



Parliamentary Debates

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LEGISLATIVE ASSEMBLY

Tuesday, 19 May 2020

Legislative Assembly

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THE SPEAKER (Mr P.B. Watson) took the chair at 2.00 pm, acknowledged country and read prayers.

CORONAVIRUS — HEALTH UPDATE

Statement by Minister for Health

MR R.H. COOK (Kwinana — Minister for Health) [2.02 pm]: I rise to update the house on the COVID-19 situation for Western Australia. No new cases of COVID-19 were reported overnight by the Department of Health. Our state total remains at 557 and 545 cases have now recovered. We have three active cases in the state, including one in regional Western Australia. One of these three active cases remains in hospital but not in the intensive care unit. We continue to test widely in the community and continue to be confident that there is no community transmission in Western Australia. Yesterday, 764 people presented to COVID-19 clinics in WA, of which 701 were assessed within the clinics and 697 were swabbed.

As we come into flu season it is important that people get their vaccination so that they are protected against influenza. People aged 65 years and over are particularly vulnerable to serious complications resulting from the flu, which is why it is so important for them to get vaccinated. We are trialling a new drive-through clinic at Crown Perth's car park in Burswood, which opened today. This clinic will help seniors to be efficiently and safely vaccinated without having to leave their cars. Vaccination is free for those aged 65 years and over. The clinic will be open for four days. More importantly, people are encouraged to see their general practitioner if they are unwell or want to get a flu vaccination. It is up to all of us to look after each other by doing our best to protect ourselves and others from the flu. The number of confirmed flu cases so far this year is significantly lower—in fact, at historically low levels—but now is not the time to become complacent.

CORONAVIRUS — INTRASTATE TRAVEL RESTRICTIONS

Statement by Minister for Police

MRS M.H. ROBERTS (Midland — Minister for Police) [2.04 pm]: An important feature of the government's strategy to control the spread of COVID-19 within Western Australia has been to restrict movement within the state. I thank the Western Australian community for their understanding and patience in adhering to these restrictions. As I have advised the house previously, the Western Australia Police Force has established Operation Tide to lead its response to COVID-19, including the management of travel by exempt people for an allowed purpose across our intrastate regional boundaries. Responsibility for enforcing the intrastate boundaries fell to police. Under Operation Tide, police established a frontline operation command structure that enabled this to be put in place swiftly. I thank our police officers and other personnel who staffed these boundary checkpoints. Their approach to this operation was compliance with compassion, thus ensuring that police and community worked together to protect us all. Officers attached to the highly visible static check points or undertaking mobile patrols made inquiries as to the purpose of a person's travel between regional areas. Officers then determined whether the person's journey was consistent with any previous approval or if they were otherwise exempt for an allowed purpose. These checkpoints were staffed, some of them around the clock, by up to 500 personnel per day. They were drawn from a number of different agencies with approximately 240 from police, 100 from the Australian Defence Force, over 110 staff from Main Roads Western Australia, and nearly 40 from the State Emergency Service and others. All these people deserve our thanks for their commitment to our state.

In terms of simple statistics, 806 005 people have attended the checkpoints since the commencement of regional borders, of which 792 074 were permitted entry and 13 931, or 1.7 per cent, were refused. This became a more efficient process when the government, in consultation with industry, made available the G2G PASS app, an application developed locally by a WA company based in Leederville. It has also been made more effective by collaboration across agencies. Our police have worked closely with the following partner agencies: the Department of Primary Industries and Regional Development, Main Roads Western Australia, the Department of Fire and Emergency Services, the State Emergency Service, ADF personnel and the Department of Transport.

Overall, the community has been understanding of the restrictions and appreciated the job police and their partner agencies have done. These officers have undertaken their role without hesitation, including through some difficult weather conditions, for extended periods. Protecting our regional borders has also seen our police numbers combine their regular policing role with staffing checkpoints. There have been some notable incidents that have combined these roles. I especially thank Commissioner Dawson; Deputy Commissioner Dreibergs; Assistant Commissioners Donaldson and Steel; Commanders Sorrel and Gaunt; and Superintendents Chadwick, Greatwood, Seivwright and Western with our police district superintendents who led police on the frontline.

With the commencement of phase 2 from yesterday, our intrastate regional boundaries have reduced to four zones. New checkpoints have commenced on these borders plus mobile patrols. This has meant that a significant number of police have been released back to frontline duties. The work has been adjusted but it has not stopped.

The SPEAKER: Thank you, minister. I would like to congratulate them all for picking me up all the time and checking my credentials. They have always been happy and smiling.

NATIONAL VOLUNTEER WEEK

Statement by Minister for Volunteering

MR M.P. MURRAY (Collie–Preston — Minister for Volunteering) [2.07 pm]: I am pleased to inform the house that this week is National Volunteer Week, an annual celebration of Australian volunteers. This year's theme is "Changing Communities. Changing Lives." This theme speaks of the selfless contribution that Western Australian volunteers make to the community each year. These volunteers create, support and sustain services and activities that are essential to our communities. The importance of volunteers to Western Australia is evident now more than ever. Thousands of Western Australian volunteers have stepped up to support our response to the COVID-19 pandemic. This demonstrates the kind and generous attitude of Western Australians to put their hands up and help the community in a time of crisis and uncertainty. I think I speak for all members of the house in expressing thanks and gratitude to them. These volunteers deliver essential services and activities to support our most vulnerable through this challenging time such as telephone wellbeing checks, urgent household maintenance, essential transportation and grocery and medication deliveries.

I would like to acknowledge and promote Volunteering WA's new emergency volunteering website that matches volunteers to emergency responses by community organisations and local governments. To date, 4 000 Western Australians have registered online to provide crucial support to community members during this public health emergency. This new measure shows just how important volunteers are in ensuring that community members stay safe and healthy in this uncertain time. I commend Volunteering WA on its hard work in developing this important resource.

COVID-19 has meant that this year's National Volunteer Week events and awards have not been possible. The WA Volunteer of the Year Awards, a highlight of National Volunteer Week, has been postponed until later in the year. Volunteering WA will announce a new date in the coming weeks.

Volunteering Australia and Volunteering WA have refocused their efforts to celebrate volunteers through a virtual campaign. Across Western Australia, many organisations are recognising and thanking their volunteers through virtual coffees, dinner parties, awards ceremonies, competitions and other activities. I encourage all Western Australian organisations to follow this example by thanking their volunteers and acknowledging their generous contribution through online events and activities, social media and other digital platforms. It is important that we continue to promote the value and significant contribution of volunteering to the social, cultural, economic and environmental wellbeing of Western Australia, and more so now than ever. Once again, I would like to acknowledge volunteers for their tireless efforts in supporting Western Australian communities.

ECONOMICS AND INDUSTRY STANDING COMMITTEE

*Eighth Report — "Taking Charge: Western Australia's Transition to a Distributed Energy Future"—
Government Response — Statement by Minister for Energy*

MR W.J. JOHNSTON (Cannington — Minister for Energy) [2.10 pm]: I rise to inform the house on the progress of a whole-of-government response to the eighth report of the Economics and Industry Standing Committee titled "Taking Charge: Western Australia's Transition to a Distributed Energy Future", as tabled in the Legislative Assembly on 20 February 2020. The committee report identifies the challenges and opportunities as the energy sector transitions from traditional generation and distribution technologies towards a more complex electricity system featuring the use of innovative technologies and alternative business models. I welcome the committee's recommendations and note they are consistent with the work being done under the McGowan government's energy transformation strategy to facilitate the deployment of innovative electricity supply technologies such as microgrids, electric vehicles and standalone power systems in Western Australia. A major component of the energy transformation strategy is the distributed energy resources road map, a five-year plan outlining intended policy, systems and regulatory changes required to address the challenges and opportunities associated with the continued uptake of solar panels, batteries, microgrids and electric vehicles. The road map was released on 4 April 2020 and work is underway to progress the 36 actions outlined in the road map. Although the whole-of-government response to the committee report is well progressed, additional time is required to complete this work. I will shortly be in a position to provide a complete response to Parliament.

QUESTIONS WITHOUT NOTICE

BARLEY EXPORTS — CHINESE TARIFFS

302. Mrs L.M. HARVEY to the Premier:

Can the Premier please provide the specific detail behind China's argument for introducing a tariff on the \$1 billion barley industry and outline to the house his detailed response plan to assist impacted farmers?

Mr M. McGOWAN replied:

I think the first part of the question asked me what the Chinese plan was—was that correct?

Ms R. Saffioti: The Chinese reasoning.

Mr M. McGOWAN: The Chinese reasoning. I cannot answer that. That is not something that —

Mr B.S. Wyatt: Is that because you're not Chinese?

Mr M. McGOWAN: I cannot answer what the Chinese reasoning was. It is quite a bizarre question to ask me to answer that. All I can say is that from our point of view we have every confidence that Australian barley is neither being dumped nor subsidised by Australian farmers or Australian industry. That is our point of view in relation to this matter. That is the point of view of the agriculture minister and the Western Australian government. Indeed, that is also the point of view of the Australian government. The Western Australian government has supported the industry. We will continue to work with the industry to find alternative markets, if that is what is required, and clearly it will be at this point in time. We will also work with the industry to provide assistance in relation to research. Grains research has been one of the success stories of the government. From memory, it is something in the vicinity of \$60 million that this government has put towards grains research. It is very important for industry. As the Leader of the Opposition knows, the productivity of our grain farmers or grain producers has increased significantly over the last 30 or 40 years, and that is basically because of scientific research. I saw some figures at one point that said there has been a threefold increase in productivity, whilst rainfall has gone down perhaps over the last couple of decades, which is really quite extraordinary. That is because of the scientific research or the scientific way that the farmers farm. It is a credit to them, but also a credit to the Department of Primary Industries and Regional Development and all of the grains research we have put in. My advice to the Leader of the Opposition is that if she wants to know or understand the reasoning, she might want to contact the ambassador.

BARLEY EXPORTS — CHINESE TARIFFS

303. Mrs L.M. HARVEY to the Premier:

I have a supplementary question. Given the Premier and his government have been aware of this issue for more than a year, why has the Premier not involved himself earlier in this barley tariff crisis, given its overwhelming impact on Western Australian farmers and our economy?

Mr M. McGOWAN replied:

One of my more research-oriented staff members researched *Hansard* to see how many times the state opposition has raised this matter and the answer is that the Leader of the Opposition has never raised this matter.

Mr B.S. Wyatt: No!

Mr M. McGOWAN: She has never raised this matter.

Several members interjected.

The SPEAKER: Members!

Mrs L.M. Harvey interjected.

The SPEAKER: Leader of the Opposition!

Mr M. McGOWAN: Apparently, only one MP has raised the matter, including the National Party, and that is Hon Jim Chown! He raised the matter on one occasion. All I would say is that people in glasshouses should not throw stones. Clearly, this is a significant national issue. I have put out the hand of friendship to offer support to whatever the commonwealth government would like the Western Australian government to do. I am not keen to get myself in a situation whereby the commonwealth government would say somehow we, or myself, has interfered in any way in relation to any delicate negotiations or discussions that might be going on behind closed doors. I have made the offer to the commonwealth government that we are available to support, because clearly Western Australia has a very big interest in this form of trade and also a very big interest in good trading relationships with our traditional trading partners. At this point, the offer has not been taken up. I cannot really make the commonwealth take up our offer of assistance. I would urge the leader of the state Liberal Party to raise the issue with the Liberal Prime Minister and use whatever influence she might have.

CORONAVIRUS — GOVERNMENT RESTRICTIONS — EASING

304. Mrs R.M.J. CLARKE to the Premier:

I refer to the overwhelmingly successful response to COVID-19 by Western Australians in stopping the spread of this virus.

- (1) Can the Premier update the house on the government's road map in easing COVID-19 restrictions?
- (2) Can the Premier advise the house what the phase 2 easing of restrictions that came into force yesterday has meant for Western Australians, in particular local businesses?

Mr M. McGOWAN replied:

(1)–(2) I thank the member for Murray–Wellington for the question and I thank all the small business owners and employees out there across Western Australia for their patience over the course of the last eight to 10 weeks. I know it has been very tough and very difficult for many businesses. It has been heartbreaking to watch what has taken place. We announced on Sunday a week ago a road map out of what has taken place. We implemented phase 2 yesterday. A range of businesses are now able to better trade in accordance with traditional trading than they were able to before that. We realise it is not perfect and there will be further stages of easing of restrictions, assuming low rates of infection in the future. But to recap from yesterday: everyone was encouraged to go to work unless they were unwell. It appears many people are taking up that advice. Western Australian cafes, restaurants and bars are able to reopen for dine-in services and this has allowed many to dramatically enhance and increase their trade. The number of people in the restaurants and cafes is double what is permitted in the eastern states and that reflects the great way Western Australians have taken up the case for more hygiene and better social distancing and the like. Double the number of people are able to attend cafes and restaurants in Western Australia compared with those in New South Wales, Victoria, Queensland, Tasmania and South Australia. Fitness classes, public swimming pools, community centres and libraries have reopened. School attendance is now compulsory. As of yesterday, we had 90 per cent attendance. That is back to normal levels, which is terrific. That allows for not only great education, but also parents to go to work. We have also put in place the COVID Safety Plan to assist businesses, and place training packages, particularly for people working in restaurants and in the hospitality industry generally. The COVID Safety Plan has had thousands of downloads. Elective surgery is now back above 50 per cent. We have taken a cautious, but I think responsible, approach. We could not open everything at once. Obviously, we will monitor the situation and continue to open up over the coming weeks, assuming low rates of infection.

One of the things I am constantly asked about is the hard border with the east. I am asked about it every single day. I have said constantly that that is one of the final things we will lift. Whilst people may not like it, including the New South Wales Premier and, it appears, some federal ministers, that is tough. We will keep it in place for as long as is necessary. We have had only one new case in Western Australia over the course of the last week. By contrast, Victoria has had 59 new cases that it knows about, New South Wales has had 15 new cases that it knows about, and Queensland has had 10 new cases that it knows about. I found it grossly irresponsible that the Leader of the Liberal Party would call for the border with the east to be brought down at this time. It is not the safe or right thing to do. It is not the right time for this to be called for. I urge the leader of the state Liberal Party not to follow the lead of the New South Wales Premier. Just because the New South Wales Liberal Premier calls for it does not mean that the Liberal Party in Western Australia should follow suit. It is not the right time or the safe time for it. It is contrary to medical advice that we bring it down at this time. If the Liberal Party wants to make Western Australia a less safe place, be that on its head.

STATE ECONOMY — JOB CREATION

305. Mr D.C. NALDER to the Premier:

I note that the government's website Our Priorities has been shut down. Can the Premier confirm that that means that his government no longer has an economic plan or a target of creating 150 000 jobs at a time when Western Australia needs them the most?

Mr M. McGOWAN replied:

I made that announcement nine weeks ago, I think. We were so open about it that we put out a press release and put it on our website. The Liberal Party of Western Australia did not notice that. It has taken it nine weeks to notice it. Clearly, the greatest economic crisis in 100 years has impacted on things in Western Australia. We decided to make some changes to things that were in place, so that website is now completely suspended, as I think any right-thinking or reasonable person would expect. Over the course of the last 10 weeks, we have announced numerous measures to cut taxes, bring forward infrastructure and support industry and the workforce. We have worked cooperatively with the other states and the commonwealth government to support industry in Western Australia and to support incomes, and we are working towards implementing further measures to support the economy over the coming months and years. But it will be a long road out of this. It is not an easy thing to do or an easy situation to get out of. Essentially, the Western Australian government supported industry, in many ways, to a higher degree than any other state did. When there were national moves to shut down certain industries, we resisted. With the mining industry, we said no. With other parts of industry, we said no, they are not to be shut down. We found ways for them to continue to operate. We have supported the economy, and the Western Australian economy, in better and more productive ways than have the other states. One of the things we did over recent weeks was say that we wanted to liberalise within Western Australian borders to a higher degree than we otherwise would, and the reason we could do that is that we have a hard border with the east. We said that infected people from New South Wales and Victoria, whoever they may be, should be kept out. We have a different point of view from that of the Liberal Party. The Liberal Party wants to bring down the hard border with the east. That is clear. We have a more safety-conscious

approach for Western Australians, and we also have the view that by keeping the border in place for some months to come, we can more easily liberalise and support economic activity within Western Australia than we otherwise could. We think that is the right way forward for Western Australia. It is the safer way forward. Unfortunately, the Liberal Party seems to be following the lead of the New South Wales Premier. It is not safe and it is grossly irresponsible.

STATE ECONOMY — JOB CREATION

306. Mr D.C. NALDER to the Premier:

I have a supplementary question. After nine weeks and following yesterday's announcement that businesses have reopened, can the Premier confirm that the government has no economic policy or target for jobs to take Western Australia forward?

Mr M. McGOWAN replied:

That is a silly question.

Mr D.C. Nalder interjected.

Mr M. McGOWAN: Once again, I urge the Liberal Party not to politicise the COVID-19 crisis.

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman, you have had two goes.

Mr M. McGOWAN: Obviously, we are working very hard to create jobs and we will bring in further measures to support job creation and job growth in Western Australia—big measures. It will be interesting to see what the Liberal Party does about that.

CORONAVIRUS — TRANSPORT PROJECTS

307. Dr A.D. BUTI to the Minister for Transport:

I refer to the McGowan government's record investment in transport infrastructure and the key role that it will play in supporting Western Australia's economy through COVID-19. Can the minister update the house on the work underway to plan to deliver the McGowan government's record number of transport projects, including Metronet, and can the minister advise the house how the fast-tracking of these projects will help protect WA jobs and support local businesses?

Ms R. SAFFIOTI replied:

I thank the member for Armadale for the question and for his support for WA jobs and contracts in his area. Over the past three years, the McGowan government has delivered over \$5 billion in road and rail infrastructure. We have been delivering projects and planning for future projects. Let us talk firstly about the Metronet office. It is working well with Infrastructure Australia, getting our business cases approved and getting those projects shovel ready. The previous government could not work with Infrastructure Australia or even with their own federal colleagues to get funding and to get projects off the ground.

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman, I call you to order for the first time. It is not your show. The minister is on her feet.

Ms R. SAFFIOTI: I know why they are sensitive about this. It is because they know that they could not work with the federal agencies to get projects shovel ready. Main Roads has been working away, too, to make sure that we get all the approvals needed to deliver projects such as the Albany ring-road and the Bunbury Outer Ring Road. We have a pipeline of construction activity, but the task is enormous, with a record number of major road and rail projects. Another initiative that we have established is a new office of major transport infrastructure delivery. That brings together the expertise from Main Roads and the Public Transport Authority to work as one to deliver these major projects—for example, the north east corridor where we are delivering on the upgrade to Bayswater station, the Morley–Ellenbrook line and the Tonkin gap project. It makes sense to bring them together under a single leadership to deliver those projects. It is a great initiative and means that the expertise, particularly in alliance contracting, will be shared across the entire team to make sure that we can get these projects fast-tracked and delivered in a holistic way.

Members, I am very proud of the amount of work that we are doing to make sure that we create jobs in Western Australia, unlike opposition members who want to criticise every contractor out there doing jobs—the workers for B&D Contractors, the workers for CPB Contractors and the workers for Coleman Rail, which opposition members criticise every day. Today, we will also announce the awarding of the two major construction contracts for Denny Avenue level crossing and Bayswater station. They are fantastic job-creating projects that will basically rejuvenate the town centres in Kelmscott and, of course, in Bayswater. Not only are they infrastructure projects, but also they will facilitate further private sector investment in land use, land development and new projects. I could not be more proud of the pipeline of works that we have underway across the state creating jobs and supporting the WA economy, and we will be doing it more and more.

FLY IN, FLY OUT WORKERS — INTERSTATE — PERMANENT WA RESIDENTS

308. Ms M.J. DAVIES to the Premier:

I refer to the Premier's announcement on Friday in which he said that the state government would launch a joint campaign with industry to relocate thousands of interstate fly in, fly out workers permanently to WA.

- (1) What target has he set for the relocation exercise and what time frame does he hope to achieve it in?
- (2) Will he prioritise the relocation of those willing to come to WA permanently to regional areas that service our mining and resource sector?

Mr M. McGOWAN replied:

- (1)–(2) On Friday after the national cabinet and the State Disaster Council, I went to Mandurah where I held a press conference on the foreshore with the member for Mandurah, and then we had a great walk around Halls Head Central shopping centre. It was very good and —

Several members interjected.

Mr M. McGOWAN: We got to talk to lots of locals and to hear their concerns. It was very informative. I enjoyed very much visiting Dawesville and Halls Head. I expect I will visit there many more times over coming months.

In answer to the specific questions, I had a roundtable meeting with the iron ore industry Thursday or Friday a week ago. Each of the major iron ore miners was there. Five miners were represented with basically the CEOs of each as part of it to discuss what things we can get out of what has happened. What is there that Western Australia can secure out of what has happened to better strengthen and better support WA? It is a terrible time, but we have to take and look for any opportunities that might arise. Clearly, the mining industry, as have the oil and gas and other industries, has moved lots of staff members with their families from the east basically to live here. There are people who fly in, fly out from the city here. Some have moved into regional towns and some have moved into Hedland, Karratha or Kalgoorlie rather than FIFO from Melbourne, Sydney or Brisbane. It struck me that railcar manufacturing, reinstating flights when the time is right—as we know, a lot of flights are supported by the mining industry—and getting some of those FIFO workers who fly out of Melbourne, Sydney or Brisbane to live permanently in Western Australia is an opportunity. That is why I convened the meeting. The Treasurer and the Minister for Mines and Petroleum were there, and it was a very productive meeting. We all agreed that it would be a great opportunity. This event has shown that supervening events can cause trouble for industry, particularly when staff members and employees have to travel 4 000 kilometres to Perth and another 1 500 kilometres or so to work. It can interrupt their operations. We talked about the opportunity of FIFO workers coming here. I would love it if they came and lived in regional communities—to Hedland, Karratha, Newman, Kalgoorlie or wherever it may be. That would be wonderful as part of this.

