, I could not understand how anyone would want to end their own life. Perhaps the teachings of my Catholic upbringing were also playing on my mind. On the other hand, I would never want anyone to suffer unnecessarily. However, I have never been in the situation of watching a loved one suffer, or die.

As members of Parliament, we have been afforded a number of briefings on this issue, and I have done a lot of research. I could stand here tonight and give many facts and figures collated by governments and organisations on both sides of this debate, but I have chosen a different approach. Despite my trepidation, I decided that the best course was to engage with my constituents, and use my position as their member of Parliament to reflect their views and tell their stories. Over many months I have been collecting opinions, views and stories from my electorate through an online survey; a hard copy of that survey; small forums at retirement villages; emails; conversations, both face-to-face and on the phone; and handwritten letters I have received in my office. As this is such an emotive issue, I also received correspondence from people and organisations outside of my electorate. However, to ensure that I am truly representing my people, I have not included these in my consideration.

I would like to thank those who contacted me, filled in the online survey or attended forums. I appreciate their time, their trusting me with their stories, and allowing me to represent their views on this very sensitive issue. All opinions and views matter, and they are valid. Of all the responses I collected, an overwhelming 84 per cent were in favour of introducing voluntary assisted dying, with less than 15 per cent against and just over one per cent unsure. I would like to first address those who were opposed to voluntary assisted dying. Many of them believe that palliative care can look after those who have a terminal prognosis. They also believe that more funding needs to be given to the palliative care sector. I agree with this—palliative care does need more funding. One respondent said —

I believe palliative care can care for patients' needs. I have seen both my brother and my mother use palliative care with good outcomes for both.

Many also feared that the safeguards could be eroded in the future, fearing that the safeguards could be altered, offering no protection to some vulnerable people in our community. For most opponents of voluntary assisted dying, the argument was a religious and ideological one, with many of the no respondents providing comments such as —

One of the ten commandments that we should obey is that thou shalt not kill. As Christians, we cannot legalise killing.

This is what got me thinking. Yes, I am Christian, and my husband is Christian, albeit of a different denomination. We send our children to a wonderful Catholic school that teaches our children beautiful Catholic values. At our

school, they are called rainbow values—inclusiveness, forgiveness, service, attentiveness, courage, loyalty and personal best. I love that my children learn these in the Catholic school setting. It is a choice that I feel privileged to have. We are lucky to live in a country where this is a choice for us. However, I would never condone making everyone attend a Catholic school, no matter how good I think it is.

I feel that we need to look at this debate in the same way. Yes, I am Catholic and I may never choose to access voluntary assisted dying, but not everybody in Australia, Western Australia or even my electorate of Kingsley is Catholic. In fact, only 23 per cent of the people in my electorate are Catholic. I was elected as the member for Kingsley, not as the Catholic member for Kingsley, so how could I in good conscience make a decision based on my religious beliefs that are not held by everyone in my electorate? I live in my community, I see community members every day, at the school, the shops and weekend sport, and I do not feel that it is my right as their elected member and voice in this Parliament to impose on them others' religious belief that they may not share.

I understand the conflict of those who were unsure over this issue. Some of the comments they raised resonated with me. One respondent said —

My strong Christian belief makes me want to say “NO, thou shall not kill”. This is my belief. But, the thought of people in great pain having to wait in agony to die makes me want to say “YES”.

Others wanted to ensure that the safeguards in the legislation were adequate. I, too, had concerns about this. I needed to satisfy myself that this bill would not allow for elder abuse or coercion and would also protect people from feeling that they should pursue assisted dying because they are a burden on their family. I am confident that the conservative nature of this bill is robust and it is meticulously crafted to ensure the highest level of safeguards. There are 102 safeguards built into this bill.

I hope that I am never in a situation that would make me eligible to access voluntary assisted dying. I do not know whether I would ever be able to undertake it. I think for me personally it would be very hard, but should that mean that I should prevent others from accessing it? It seems I am not alone in this thought. Another respondent said —

As a Christian I believe that God decides when we are born and when we die. BUT (despite some community comments!) Christians do not force their moral beliefs on others in the community as long as Christians are free to live according to their beliefs, so we would not deny others this choice of assisted dying.