In terms of time frame, the opportunity to work on this is now, so industry and government is working on this as we speak. In terms of exact targets, thousands of people—I have heard various figures; one figure I heard was 6 000 people—are FIFO-ing out of the east. Making sure we secure as many of those people to live in Western Australia would be great for the state. We have had a huge net decline in migration to Western Australia. Not having the migration levels we used to have is having a big impact on home building. It is impacting home building in a way that that none of us could have foreseen and that none of us are in control of. Clearly, if we get people moving from the east who live here for a period and experience the lifestyle, it can partly make up for that loss of international migration. It means also that people with large incomes generated in Western Australia keep those incomes here. I have answered the member's question as best I can. When those people come here with their families, I would certainly love to see them living in regional WA.

FLY IN, FLY OUT WORKERS — INTERSTATE — PERMANENT WA RESIDENTS

309. Ms M.J. DAVIES to the Premier:

I have a supplementary question. Thank you, Premier.

- (1) Will the Premier's state government prioritise the relocation of those willing to come to WA permanently to regional areas?
- (2) What incentives will the state government offer those considering moving to WA?

Mr M. McGOWAN replied:

- (1)–(2) We have not resolved any incentives at this time and that obviously has a degree of controversy attached to it. Clearly, having lost most of our international migration, we need to work with the housing industry to create the opportunities for demand. If people were to come here and build a house in a regional town or in a suburb of Perth, that would be a great net benefit to the state's economy. On top of that, there is the income generated. The average mining worker receives an income way in excess of the average weekly earnings of someone in Western Australia. Both of those things are huge advantages to the state. We have not finally settled on what any incentives may be or to what degree they will be. One of the things that has occurred I think out of all of this is that people coming here, however they stay or whatever their arrangements are, will actually have had a bit of a taste of Western Australia and seen what it is like. Clearly, their partners or

spouses would probably appreciate that two days every fortnight or two days every three weeks they are not on a plane flying back and forth across the country. There is a historic opportunity here out of this, and we are trying to grab it because it has not presented itself in this way before because we have not made FIFO workers move from the east to here in the way we have with the hard border—another advantage of the hard border. The hard border has many advantages for Western Australia. It is just a pity the Liberal Party does not understand that. This is an advantage of the hard border that was not foreseen, but it is something we want to take advantage of in the interests of the Western Australian economy.

CORONAVIRUS — ELECTIVE SURGERY — REINSTATEMENT

310. Mr C.J. TALLENTIRE to the Minister for Health:

I refer to Western Australia's response to COVID-19 and its great success in containing the spread of the virus. Can the minister outline to the house how this success has allowed the government to start increasing the number of elective surgeries across the state and can the minister advise the house what will need to happen to reinstate all elective surgeries in WA's public and private hospitals?

Mr R.H. COOK replied:

I thank the member for the question. It is an important one for the future of health care in Western Australia because although we know that making sure we keep the number of cases of COVID-19 down, we also need to be aware of the disease burden and the burden of chronic disease and injury in other aspects of our health care. On 23 March, we made a difficult decision—that was to cancel all elective surgery other than category 1 to make sure we had sufficient capacity in our hospital system to respond to what was at that point an anticipated demand for hospital services associated with COVID-19. The other event that was occurring at the time was the huge demand for personal protective equipment, for not only our healthcare workers but also healthcare workers across the globe. We were really struggling, as were all healthcare systems, to make sure that we had enough equipment to protect our workers and the patients they care for.

Rolling forward, our suppression strategies in Western Australia, as part of the national cabinet process, have been very successful. On 28 April, I was delighted to join the Premier in announcing that we would not only continue to do category 1 surgery but also start a quarter of the category 2 surgical activity from that date. That has been going well. We are continuing to undertake a range of category 1 and 2 elective surgeries, focusing particularly on those people who have waited the longest. Recently, the Premier and I were very pleased to announce that from 18 May—yesterday—we would once again increase the amount of elective surgery that is taking place in Western Australia. We will now do category 1, 2 and 3 elective surgery. We are not only focusing on the category 1 surgeries, which are the most important, but also making sure that we get to category 2 and 3 surgeries, particularly for those who have waited longer than most.

On behalf of the government, I thank all Western Australians for their patience during this time. Many people have been waiting for pain-relieving surgery. The decision to suspend that surgical activity was not an easy one, but it was a necessary one. We will continue to grow the amount of elective surgery that is taking place. As I said, from yesterday, it is ramping up to 50 per cent. We will continue to monitor the amount of elective surgery that is taking place against the amount of personal protective equipment we have available to us. We are continuing to source that equipment from overseas. We are also continuing to source it locally from those manufacturers that have been able to repurpose their manufacturing processes to support our health system. Elective surgery is also taking place in private hospitals, which means that more Western Australians will be able to get their surgery.

I ask all Western Australians to be not only patient, but also ready. We are trying to reschedule this surgery at apace now, so some people will not get a great deal of prior notice of their operations. We ask them to be ready, particularly if their surgery was cancelled before because they will be the priority, to make sure that we can get it going. It is not just cafes that people are desperate to get back into; our surgeons, nursing staff and patients are also keen to get back into operating theatres. We have had a rush on. I think we will meet that 50 per cent target faster than we would perhaps be comfortable with, but it is great to see people getting back on board. We will continue to review the situation and, hopefully, get up to 75 per cent and then 100 per cent of activity. We want to get people back into our hospitals because we know that we can then get them on a better care pathway and back on the road to recovery. This is a great opportunity. It is an opportunity that has been brought about by the hard work of Western Australians to get the COVID-19 disease burden under control. If we can continue to do that through social distancing, personal hygiene and the measures that we have in place, we will be able to do more of these things, which will get Western Australians and our hospitals back to work. This is a great opportunity to continue to care for Western Australians, and it has been made available because we are getting the COVID-19 pandemic crisis under control.

METRONET — CONTRACTS — OVERSEAS COMPANIES

311. Ms L. METTAM to the Premier:

Given that Western Australia lost 62 000 jobs in the last month, why does the Premier continue to award Metronet projects to overseas companies like Spanish-owned CPB Contractors and Acciona, and UK-owned Laing O'Rourke, with no opportunity for local mid-tier companies to compete?

Mr M. McGOWAN replied:

The great thing about this government is that it is building Metronet. This year, we have the Yanchep rail, Thornlie–Cockburn Link, Bayswater station and Tonkin gap projects underway. This minister has been proceeding apace with the Forrestfield–Airport Link.

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse, you will get a supplementary.

Mr M. McGOWAN: We recently launched the project for the Mandurah train station. The minister just announced Denny Avenue. We also have railcars being manufactured in Midland, with the major railcar manufacturing facility being constructed as we speak. Indeed, I went to visit a local company the other day, Eilbeck Cranes, which is manufacturing the cranes for the new railcar manufacturing facility. There are thousands upon thousands of jobs for Western Australians in these projects that are being delivered by Western Australians, and all the Liberal Party can do is criticise. Its one policy idea is to bring down the hard border with the east, to ensure that people from the east can come here more easily. As we know, there have been rates of community infection in the east. We put up the hard border on medical advice to ensure that Western Australians are protected. The one policy idea of the Liberal Party is to bring that down. That shows how out of touch the Liberal Party is in Western Australia and how unfit it is for government.

In relation to the various projects, obviously Western Australian companies are part of them—the Georgiou Group, Decmil and a whole range of subcontractors are part of these contracts across the state. Under our Western Australian Jobs Act, we will ensure that these major projects maximise local content.

METRONET — CONTRACTS — OVERSEAS COMPANIES

312. Ms L. METTAM to the Premier:

I have a supplementary question. Given that Metronet contracts are being awarded to tier 1 foreign-owned companies, does that not show that the government's failed Western Australian Jobs Act is not worth the paper it is written on?

Mr M. McGOWAN replied:

It is a silly question. The Western Australian Jobs Act is designed to maximise local content. We have numerous examples of content being maximised as a consequence of the legislation we passed. I make the point that during the course of the last government, it got John Holland to build the children's hospital. CPB Contractors was another one—the Liberal government allocated it to build Roe 8, which that government did not build.

Several members interjected.

Mr M. McGOWAN: There is the beauty, Mr Speaker! I knew there was something at the back of my mind—the Matagarup Bridge. Let us go through that as an example of local content. The last government allocated the building of a bridge over the Swan River to a company in Malaysia. When we got to office, all we got were some grainy photographs of some pieces of steel lying in the corner of a shed in Malaysia. They came along and said, "There is your bridge." It was some pieces of steel in a shed in Malaysia! We asked when it would get here, but no-one had any idea. It was not going to arrive. What did we do? We terminated the contract and went to a Western Australian contractor to build the bridge right here in Western Australia, and they built it in record time. All the Liberal Party did was attack them. Do you remember that, Mr Speaker? It attacked the Western Australian workers. They built this amazing structure right here in Western Australia in three or four months, and all the Liberal Party did was say, "This is no good. This doesn't work. This isn't right." That was the Liberal Party's line on it. I think the Liberal Party's record is pretty bad. We passed the jobs act, we are building Metronet and we are creating local jobs. The Liberal government went with John Holland for the children's hospital. Let us go through that. There was lead in the pipes, asbestos throughout the building and doors that did not fit. We had to fix that and get the hospital open. We had to take steps to do it and then all Liberal members did was attack us. The hospital is now open and the company to which the Liberal Party allocated the contract is suing the state, and the Liberal Party supports it in that. The member for Riverton is on the record as saying in this house that he supports the company in pursuing the state. That is the Liberal Party's record. The Liberal Party in Western Australia is a disgrace in so many ways!

HOUSING INVESTMENT PACKAGE

313. Ms M.M. QUIRK to the Minister for Housing:

I refer to the impact of COVID-19 on Western Australia's housing construction industry. Can the minister update the house on the McGowan Labor government's \$150 million housing investment package, including how it will protect jobs and support economic activity during this uncertain time?

Mr P.C. TINLEY replied:

I thank the member for Girrawheen for the question. It is a very important and very timely one given the circumstances we find in the housing construction industry, particularly in the residential construction industry. Of course, those in multi-unit apartment buildings would be no less taxed and challenged in relation to the opportunities for their projects to get up.

We are very clear in our understanding of the situation with the various constructors. We talk almost daily with the peak bodies: the Housing Industry Association, the Master Builders Association, the Urban Development Institute of Australia and the Property Council of Australia. They are in constant dialogue with the government, assisting us to understand the circumstances in which these constructors find themselves. One thing is clear: the sorts of challenges that they have had over the last five years are nothing but have been good preparation for what they are going through right now. They are very agile, very lean and very focused on the opportunities as they present themselves, and that is quite evident.

The challenge for them at this stage, unfortunately, is the bind that they are caught in. For members of the house, by way of background, it takes about nine months from when somebody walks into a display home to when they walk into their home. The process of committing to that significant purchase and that construction is quite involved. In fact, 75 per cent of the full-time equivalent of a building company is contained in the first phase. Under the housing Construction Contracts Act, they can take a progress payment of only \$2 000 or \$3 000. The overhang and the overheads for the business at this level are quite significant at the front end; therefore, they are relying on the throughput through the pipeline of those projects coming into their final phase of construction, as progress payments become more and more significant towards completion. As that pipeline is drying up—those larger amounts of revenue that come through the business at the back end of these contracts—they are faced with only a very small number of contracts entering the front end of the pipeline. In fact, it is a quite significantly small number. The Housing Industry Forecasting Group, which has long been an established cross-industry and government group that identifies and forecasts future new housing growth, brought out a report last week in which for the first time in the history of that organisation it made no forecast about the next financial year. It made no forecast about the next financial year because it is too difficult to determine what the COVID-19 circumstances have wreaked upon our economy.

Members opposite want to castigate the government for scrapping, if you like, or putting aside an economic plan that we had when we came to government, which was based on the assumption of what we would inherit when we came to government, and say that we do not have an economic plan. I can tell members that that is far from the truth. In a place of crisis, strong leadership is what works—a strong unity of command and centralised leadership that identifies the crisis response required and acts on it. That is what we have with the current McGowan Labor government. The government is focused on the crisis—that is, the health requirements of the people of Western Australia and then their economic aspirations and how we can meet them. We had one of those examples today, when the Premier said that if any minister has something that they can bring forward in their capital works program that could assist in creating more jobs right here and now, he or she is to do so. I did that this morning. We brought forward \$150 million for the social and affordable housing program that was announced last December to ensure that it starts flowing by 1 July. That work has been undertaken. We will refurbish 70 houses, which will create jobs immediately. We will build 300 social and affordable dwellings and a further 200 shared-equity houses across Western Australia. About 90 of those dwellings will be in the regions as well, by way of interest. In this way, the government actually has an economic plan that responds to the crisis confronting Western Australia, and there is more to come. Thank you.

CORONAVIRUS — INTRASTATE TRAVEL RESTRICTIONS

314. Mr V.A. CATANIA to the Premier:

Before I ask my question, I pay my condolences to Carnarvon Community College and Carnarvon School of the Air for the loss of a teacher over the weekend.

I refer to the ongoing uncertainty plaguing regional communities that remain in the dark about when they will again be able to open to host visitors within Western Australia. Will the Premier give regional Western Australian businesses, families and industry a hard date for when the next phase of internal travel restrictions will be eased so they can prepare themselves for the tourism onslaught?

Mr M. McGOWAN replied:

It is a reasonable question. The government is working to provide that as we speak. Obviously, as time goes by, we have to make decisions based upon the best medical advice, and the Chief Health Officer has been a very busy person, along with his team. We have already made decisions that have to a greater degree opened up the Western Australian economy more than any other state in the country. Perhaps the Northern Territory might have gone further than Western Australia, but certainly no other state has. We have provided more opportunities for business within the hard border with the east than one may have expected had we not put up the hard border.

We are working on the question the member raised to come up with a solution as soon as we can. As I indicated on Sunday, we are looking at around a month, perhaps three weeks, before we are able to do things, but we are currently continuing to have discussions with the Chief Health Officer and other officials about what is possible. I understand there is a lot of pressure out there in regional communities and a lot of businesses are doing it tough, but we do not want to risk the spread of any of the virus that we are unaware of that may be in existence—admittedly we have very low rates in WA—into vulnerable communities. As I have explained to the house a few times, we had to make some difficult decisions about what we did with the intrastate borders. The arrangement we came to,

which was implemented yesterday, is the most liberalised within the borders of Western Australia that is possible within the health advice. The other option available to us was to leave it as it was. Clearly, whatever we do, we get criticism, but we went as far as we could, and we will provide further advice on the question the member asked as soon as it is possible to do so.

CORONAVIRUS — INTRASTATE TRAVEL RESTRICTIONS

315. Mr V.A. CATANIA to the Premier:

I have a supplementary question. Will the Premier commit to reopening internal borders at least a month ahead of the July school holidays so that regional businesses in the state's north have enough time to prepare for visitation to resume?

Mr M. McGOWAN replied:

We will provide advice to regional communities as soon as we can. Bear in mind that a lot of regional communities, in fact, regional members of Parliament, like the member for North West Central, were demanding we shut down the borders as soon as possible.

Mr V.A. Catania interjected.

Mr M. McGOWAN: The member was demanding that we do that. We took health advice in relation to that and we did the right thing by regional communities across the state. I might add, there have been a lot of people working on this—our police and State Emergency Service volunteers, and we have had some Army resources provided to us. Lots of people, hundreds in fact, have been working on this to keep our state safe.

It would be fair to say that the results in Western Australia have been nothing short of outstanding. Compared with anywhere else in the world, our results have been absolutely outstanding. Western Australians have embraced the rules in ways that people in other states and other countries have not. I want to give credit to Western Australians; they have been absolutely fantastic throughout this period. Regional communities have been great. Regional businesses, city businesses, and city employees—people have been so understanding of what has taken place. Overwhelmingly, people do not bear a grudge or hostility; they are just very happy that Western Australia's performance has been so good compared with that in other states and other nations around the world.

I do not want to jeopardise that. If we have an outbreak and we have to shut things down or if, God forbid, people die, that would be an appalling outcome. That is why we treat these things cautiously in accordance with the medical advice we receive, and I think that is a reasonable way forward. As soon as we can get advice and direction to regional communities that provides them with that opportunity for tourism business and other opportunities, we will do that. As it currently stands in areas around regional WA, many are now open to far greater custom than they had before; in fact, every region is now open to far greater custom than they had before. Cafes, restaurants, libraries, swimming pools and the like are all able to open. That is a significant advance on what was in place before. As soon as we can provide advice on greater measures, we will provide that.

I just want to repeat to the house: one of the last measures we will bring down is the hard border with the east, because that is one thing that gives us the capacity to better open up industries and regions within Western Australia. People who suggest that we should bring down the hard border with the east too soon are just being irresponsible with the health of Western Australians.

PUBLIC SECTOR — ENTERPRISE BARGAINING AGREEMENT NEGOTIATIONS

316. Mr S.A. MILLMAN to the Minister for Industrial Relations:

Can the minister update the house on the work underway to finalise the enterprise bargaining agreement negotiations with public sector workers and provide certainty for them during this challenging time?

Mr W.J. JOHNSTON replied:

Mr Speaker —

Mr V.A. Catania: Did you get a home hair cut as well?

Mr W.J. JOHNSTON: Yes, I did—but it was a different home, obviously!

Mr B.S. Wyatt interjected.

Mr W.J. JOHNSTON: I am pleased to update the house on the enormous progress that we are making with public sector employees through our wage negotiations. I want to begin by thanking public sector employees for the hard work they are doing in ensuring the safety and health of Western Australians. People should remember that it is public sector employees who are delivering the fabulous outcomes that we have in this state in coping with COVID-19, whether it is healthcare workers, bus drivers, police officers, public servants or teachers across the state. They are the ones who are delivering on behalf of the community in our confrontation with the scourge of COVID-19.

I am very pleased to say that on Friday, following a ballot of members of the State School Teachers' Union of WA and the Principals' Federation of Western Australia on an agreement to cover 25 000 teachers and principals across Western Australia, there was a very pleasing level of support. Over 85 per cent of members of the SSTU and

82.5 per cent of the members of the PFWA supported that agreement, and that will now be registered with the Industrial Relations Commission. In more good news, we have also reached agreement with the SSTU in relation to 2 500 TAFE lecturers. When we add all those together with the previous agreements we have with other public sector unions, over 70 000 public sector workers are now covered by a second round of bargaining for the \$1 000 wage increase, which means that over 70 000 public servants have now agreed to a full four years of our wages policy.

I note that, in addition, we are well advanced in negotiation with the WA Prison Officers' Union, the United Firefighters Union of WA and the Health Services Union for new agreements for their members consistent with our wages policy. We are hopeful that these negotiations can be concluded very quickly.

It is interesting to note that of course our wages policy for the second round of bargaining has had 62 per cent support amongst members of the police union, and we are very keen to make it clear to the police union that we would love it to settle the agreement and fully implement the benefits under that agreement for its members. It has been overwhelmingly supported by 62 per cent of the members of the police union. Of course, we have already paid the first \$1 000 wage rise to those hardworking police officers, backdated to 1 July last year. On 1 July this year, we will make another administrative payment to those police officers, regardless of the outcome of the police union's approach to the bargaining. But I make it clear that with 62 per cent support amongst the membership of the union, it is now time for the union to settle that agreement and join the tens of thousands of other public servants in this state who are enjoying the benefit of the Western Australian government's wages policy.

WILLETTON SENIOR HIGH SCHOOL — SAFETY

317. Mr P.A. KATSAMBANIS to the Premier:

What does the Premier say to the parents of children at Willetton Senior High School about why their children and their teachers have been put at risk by an individual who is out on bail for serious armed robbery charges?

Mr M. McGOWAN replied:

As I understand it, it is a matter before the courts. It was a year 11 student, from memory. No doubt the authorities will deal with it appropriately. It is obviously a situation that will be very difficult for the school, the parents and the students involved.

WILLETTON SENIOR HIGH SCHOOL — SAFETY

318. Mr P.A. KATSAMBANIS to the Premier:

I have a supplementary question. What safeguards has the government put in place across schools in Western Australia to ensure that our schoolchildren will not be put at risk by individuals charged with serious criminal offences who remain at those schools?

Mr M. McGOWAN replied:

This is a student who clearly is before the courts. One thing I have learnt over recent years is that involving myself or commenting on matters before the court is fraught. I am reluctant to do so simply because whatever I say, particularly on the record in somewhere like Parliament, can be used in any court proceedings, in particular by any defence counsel, and the courts look upon these matters very dimly. Talking about any particular case is unwise.

In relation to the broader issue, clearly matters before the courts of serious offences in which students or staff are involved are taken very seriously indeed by the Department of Education. A range of policies and protocols no doubt existed during the course of the last government to protect schools and staff as best we can in those sorts of situations. Obviously, our approach to misbehaviour, which is a different matter, and to students perhaps bullying or behaving badly with teachers and staff at school has toughened up significantly. The Minister for Education and Training announced a range of policies, I think late last year, to allow for much easier suspension and expulsion of students in that situation—a policy that was widely welcomed by both parent groups and teaching staff across the state. Our record is there that we are keen to make sure, as best we can, that staff and students are protected in schools across the state.

The SPEAKER: That is the end of question time.

BARLEY EXPORTS — CHINESE TARIFFS

Standing Orders Suspension — Motion

MRS L.M. HARVEY (Scarborough — Leader of the Opposition) [3.07 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be moved forthwith —

That this house condemns the inaction and failures of Premier McGowan and his government regarding the \$1 billion Chinese barley tariff crisis, which will overwhelmingly impact WA farmers, and calls on the Premier to outline his response to this crisis.

I understand that the leader of opposition business has negotiated with the government and that the leader of government business in the house will make an amendment to the motion on the time frame for debate.

Standing Orders Suspension — Amendment to Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [3.08 pm]: I move —

To insert after “forthwith” —

, subject to the debate being limited to 15 minutes for government members and 15 minutes for non-government members

Amendment put and passed.

Standing Orders Suspension — Motion, as Amended

The SPEAKER: Members, as this is a motion without notice to suspend standing orders, it will need the support of an absolute majority to succeed. If I hear a dissenting voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

MRS L.M. HARVEY (Scarborough — Leader of the Opposition) [3.09 pm]: I move the motion. In bringing to the chamber this motion to suspend standing orders, I note with some concern the Premier’s response in question time, which basically mocked the opposition for raising this very important matter concerning Western Australian farmers and the \$1 billion hit to the Western Australian economy at a time when it is in crisis. The Premier is correct; this issue was raised by the opposition through our shadow Minister for Agriculture in the other place, Hon Jim Chown, in early April 2019. We are stating irrevocably that the government has been caught napping on this issue.

A joint statement released on 19 May 2020 by the Grains Industry Market Access Forum, the Australian Grain Exporters Council, Grain Growers, Grain Producers Australia and Grain Trade Australia goes into great detail on this issue. It states —

China initiated anti-dumping and countervailing subsidy investigations regarding Australian barley exports in November and December 2018.

Since that time, the industry has been working with the Chinese government. The media release states that the industry understands that the Chinese Ministry of Commerce is absolutely well within its right to investigate accusations of dumping into the Chinese market. However, the statement says that the claim of dumping causing injury to China’s domestic barley market is unsubstantiated and calls on the Australian government to engage deeply with China in a respectful and meaningful way to resolve the issue and to concurrently and conveniently pursue the World Trade Organization’s dispute settlement process to the fullest extent possible.

The Australian barley industry’s relationship with China began in the 1960s. Around 10 days ago, when China drew a line in the sand with its investigations into the dumping of Australian barley into its market, we called on the Premier for a response. This threat of a tariff on Australian barley imports into China will disproportionately affect WA farmers. It is particularly critical at this point in time because the crop is in the ground for many of these farmers; it has already been planted. Those farmers planted that crop in good faith that the Western Australian government and the Australian government would go in and bat for them and come to a solution on the tariff crisis and make it worthwhile to put that crop into the ground. It is a significant problem. According to the Australian Bureau of Statistics’ latest report, the employment rate in the wheatbelt is down 7.4 per cent. The failure to harvest a barley crop and to leave it in the ground for lack of a customer will significantly impact the economic viability of many of our farmers, have a further detrimental impact on jobs, employment and family businesses in the wheatbelt, and create a proportionate hit and a wave through our economy at a point when we do not need it.

We asked the Premier what he was going to do about it. The Premier said that he had spoken to the federal counterparts and offered his assistance as a peacemaker if that would be useful. I say to the Premier: “Where have you been since this crisis started? Where have you been since the negotiations and the investigation started?” Earlier this year, the Premier was more than happy to be sitting in a Chinese restaurant in Applecross with several of his ministers, Hon Pierre Yang from the other place, and the Consul General of the People’s Republic of China. I put it to the Premier that is a very friendly relationship. They were having dinner and making toasts regarding Wuhan and a range of other things. That was a very early response from some members of the community to the COVID-19 crisis, but that is the nature of the Premier’s relationship with the Chinese consul general. Where has that relationship been in the context of the tariff imposition on our barley imports into China and the impact that that will have on our economy and our Western Australian farmers? The Premier left this negotiation to his jetsetting Minister for Agriculture and Food, Hon Alannah MacTiernan, who was alerted to this problem by Hon Jim Chown in the other place as early as April last year. What was the agriculture minister’s response at the time? At the time the Minister for Agriculture basically said, “It’s all very sensitive. I didn’t raise it when I was in China because of its sensitivity.” What is the point of the minister going to China if she does not raise issues that are going to have a significant economic impact on Western Australian farmers? This is a matter of state significance. The Premier is utterly reluctant to be involved, and that is why we raised it in this place.

I want to draw the Premier's attention to the remarks he made in this place on 10 March 2020 in response to the COVID-19 issues. It states in *Hansard* —

... when this issue first became significant in Australia, with the stopping of travel between China and Western Australia on 1 February, the Prime Minister called me ... He called me and I called my staff and I convened a bunch of roundtable meetings for the following Monday, 3 February with the mining industry, agriculture, international students and tourism—separate events—to hear from them about what they thought the impact might be. We took it so seriously that we led Australia in our economic response. We were the first state to do so —

These are the Premier's words —

It stands to reason, considering Western Australia's trading relationship with China, that we should lead Australia in relation to those things ... The three most senior industry association heads in Western Australia have all said that this government led the nation in its response. After that, I immediately, with other ministers, engaged with our Chinese partners in the airline industry, business and government, to make sure that the relationship was kept strong because obviously the issue was very much focused on China initially and we had to keep the relationship strong so that when the virus lifts, we still have that relationship and can get the flights back and keep the strong trade, and get back the students and tourists ... The Minister for Asian Engagement, the Treasurer, the Minister for Tourism, other ministers and I—all of us across government—worked on that.

That is what we are asking the Premier to do now on behalf of our Western Australian farmers who have a barley crop in the ground and no market to sell it into. We are asking the Premier to engage with all his ministers and go in to bat for our farmers.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA) [3.17 pm]: I stand on behalf of the Nationals WA to support this motion and to put on record that it is widely acknowledged that our Australian farmers, particularly in Western Australia, are some of the least subsidised in the Organisation for Economic Cooperation and Development. Over my 12 years as a member of Parliament representing either the Central Wheatbelt or the Agricultural Region in the other place, the subsidisation of our farmers and exactly what they do and do not get from our government has been the centre of a heated debate. Because there is so little intervention from government by way of financial assistance for our farmers in Western Australia and Australia, we have some of the world's most efficient farmers. In spite of climate change, volatility of pricing on imports, access to skilled and affordable labour, continued threats to their right to farm with debates on GMO crops, glyphosate, mulesing and animal activists, they continue to adapt and evolve to meet changing market demands. Western Australia's grain industry has the greatest exposure to any disruption to trade restrictions or relations. We export the majority of our cereal crops and we export the majority of our barley to China.

The Chinese market is lucrative. Over time, our state has developed, under both persuasions of government, mutually agreeable relationships with their trading partner involving the iron ore, wheat, barley, wine, rock lobster and dairy industries. They are all beneficiaries of a strong relationship. This tariff is incredibly disappointing and damaging for our farmers. Many others outside the cereal crop sector are also starting to feel very nervous. Many farmers in the broadacre sector have already completed their seeding schedule and some will be too advanced to change their program. The flow-on impact in regional communities will be the same as a property slump in the metropolitan area; arguably more so because many of our communities are solely reliant on the underlying profitability from agriculture. When the dollars dry up, it impacts every business and employee in town. Although our farmers are incredibly resilient and adaptive, it is very difficult to adapt to shocks like this. All of us in this place must work hard at all times to make sure that we minimise those shocks.

I trust the Premier's words have been backed by action and that the Premier and his team are taking a keen interest in this and are working to offer the fulsome support of government; more than just lip-service and glib answers in this place. The Nationals WA have reached out to our federal counterparts. We also maintain regular contact with Co-operative Bulk Handling, which is Australia's largest grain exporter. It is incumbent on the Premier and his cabinet to do everything they can to support efforts to resolve this issue. Our growers are some of the most efficient in the world. They are neither subsidised nor have they been dumping their product. They are efficient business operators who have worked hard to develop a world-class product. We should be proud of them. I reiterate: it must be all hands on deck, Premier. It must be more than just a comment that the Premier has offered to assist. Our farmers expect everyone in positions of power to have this as a priority for resolution.

MR D.C. NALDER (Bateman) [3.20 pm]: Where is the Premier on this issue? Whenever there is a good-news story, the Premier is front and centre. He spruiks about his relationship with the Chinese government and the relationship Western Australia has with China, but where is the Premier when it comes to this issue regarding farmers? There is a track record developing from this Premier and this government when it comes to regional Western Australians. We do not have to look too far to see what this government has done, particularly when it comes to the other side of the scarp. Members of this house know how much this government has stripped out of

royalties for regions. The people in this house understand what this government has attempted to do to things like the School of the Air and community resource centres—their budgets were stripped. We have looked at what it has done to Moora Residential College and its attempt to nationalise the crayfishing industry. Despite promising no gold tax before coming to government, the Labor Party tried to introduce a new gold tax. Why does this government have such a bad feeling towards the people of regional Western Australia? Why can it not look beyond the scarp as to the importance of the regional community, particularly our agricultural sector? We know how important the agricultural sector is to the Western Australian economy, yet this Premier has been totally absent: “It’s not my fault; I can’t do anything; I’ve offered my help to the federal government.” When there is good news, the Premier is front and centre—he is responsible for the outcome of delivering great trade into China. But when there is a challenging issue, he wants to hide behind, “The agriculture minister has got it” or, “Oh no, that’s a federal issue. I’ve offered my support.” But he is not front and centre. He is not standing up for Western Australian farmers, maybe because he does not believe there is a vote in it. The Premier is extremely politically motivated. He is sitting there saying, “We can’t win a vote over there in the wheatbelt, so why would we bother trying to fight the cause for Western Australian farmers?” The Premier’s absence is completely telling. Our farmers have been caught out. Of this 80 per cent tariff, 90 per cent of the grain exported to China comes from Western Australia. Western Australia is the major supplier by far. No other state in Australia has been impacted as badly as Western Australia. Where is the Premier?

During question time, the Premier said, “You haven’t asked me any questions in Parliament.” Is the reason the Premier does not act because we have not asked him a question in Parliament? Is it not important enough to Western Australians for the Premier to act of his own free will? The Premier argued during question time that it was our fault he had not acted, because we had not asked him a question in Parliament! That is an absolute disgrace to the people of Western Australia. They deserve better from this Premier; that he actually understands the issues confronting Western Australians. We cannot afford at this point to have another billion dollars stripped out of our economy, like we had \$750 million stripped out of our economy when the Premier decided to change the regional migration scheme. He thought that was all about international immigration. That did not change, but it changed the number of international students coming to Western Australia. That stripped \$750 million a year out of our domestic economy. Now we are talking about another billion dollars.

MR M. McGOWAN (Rockingham — Premier) [3.24 pm]: The government will not be supporting the motion of the Liberal Party, for obvious reasons, but I want to go through each of the arguments. Firstly, the Leader of the Opposition said something to the effect that I was mocking the farmers. That is a blatantly untrue statement. In question time, the Leader of the Opposition asked me a question that sought to put me into the mind of the Chinese policymakers in Beijing as to why they have done something or other. Clearly, that is not something I am in control of or have any knowledge of. If there was any mocking, it was just pointing out what a ridiculous and absurd proposition the Leader of the Opposition had put to me. Secondly, I want to express my sympathy and support for the farmers in the regional communities who are going to suffer as a consequence of this decision that was beyond their control and that they had nothing to do with. They are caught in a bigger issue than they have control over. That is very sad for them and a very disappointing outcome. We have every confidence that no Australian barley is being dumped or subsidised. That is something that has been pointed out by state and federal governments on numerous occasions to Chinese policymakers over the last 18 months.

As I have said on a number of occasions, the Minister for Agriculture and Food has spoken to the Chinese Consul General in Western Australia to point out the Western Australian government’s concerns about the decision. I understand that that was reinforced during a long conversation between the agriculture minister and the Chinese Consul General. I have raised the issue with the Prime Minister and offered support. The opposition does not seem to accept that, but I want to explain why I did that. I want to support the Australian government in solving this problem. Foreign affairs are matters for the commonwealth government. This is clearly a very delicate and sensitive issue at a national and international level. I do not want to get into a position whereby I might say or do something that is contrary to the views or the policy of the commonwealth government. I want to support the commonwealth government in whichever way I can; hence, I have reached out on a number of occasions to the Prime Minister to offer that support so that I work in harmony with whatever it is attempting to do. A lot of diplomacy is carried out, in fact overwhelmingly, behind closed doors. We do not know what might be going on behind the scenes. I do not want to go into something that is clearly a highly charged and sensitive issue and say things that might be contrary to whatever the commonwealth is trying to resolve or whatever negotiations it might have in place. I think that is entirely reasonable.

When I asked the Leader of the Opposition whether she suggests I should call the ambassador, she did not answer. Does the Leader of the Opposition want me to call the ambassador? Is that the Leader of the Opposition’s position?

Mrs L.M. Harvey: I want you to tell us what you have done so far—made a phone call to the Prime Minister! You have answered it; it is all you have done.

Mr M. McGOWAN: The state of the Liberal Party in Western Australia is very, very concerning. I made the offer to the commonwealth government and I do not want to interrupt whatever work it is doing or whatever work is in

place and whatever negotiations are in train. The agriculture minister has made the same offer to the national trade minister. We have made the offer. I expect other states have as well. But foreign affairs, and particularly highly charged diplomatic issues, are matters for the commonwealth government. I would not want to intervene and then be accused of somehow derailing something that might be going on at an international level. That is a reasonable thing to say and a reasonable position for the Western Australian government. Of course we want to keep strong trading relationships. Of course we want to keep relationships with our biggest trading partners—it is incredibly important for jobs and opportunities in Western Australia—but in so doing we need to make sure we do not step on any diplomatic landmines as we go through that process. That is why I made the offer to the commonwealth. The farmers from the wheatbelt down to Esperance are obviously the meat in the sandwich in a much bigger issue that is not of their making or the state government's making. We have not had any involvement in creating this diplomatic issue and neither have the Western Australian farmers. What has occurred is way outside our jurisdiction. We will work cooperatively with the commonwealth to resolve the issue in any way that we can. However, in a practical way, we can work with the exporters and the farming community to look for alternative markets if this issue is not resolved at the national and international level. There are other markets out there, but the problem is that the price received for barley in those other markets is potentially lower than the price received in the Chinese market. That is the loss that farmers and regional communities will endure, which is very sad. This issue is not of their making or of our making. It is very sad. We will continue to work on finding other markets. I have just had a conversation with the Minister for Agriculture and Food about it. We will also continue to support grains research in Western Australia. In last year's budget, I recall there was a \$40 million injection into grains research. Over the course of this government, it has received \$60 million in total. In the environment that we confront, that is a very significant investment into grains research, which supports regional communities and farmers across the state. Obviously, money is hotly contested within government, particularly a government that actually manages the finances well. The provision of \$60 million for research and support for farmers was a big commitment. With declining rainfall and competition from the Ukraine and other countries, we have to make sure that we continue to be productive, produce high-quality products and access markets. That is the work that Hon Alannah MacTiernan has engaged in, and I think she has done it very well. We put a floor under the old Department of Agriculture and Food Western Australia. Its finances were in freefall over the eight and a half years of the last government. We put a floor in place and supported agriculture to ensure that that freefall stopped. Over the last three years, agriculture has received more support from the state government than it did during the previous eight and a half years. We will continue to support agriculture in the state.

In closing, we are obviously a trading state. I have said that numerous times. Therefore, we have to have good relationships with countries around the world. Australia is a country of 25 million people in the Asia-Pacific region, which contains around four billion people. Making sure that we have good trading relationships is very important. As the principal trading state in the nation, we are doing everything we can at the state level to keep those good trading relationships. Without Western Australia, our export industries and the entire country would be in enormous trouble. Sometimes policymakers, other states and governments at the national level do not quite realise the extent to which Western Australia supports the nation. Obviously, in Western Australia we understand it, but at the national level, and among the other states, it is not realised or appreciated. We get very little gratitude for it. We are doing our best in these times of trouble to once again support the entire country. We are doing everything we can to make sure that our economy remains strong.

However, one thing I cannot do is potentially blunder into an international issue without having all the facts at my fingertips. I have said that we will support the commonwealth government in whatever way we can, and I continue to pass on that message to the commonwealth government. If it wants us to do anything, whether it is make phone calls, or provide correspondence or travel—although not at this time—or anything else, we stand ready to assist the commonwealth government in any way possible. I do not care whether the commonwealth government is Liberal or Labor, we stand to assist.

MR B.S. WYATT (Victoria Park — Treasurer) [3.33 pm]: I rise to make a few comments in support of the comments made by the Premier. The reality, as the Premier pointed out, is that these are delicate issues. Sometimes I worry—I often worry, actually—about where the WA Liberal Party finds itself. Out of the three contributions made by the opposition, I believe that only the Leader of the Nationals WA understands the delicacy of the issue. The Leader of the Opposition clearly does not and the member for Bateman generally vented his spleen about a range of issues that were not necessarily related to barley or the motion before us.

I want to make this point: the reality is that this state government and all state governments play a supporting role to the commonwealth in tariff disputes. That is the legal position we find ourselves in. The Premier has outlined that. This issue of barley has been around for 18 months but the issue of anti-dumping and countervailing measures has been contentious for years. We have an anti-dumping countervailing system in Australia. That has caused some discontent in China and elsewhere, primarily around the issue of steel back in the late 2000s—in 2009 or 2010. The World Trade Organization allows an anti-dumping and countervailing system—for example, for duties or other measures—but they are contentious. This highlights the value of a free trade system. That is something on which Australia and Western Australia depend; that is, the ability to trade with other countries. The opposition is

desperate for some attention. It can give a glib line about doing more but it does not have any idea. When the Premier asked the Leader of the Opposition, “Should I call the ambassador?”, the Leader of the Opposition looked back blankly at the Premier with not the slightest idea. If the opposition has so little faith in Simon Birmingham and the Prime Minister, write to them and call them. They may take the Leader of the Opposition’s call. Raise these issues. Section 51(i) of the Australian Constitution makes it clear that trade and commerce with other nations is very much the domain of the commonwealth government. We have, and will continue to have, an honest and a more mature, sophisticated relationship with the Chinese government than many backbenchers in the commonwealth Parliament have. We will continue to have those conversations with the Chinese government. There is not one point that I say publicly about China, particularly when it is perhaps going against the Chinese view, that I do not put to the Chinese. I have those conversations with them. I call them, and I do that because that is the sophisticated way to have a relationship. When desperate for attention in opposition, I understand that sometimes you do silly things. The fact that the Leader of the Nationals did not follow the Liberal Party highlights where the Liberal Party has landed on this. It has got it wrong.

I believe Simon Birmingham. The Premier made the point that we will always back the commonwealth. There is a general rule—I think it is a smart one—that regardless of which political party is in power at the commonwealth level, the states back the commonwealth government on issues of foreign affairs. As the Premier said, there is a lot of information in play that is not available to the state governments—huge amounts. We always, either at home or when we are travelling, support the commonwealth government’s position—always. I take Simon Birmingham at his word. I do not believe that these tariffs are related—I hope they are not—to the broader issues around the relationship with China, but the reality is that there is a great deal of speculation. I listened to some farmers on radio this morning talking about some of the rhetoric being used by some federal backbenchers and some state MPs, and it raises questions and doubt about the relationship. When the Leader of the Opposition backs a federal colleague who compares China to Nazi Germany, she might find herself in a position in which she will not get access to the Chinese government. The Leader of the Opposition needs to keep these things in mind.

Mrs L.M. Harvey: Can you name one time I have done that?

Mr B.S. WYATT: Yes, I can. An article titled “Liza Harvey backs Andrew Hastie over comments on China” in *The West Australian* reported that Liza Harvey backed the comments of Andrew Hastie when he compared China to the rise of Nazi Germany. This is the point I make: all of us have an important role to play in this relationship. A cheap line and a cheap motion are easy to do, but the reality is that these are delicate issues that we need to work on with the commonwealth government, regardless of its political stripe. The sad reality is that the farmers have been caught up in something more global that may go back as far as 2009 about a range of other tariffs. This is the problem with the tariff system. Once a country walks that line and goes down that path, regardless of which country it is, it will inevitably find itself in these types of situations. We are a trading nation and a trading state. We support free trade and equal and open access to markets. These sorts of decisions can only damage Western Australian farmers and, I suspect, they will have a negative impact on Chinese consumers. Tariffs have a negative impact all around.

Division

Question put and a division taken with the following result —

Ayes (16)

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

Noes (33)

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

Pairs

Mrs A.K. Hayden	Mr J.R. Quigley
Mr K.M. O’Donnell	Mr D.J. Kelly

Question thus negated.