Now to those who are in favour of voluntary assisted dying. There were so many passionate comments and stories that I will be unable to outline them all here tonight. Stories of their parents, husbands, wives, siblings and friends touched my heart. It is clear that most people want to live, and fight to live, but there comes a point when life is too painful, the suffering is too great and it is not a choice of life or death anymore. Many of my constituents echoed these sentiments —

This should be legalised as too many people are suffering in agonising pain for too long just waiting to die.

The pain for many was still so raw even if it had been many years since their loved ones had passed. One constituent wrote —

My husband had two different cancers. After two courses of chemo he had a seizure and was never the same. He spent 6 weeks in hospital and then he was discharged and was home for 4 weeks. There was no palliative care bed available, morphine did not cope with his pain. He asked me and his three children to help him die. He lost the use of his legs. He went into Hollywood Palliative Care respite for a few days. He told the nurses he wanted to die and he was put on the morphine pump (once on you cannot go back). He died two days later. I had PTSD afterwards. It was the worst months of my life.

Another wrote —

Everyone should have the right to choose how to end their lives. Nobody should be forced to suffer unnecessarily. I've seen what it's like to die from cancer, and that is not an end I would wish on anyone. When the end is inevitable, what is the point in a couple of extra weeks full of pain and drugged to the eyeballs? I would rather be able to say my goodbyes and go peacefully on my own terms.

Another constituent said —

Watching someone die is a very gut wrenching experience especially if they are suffering. My mother resorted to killing herself at age 59 due to untreatable and intolerable pain from terminal cancer. She died alone in the back yard of her home.

This is not an issue that affects just the elderly; I know of a man, not much older than I, who suffered from an aggressive form of multiple sclerosis. He was a proud man, with a young family and a promising career. The mental toll and physical suffering he endured in the later years of his life were almost too much to bear. I know that he told others, “Let me die”. He just wanted to die but he was never afforded that dignity. Instead, he continued to suffer and deteriorate until he did eventually die in pain.

Should we allow his suffering just to appease our own uncomfortableness? I do not think so. There are hundreds more stories I could share here tonight but the message is the same. The ability to end suffering is a humane one. This was really brought home to me recently when I had a conversation with two people in my electorate who I know are very religious. They both hold the Catholic teachings close to their heart and they said to me, “Voluntary assisted dying is not a choice between life and death; it is a choice between a peaceful, calm death and a painful death after many weeks or months of unnecessary suffering.” I know many of you who are in favour of voluntary assisted dying feel that this bill does not go far enough, that it should enable advance health directives for those suffering from dementia. However, I do feel that this decision needs to be made by an adult with the capacity at the time.

While at the beginning of this journey I was conflicted and, clearly, it is still emotional for me, tonight I stand here confident that in voting yes for voluntary assisted dying, I am representing the majority view of my electorate and allowing dignity for those who are suffering intolerably to end their life. This is the compassionate course. I hope here tonight that I have represented the views of my electorate in a compassionate and understanding way, whichever way they gave me. Thank you.

MS S.E. WINTON (Wanneroo) [12.01 am]: I, too, rise to contribute to the Voluntary Assisted Dying Bill 2019, which we have been debating today. I have to say at the start that it is a privilege to represent Wanneroo as we debate this historical bill. It is a deeply personal issue and, as a society, we do not like to talk much about death. It is highly uncomfortable for all of us, yet death will come to all of us. It has been quite amazing to be here in this place to listen to the many stories that my fellow members have shared with us as part of their contribution to this bill. I have to say I am very proud to be part of the fortieth Parliament as we as parliamentary colleagues grapple with this most important issue.

I want to start by quoting from the Minister for Health’s second read speech. I read this out to a couple of retirement villages I visited last week and their reaction was very strong, so I want to read it again. It states, in part —

Voluntary assisted dying is not a matter of a choice between life and death. It is a choice for those who are going to die, for whom death is inevitable and imminent, but who can exercise the autonomy which is at the heart of what it is to be human—the exercise of free will.