LEADER OF THE OPPOSITION*China Comments — Personal Explanation*

MRS L.M. HARVEY (Scarborough — Leader of the Opposition) [3.44 pm]: I rise under standing order 148 to make a personal explanation.

The SPEAKER: Yes.

Mrs L.M. HARVEY: In the last debate the Treasurer stood at the —

Mr B.S. Wyatt interjected.

Mrs L.M. HARVEY: No; the Treasurer stood at the lectern over here and said that I had backed comments likening China to Nazi Germany.

Point of Order

Mrs M.H. ROBERTS: Mr Speaker —

The SPEAKER: It is not a debate, minister.

Mrs M.H. ROBERTS: That is the point I was going to make. A personal explanation is to explain our own actions; it is not to re-enter a debate or to make comments about another member of this house.

The SPEAKER: This is to correct the fact that a false impression has been given to the chamber.

Personal Explanation Resumed

Mrs L.M. HARVEY: Thank you, Mr Speaker. Under standing order 148, I rise to correct a false impression that has been created in this chamber that I have at any point in time backed comments made by federal members of Parliament likening China to Nazi Germany. I have never endorsed those comments. I never will and I disagree with them.

PAPERS TABLED

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

**PUBLIC ACCOUNTS COMMITTEE — CORONAVIRUS —
EXPLORATORY HIGH-LEVEL HEARINGS***Statement by Speaker*

THE SPEAKER (Mr P.B. Watson) [3.46 pm]: Members, I have received advice that the Public Accounts Committee has resolved to conduct exploratory high-level hearings in response to the Western Australian government to the COVID-19 pandemic. Through these hearings, the committee will seek to understand the current arrangement to provide oversight and accountability in relation to the government's response and, if it sees fit, may make this information public.

CORONAVIRUS — SMALL BUSINESS — RELIEF AND RECOVERY MEASURES*Notice of Motion*

Mr V.A. Catania gave notice that at the next sitting of the house he would move —

That this house calls upon the Labor government to immediately address the shortfall in support for Western Australian small businesses and industries suffering because they are unable to access relief and recovery measures.

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

Mr D.A. Templeman (Leader of the House) gave notice that at the next sitting of the house he would move —

That so much of the 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, 20 May 2020.

JOINT SELECT COMMITTEE ON PALLIATIVE CARE IN WESTERN AUSTRALIA*Establishment — Notice of Motion*

Mr C.J. Tallentire gave notice that at the next sitting of the house he would move —

- (1) That a joint select committee of the Legislative Assembly and Legislative Council into palliative care in Western Australia be established.
- (2) That the joint select committee inquire into and report on —
 - (a) the progress in relation to palliative care, in particular implementation of recommendations of the Joint Select Committee into End of Life Choices;

- (b) the delivery of the services associated with palliative care funding announcements in 2019–2020;
 - (c) the delivery of palliative care into regional and remote areas; and
 - (d) the progress on ensuring greater equity of access to palliative care services between metropolitan and regional areas.
- (3) That the joint select committee consist of six members, of whom —
 - (a) three will be members of the Assembly; and
 - (b) three will be members of the Council.
 - (4) That the standing orders of the Legislative Assembly relating to standing and select committees will be followed as far as they can be applied.
 - (5) That the joint select committee report to both houses by 19 November 2020.
 - (6) That the Legislative Council be requested to agree to a similar resolution.
 - (7) That, subject to the Legislative Council agreeing to the above paragraphs, the following Legislative Assembly members be appointed —
 - (a) the member for Dawesville;
 - (b) the member for Moore; and
 - (c) the member for Thornlie.

Establishment — Standing Orders Suspension — Notice of Motion

Mr D.A. Templeman (Leader of the House) gave notice that at the next sitting of the house he would move —

That so much of standing orders be suspended as is necessary to enable the private members' business notice of motion relating to the joint select committee on palliative care in Western Australia to be moved and dealt with during time when government business has precedence.

LIVE EXPORT — FEDERAL LABOR POLICY

Removal of Order — Statement by Speaker

THE SPEAKER (Mr P.B. Watson) [3.50 pm]: I inform members that in accordance with standing order 144A, the order of the day that appeared in the last notice paper as “Live Sheep Export Industry”, has not been debated for more than 12 calendar months and has been removed from the notice paper.

CORONAVIRUS — ECONOMIC RECOVERY PLAN

Matter of Public Interest

THE SPEAKER (Mr P.B. Watson) [3.50 pm]: Today I received within the prescribed time a letter from the member for Bateman in the following terms —

That this house condemns the McGowan Labor government for failing to articulate a new jobs target or economic recovery plan to respond to the Covid crisis, especially given the WA economy was already in survival mode prior to COVID-19.

The matter appears to be in order.

[At least five members rose in their places.]

The SPEAKER: The matter can proceed.

MR D.C. NALDER (Bateman) [3.51 pm]: I move the motion.

If we look across a lot of the economic measures in Western Australia, we can see that our domestic economy was certainly in trouble prior to the coronavirus impacting Western Australia. There is no question that the coronavirus has pushed hardship further within the Western Australian economy, but I want to focus initially on some of the measures that were in place prior to the coronavirus. I will look firstly at business investment. We know that business investment declined by seven per cent in the last financial year; it was the sixth straight year of decline. In January, a record level of 153 000 households were suffering mortgage stress. If we compare that figure with the figure for the month before of 142 000 and the figure for March 2017, when the McGowan government came to power, of around 90 000, we can see that there has been an increase of about 67 per cent in the number of households suffering mortgage stress in Western Australia. By mortgage stress I mean that a person's monthly expenditure is greater than their income. The figure of 152 000 households was a record number. According to Digital Finance Analytics, the number of households in mortgage stress spiked over the months of March and April to 185 000. It is a more severe problem for Western Australia now, but it was already at a record level of 152 000 households in January.

I turn to the unemployment level. In January, it was 5.8 per cent seasonally adjusted versus a national rate of 5.3 per cent. The number of people who were unemployed or underemployed was around 210 000 a couple of months ago. The underemployed figure alone is now over 200 000 people, so there has been a massive increase in the impact on Western Australia. One would think that we already had a big enough issue in Western Australia for the government to spell out an economic plan for the future. It had a plan for 150 000 jobs, but there was not a lot of substance behind it. Prior to the coronavirus, the government was spruiking that 157 000 people had been employed, but it failed to mention that over two-thirds of those positions were part-time jobs, which actually contributed to the growing underemployment issue in Western Australia. Further to that, during question time we heard from the Premier that the government had scrapped its jobs plan and its economic plan nine weeks ago. He was critical of us raising the fact and said that he had advised us nine weeks ago that he had removed it. Yesterday, the Premier was spruiking to the community that Western Australia was reopening for business—that people should get into the stores and go and buy things. When we asked the Premier for the economic plan to take Western Australia out of this challenging economic situation, he was critical that we did not note that he told us nine weeks ago that he had removed the old plan. There has been adequate time for the government to come clean with the people of Western Australia about how it will support Western Australia to move forward.

We know that the general public has a positive perception of the government's management of the health aspects of coronavirus. The general feeling in the community is that both the federal and state governments have handled the health aspects of the coronavirus quite well. I would argue that two other elements need to be examined and critiqued. One is how the state government has looked after the economy during the coronavirus and the other is what it plans to do beyond the coronavirus as the economy reopens. There has been deathly silence from the government on an economic plan for the future of Western Australia. I argue that the government's support for businesses and households during the pandemic was below average—it was below par, relative to other states. I would also say that there was a fair degree of smoke and mirrors with a lot of the offers that were made to the community. We can look at the payroll tax exemption, the grants available to business for energy rebates and the protections given to people concerning utility disconnection. When we start to go through and analyse them, we find that there was not a lot of substance to the so-called fiscal spend of the government to support Western Australians in this time of crisis. When we questioned the Treasurer during our consideration of the bill to exempt small businesses with wages of less than \$7.5 million from paying payroll tax, he made the comment that he had had no briefing on the number of businesses that had actually closed and therefore were not paying payroll tax.

Mr B.S. Wyatt: I said there was no modelling.

Mr D.C. NALDER: That is the word—he said there was no modelling. From my experiences on the Economic and Expenditure Reform Committee and of the regular economic updates that the Treasurer gets, I find it intriguing that, in a time of crisis, there were no regular updates on what was happening across all lines of business. I find it quite amazing that there was no indication of what was happening with payroll tax and where businesses were being impacted. When I asked the Treasurer whether he could provide such information, he said that it was not possible because there was no modelling on the current impacts. Without that, we could not work out whether the offers that the government was making to small businesses were genuine. While the government made it sound like the package was worth \$170 million, I suspect that many businesses had already shut up shop and were not actually trading and therefore were not paying payroll tax. They may have been on JobKeeper or whatever.

The government has failed to come clean on how it will support Western Australia to move forward. The government has failed to support households and industry economically through the coronavirus. Instead, it has relied solely on the work and heavy lifting of the federal government. The Treasurer has said in the past that the state government would, of course, rely on the federal government because it has the fiscal ability to spend more than the state can spend. But I think it is no excuse for the government to not genuinely help people. I have had small landlords that are really being punished over the Commercial Tenancies (COVID-19 Response) Act. They are really concerned that they are being held over a barrel. The legislation relies on the code of conduct that was to be developed in 30 days, but they are still none the wiser. We have not had anything from the government that will help those small landlords who have been really struggling. I looked at small businesses in my community. A small bar, near a corner store, has a lot of fridges, which throws him over the 50 megawatts, but because he is on a business plan with Synergy, which it offered, he is not entitled to any of the rebate. They say that he has a discount on the standard rate and therefore is not entitled to a rebate at all. He is asking why that is. He has this deal with Synergy generally, but he is in trouble and cannot open or run the business and he cannot access the rebate.

Then we hear about subtenants in large shopping centres. Small businesses are paying their electricity—it might or might not be with Synergy—but they have no access to any government support to help their businesses. When we start to look behind these measures that the government has promoted, we see that they do not go anywhere near enough to help support Western Australian businesses and households manage through this coronavirus pandemic. I would say that the state government has failed in this aspect.

I will look at the plan going forward. Yesterday, the Premier was out spruiking that the economy is reopening and businesses are opening, and we want to see it open. Do not get me wrong; we want to see things get going where

and when we can. We definitely want to see that. But we also know that there were troubles in the economy prior to the impact of coronavirus. That means we need more than a little bit of stimulus, unless the government wants to just put us back where we were. If the Treasurer puts us back where we were, that is 152 000 households suffering mortgage stress; that is record levels of utility disconnections, which have doubled over the last three years; and that is a lack of business investment growth in Western Australia. It is an economy that has been struggling and we need a plan for more than the impact of coronavirus to ensure that we put Western Australia on the right footing to move forward.

This matter of public interest motion today calls on the state government to come clean about its plans to give Western Australians some assurance that it understands what to do and how it is going to support Western Australian businesses and households so we can have some comfort that there is a way forward for Western Australia.

MR D.T. REDMAN (Warren–Blackwood) [4.02 pm]: I hope that walk to the lectern has not chewed up my time, Mr Acting Speaker.

I want to support the motion put up by the member for Bateman. It is clear that in the last few weeks there has been a shift in the public debate from the response to the health crisis to now painting a pathway for coming out of the health challenge and the economic recovery that will come. This government was certainly talking from the rooftops about jobs when it went to the last election. That was the Labor Party's lead argument and a jobs target was even put up on its website. I make the point that it was not even a stretch target. If we look at the target that was set, it is the same percentage increase over time. In fact, over its last two terms, the Liberal–National government gained more jobs in Western Australia than the target the Labor Party laid down for this term going out to 2023–24. It is not even a stretch target.

The point has been made on a number of occasions that the Western Australian economy is heavily controlled by external factors that are outside our control. We were dealing with a lot of that. We dealt with an iron ore price boom and then a slump and the GST challenges and the lag that was affecting that. We now see the issues with China—the debate we have just had about barley—and the oil price and its flow-through impact on jobs in the petroleum sector, with both Woodside and Chevron shedding jobs. When the government has talked about jobs in the past, both the Treasurer and the Premier have said that the last government created no jobs in its last term. It is interesting that the jobs target has now been pulled off the website. The government needs to take the good with the bad. Governments are not measured by those external factors; they are measured by their response and the positions that they take in leading us out of it. It is leadership that counts here. We want to see transparency. We want the government to lay out a plan for how it will take us out of this. Part of that is about visibility on what is happening in our domestic economy. We do not see that because we have not got a position on the state of the state's finances. We were supposed to see a budget last week, but we have not seen a budget. The last visibility we had on the state's finances was in the midyear review at the end of December last year. We want transparency on the state's finances, particularly as it applies to the domestic economy. We want the government to give us a plan for coming out of the challenges that we currently face.

This motion goes to a couple of things. It goes to a jobs target. We want the government to put it back up—set us a target, even if it is for the domestic economy. Give us a plan for the state's economic recovery. It is not unreasonable to request that from a government that has led with its job creation chin. If that is what the government has led with, it should keep it on its agenda and give us an understanding of where it is going to go in the future. The state's finances need to be out on the table. I know that the Treasurer has given some undertakings about that. I was not in the chamber last Thursday when he talked about that, but I have written to the Treasurer asking him to put that on the table, and I hope that he follows the position that I have taken. It is important that we are up-front with the people of Western Australia about the government trying to lead us out of the challenge. As the shadow Treasurer said, we want to see success in this space, and that is why we have been backing in many of the measures the government has brought to the table for debate in order to help it with that cause.

MS L. METTAM (Vasse) [4.05 pm]: I rise to speak on this motion that is fundamentally about having a jobs target and the importance of jobs to Western Australia. I will speak specifically about the transport portfolio. The focus of this motion is jobs, and that is understandable because at this point in time Western Australia is facing a jobs crisis. It is fair to say that the McGowan government has been well applauded for the work that it has undertaken so far in response to the health crisis, but we now face over 60 000 Western Australians who have lost their jobs in the last four weeks alone. Furthermore, we know that 67 000 Western Australians are maintaining their jobs thanks to the federal government's investment in the JobKeeper payment. We have a major jobs crisis and it is important that the government is very clear about the jobs plan going forward and shows some genuine commitment to this important issue that affects every Western Australian.

That is where transport comes in. Quite obviously, it is through investment in transport infrastructure where we see so many jobs created. That is why I join with many people in the community who found it quite extraordinary that the day after an announcement that 64 000 Western Australian jobs had been lost in four weeks, the Minister for Transport was at Beeliar Regional Park announcing further job losses through the blocking of the important Roe 8 project. The minister in her statement called the Roe 8 project “fundamentally flawed”, but successive governments

have supported the Roe 8 project. Successive governments did not believe that the extension of Roe Highway was fundamentally flawed; in fact, it was part of the Stephenson plan and has been supported by successive governments over about 60 years. State and federal environmental agencies did not believe that the Roe 8 project was fundamentally flawed either. It had the support of state and federal agencies. Of course, the southern suburbs community also supports Roe 8, as independent polling has indicated. The transport sector as well as Infrastructure Australia support the Roe 8 extension for the significant efficiency that would be gained.

I note the minister's comments in the chamber today and her recent media statement boasting about the significant endorsement Infrastructure Australia had provided for the Morley–Ellenbrook rail project. According to Infrastructure Australia, the project had a benefit–cost ratio of one to one with “marginal benefits”. If this is a measurement of the endorsement or success of a particular transport project, why would the government not take into consideration the same measure when applying it to Roe 8? Roe 8 had a benefit–cost ratio of 2.8 to one, stemming from a reduction in travel time and an \$8.15 saving per trip for freight vehicles. In 2016, Infrastructure Australia said that the Roe Highway extension for Roe 8 beat 93 other projects across the country at the time. The point I am making is that if the government is going to refer to a federal government agency as an endorsement for a particular transport project, it needs to be fair about such assessments. It is quite clear that the assessment from Infrastructure Australia, in addition to those of environmental agencies and the community of the southern suburbs, which obviously understands the benefits of this project from both a road safety and an amenity perspective, indicated that Roe 8 was a worthy project. Of course, the reason that the motion we are debating today is so important is the jobs that would have been created quite obviously from the construction of Roe 8 and 9. That is why I and many people in the community find it quite extraordinary that the day after there was an announcement of 64 000 job losses in WA, the minister would be spruiking a decision to block those jobs. Furthermore, there would be 10 000 direct and indirect jobs from the construction of Roe 8 and 9, which the minister announced would be blocked by the McGowan government.

This government has also made many promises about Metronet, with, collectively, 20 000 direct and indirect jobs from Metronet and Roe 8 and 9. Those jobs have been held up through significant blowouts and delays in the Metronet project. The Morley–Ellenbrook line was promised as an \$863 million project. The budget for the line alone is now \$1 billion. Construction was meant to start last year, yet the contract was awarded this year. Construction on the Yanchep line was meant to start last year, yet, again, major works will commence in late 2020. The Thornlie–Cockburn line was promised last year, yet construction will start in late 2020. I understand that construction on the Byford rail line is meant to start in 2021 and a final business case is to be delivered later this year. There have been delays in such projects. We know that the Forrestfield–Airport Link was meant to be completed by now, yet we are still to see a completion date. When these projects are delayed, that is a delay in jobs as well, and that represents an opportunity lost.

On the Metronet projects themselves, Australian Owned Contractors chief executive, Brent Crockford, said that the Metronet project is shaping up to become an Australian project delivered by foreign contractors. Such comments follow the announcement that construction of the Morley–Ellenbrook rail line will go to either Spanish-owned CPB Contractors or United Kingdom–owned Laing O'Rourke. We know that the Yanchep and Thornlie–Cockburn major projects, which are 50 kilometres apart but have been packaged together, have been awarded to the Spanish company CPB Contractors. There was no opportunity at all for local contractors or mid-tier contractors to compete for such a project. We heard more today about the Bayswater station. Decmil, the WA subcontractor, is taking orders from Spanish-owned Acciona, a subsidiary of Coleman Rail.

Collectively, \$2.5 billion of work that could have gone to WA contractors is effectively going to foreign tier 1 contractors. We know that governments can do this. The federal member for Forrest, Nola Marino, insisted that the Bunbury Outer Ring Road, which has largely been funded by the federal government, have industry sustainability criteria. It is really unfortunate that there was no consideration that the \$5 billion Metronet project have the same sort of industry sustainability criteria. It represents an opportunity lost. More than \$2.5 billion that has been committed to Metronet so far has gone to larger foreign companies, instead of giving our mid-tier Western Australian companies an opportunity to compete and build our skills base here.

There is no room in a post-pandemic world for pre-pandemic thinking. Transport is critically important for not only road safety outcomes and improving efficiency, but also driving jobs. Unfortunately, what we have seen from this government so far is jobs being held up due to significant delays and a lack of industry support by bypassing an opportunity for local sustainability criteria on public transport projects. That is why it was outrageous to see the minister gloating about a loss of jobs as a result of blocking Roe 8 and 9 the day after we heard about the 60 000 job losses in four weeks. That is why it should be of concern to every Western Australian that we are yet to see an inch of rail delivered and a milestone met in the government's signature Metronet project. That is why the comment from industry should be of concern to all Western Australians. The comment from industry, not from the Liberal opposition, is that Metronet is becoming a Western Australian project delivered largely by foreign contractors.

MRS L.M. HARVEY (Scarborough — Leader of the Opposition) [4.16 pm]: I, too, rise to contribute to the matter of public interest that the opposition has raised in Parliament today. My colleagues have indeed articulated that

before COVID-19 hit in Western Australia, we had raised in 2019 and earlier issues to do with the state's domestic economy and WA's unemployment rate, which was averaging at 5.6 per cent, which is above the 5.2 per cent national average. That equates to an average of 80 500 Western Australians being unemployed every month for the six months from August 2019 to February 2020. According to the Chamber of Commerce and Industry of Western Australia, last year consumer confidence was at its lowest level in two years, with 65 per cent of its survey respondents highlighting that the increased cost of living was having a negative impact. One-third of young people reported being unable to pay bills on time, almost 20 per cent had to borrow money from family and friends and 19 per cent could not pay off their credit card should the need arise. Our retail sector continued to remain stagnant, growing by only three per cent in three years and, as a direct result, the vacancy rate for Perth CBD building is the worst in the nation, with almost 20 per cent of stores empty. This was summed up in January 2020 when the new chief economist at the Chamber of Commerce and Industry of Western Australia stated that WA's economy was trapped in survival mode, whereby businesses were hesitant to invest and take risks. That was the scenario that was facing Western Australians. Over 140 000 households were in mortgage stress, 125 000 households were in negative equity and the average price of a Perth home was more than 20 per cent below the 2014 peak, with the average homeowner having lost \$100 000 in value.

Those were the facts prior to COVID-19 hitting. The Premier was elected in 2017 on the basis of an ambitious jobs-creation target that he was nowhere near achieving; he was not even in the same ballpark as his target—the target that he put to the community to get elected in March 2017. We have been calling on the Premier again and again to outline the plan to reopen the state and the plan for the economic recovery for Western Australia post COVID-19. Today, I called for the border restrictions to be eased. People in the community need to understand when the phase 3 and phase 4 restrictions will be implemented. The Premier is at great pains to say again and again that he is acting on the best medical advice given to him. Can the Premier then explain why Australia's Deputy Chief Medical Officer, Professor Paul Kelly, today said that there is little reason for the states to keep their borders closed, and stressed that it was never advised by national health authorities? The Premier needs to explain to the community of Western Australia and to all those businesses that were on their knees before COVID-19 hit, why he is restricting them from having customers come through their doors. Given that there is no evidence of community spread of COVID-19, the Premier should table the medical advice that says why Western Australians should not be able to travel within the state.

What is the medical advice that says that a beauty therapist should operate under different restrictions from those under which a hairdresser should operate? The Premier should table the advice from the Deputy Chief Medical Officer that says that every single activity within a beauty therapy business is a higher risk for transmission of COVID-19 than the activities carried out by a hairdresser. He should explain to those family businesses and women who have lost their livelihoods and wasted all that effort to build up their businesses over the years, why he has kept them closed. He cannot tell them why. The Premier tells us that he has medical advice but he cannot say what it is. The Premier needs to table that advice.

We call on the Premier to step into line with the advice of Australia's Deputy Chief Medical Officer. He should lift the restrictions so that people in Western Australia can get back to work. Every day those businesses stay closed is another day of lost income, of moving further away from the ability to start up and re-employ people and of moving closer to the dole queue, with the JobSeeker payment and Centrelink being their only source of income. This Premier is depriving Western Australians of customers, especially in our regions.

MR B.S. WYATT (Victoria Park — Treasurer) [4.22 pm]: I rise to make some comments on the motion moved by the opposition. I want to remind all members of what I have been saying and what I used to say in opposition. The former government liked to spend beyond its capacity. I warned the then government that it was taking away the financial capacity of future governments; it was not allowing a future government to respond to the circumstances in which it might find itself. At the time I was thinking about things like a global financial crisis and a cyclical recession. Admittedly, I did not think about or foresee a global pandemic. Apparently, the opposition now says that we should have foreseen this global pandemic and planned accordingly. I want to make this point because the motion says that the opposition is very worried about the jobs target, which the member for Bateman has always described as a scam. He has critiqued us up hill and down dale about having the audacity to set a jobs target, and now, nine weeks after the media statement went out from the Premier that the priorities have been suspended, he wants us to reinstate it.

Mr D.C. Nalder: No.

Mr B.S. WYATT: Yes, that is the reality. After being critiqued for having a target, now he is whingeing that we no longer have one. The other point is that there is no plan. It is like he has stuck a cauliflower in his ears during question time and missed the answers given by pretty much every minister during question time. So worried is the opposition, that the last time the Liberal Party asked me a question about these issues was in November last year! The coronavirus was still inside the bat when I last got a question from the Liberal Party! That is the situation in which we find ourselves; so worried is the opposition about jobs and the economy that it does not ask the Treasurer a single question about these issues.

I turn to the facts, because, interestingly, the Leader of the Opposition talked about facts. At any point in February this year, the economic data we had was way better than that which we inherited.

Mr D.C. Nalder: That's not right.

Mr B.S. WYATT: No, that is right, member for Bateman. Every dataset was better than what we inherited. To remind people again, during the term of the former government, in particular the second term, business investments shrank by nearly 30 per cent, dwelling investments shrank by 23 per cent and not one single job was created in the second term of the former Liberal–National government. I want to remind people of that; I did not want to because we are now facing circumstances beyond anything we could have expected. I get that that puts the opposition in a position whereby not many people are interested in what its members have to say, but that is the reality. It is unprecedented. The whingeing from the Leader of the Opposition around the effective operation of the national cabinet has been extraordinary. I have not seen one political leader anywhere, other than here in Western Australia, complain about the effective operation of the national cabinet.

Mrs L.M. Harvey interjected.

Mr B.S. WYATT: The Leader of the Opposition has complained about it; her standard stance is to complain. In February, the data was good, before the devastation of what we had to do to deal with the health consequences of the coronavirus. February 2020 was one of the strongest months of employment we had seen, with the creation of 10 900 jobs and the unemployment rate falling to 5.2 per cent—the lowest rate in almost five years. We had taken that recession created by the Liberal Party at the end of the largest boom in Western Australia's history, and started to turn it around. That was good news. As every job was created, the shadow Treasurer complained about it, but it was good news. Now we find ourselves in this scenario whereby we have had to react to a global pandemic. We have seen reactions by governments around the globe—some reacted quickly, and some not so quickly. Australia has been world-class in its response, primarily because of early behaviour and the government structure created through the national cabinet. Most people—other than half a dozen people in the Western Australian Liberal Party—would recognise that. That structure has been working. We are now in a position to lift restrictions on movement around Western Australia—thank God! We are lifting restrictions on the capacity of businesses to trade—thank God! Not one person wanted to restrict economic activity, but the coronavirus effectively halted output immediately. We have not seen anything like that; those things cannot be modelled. As a result, the data is slightly better.

Thankfully, in recent days, the falls around payroll et cetera have not been as dramatic; the figures are getting better. I suspect that Western Australia, compared with most states in the nation, will be much better placed to come out on the other side. We have already announced a range of measures. Again, every measure that we have announced is critiqued strongly by the WA Liberal Party. I get that we have not spent the \$4 billion that the Leader of the Opposition wants us to spend. At the time that she demanded the \$4 billion spend, it would have been unaffordable because if anyone had been watching the bond markets—the member for Bateman is educated; I have written and explained it all to him—I suspect that we would not have been able to borrow that money. We have not spent \$4 billion; it has been targeted.

A complaint was made—I think from the member for Vasse; I am not sure—that we have not spent as much as the commonwealth government. I am not surprised! We do not have that balance sheet capacity due to an old term called “vertical fiscal imbalance”. I am not going to educate the opposition on that again, but that is why we do not have the capacity to spend like the commonwealth government. But we have done a lot. We have frozen household fees and charges, doubled the energy assistance payment and provided payroll tax assistance. We have not just waived payroll tax, but, from 1 July, grants of \$17 500 will be paid to those businesses in Western Australia with payrolls of between \$1 million and \$4 million. We have waived licence fees. We worked out very quickly that the tourism sector in particular would be hit hard, and it has been hit hard, and that is why we waived licence fees across a range of areas—over \$100 million in spend—and why we recently announced grants for the tourism sector to try to get it through the hibernation period and build a bridge to recovery. That has, thankfully in my view, arrived a bit earlier than we all thought, say, a month ago.

In one of the biggest spends, \$2 500 was put into the electricity accounts of 95 000 small businesses. There was also Keystart loan relief and tax and utility bill payment arrangements so that we do not get that scenario that the member for Bateman spoke about—those exercising debt covenants. That goes in nicely with the commonwealth government suspending insolvency proceedings for six months. By way of an aside, land tax grants are going well. There have been 285 applications. Money is flowing out the door as we do that key thing—encourage landlords to enter into an arrangement with their tenant for rent to be deferred. And we will do our bit around land tax. I am pleased to say that demand around that has been good. We have done our bit again—government rent has been waived for six months, and then of course there are others to come around procurement reform and grants to apprentices and trainees. We have done a lot.

The Premier says almost on a daily basis in Parliament what is coming next around the recovery component; whether it be Sharyn O'Neill's role under the legislation to recover or industry engagement, which is fundamental. The state spend is about 10 to 15 per cent of the economy; it is the private sector that is going to lead recovery. I hope

it supports the sorts of things that I want to do in procurement and what the Minister for Planning wants to do in planning; to get the private sector doing what it wants to do. It will be a test for the Liberal Party whether it is going to move these bland motions or support the government in trying to get the private sector back into a space where it has the confidence to spend.

This is the simple reality: we have done what we can to try to ensure that businesses and households hibernate. Can we replace the wealth that has been lost? No. Neither can the commonwealth; not even with its balances sheet. The great tragedy of what has occurred is that there will be long-term pain and it will take us time to recover from this. There will be a tail on people who have lost their jobs. It will take time to get the unemployment rate back down to the 5.2 per cent that it was in February 2020. That is the tragedy of this vicious virus. But the Premier and the government has always acted to ensure Western Australians are unprotected from its spread—always did, and that is the key. The economic policy is very closely following the health decisions that we have had to make. Thankfully, we are now in a position—as I said, slightly earlier than I would have thought a month ago—to encourage more economic activity. The Premier announced the lifting of a range of restrictions, which is wonderful. I get it—a range of people in other areas of Western Australia are cranky that they did not get the same restrictions, but as the Premier said, as soon as we feel as though we can, as soon as our local health officers say this is a safe thing to do, we will do that. We do not sit around wanting to stop people travelling around Western Australia and spending money; we do not want that. I, for one, have a very personal connection to Broome. I am desperate to get Broome activated again and full of tourists—we all are. But I am not going to threaten them with an early release that results in a spike in coronavirus cases. This is lost on the opposition. Imagine the impact on confidence if we had to reimpose restrictions? It would be devastating for communities. Business investment would stop and it will not come back because they would have no confidence that the government has made the right call again. It would be devastating.

We will continue to work with the commonwealth government. As much as that annoys the Leader of the Opposition, we will work closely with the commonwealth government. We will take advice; we will not make flippant remarks about throwing open the borders because that will get us on the TV tonight. It will be done in lock step with health advice. The health advice and the health reactions also mean that we can make strong and positive decisions around the economy. This is something that no MP has seen—hopefully no MP will see again in my lifetime. We have tried our best to work with other governments to do this. When I look around the nation, I have to say that opposition leadership has been generally good. I found the opposition leadership in Western Australia wanting.

MS R. SAFFIOTI (West Swan — Minister for Transport) [4.34 pm]: I first acknowledge the Premier and the Minister for Health, both in this chamber today, for their work in relation to basically saving Western Australia from what could have been an absolute health crisis. When I see elderly and vulnerable people walking through a shopping centre and think that I have been part of a government that has basically prevented these people from potentially dying, or being in a hospital and having their health so impacted, I am proud to be part of a government that has done that. I think it is easy now to be flippant about what we faced, but the early and very tough decisions made by this government, as part of a national cabinet, has really helped Western Australia get through the crisis as far as we have. We will continue to listen to health advice on that issue.

In relation to my portfolios, what is the plan? It is pretty simple: invest, spend on infrastructure, and facilitate private sector investment from the planning portfolio. Obviously, the opposition missed what we have been doing over the past few months in relation to the economy. I will quickly go through a couple of announcements that we have made over the past month. I will start on 21 April, which seems like a long time ago. That was of course when TBM *Sandy* broke through in Bayswater. We inherited that contract from the previous government—one with a foreign company, but anyway. The Forrestfield–Airport Link project has been challenging, but it is a project that I am proud of, and the work is being done by Western Australian workers delivering an excellent project for Western Australia. On 28 April, we announced the Mitchell Freeway extension to Alkimos. Two building contractors were short-listed to kickstart the \$215 million Mitchell Freeway extension from Hester Avenue to Romeo Road in Alkimos. NRW Contracting with WBHO Infrastructure, and BMD Construction with the Georgiou Group, were the two short-listed proponents. We brought forward that project in record time, to be delivered very soon.

There was then the announcement of the short list for the Metronet procurement. The opposition hates both companies that have been short-listed for that project, even though they were extensively involved in projects for the previous government, including Roe 8 and 9. The opposition dislikes CPB Contractors so much that it chose that company to deliver its Roe 8 and 9 projects!

I will go through some other projects. On 30 April, we announced a new streamlined process for up to \$140 million of road and maritime projects. We now have a panel of local contractors to help deliver those fast-tracked projects. Again, we put forward that initiative to make sure we can fast-track those projects.

Infrastructure Australia gave the green light to the Morley–Ellenbrook line; something that the opposition cannot handle. The member for Riverton said it would take a genius to get that project to stack up!

Several members interjected.

Ms R. SAFFIOTI: They still do not like Ellenbrook. They go out saying in their little tweets “Build Ellenbrook” but they cannot actually like it! It does not matter when I raise it, the opposition wants to dispute the economics and everything about it.

On 4 May, we announced the request for proposal for Lakelands station—in record time. We announced the Balcatta firm, PS Structures, to build the Mandurah train station car park. We announced a small project, but still very important: \$2.6 million worth of upgrades to Leach Highway. What else have we done? We also announced a number of local contractors had engaged in the construction of the railcar manufacturing facility in Bellevue, near Midland. We announced a preferred proponent to build the congestion-busting Tonkin gap project, a \$500 million contract to Georgiou, WA Limestone, BG&E and GHD. That is what we have done in a month. The previous government did not do that amount in eight years, let alone in a month. More contracts have been issued in one month than during the entire eight years of the former government.

I will refer to local contracting because it is very interesting to see the now obsession about this issue from the shadow minister and the Leader of the Opposition. Do members remember when we brought the Matagarup Bridge project back to Western Australia?

Mr R.H. Cook: I remember that. That was good fun.

Ms R. SAFFIOTI: That was one of the first challenges we faced when we came into government. The Leader of the Opposition talked about that bridge and said that because we were bringing it back to Western Australian workers, it was a compromised piece of infrastructure. When we talked about railcar manufacturing coming back to Western Australia, what did the Leader of the Opposition say? She said it was an unsustainable, failed manufacturing industry from a bygone era.

Mrs L.M. Harvey interjected.

Ms R. SAFFIOTI: The Leader of the Opposition still does not like Lego. Again, she is insulting the workers who will be building our trains. I will tell them to go on *LEGO Masters* because that is what the Leader of the Opposition said! *LEGO Masters* is a fabulous show, of course.

All the opposition can do is knock, knock, knock these projects. Of all the comments made by the opposition, we cannot go past some of the comments made today by the Leader of the Opposition. She has doubled down and said that we should get rid of our hard borders with the east. She said —

“We shouldn’t be cut off from other states where there’s no evidence of community spread ...

The Leader of the Opposition’s logic is that because there is no community spread in Western Australia, we should get rid of the borders to allow other states that have community spread to bring it into WA. That is the logic of what the Leader of the Opposition is saying. She said there is no community spread in Western Australia, so we should do what? Take down the borders. The Minister for Health has kindly handed me some statistics.

Mrs L.M. Harvey: You’re misquoting.

Ms R. SAFFIOTI: I did not misquote the Leader of the Opposition. This is exactly what the ABC is reporting as a direct quote —

“We shouldn’t be cut off from other states where there’s no evidence of community spread ...

Mrs L.M. Harvey: We should not be cut off from other states where there is no evidence of community spread.

Ms R. SAFFIOTI: Mr Acting Speaker —

Mrs L.M. Harvey interjected.

The ACTING SPEAKER (Mr S.J. Price): Leader of the Opposition!

Ms R. SAFFIOTI: The statistics in the table I have here show that 85 per cent of the cases in Western Australia have been acquired overseas, and 15 per cent have been a combination of locally acquired cases in some way. That is by far the highest percentage of any other state. All other states have a lower percentage of cases from overseas and a higher percentage of cases that were locally acquired. Again, the Leader of the Opposition has been caught out on the detail. To get a cheap hit on the Premier for his management of COVID-19 in this state, the Leader of the Opposition has said that we should take down the borders. That is a completely ridiculous position for the state at this time.

I will refer to some comments made by the New South Wales government. The Leader of the Opposition is aligning herself with the New South Wales Premier. As I understand it, New South Wales is saying that it is too dangerous to catch a bus in New South Wales, but it wants people from New South Wales to come to Western Australia. They cannot catch a bus in New South Wales but it is okay to travel on a plane to Western Australia! I do not understand that logic. If the New South Wales government cannot trust people to catch public transport in New South Wales, why would it want people to get on a plane and come to Western Australia? The logic does not hold water.

As I have demonstrated, over the past month, a record number of contracts have gone out to tender. Jobs are being delivered. The amount of activity that is out there and will continue to be out there is incredible. I pay my respects to all those in the civil construction industry who have worked continually over the past few months. It is their employment and income that has helped sustain a level of economic activity in Western Australia, along with the very strong resources sector. They go out overnight and upgrade freeways and undertake works. The Leader of the Opposition, but particularly the shadow minister, think that they can criticise Western Australian workers and that the workers will not hear about it, but they do hear about it. All they are hearing is the Liberal Party opposition criticising Western Australian workers who are out there working day and night upgrading our roads, getting our works finished and making sure that economic activity continues in Western Australia.

MR M. McGOWAN (Rockingham — Premier) [4.45 pm]: Obviously, we do not support the motion. I think it is important to put on the record a few facts from recent history. In February, Western Australia's economy was doing very well. Unemployment was down to 5.2 per cent. When we came to office, it was at 6.4 per cent. That is a big turnaround in the unemployment rate. Western Australia had the highest participation rate in Australia by a long, long way. We would have had the lowest unemployment rate in the country if we averaged the participation rates of the other states. Since March 2017, 72 000 new jobs were created in Western Australia. All those figures came out via the Australian Bureau of Statistics in February, prior to COVID-19 coming along. Obviously, things changed. The most dramatic economic issue since the Great Depression is a pretty big thing to have to deal with. It has been a traumatic and difficult period for many people across Western Australia, Australia and the world, and we have dealt with it as best we can. The most important thing that we have to keep in mind, which is reinforced at the national cabinet regularly when the federal Secretary to the Treasury, Dr Steven Kennedy, and the Governor of the Reserve Bank, Dr Philip Lowe, come on is that we need to retain confidence. We need confidence across the country so that consumers can go out and spend. The main impact on confidence is the potential re-emergence of the virus. Therefore, we are more cautious than some people might wish but more progressive than most states across the country in the reopening measures that we put in place because we want to retain confidence that the virus will not come back and that Western Australians and Australians are as protected as they can be.

I noted what the Leader of the Opposition said when she posed a question about the interstate border. The reason that the border is in place is that we have medical advice from the Chief Health Officer and the director general of the Department of Health that the border closure is important for the health of Western Australians. There is an economic reason as well. It creates confidence in the state that we can loosen some of the restrictions without the risk of infection coming from the east. They are two important things. There are higher rates of infection in the east and there is community spread, particularly in Victoria. There are, and have been, significant outbreaks in New South Wales. That is a fact. They are verifiable facts. Therefore, we will retain the border closure with the east for as long as we need to in order to protect the health of Western Australians and ensure that we have confidence in our economy. I do not care what the opposition says. I do not care that the Liberal Party demands that it come down too soon. I do not care that the Liberal Premier of New South Wales demands that it comes down, because it protects the health of Western Australians and creates confidence in our economy for people to consume and invest. They are the reasons behind it.

As I said, February was a long time ago. Obviously, the economy is very different now from that in February when we had those stellar employment figures and economic outcomes, as it is in every economy across the world. We have implemented a whole range of measures that the Treasurer outlined, such as payroll tax cuts and freezing household fees and charges, support for small business in terms of electricity bills, energy assistance payments for those people in more financial trouble, Lotterywest COVID relief fund, waiving of licence fees, rent for small business people across the state, support for small businesses through commercial tenancies and residential tenants for residential tenancies. If we add those and the other stimulus measures provided earlier this year and late last year, we have put in place the best part of \$2.5 billion. However, we will not bankrupt Western Australia. Through the fevered press releases and fevered texts or tweets that the opposition puts out, it demands all sorts of incredible things that would bankrupt the state. It has bankrupted the state once before. We cannot allow the Liberal Party to do it again. So we will continue to be very supportive of households and businesses across the state and continue to put in place more targeted measures to create jobs and investment and to support businesses and develop more capital works as we go along, and continue to employ our workforce, unlike others out there. However, we will not follow the lead of the Liberal Party and bankrupt Western Australia as the Liberal Party did last time it was in government. That will not happen under us.

Mr D.C. Nalder interjected.

Mr M. McGOWAN: The Liberal Party left us with \$44 billion of debt and now it wants to destroy confidence in the Western Australian economy once again by bringing down the hard border with the east. We will not listen to members opposite. They are grossly irresponsible with what they put forward. For the leader of the Liberal Party to just follow the New South Wales Premier is grossly irresponsible for the health of Western Australians and for the Western Australian economy. We will not allow members opposite to put in place these grossly irresponsible measures that go against the health and economic advice for this state.

Division

Question put and a division taken, the Acting Speaker (Mr S.J. Price) casting his vote with the noes, with the following result —

Ayes (16)

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

Noes (33)

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

Pairs

Mrs A.K. Hayden	Mr J.R. Quigley
Mr K.M. O'Donnell	Ms S.E. Winton
Mr R.S. Love	Mr M.P. Murray

Question thus negatived.

PROCUREMENT BILL 2020*Second Reading*

Resumed from 13 May.

Declaration as Urgent

MR B.S. WYATT (Victoria Park — Minister for Finance) [4.56 pm]: In accordance with standing order 168(2), I move —

That the bill be considered an urgent bill.

I will be very brief but I want to make a couple of points. The Procurement Bill has been worked on for some time, but, of course, as we move into the recovery and growth phase post the coronavirus, all governments are now bringing forward as a matter of urgency legislation that will allow us to stimulate the economy by getting activity happening at a much more rapid rate. This is a challenge that the national cabinet has given to ministers around Australia. To quote the Prime Minister in his press conference of 23 April, he stated —

We are looking afresh —

The royal “we” being the national cabinet —

at all of the work that has been done over the past decade, but we are looking at all of those important reform documents that have been prepared by groups like the Productivity Commission, the Shifting the Dial Report which went well beyond issues that relate at a Commonwealth level and significantly to reforms that can be achieved at a state and territory level.