It is important that this not be a choice about life and death; we are talking about people who are going to die. Further on in the minister’s second reading speech he states —

I would like to emphasise that this bill has nothing to do with euthanasia. This is about providing assistance to someone who is already dying. It is not euthanasia and it is not suicide. It would be wrong to confuse voluntary assisted dying with suicide. The bill specifically provides that voluntary assisted death is not suicide. Suicide involves the tragic loss of life of a person who is otherwise not dying. Voluntary assisted dying involves a person’s choice about the manner of their death when faced with inevitable and imminent death as a result of an incurable disease, illness or medical condition.

I think the distinction the minister made at the outset of the introduction of this bill is really, really important.

I want to also take a couple of minutes to highlight and recognise the incredible amount of consultation that has gone into the preparation of this bill. It is that consultation that gives me the confidence that this bill is a safe and cautious bill for our community. Of course, in August 2017, the Parliament appointed a joint select committee to inquire into the end-of-life choices. It ran for over a year and received over 700 submissions, held 81 hearings and heard from more than 130 witnesses. After a year, it tabled its report, “My Life, My Choice”. I congratulate the chair of the Select Committee on End of Life Choices, the member for Morley, for the work that committee did. It made a number of recommendations and, of course, the most important one, or the reason we are here now, is that a bill be brought to this place around voluntary assisted dying. Another key recommendation was to establish a ministerial expert panel and, of course, that was chaired by Malcolm McCusker. That panel heard from 867 participants and organisations during its consultations. That report provided key recommendations, which assisted in the drafting of the legislation. The government carefully considered all those recommendations, but has chosen a very cautious approach. As other members have said, for some, the legislation does not go far enough and, for some, it goes too far. The point I am trying to make, and have discussed with people in a retirement village, is that there is strong support in the community but also frustration about why this is taking so long. Six previous attempts have been made in this place to pass this sort of legislation but they have all failed for a variety of reasons. I think the approach that has been taken in drafting the legislation we are debating now gives us confidence that we have got it right.

I have also undertaken my own consultation in my community, as have many other members in their community. I held a forum in March attended by the member for Morley and the member for North Metropolitan Region, which was really well attended. I have doorknocked and held surveys online and by letterbox. I am in no doubt at all that there is overwhelming support for this legislation. I have heard many stories from members in my community, and many members have shared stories from their communities. The consultation has been extensive and we have now crafted a bill that is cautious and has the best chance of succeeding.

In terms of eligibility, a person who wants to access this legislation is required to be someone who is 18 years or older; they have to be an Australian citizen or permanent resident; an ordinary resident of WA; and they have to be diagnosed with a disease, illness or medical condition that is advanced and progressive and will cause death; and the condition will, on the balance of probabilities, cause death within six months or 12 months in the case of a neurodegenerative illness. There are two more important points. The person is experiencing suffering that cannot be relieved in a manner that the patient considers tolerable. It is important to understand that language because this is all about the patient, not about what a medical practitioner or the medical profession deems sufferable. This legislation is based around the patient. Very importantly, the patient has to have decision-making capacity assessed throughout the various stages and it must be enduring.

There are many different views out there and a lot of misinformation has been around since the start of this Parliament and since we started work to get us to this place. However, the truth is that this bill is for those in our community who are at the end of their life and who want the right to choose a death that is dignified. The truth is that there is nothing to fear in this bill. I am absolutely confident that this bill addresses the concerns that have been raised with me and that have been raised through the various consultation processes. The bill proposes a systematic process through which a person may access voluntary assisted dying. There are over 102 safeguards.

I have listened to the voices of my community. I stand in this place to say yes on behalf of the overwhelming majority of the people of Wanneroo who want us to pass this bill. I fully support this bill and its safe passage through this chamber and the Legislative Council. We have an opportunity to create a more compassionate community in which we respect people's rights to choose how, when and where they die and with dignity. Thank you.

Debate adjourned, on motion by **Mr D.R. Michael**.

House adjourned at 12.09 am (Thursday)