That is why we bring forward this procurement reform as a matter of urgency. We have a significant stimulus spend that effectively sits behind this bill. It will certainly allow us to ensure that we move beyond what we can do in the goods and services space and bring in the work space to ensure, particularly in regional Western Australia, that we get an opportunity for much more local contracting and much more local content in those places. I am therefore very, very keen to have this bill go through the Parliament as soon as possible and be implemented. As I said in my second reading speech, many small to medium enterprises are frustrated with government because they are finding that even though they may be providing an identical service or product to government, they have to go through a range of procurement processes for different agencies. Once implemented, this bill will enable much more efficiency and, therefore, much more economic activity. With those few words, I thought I would make some comments to justify my motion of urgency.

MR D.C. NALDER (Bateman) [4.59 pm]: In pursuing the urgency motion, the opposition wants a little more detail on why this bill is urgent. The government is again trying to circumvent due process in Parliament, which

I am always worried about. We understand that the coronavirus has created extraordinary times and that there may be good arguments for this bill to be declared urgent. There could be something in the legislation that would benefit small business if we got through the bill three weeks quicker by making it an urgent bill, but there is a lack of clarity about the merits of the motion. I checked with the chamber about some of the rules and was told that the minister has the opportunity to respond if we stay within the 20-minute time limit for this debate. The opposition is not opposed to this being an urgent bill, but we seek clarification about why we should remove the three-week period that the bill would normally sit. We know that this is enabling legislation and there is not necessarily a lot of detail around it, and we will talk about that during our consideration of the bill. There are obviously concerns about how this legislation will be utilised by the government if there is a lack of scrutiny of the regulatory changes by the Parliament. We want to make sure that we are giving this bill the proper focus and attention that it deserves and that we are doing the right thing by the broader Western Australian public by allowing this motion to pass and accept this as an urgent bill. I will not take this any further, other than to say that we would like some assurance about the specific benefits that will be gained by the community from us treating this as an urgent bill. By that I want to know exactly what outcomes the government is looking to achieve by having this bill treated urgently, such that it gets through the Parliament more quickly.

MR D.T. REDMAN (Warren–Blackwood) [5.01 pm]: I also want to talk to the urgency motion. The first and second reading of this bill were done last Wednesday. We now have sittings this week and next before we have a little time off before the June sittings. We have three weeks of sitting in May, of which one week has already gone. The Legislative Council will sit for three weeks in June; I think the Legislative Assembly will sit for only two weeks in June, but that is almost irrelevant if this bill goes off to the Legislative Council by then. We then will not sit again until 11 August, when there will be some two sitting weeks. If we let this bill play out in terms of its natural progression, we could expect it to be well and truly passed, with some comfort I would have thought, by the end of the two sitting weeks in August. I do not think that would be unreasonable for a bill that is largely uncontroversial in its intent. There is certainly a range of things that the opposition wants to talk about, but the bill will not get too much of a fight from the opposition. The government wants to bring the bill on as an urgent bill. Therefore, the government must make a case to say that there are provisions in this bill that are essential to getting something on the ground and workable by the end of the two weeks of sitting in August. If the government cannot do that, this bill is not urgent. The way I read the bill, a lot of complexity needs to be worked through in putting together frameworks, coordinating how government agencies work and pulling together some common themes across agencies to make sure that everything is coordinated in how that happens. Some provisions, such as the debarment provisions, require regulations, so there are processes that need to be worked through. I put the challenge to the minister that in putting this bill on an urgency platform—I fully understand why he wants to get this bill through in response to COVID-19—I ask him to outline in his response one or two things that this bill will enable and would be in place and active before the end of August. I think that is a reasonable request. If the bill is urgent, the legislation will go through quickly and the government will get those things in place. If the government will not have anything on the ground and running by the end of August, this bill is not urgent. A lot of the background work could be done concurrently with the legislation going through the Parliament to ensure that when it finally lands, a lot of the work has been done. I would be surprised if work is not happening within agencies now—I would have thought that it would be.

I had a briefing on the bill yesterday. There is quite a bit of complexity. There are some fairly global, or motherhood, statements. I will read one of the motherhood statements provided in the briefing. I agree with it, but again it comes down to actions on the ground. It states —

Local Small and Medium Enterprises must be provided with opportunities to win work with government. Importantly, the framework enables measures to be implemented to remove red tape, reduce tendering barriers, and the costs to businesses in doing so.

I agree with that, but a lot of work has to happen to get that to its end, and it is not just legislation; work also has to happen behind the scenes. The minister will need to convince me that elements of this will be in place before the end of August; otherwise, quite frankly, the bill is not urgent and can run through the normal process. I am going from a briefing on the bill that I got yesterday; I was not able to get one late last week. I came up from Denmark yesterday. I will now try to make a meaningful contribution to the debate in the chamber today.

MR W.R. MARMION (Nedlands — Deputy Leader of the Opposition) [5.06 pm]: I want to build on what the member for Warren–Blackwood just said. I totally agree with him. This bill does some good things. The briefing demonstrated the complexity of the current process. I happen to have some experience with this. I have probably done some work in every single box on this piece of paper, both as a government operator and in tendering for work. The government has to fix it. The member for Warren–Blackwood said that this is enabling legislation that will require regulations. It is quite a long process. The question I ask is: are there things that the government can do right now? I know that there are. I could give the minister some ideas, which I might do during the consideration in detail stage.

Mr B.S. Wyatt: Please do.

Mr W.R. MARMION: I will not do it now because I do not have time. The government could do lots of things right now to make sure that small businesses could benefit. It does not have to go through this process. I agree that the bill will make it better in the long term, but the government could do things right now. The minister could change the rules. The Minister for Transport could do stuff. The Minister for Finance could do stuff. Something could be done with the rules of the State Supply Commission, but the government would have to be a bit careful there. I would like a practical example of the benefit that a particular business would get from this bill being declared an urgent bill. I cannot see anything specific that will come out of this very quickly.

The ACTING SPEAKER: Minister, would you like to respond?

MR B.S. WYATT (Victoria Park — Minister for Finance) [5.07 pm] — in reply: I would; however, I seek some clarity. Do I have some time to respond?

The ACTING SPEAKER: Yes, you do.

Mr B.S. WYATT: I thank my colleagues for their contributions. I suspect that the constituents of the member for Warren–Blackwood would be some of those who would benefit the most, directly and immediately, from the passage of this bill, and I will outline why in just a minute. The member was right; there are some parts of the legislation—the member referenced the debarment regime—that will take a bit of time. We are doing a lot of industry work on that anyway, so we are very close to the public components of that. That will follow the passage of this bill, hopefully in August but maybe in September. Either way, that is coming.

What the bill will do immediately is allow me, as minister, to lift the minimum amount of money for works to allow local contracting. I want to emphasise this point. The table that the member for Nedlands held up highlights the nightmare. I am hoping that we all agree that the general red-tape arguments around the bill are a good thing. My understanding is that we are all supportive of that. The State Supply Commission Act was passed in 1991 and is well past its use-by date. That act limits what I can do, as Minister for Finance, to goods and services provided by what is defined as public authorities. The 1991 act defined “public authority” as a limited group of government agencies. This will allow me, as Minister for Finance, immediately to do what we have done with goods and services under the State Supply Commission Act—that is, to allow agencies to directly purchase from local suppliers. I lifted that from a minimum of \$50 000. For anything under \$50 000, they could do local purchasing. I have already lifted that to \$250 000. Again, at the next level, at \$250 000, historically one had to go to public tender. We have all heard those stories of small organisations that just do not have that administrative capacity to go to public tender. Between \$250 000 and \$500 000, written quotes from local suppliers are needed, and it is now for above \$500 000 that agencies need to go to public tender for goods and services.

At the moment, I cannot do the same for works. That is really the value that, on the passage of this legislation, I will be able to change immediately. I suspect that is the one thing that we are all keen to see. For example, we are bringing forward, and I suspect there will be some more money for, the refurbishment and maintenance of public housing and schools, and, indeed, health will have a maintenance spend. Bear in mind this is not rebuilds; this is your classic tradie kind of work. Refurbishments are slightly bigger, so it is not just a lick of paint; it is bigger work. If I am limited to 50 grand, I will not be able to have all that done at the local supplier level. If it is up at \$250 000, it is much better. That is immediate. Although the debarment and some other areas might take us a little bit of time, that will be an immediate outcome. I am keen for that to happen because that spend is going to be coming through soon—before August is the plan. I am keen for that happen soon, and that is why I am trying to have the legislation brought in urgently.

The member for Nedlands asked for an example. Cooperative procurement is another live area that will come into play fairly quickly. In the last little while, we have had buy a lot of personal protective equipment. The Department of Health can purchase for the Department of Health, but it cannot make purchases of PPE for other agencies; that has to come through the Department of Finance. Similarly, the health department cannot say to health department of South Australia, “Let’s do a combined procurement and buy a huge amount of PPE.” That is simply not available to us under the legislation. Other examples would be state agencies wanting to do local cooperative procurement with local government entities. It cannot happen now, but the legislation will allow that to happen. A lot of efficiencies and good outcomes will happen fairly quickly. I am very keen to do that, particularly on the works side. I like maintenance spend because it is usually pretty quick—we give the money and they will spend it—but I am always slightly frustrated that it gets to a level pretty quickly at which it has to go to public tender, even when we know there are local organisations that can do it. Hopefully, I have convinced members of the bill’s urgency.

Question put and passed.

Second Reading Resumed

MR D.C. NALDER (Bateman) [5.13 pm]: I stand to make a contribution to the second reading debate on the Procurement Bill 2020. Leading on from the declaration of the bill as urgent, I want to say up-front that the opposition will support this legislation and its passage this evening; however, we want to raise a few points. As touched on in the urgency motion, our concern is that there is very little detail in enabling legislation, so there is

very little on which the opposition can critique the government about how it will use this legislation. In some ways, we are showing good faith that the government will use this legislation appropriately. Obviously, we will observe that over time. The Liberal Party will see that this urgent legislation goes through Parliament on the basis that more local small and medium-sized business will be awarded contracts as a result. The opposition has to accept that this legislation will be better, again because we do not have the ability to critique the bill in this place.

Legislation designed to standardise and harmonise the process of government procurement is important. I think these are the sorts of things that governments should undertake. I have one question, minister: why does it exclude government trading enterprises? The Minister for Finance and I have talked about GTEs and a lack of transparency around them, so it begs the question sometimes when they are left out. I look forward to the minister's response on why they cannot be included. GTEs are important. Every Western Australian views Synergy, Western Power and the Water Corporation as state entities and they do not really see the difference. I think most Western Australians do not realise that they do not form part of the general public sector, or that when we are talking about operating surpluses and deficits, their activities are not included in that. I think most Western Australians do not really appreciate that; therefore, I believe that the community would expect that any legislation the Parliament is looking at to drive better processes would pick up those GTEs.

The bill will also allow for the introduction of a department integrity regime to level the playing field for law-abiding businesses, and provide adverse incentives for corrupt and illegal behaviours. Again, we are okay with that. We think that is a responsible action to take and see no problems with that. We understand that the Department of Finance will take over the coordination of procurement processes, and, therefore, additional resources will be allocated to the department. I assume there will be additional resources. I imagine that if the government is putting up this type of legislation that requires the Department of Finance to undertake further work, some modelling will have been undertaken to demonstrate that there is an understanding of the resources required by the department. It would be good for us to understand whether there will be a financial impact to the bottom line as a result of this legislation.

They are the questions that we are asking on this legislation. Our understanding of the purpose of the bill is that it will modernise the process of government procurement of goods and services and works. The changes will make it far easier for business to work with government to support the state's economic recovery. Again, we are taking that in good faith. The bill's introduction of procurement directions provides a consolidated mechanism to move all state agencies in a unified direction, but, again, we highlight that it does not include GTEs. The bill will remove legislative barriers within government; for example, it will enable cooperative procurement arrangements. The bill will replace the State Supply Commission Act 1991 and streamline the tender process and documents across government to make it easier for businesses to work with government. Again, we support that.

I made the comment recently—or will be making; it will be seen tomorrow—that the streamlining of processes is long overdue. From my perspective, when industry talks about state bureaucracy, it is often not the dealing with individual departments that is the problem; it is the fact that it has to deal with multiple departments and there is no streamlined process through that. Industry tends to have to find its way and deal with all the different departments. I know that issue does not necessarily apply here because we are dealing with procurement, but it is an observation I have made over time about bureaucracy—that there is a lot of frustration out there that we make it very difficult for people to get on and do what they want to do. When we talk about larger sums and people in industry interacting with the state government, coming from a financial background, I understand that capital does not sit around for three, four or five years waiting for government approval processes. If we want industry in Western Australia to succeed, we need to ensure that we streamline these processes such that businesses can get on with it. Proposals are floated in Western Australia but, more often than not, particularly in the CBD, when we talk about office towers being built, nothing ever happens. It just seems to take too long. Anecdotally, a developer said to me that they had been trying to build something in the Perth CBD and the approval process took three years, yet in Singapore it took them three weeks. My view is that we would never aim for a three-week process, but I would love to aim for a three-month process. If we had a proper master plan over the CBD, developers would not need to undertake transport plans, services plans and so forth. All that work should be done under a master plan. The only thing we should be debating is architectural design.

Nonetheless, to get back to the procurement process—I digressed for a bit—I look forward to seeing how this will simplify procurement processes for governments to support the objectives of the Western Australian Jobs Act 2017. I have always been a little cynical about the WA Jobs Act 2017, because we know that it is unconstitutional to show bias to Western Australia over the other states in Australia and New Zealand. We know that the WA Jobs Act is an Australia–New Zealand act. It has to be under the Constitution. If this will make it easier to fulfil the objective, it begs the question: how will that be fulfilled over and above businesses operating in New South Wales, Queensland or New Zealand?

Another objective is to improve flexibility to apply economic and social policy objectives across all areas of procurement. Again, that is a little bit loose. I would love to know the specifics and how that may be portrayed. Another objective is to improve the integrity of public sector procurement with greater audit and investigation powers. Again, I take that at face value.

Minister for Finance, we support the bill. We believe that reforming and streamlining processes and making it easier for industry and businesses to interact with government is a good thing. We have to remove as much red tape as possible. We have concerns about the fact that this is enabling legislation and therefore we in this chamber do not get to see the workings of that and how it will roll out in the regulations. There is always a little bit of good faith in oppositions supporting enabling legislation. Nonetheless, we look forward to the passage of this bill. I look forward to getting into a little bit of detail. Again, as I say, it is not easy in the consideration in detail stage when there is not a lot of detail in the bill. We look forward to its passage through this house.

DR D.J. HONEY (Cottesloe) [5.22 pm]: I rise to contribute to the debate on the Procurement Bill 2020. As has been indicated by our lead speaker, the shadow Treasurer, we support the bill. Procurement is an interesting area; it is an area that I have a keen interest in. Certainly, proper management of the procurement process is a key activity of all businesses, including government. Perhaps there is a hint there in how we can look at best practice for this process. I do not think procurement is not a complex process; certainly, some parts of it can be complex. Overall, in looking at the proper management of a procurement process, the first thing is that a procurement process should be simple in two ways. The process should be simple for not just the government agency in this case, but also the suppliers. The complexity of government processes drives the costs for private enterprise and, ultimately, that drives up the cost of the services and goods that are procured.

Certainly, there is a big carrot here. Reducing the cost of procurement is pretty important. The discussion papers tell us that there is a \$27 billion annual spend. If best practice procurement processes were applied, I would be very surprised if there was not a 10 to 20 per cent reduction in the cost of procurement of services to government. I say this based on extensive experience in my life before I entered Parliament. Both mining companies that I worked for, Western Mining Corporation and Alcoa, but particularly Alcoa, saw dramatic reductions in the cost of procuring goods and services, particularly the cost of capital projects. I think the way that government manages capital projects guarantees almost a worst outcome for taxpayers. There are substantially better practices that are best practice for guaranteeing substantial reductions in capital costs. Reducing that cost should involve reducing not only the cost of departments to procure, but also the cost of goods and services. There should be intrinsic mechanisms that drive those to the lowest reasonable level. I do not think any business should be in the business of driving suppliers out of business. That, in the end, does not make good sense, particularly if we have a focus on local agencies. They need to be able to make a profit, but, equally, government needs to facilitate them providing a good service at the lowest possible cost and, critically—I did not see so much focus on it here, but perhaps it is implicit—ensuring the quality of goods and services and that they meet an appropriate standard. One aspect that has very clearly been a failure of government processes—obviously, they are the processes of both sides of politics—over a period is making sure that expenditure is properly authorised. The last point is making sure that there is no corruption in that procurement process.

The key aspects of this bill seem to be steps in the right direction. This was in the overview that was provided. Part 3 deals with the procurement functions of the minister and the department CEO administering the act; part 4 deals with the general agency-specific ministerial procurement directions, which is perhaps something that could be in the hands of government right now, but, in any case, it will be enabled in this bill; part 5 deals with the coordination of procurement arrangements; and part 6 deals with investigation and audit. They are absolutely critical parts. I know that we have the Office of the Auditor General, but I think that office will probably be swamped by the dimension of the task. We have a tremendous advantage in Western Australia, and that is that there would be three or four businesses on St Georges Terrace that have a budget the same size as that of the state government and they have to do all these things. Based on my experience and from what I have seen, they do those things much better than the government does. That is a good thing in the sense that the Treasurer and the departmental people would have some wonderful templates if they just walked into those offices and asked them how they manage these functions. They would get very clear and explicit direction. Certainly, investigation and audit is a critical independent part of those businesses. On the debarment of suppliers, obviously, if people are bad actors, they should not participate in the process. Anecdotally, it seems that sometimes we can have suppliers that act in bad faith in one part, yet appear as an actor in another procurement process elsewhere. It is a very powerful message that government can send to say, “No; if you don’t act in good faith or if you do the wrong thing, you don’t get to participate in these processes in the future.” I think that is a good preventive measure.

We have been told that this will improve the ability of local contractors to participate in procurement processes, especially for larger contracts. During debate on the matter of public interest today, we heard the member for Vasse give an excellent description of some of the issues with contracts going overseas. I will not dwell on that point in great detail, but certainly Australian Owned Contractors is very concerned about the Metronet projects. The first paragraph of its press release on 24 April 2020 states —

Australian Owned Contractors (AOC) is disappointed in the Public Transport Authority’s ... procurement process for the Metronet Morley–Ellenbrook line, which will once again result in a foreign tier one contractor delivering the project.

The point that was being made in the discussion today was that we do not need a new law to prevent that from happening. In fact, the previous government made sure that local contractors could participate in certain contracts

by dividing the project into some subparts. Some very basic things can be done to prevent the types of corruption that we have seen in the North Metropolitan Health Service and, more recently, in other parts of government. The government can look to some good processes to manage those aspects of procurement. I already mentioned that I believe there are some very good procurement models.

Sometimes we do not know what occurs within private companies, but I doubt that any of the major companies based on the Terrace—certainly our big miners BHP, Rio Tinto, Woodside Energy and Chevron—have experienced such levels of corruption. The budgets of these mining companies are the same size or bigger than that of the state government. That type of corruption has not gone on because of the good processes they follow. There are some simple rules to follow. The first rule is budget control. I am dumbfounded that the government's departments or sections appear to go over budget. When I was a manager in my previous life before I came to Parliament, if I spent money that was not authorised, I lost my job; it was pretty simple. It was not a question of being told, "Don't do it next time." I had no authority to do so, and that is a simple process. It has to be clear to every level, down to the most junior officer in government, that they have no authority to procure a service that is above budget. Obviously, there are levels of authorisation. There needs to be severe penalties for individual officers, including departmental heads or others, who exceed their authority in terms of expenditure. I have not seen it in this legislation but I am sure it is elsewhere. A reference at the end of the bill looks into misconduct. We cannot just say, "Oh, shucks! We will tidy that up and there'll be some post approval." It is very much a cultural aspect of controlling procurement right at the start.

The absence of multiple tiers of approval seems to be very clear. Again, I will go to my own experience. The company that I used to work for—Alcoa—had sophisticated local and global standards. In any part of that organisation, exactly the same processes were followed around the world. I understand from talking to others that if we look within the government sector here, we may find different processes in different areas. Clearly, the intent of this bill is very much to make sure that we have one way of doing it. I absolutely applaud that. At Alcoa, one of the key processes was having more than one level of approval. I could not order something and approve it; again, I would lose my job if I did that. Approval and review of expenditure on an item went to four levels. Someone would procure an item, and it could be approved only by the next manager up. It then also had to be approved by the manager above them. The manager above, on a monthly basis, reviewed every single procurement in the department. As a more senior manager in the organisation, I did that and I took it seriously. I managed significant budgets and I did not approve a single expenditure if I was not absolutely aware of what it was. I think this level of rigour has to be used by government agencies. It is a formal process, and it is tracked. If the process is not followed, the order cannot go forward.

This is a deficiency in government and that is clearly a collective responsibility of past governments. Our electronic systems for this process seem antiquated, to say the least. There should be one system across government. The Treasurer or his Treasury offices should, on any day, know how much money the government has spent. All the companies on the Terrace could tell us how much money they have spent today and they could tell us tomorrow how much they have spent. My understanding is that this procurement process can cost a considerable amount of money. I know it is not part of this bill, but I think in parallel with this bill a fundamental look at the computer systems needs to be undertaken. Again, I do not think the government needs to develop something novel. If the government talks to our good friends down the Terrace, it could get plenty of insight into adequate procurement systems that allow for the financial management of something as sophisticated as the government of Western Australia. Certainly, the multiple levels of review and approval are important.

Routine audit, which I know is covered in the bill, is also critically important. The audits must be independent. Sections in the bill relate to how audits can be carried out. It is very important that an audit is independent. It is an opportunity for functions within government to have some accountability outside of departments. It is true for all major corporations that a departmental accountant reports and is responsible to their manager, but they will also have a dotted-line report to a commercial manager outside their department, which covers all departments. These checks and balances make sure all departments are following the correct procedures. We do not rely on an email to go to the chief executive officer and then be passed down through the system. A person in government—I think it is very appropriate that the person sits in Treasury—has a dotted-line function to the relevant parts of the department. That allows for a check and balance to guarantee everyone is following the correct procedures. It is extremely worthwhile and critically important to have that central oversight of procurement as part of this bill.

Debarment is not covered in the bill, and perhaps the Treasurer intended this as another way of looking at it with a rigorous qualification process for any suppliers. Before companies become suppliers of goods and services to government, they have to go through a qualification process. It is managed as a separate function. The beauty of that qualification process is that all the backgrounding checking is done before any company can even be considered as a supplier to government. It sounds daunting but, in fact, with the right supporting systems, the process can be done very thoroughly. Those companies that are not qualified contractors simply cannot be suppliers. Under this process, a debarred contractor would not be a qualified contractor but the process takes out the complexity of agencies or parts of government procuring goods because they can choose from a list of qualified suppliers and then use whatever process they use to get the best possible price from those qualified suppliers.

Capital project management is not in the detail of this bill but I think it is worthwhile to take a few moments to talk about it. When I started working in the mining industry, the company I worked for used a very similar sort of process for capital projects to the one we use. That process inevitably ends up as a cost-plus process. Even though we say there are limits and so on, one of the skills of capital contractors is triggering the processes that allow them to increase the cost of a job. I know that the state government is having a fight with a contractor at the moment over that sort of process. The way that capital projects are done now means we essentially come down to one contractor before we have all the detailed design and a cost that is plus or minus five per cent. First, a contractor is narrowed down and then we go into detailed design, so we end up with this cost-plus. I am happy to talk to the Treasurer separately, so I will not tie up discussion in this debate, but to say there are very good ways of avoiding that type of process. A competitive process allows for two potential capital suppliers to go to detailed design. In fact, they are paid to do that. It is relatively low cost, especially when it is competitive. When two potential suppliers are paid to do that, because the project has gone to detailed design already, firstly, the company owns the intellectual property.

[Member's time extended.]

Dr D.J. HONEY: Secondly, the company has a very accurate cost estimate for that project and it can look at the other aspects of that contractor. The beauty of it is that because of the detailed design process, the company has to work intimately with that contractor and knows that organisation's safety culture and whether it delivers on what it says it will deliver or whether it is all talk and no action. The best aspect of both proposals can then be leveraged. Once the contractor for the job is chosen, an appropriate risk-reward type of contract can be negotiated. If a government agency wants to work intimately with a contractor, it requires its own experts. This is a very small investment compared with the cost of these capital projects when they blow out. When an agency has those experts, they can work together on ways to reduce the cost of those jobs.

That process was implemented by Alcoa, a company that I worked with immediately before I came into Parliament. My area had the largest capital expense in the company. In the very large capital projects that I was involved with not a single contract or project went over budget. In fact, most projects delivered substantial savings on that budget even though that budget was based on the detailed design. It is a very good process. If we look at government contractors going back some time, it seems that we accept very large variations on the initial budget, and then we end up with a process of poor estimates. Perhaps this is being a little unfair, but we heard that the original estimate of the Morley–Ellenbrook line was around \$860 million. Now I hear that the estimate is \$1.5 billion. Perhaps I would have been delivering pizzas had I told my previous boss about a blowout like that. As I say, perhaps I am being a little unfair in that that was just an estimate by someone. Nevertheless, from what I understand of the major capital projects that we have had delivered, it is very common for those projects, through one form or another, to trigger various clauses in the contract and end up costing substantially more than the original estimate. That should not be acceptable to us. There are some very good basic mechanisms that we—the royal we of government—can use to reduce the cost of those contracts.

In summary, I support the Procurement Bill 2020. The procedures are probably the most important part of this bill, which is something we are not going to see; that is just the nature of this enabling bill. But it is very clear that even now the Treasurer and the Premier could require departments to do things in ways that would substantially tighten up changes. I am sure that this bill will formalise the ability to do that. Once again and for the third time, I strongly encourage the Treasurer or his officers to spend some time with those major organisations and ask them that open question: how does an organisation ensure that it manages procurement so that it is not corrupt and it delivers the best possible product in a safe and timely way and at the lowest possible cost? I think that they would happily share with the government the experience they have had with their processes.

MR D.T. REDMAN (Warren–Blackwood) [5.43 pm]: I do not want to talk for a long time, only to say that the Nationals WA will support this Procurement Bill 2020. The intent is sound. I still maintain the position that we could have had a little longer to have a close look at it and talk to members of our constituency and all those engaged in the process of procurement. I think the Treasurer quoted \$47 billion worth of —

Mr B.S. Wyatt: I said \$27 billion.

Mr D.T. REDMAN: Sorry, he talked about \$27 billion worth of government funds that go into the marketplace and are used to support the economy of Western Australia. A number of speakers have already highlighted some of the challenges in our procurement process. I will use a really simple example that highlights a challenge with the process. I have a history of working in the Department of Education. I was the principal of the Western Australian College of Agriculture in Denmark for nearly 10 years. I remember that at the time a lot of work was done internally within the Department of Education to get appropriate processes clearly articulated down to a school level on how to go out and buy something. Obviously, some lines in the sand were drawn on how expensive the item could be and the rules surrounding the process. When the department finally came up with this work, it was like something that had been designed by a committee. The department put it in place but before it was enacted, someone was smart enough to ask the few people who put it together to go out and buy a video recorder using the set of drafted rules. Of course, they had to draft up the scope of the nature of the video recorder and the things that were essential to the bids coming from the people who would be trying to get the contract to supply the video recorder to the

school. Of course, the bids came back. The cheapest bid met all the scope requirements articulated in the pitch to the private sector to supply a video recorder. Clearly, the best deal was not the cheapest bid; it was a slightly more expensive bid but it came with a heap of attachments that were outside the scope. Of course, the people who were assessing the purchase identified it as clearly the best deal, but they would have to choose the cheapest bid, which was within the scope of what they had defined. In order to get what they believed or assessed as being the best deal for taxpayer's money and for that school, they had to shut the process down, re-scope the rules, put it out to market and do it all over again. It was a bloody nightmare! That example highlights, albeit in a simple way, the challenge of procurement. We have to put in place processes to ensure an appropriate spend of taxpayers' funds, but, as highlighted by the member for Cottesloe, we also need good quality outcomes for the spend. That is not easy to do right across the public sector, which is complex across the range of different fields, in both goods and services, and involving, in many cases, quite high-level building contracts. It is not easy.

This reform is appropriate. A range of issues have dogged past ministers and are dogging the Treasurer right now in terms of limitations—he has highlighted them already. They might appear to be simplistic issues, but they have a level of complexity that limits what can be done. This bill is right and it is the smart thing to do. I had some issues with the urgency of it; nevertheless, that is what we have. We also have the challenge of competitive neutrality to ensure that everyone has a fair crack at the process. We who live in regional Western Australia regularly get frustrated, and the government would have heard our commentary on a number of contracts. One contract was based in Collie and the tender went out for a company to build or upgrade fire trucks. It ended up going to a company from Malaga, I think, yet a local business felt that it could have had that contract. There are numerous examples in which one would like to have a local outcome in a community. I know that government has a passion for Collie and would have loved to have an outcome like that, but that is not what landed. When we asked a question about it, the government said that it had to go to tender and the process identified this particular outcome. The process can be frustrating when we believe that something is fair and reasonable, but in the interests of competitive neutrality and an open and transparent process, the process lands a particular outcome. I think that the member for Bateman also highlighted that the Western Australian Jobs Act allows tenders to go interstate and to New Zealand, so we are also bound by some outside rules.

Giving one agency a leadership role over its interaction with all the government agencies that have procurement responsibilities is smart. There are some legacy issues including the head contractor model in the Department of Housing. I cannot say that I was big fan of the regional component of that. I thought that it made sense for metropolitan Perth, but for some of the more isolated parts of regional Western Australia it was a very frustrating process to get good outcomes for some of the local contractors that had been doing a damn good job in those communities, and the Treasurer would have seen that. A whole heap of goodwill had been built by local contractors, but the process seemed to cauterise that. I guess that the head contractor model processes are in place, so it will be interesting to see how this in fact applies to that. I know it does not extend to government trading enterprises. Recent decisions have been made by the Water Corporation to move away from the Arona alliance and the Perth region alliance that were effectively government–private sector engagements in the alliance process to try to bring private sector efficiency to the table—the capacity that the government has in and around the technical aspects it can bring to the table. Of course, the Minister for Water has chosen to move away from those, but I know that is going a bit outside the scope of this bill. Examples of efficiencies that were brought to the table—I was the water minister at one time—are probably lost.

The other interesting area is getting some coordination on government policy guidance for procurement by agencies. The member for Nedlands held up a document that showed all the different bits and pieces; the complexity of all the different acts and all the different people who can make certain decisions, including Treasurer's Instructions and Premier's Circulars, which have influence on all this. That is a nightmare to work through. It makes sense for one department to have some leadership and control. It is a little unclear what the lines in the sand are. That will probably be teased out as we work through this bill in terms of where the influence starts and stops. When the policy might be for a regional purchase or when there is strong support for regional businesses and their capacity to come to the table to bid for something, often, as another member mentioned, they will take small bites, not a big contract bite. Provisions that allow some government guidance for a whole range of smaller purchases that fall into the capacity of particular regional businesses will mean that they will get a say in the game.

I am sure the minister would also be well aware of getting Aboriginal businesses to the table. In remote Aboriginal communities there is a history of key Aboriginal businesses playing a role in the provision of services to government for maintenance of houses and/or other services. Those things are really important. We need scope so that policy guidance can allow some outcomes that the government is chasing through its policy settings, and quite rightly so.

Mr B.S. Wyatt interjected.

Mr D.T. REDMAN: It has; I agree. There are other issues in the head contractor model too, but this is not the time to go into that. From a regional sense, it has not necessarily had a good outcome.

Some regulatory aspects still have to be put in place. I turn now to the debarment rules. The good people at the back of the room who gave us the briefing yesterday talked about government coming together with a blend of

policy settings in Canada and the US. Other jurisdictions have taken different approaches. Government has not had visibility of who is in and who is out, and the threshold of what is considered to be a line in the sand for someone who might not be considered appropriate to be on the government's list. I think "conviction based" is one of the things I saw in some of my readings.

The not-for-profit sector is another really important sector. It provides a lot of services to government. It does not necessarily have some of the governance arrangements in place but it brings a lot of passion to the table, particularly for the social services. I assume this applies to that. The minister may have some comments about the social services sector engaging with not-for-profit reps who bring a lot of goodwill to the table and can deliver some good outcomes.

A report by the Joint Standing Committee on the Corruption and Crime Commission was tabled last week. It contains some very publicised examples of corruption in the public sector. Some of those are still before the courts so I will not comment on too much of that. One example was someone allegedly operating just under the threshold of a requirement for someone else to sign off. If that is done enough times, it can amount to a hell of a lot of money. The committee recommended that the government look at processes that it could put in place, including building a culture within organisations to accept that these things are unacceptable. We need to find efficient ways to make sure that we do not have anyone doing the wrong thing. It is not a good line when we see the very, very publicised recent examples in the public sector—in the North Metropolitan Health Service and others—and the fairly large sums of money that are involved.

The minister has the support of the National Party. I got a pretty good response from yesterday's briefing in terms of feedback to some of the questions I had at the time. No doubt, some more issues will be teased out either during the minister's second reading response or, if the opposition decides to pursue it, during consideration in detail.

MR W.R. MARMION (Nedlands — Deputy Leader of the Opposition) [5.55 pm]: I begin by thanking the staff for the briefing we had yesterday on the Procurement Bill 2020. This happens to be an area that I love, unfortunately! In case I get through the bill, I have a few pages of all the things that have gone wrong in my life since 1978—in relation to contracts!

Mr B.S. Wyatt interjected.

Mr W.R. MARMION: They are only on procurement, but they are very entertaining! Members will be very surprised. Unfortunately, none will be fixed by this bill. They are all the things that have gone wrong in terms of corruption, mismanagement, naivety and all those sorts of things, including on some big projects. Hopefully, I will get to some of those because it will be more interesting than going through the bill. Believe it or not, I have read the whole bill.

Mr I.C. Blayney: You have read the whole bill?

Mr W.R. MARMION: I have read every single thing since the briefing yesterday. I have to say the way the bill has been put together is quite elegant. For such a small bill, it covers a lot. I wish I could say the same about some of the tenders I have done. I might have mentioned at the briefing the tiny jobs I have tendered on, including school reticulation. I got the job of writing tender documents, which involved just copying ones that were done some years before. They were about five times thicker than this bill. It might have been the department of housing and construction that was handling this contract for the education department. The department knew there were only two reticulation companies in WA that were going to tender. In fact, only one person would write the documentation. They rang our company and said, "Please, we want two people to tender this time; can you tender?" I think they gave us the job so that we got experience and there would be two people tendering. We had to copy a massive number of tender documents, knowing that only two suppliers would tender in WA. That is just one little story.

Tendering is actually a very difficult area. It needs to be value for money and fit for purpose for the particular project. Getting back to that example, only a thin document is needed. To cover yourself, public servants' documents grow and grow. If someone gets bitten for something, they cover it with a whole lot of contract documentation so they will not get bitten next time. Unfortunately, documentation grows. The people who tendered on that reticulation project did not read the document: "They are the areas we have to do, what are the areas, how much pipe do we need?" and they would put in a price based on that. They would take a punt that an officious government person would not give them a hard time because they did not follow page 527. Unfortunately, whether there is a good outcome on projects depends on how they are managed.

One of the more difficult areas to tender on is architects. How do you pick an architect? That has been going on for decades. The Building Management Authority had a lot of in-house architects when it outsourced things. It had a process of sharing it out. There was no way someone could really tender. The Australian Institute of Architects grizzled, so they had to have certain categories. The big architects could design certain sized buildings and they would share them around. How do you get value for money for that? They were making sure that each architect got their fair share of jobs. I was involved in the process of selecting the architect for the Bell Tower when I worked for Richard Court. I was the director of the capital city development unit; one of the many jobs that I had at that time.

Mr D.R. Michael: I protested on that.

Mr W.R. MARMION: This is before it was protested. That is another story, if the member has one hour!

We decided to have a competition. We decided to have a small dollar prize. That was one way of trying to make it a bit fair; who could come up with the best design. Of course, we could not afford to build the one designed by the person who won. By the way, Hames Sharley got the job. It came up with a the very good idea of locating the spire so that it actually lines up with the dead centre of Kings Park Road and The Esplanade. However, it had to be very high so that someone driving down Kings Park Road could see the top of it, but it was not built high enough.

Sitting suspended from 6.00 to 7.00 pm

Mr W.R. MARMION: In summary, this bill will basically simplify the whole-of-government procurement structure and will provide opportunities for efficiencies and cooperation, and offer some consistency across government, principally by bringing in works and leases as part of the procurement of goods and services.

I will go through the parts of the bill very quickly, but before I do that, I will mention that some of the constraints on doing business in government are the contract panels that have been set up. In my day, to get on a contract panel for planning, for example, a person had to meet certain criteria. I do not know whether there is a contract panel for business cases, but we did business cases, and it was an ordeal to get on a panel. When a contract was for a certain size, the panel would be sourced to get three quotes and that would include the cheapest quote. To be on a panel was great but it was difficult to get on one. That is an area the government can look at. A project over a certain size has to be put to tender. It could take a week for a small company to put in a tender, and if the company did not get the contract, that would be a week's worth of work that it did not get paid for. If it was lucky, it might have got one out of three tenders it submitted, and if it was really unlucky, it would not get awarded any of the three contracts. If it was really lucky, it might get two out of the three and have to find more staff. It is quite tricky for small businesses.

I was Minister for Finance for a period. That was interesting because the Department of Finance had a policy role in procurement. There was some argy-bargy within departments about Finance's procurement policy over who paid for it. I think the Finance paid for the procurement for each agency and it would then all be paid back to Finance. The model in this bill is probably a good model because it will mean that one agency, which was the Department of Finance but could be another department to be created under this bill—that is for another debate—will be the central agency with policy expertise across the board. The danger of that, like in the olden days, is if the central department becomes so big and overbearing, approval is needed from it for everything. One thing I will pull out of my pocket of stories —

Mr B.S. Wyatt: Your book of mistakes.

Mr W.R. MARMION: My book of mistakes! When computers and IT were brought in, there was a government department for computers and technology. In 1988, I wanted to get a Microsoft project management software package at a cost of \$1 400. I went to the Auditor General, who said that it was no problem but that we had to fill in a form. It was just like the old Treasury department; a single department looked after certain agencies. We had a special officer who gave the form to the director general of the department to get approval for a piece of software that cost \$1 400. Only one person could use the software at a time. We could not do anything sneaky like copy it or have two people using it at the same time. The government has to make sure that that type of thing does not happen, and I am sure it will not. That can be a problem in government. That is a delegation of authority, which is covered in this bill. In the Minister for Finance's contribution, he mentioned that he raised the matter of delegation, which I think is very wise. Obviously, that puts the accountability back onto the responsible person in the department to ensure that the correct processes are in place and the system does not get abused.

The current system to develop policy involves cabinet decisions, Premier's circulars—I have written a couple of those for Premiers—Treasurer's Instructions—I have never done that—and a lot of other overlays. Of course, individual agencies have exemptions, even for goods and services. Main Roads had an exemption. The bill's objective is good. Basically, it will get rid of and replace the State Supply Commission Act. References to the State Supply Commission in existing legislation have to be amended. That is done at part 10, towards the end of the bill. The references to the State Supply Commission Act will be substituted with references to the new Procurement Act, which is sensible.

Part 1 of the bill sets up the act. The definition of "procurement" is important because it defines not only obtaining goods, but also disposing goods or works. People think that when they procure something, they are getting something. Under this bill, disposal also comes under the definition "procurement". That is a bit of useful information. The bill also defines which agencies are in and which are out. That is reasonable. I think other members have said that agencies such as the Water Corporation should be included. I read in the explanatory memorandum that mechanisms are being looked at for those agencies down the track. When I was Minister for Water for a brief period—I do not think it was at the same time as I was the Minister for Finance—and looked after leases, I got A3-sized pages of paper containing lists in micro-text of 500 properties that the government owned. I knew that they were not all there. I will use the Water Corporation as an example, because it is a good one. It was a lessee and lessor of properties. When looking at land that could possibly be disposed of—the Treasurer has probably done this—it was very tricky to find out what land the department had. In my electorate of Nedlands there is some useful Water Corp land. A lot of kids in Nedlands go to Revolution Sports. It is great for my electorate but the return on the land may not be good for the state.

Part 2 brings in the leases and the works and part 3 sets out in some detail the functions of the new department or CEO. Once the CEO is appointed, there will be a functioning department. It also outlines the function of the minister, which is fairly important. It is quite significant that the minister can issue procurement directions under part 4. Part 3 mentions that part of the role of the minister is to issue procurement directions. I presume that a procurement direction would go right across the board, so there will be some uniformity across agencies in the implementation of policy, which we do not get at the moment. I will not go through all the functions of the CEO covered in clause 14(1)(a) to (m), but the CEO will be able to get data, and, interestingly, will be able to do investigations and audits. The CEO will also be able to get information from the department. In his reply, the minister might like to mention the information that the minister will be able to get from other departments or the information that will be available in an investigation. The role is similar to that of the Auditor General, who also has access to information.

I understand that under this legislation the department being audited will be able to request that information not be published in a document. I understand that, but it would be interesting to hear how far that will go. Access to documents that form part of a cabinet decision will have to be accessed, because those decisions would have gone to cabinet if it were a major procurement project, even if just for cabinet's information. I can understand that if a report is produced, that information may not be in the report. That is all outlined in the bill. It basically sets up the department. It will be able to borrow money and do everything a department can do. Presumably, it will come under the Financial Administration Act, and have an annual report.

Part 4 deals with procurement directions, which is probably the important part of the bill, to get consistency and some sort of direction in what departments can do. There is a role for the department to get inside each agency to investigate or give them advice, help them out and educate them. It also makes sure that the agencies comply with any directions.

[Member's time extended.]

Mr W.R. MARMION: Part 5 deals with coordination. As the minister outlined, the legality of coordinating or doing cooperative arrangements is not there at the moment. Under this legislation, cooperative arrangements could be formed with local governments and other state agencies, and, as the minister mentioned, agencies of other states, which will probably be useful on some occasions.

Part 6 deals with investigations and audits, which is important because there would not be much point in having a department if it could not investigate and audit what is happening. Recent corruption in some agencies suggests that it might be able to assist in that area, but, in reality, it is very hard to pick up corruption unless someone gives a bit of a tipoff. But the department will be able to make sure that the processes that agencies have in place are followed, such as having two people sign off on expenditure, and there is not just one person doing it, which was mentioned in our briefing. It will make sure that people go on annual leave, which is a pretty useful thing to do, and make sure that someone does not build up a lot of annual leave.

Mr B.S. Wyatt: It is amazing. I have since learnt how much corruption or how many mistakes are uncovered when someone goes on leave or goes on unexpected leave.

Mr W.R. MARMION: Correct. Absolutely.

Mr B.S. Wyatt: If someone dies, they take a week off, then someone comes in and thinks, "What is going on?" Governments have for years, both state and federal, been critiqued by various Auditors General for agencies that build up leave.

Mr W.R. MARMION: They have the excuse that, "Harry can't go. He knows everything. He can't go!" That is the issue. When Harry goes on leave, he only goes for one week and they leave the books until he gets back. That is a very important function.

This bill will bring in the debarment of suppliers, which is probably a useful thing to have. Main Roads, in essence, had an arrangement by which contractors were in categories A, B or C. If they did not perform, they were dropped down.

Mr B.S. Wyatt: That would be more of an internal thing, I would expect.

Mr W.R. MARMION: It was internal. Main Roads had its own system of penalising someone who was not performing. I think that is a good idea. Suppliers can appeal to the State Administrative Tribunal. The government has done all the things it has to do. That pretty well covers it. There are transitional provisions so that everything that is going on now carries forward.

In my remaining minutes, I will mention a couple of contracts that I have been involved in and offer some insights. It is a bit like annual leave. When I was working on contracts in Derby, I spent the first hour in the Derby office sitting at someone else's desk. I did not want to waste a desk, because I was only there for an hour. I was supposed to do a report, but I had done the report on the weekend, so I basically had an hour of just sitting there staring at the papers in front of me. I remember staring at a document that was the result of a contract for doing three bathrooms in Main Roads' houses in Derby. I was just switched off, but I noticed that one was for just over \$70 000, another

was about a hundred bucks above that and the other was a hundred bucks below. I was only a 24-year-old, but it was in my mind. I went down to the contractor and flew back on Friday. We got back at 3.00 pm and we went to tinnies, as you do on a Friday in the Kimberley. I remember talking to the divisional engineer. I said, “Gee, that was uncanny.” I do not think I used the word “uncanny” because in the Kimberley you would probably use something else. I suggest that I used the word “uncanny”. I said that it was amazing that three tenders had been put in and they were all within 100 bucks of \$70 000. I thought it was quite amazing. It was not only me, but also the divisional engineer who thought it was a bit more than uncanny. I do not remember his name, and it was a long time ago, but the person was gone within a month. A cartel was going on. The only three people who could do the jobs in Derby were sharing the work around. That is one of many experiences that I have learnt from.

While I am talking about Derby, Clan Contracting was a plant contractor there. It was frustrating for the assistant divisional engineer in Derby that his plant would break down. If Main Roads was doing a job that was three hours out of Derby building a road and a dozer broke down, it slowed down the job. All of a sudden, Clan Contracting had a brand-new dozer. At tinnies again on Friday I said, “That is pretty good—a brand-new dozer!” I was talking to the assistant divisional engineer, who looked after that. He said that he had got sick of delays and called him in. I will not mention who ran it. Jeremy O’Driscoll, that was his name—whoops! He said, “If I got continuous work, I will put a good dozer on.” He got eight hours a day guaranteed for two years. I said, “I’d have done that. Anyone would have done that.” He did not do that because it was a deal; he just wanted the outcome of owning a brand-new dozer. I was probably 24 and a half then and even I thought it was a bit dodgy to do that.

Those are the sorts of minor things—that was in the 1970s—that happened in the procurement process. Sometimes it is naivety and sometimes it is corruption. People needed education. A lot of it is about education and the principle of making sure everyone has a fair go—not naively giving someone the inside running by saying, “I’ll give you two years’ work if you buy a new piece of plant.”

The other thing that can go wrong in procurement is if someone submits the lowest tender for a job but it is not given to them because after analysing the tender, it is found to be way below what the department thinks it can be delivered for. I cite Versteeg Contractors Pty Ltd when, probably in 1983, Main Roads gave work on a section of road between Willare and Fitzroy Crossing to the number two contractor. I think it was Henry Walker. I was not involved in this, by the way; it is just a legend in Main Roads that everyone knows about. Of course, Versteeg went and saw the Minister for Transport at the time, so the minister got involved and Versteeg got the job because Main Roads was overruled. Versteeg was a very good contractor in Perth. It built lots of subdivisions and moved into the big time but could not do it, so the contract fell in a hole and Main Roads had to pick up the pieces and relet it. Henry Walker got the contract anyway, but Main Roads lost lots of money. It is a very important and good lesson for ministers not to buy into contracts. I know of another one.

Mr B.S. Wyatt: On that, I know of a cranky tenderer, who was the cheapest tenderer, but so cheap that you would actually doubt they would deliver the job. Cranky did not win the job. I think the department had a view—I think, in the end, the correct view—that they wanted to be sure the job could be done to a standard.

Mr W.R. MARMION: That is a difficult one. I am talking about way back in the 1970s and 1980s. Now people get the tender and get their lawyers to do variations to make sure they can recoup what they did not put in their price. That has evolved, unfortunately. Then there is the one about not conforming to the tender process and lodging a tender in the wrong spot. I will not mention the tenderer, but in one case a minister got involved—I think it was a health minister—and the tenderer lodged the tender in the town where the hospital was. The tender document said to lodge it in East Perth. To get around it—I think the person was fairly influential—the health department killed the whole tender and started the process again. That is how they got around that. All these interesting things happening in procurement rely on having a very good system. The main outcome of this Procurement Bill will be to have a department, currently the Department of Finance, with expertise that assists departments to deliver the procurement process properly without getting too involved or only when they see a department is not doing it very well and providing assistance. I think that is the aim of the bill. If that is the case, it should work out well. Obviously, there are regulations to come. There is a lot to do. It is probably a fairly neat bill.

DR A.D. BUTI (Armadale) [7.24 pm]: Which side do I go?

The ACTING SPEAKER: Your choice.

Dr A.D. BUTI: I do not want to have my back to the minister. You need some numbers anyway.

The ACTING SPEAKER: Member, I look forward to you beginning your contribution.

Several members interjected.

The ACTING SPEAKER: Thank you, members.

Dr A.D. BUTI: You have been saying that for years. It has not helped.

I want to make some brief comments on this Procurement Bill. The main reason I am standing is that the committee I chair, the Public Accounts Committee, tabled a report, not so long ago, in November 2019, titled “Knowing What Good Looks Like: Challenges in Managing Major Public Sector Contracts”. The member for Bateman is the deputy

chair, and former chair, of that committee; and the member for Mount Lawley is also a member and will also speak to this bill. Some of the issues we looked at and some of the recommendations we made have found their way in one form or another into the bill before us, so that is pleasing.

As the minister indicated when he introduced the bill, the government of Western Australia spends around \$27 billion each year, most of which is to procure goods, services and works for the benefit of the community. That is a lot of money, so we want systems in place to ensure that we get the best value, that we seek to reduce complexities and fragmentation, and that we engage in the best ethical behaviour and increase accountability.

The inquiry the Public Accounts Committee conducted received 18 written submissions. We heard from 38 witnesses across 11 briefings in Perth, and seven agencies provided answers to follow-up questions. We also heard from 38 experts and petitioners in 12 meetings in the United Kingdom. In the report we made 30 recommendations and there were 42 findings. One of the things we found—the minister has recognised this in his second reading speech and in the bill before us—was that although the State Supply Commission Act has served its purpose, it is basically out of date. It is therefore good that this bill is before us. We knew that the government was working on such a bill but we wanted it to make it a priority, so we made recommendation 4. We are very glad to see the bill come before the house today to be debated and, hopefully, passed as soon as possible.

It is really important that we found in our report the complexities and fragmentation of the process when government engages in buying goods and services and in the management of projects. The objects of the bill are as follows —

- (a) to promote best value for money in government procurement so as to deliver sustainable economic, social and environmental benefits to Western Australians;

That is an interesting issue about social benefits that I want to talk about shortly. They continue —

- (b) to reduce barriers to the participation of small and medium businesses in government procurement by streamlining procurement procedures;
- (c) to strengthen integrity in government procurement and to promote ethical and accountable practices so as to provide confidence that government procurement is conducted fairly;

There are a couple of other objects. I think the bill puts those objects in a legislative framework that corresponds with many of the recommendations in our report.

The issue of best value is interesting. Chapter 6 of our report, is titled “More needs to be done to expand notions of value-for-money”. I personally find that to be a really interesting area—what we actually mean by “value-for-money”. The member for Nedlands in an exchange with the Treasurer pointed out that sometimes the lowest bidder is not always the best option. I think the member for Mount Lawley might have some comments to make in respect of the submission the Public Accounts Committee received from the Construction, Forestry, Maritime, Mining and Energy Union on that issue. In Queensland an automatic process comes into play if a bid is too low.

The committee’s first major inquiry was into the Perth Children’s Hospital. One of the problems there was that the winning bid was given to a contractor with whom, one could argue, there was no room for error. Although the contractor tendered at a value that was quite low, it did not allow for any errors to occur; there was no fat in the system. Going for the lowest bid is not always the best way to do things; it is not always value for money to go for the lowest bidder.

We also looked at the social benefit, which is one of the objects of the Procurement Bill 2020. The debarring provisions in this bill go to the ethical considerations that the committee was looking at. Obviously, we also looked at other issues, but the issue of local jobs also goes to the social benefit, and that has been picked up in this legislation; the member for Bateman made some comments about the Western Australian Jobs Act. The debarring provisions of this legislation go to the ethical values that the Public Accounts Committee mentioned in its report, “Knowing What Good Looks Like: Challenges in Managing Major Public Sector Contracts”, which I think are very, very important. We hope that other social benefit measurements are incorporated into the government’s contract management and provision of goods and services, because I think that is very important.

Mr B.S. Wyatt interjected.

Dr A.D. BUTI: Very much so, and we mentioned that in our report. That is really, really important. The issue of Aboriginal components and factors needs to be considered; it is incredibly important. Local jobs and the Aboriginal component go towards looking at value for money not in purely dollar terms. Although that is very important when there is \$27 billion per annum at stake, value for money also has to have a wider effect than just purely a dollar value. We argued in that report that we probably will get better economic value for money if we allow Aboriginal corporations or groups to engage in the provision of the goods and services that governments purchase; there is also the local jobs component.

I am very happy, as Chair of the Public Accounts Committee that handed down this report, “Knowing What Good Looks Like: Challenges in Managing Major Public Sector Contracts”, that, although we had many recommendations and not all were pertinent to the legislation before us, some of them have been heeded and have found their way into this bill. We look forward to consideration in detail and the passage of the bill through this house and the other place.

MS L. METTAM (Vasse) [7.34 pm]: I would like to make a few remarks on the Procurement Bill 2020. The Liberal opposition and I, as shadow Minister for Transport, are particularly keen to ensure that our construction industry has an opportunity to compete and to provide procurement when the state government undertakes investment in this state. The member for Cottesloe spoke earlier about investment and procurement at the state level of about \$27 billion, so it is obviously an important area of government policy to get right. When there are savings, those savings can be quite significant and represent investment that can happen in other areas.

With regard to local procurement, it is fair to say that there is still a view in some sectors that going to the lowest bidder is the best outcome, but as a society and an economy, we increasingly are recognising that giving weighting to local industries to compete in projects delivers good outcomes. There is an industry-wide view in the transport and construction sector that when we implement local industry weighting for projects, it presents an opportunity for better outcomes in the ways in which the head contractors deal with the subcontractors and the fact that there is obviously a lot of investment in the local area in which the industry is operating. There are also issues around reputation.

The member for Nedlands pointed out that the government can undertake actions right now to ensure that local industries are supported. I touched on this during the matter of public interest earlier today when I spoke about local industry weightings. I referred in part to industry sustainability criteria. Some Main Roads projects, including the Bunbury Outer Ring Road, provide great examples of local procurement being given the same value as design and construction capability. Under that contract, Main Roads sought to grow the construction industry to sustain healthy competition in the delivery of infrastructure projects. There was reference to the fact that putting equal weighting against the other sets of criteria, such as design construction and capability, would increase the value of investment in the local skills of that area of the state.

The Treasurer touched on the fact that the State Supply Commission Act has already been boosted in terms of what can be procured locally from —

Mr B.S. Wyatt interjected.

Ms L. METTAM: I was getting to that. I understand that that is extended to works as well, which is something that the opposition obviously supports. We are taking on this urgent piece of legislation in good faith. There was a bit of discussion around how urgent it actually is, but in support of local industry and local procurement, the Liberal opposition certainly would not want to hear any suggestion that we are holding this process up, although I understand that, as enabling legislation, there is quite a process to come.

As the member for Nedlands pointed out, there are actions that the government can take straightaway. As I touched on during debate on the MPI today, I believe an opportunity has been lost. I talked about the industry sustainability criteria and there has been an opportunity lost in respect of the Metronet project. The Minister for Transport pointed out today that within the Department of Transport an office of major transport infrastructure has been created to oversee projects worth more than \$100 million. Those projects include the Thornlie–Cockburn Link, the Yanchep line, the Morley–Ellenbrook line and the Bayswater line. It is worth noting that all those projects, besides Byford, are yet to happen. Not only do they not have industry sustainability criteria attached to them, but also they are waiting for local procurement or local industry, and are all led, unsurprisingly, by tier 1 global contractors; local tier 2 or 3 contractors have not had an opportunity to compete fairly for them.

I think that there is probably some support for the new office within the department, which basically will see Public Transport Authority contracts being managed in part by Main Roads. However, it raises the question of how many offices or how many layers of bureaucracy are needed until we start asking why, three years into this government, this key transport program has stalled. The new transport office comes on the back of the creation of the Metronet Taskforce, chaired by the Premier. There is also a Metronet executive committee and, of course, an integrated Metronet office across government as well. That raises the question of how these projects are being managed. We know that there has been significant investment by the federal government in transport infrastructure in this state—to the tune of about \$13 billion. In Metronet alone, \$2.5 billion has been invested in infrastructure projects, contracts for which have gone to some large tier 1 foreign companies.

I will leave my comments there. There is a chance to put WA jobs and businesses first. I was disappointed that in his response to my matter of public interest today the minister responded by talking about politics and the past. There is a great opportunity to make sure that WA companies have an opportunity to compete in the investment pipeline of works that we have here. As a member of the Liberal opposition, I support the bill before us and the intent that the Minister for Finance is presenting in this enabling legislation.

MR S.A. MILLMAN (Mount Lawley) [7.43 pm]: I rise to make a very brief contribution and to add my voice to the chorus of people who welcome the passage of the Procurement Bill 2020. I congratulate the Minister for Finance for bringing the bill before Parliament. I want to talk about a couple of things. Firstly, I commend a number of the opposition speakers for their contributions. I will come to each of those contributions in a moment. They touched on matters canvassed in the excellent work done by the member for Armadale as the chair of the Public Accounts Committee when it handed down unanimous reports, not once but twice. The first inquiry was into the difficulties with the Perth Children's Hospital contract and the second was the committee's most recent inquiry into public

sector contract management. We need to bear in mind when considering this legislation that it is directed towards procurement. The committee's inquiries were directed not only towards procurement, but also capacity building in contract management. It is a two-stage process. The contracts, the goods and services, or the works, are procured and the contract is then managed throughout to ensure that people get exactly what public money is being spent on.

This is headland reform. It delivers a step change in the way that government does procurement. This is a reform that will change the way in which government interacts with providers of goods and services and what we spend—as many members have already said, \$27 billion per annum—and obtain on behalf of the citizens of Western Australia. The requirement for this reform has been identified in countless reports and has been identified by many members in their contributions this evening. But perhaps it is best summarised in the explanatory memorandum, at page 2, following the quote of the “Special Inquiry into Government Programs and Projects: Final Report”. It states —

The approach taken to this Bill and subsequent reforms to follow advances this recommendation.

The recommendation of the special inquiry states —

The procurement legislative framework should be streamlined into a single, cohesive Procurement Act under the delegation of authority for procurement to a single designated Minister.

It takes that recommendation and then states —

Initially progressed as part of a broader suite of public sector reform initiatives, ...

That makes sense. There have been conversations this evening about contract management capacity and whether these reforms should apply to government trading organisations and the rest of it. But it takes that reform and highlights, because of the circumstances in which we find ourselves in the face of COVID-19, that urgency—that urgent need. The explanatory memorandum continues —

Government's significant spend must be harnessed more efficiently and effectively to promote WA's economic recovery and continued growth.

It does that in a number of ways. I take members to a number of recommendations in the thirteenth report of the Public Accounts Committee. I will deal, firstly, with the recommendations made in that report, which this legislation gives effect to, and I think that this is a real testament to the way in which Parliament goes about its business. Recommendation 1 of the thirteenth report of the Public Accounts Committee report states —

Wherever possible, the Minister for Finance should seek to simplify the policy framework for procurement and contract management.

Recommendation 4 states —

The Government should ensure that the proposed Procurement Bill is given high priority in the Parliamentary timetable.

Recommendation 8 states —

The Minister for Finance should ensure that Finance's procurement review ensures that existing compliance audit requirements for goods and services contracts are also applied to works contracts.

Members will see an expansion beyond the realm of goods and services and into works, which is an important consistency mechanism that will provide accountability and transparency in the way in which procurement is handled by the state. There is a really interesting and innovative aspect to this bill that I was pleased to see when I received an outstanding briefing from members of the minister's department—that is, the debarment regime. We have seen the way that companies have behaved in the past when they have been given the privilege of contracting with the state. They have taken advantage of that. The public purse is not there for unscrupulous actors to take advantage of, particularly not now in these straitened circumstances when we have to be so careful about every dollar that we spend. The debarment regime is the stick. What a great piece of legislative reform that carries both the carrot and stick. I commend the minister for the outstanding work that he and his department have done to come up with this innovative and effective response to a really difficult conundrum.

The next thing I want to talk about are some comments the member for Cottesloe made in his contribution. In particular, he talked about the rigorous qualification process before someone becomes a supplier. I imagine that the debarment regime will work in concert with that and will ensure that a company ticks all the necessary boxes: What is its safety culture? What is its environment impact? What is its human relations and industrial relations record? Is it a good corporate citizen? Is it a good participant in the work of government? When we contract out our social obligation to the citizens of Western Australia there must be a competitive process. We need to continue to distil the benefits of a market framework to get good value for money for the citizens of Western Australia. We need to harness the efficiencies that are driven by that competitive process. The member for Cottesloe or the member for Nedlands talked about the need for the government agency to have its own experts to hold the contractor to account. That ossification of government expertise that has occurred over the last three decades has been to the detriment of the service of Western Australia, because we no longer have that capacity in the public sector to hold private contractors to account. If we can build that capacity, we can have the contract management in place to make

sure that we get value for money for the people of Western Australia. The member for Warren–Blackwood gave an excellent example of work that was within scope and outside of scope. The value-for-money proposition that now becomes an object of this legislation allows the government to say that this is a contract that will deliver value for money, and it broadens that concept to give us the flexibility we need to make sure we get the right outcome for the public dollar.

Mr D.T. Redman: Someone has to stand by the justification, don't they?

Mr S.A. MILLMAN: Absolutely, member, but government procurement is a fine balancing act. To all members opposite who expressed the desire to perhaps be more prescriptive about how the government does this, I would caution against that. We need to allow the benefits of the free market to continue to operate. We need to allow those market mechanisms to continue to exist. This marries the importance of our past custodianship of the public finance with the benefits derived from that competitive market tension. Beware, members—do not advocate for too much government intervention or regulation. It is a fine balancing act, and that is why this bill, and in particular this Minister for Finance, does such a great job of achieving that balancing act.

Mr D.T. Redman: It sounds like you are on the wrong team!

Mr S.A. MILLMAN: A number of members opposite were contending for much greater intervention. If they are to be true to their principles, they should make sure they remember that.

We made a number of recommendations as part of the further public sector reform program that this Minister for Finance is embarking on that I want to allude to. One of them was already touched upon by the member for Armadale and the member for Nedlands, and the member for Nedlands took the interjection from the Minister for Finance about unusually low bids. We need to make sure that when a supplier contracts with the government to provide a good or a service or a work, it has the capacity to deliver it, but also that it has a capacity to deliver profit for its shareholders so that there is room in the scope of the contract for all aspects to work in concert. Unusually low bids need to be scrutinised. I accept that there would be occasions when a new entrant to the market will run a project or a program as a loss leader in order to grab market share, and that may be the case upon which they tender for the goods. The problem is that if we do not interrogate the basis upon which they have come forward with that price position, we do not know that, and we will not be able to see it and say to them that they will be squeezed on the contract and they will be responsible for the consequences of that squeezing. We need to be mindful of that as we go forward with the broader range of reforms, not confined to this piece of legislation. Consequent upon that, we need to assess contractor viability. We need to make sure that when we contract with a provider to government, they are capable of providing the contracted services over the life of the contract. This comes more into contract management. We need to be able to stress test those corporations, those private entities, that are contracting with government to provide services for the benefit of the people of Western Australia.

The fantastic reform that is presaged by this legislation is that we have a much better definition of what value is. The minister already talked to the member for Armadale about Aboriginal corporations, for example. I think there is much greater awareness of this, particularly as we put the interests of Western Australia first; we put the interests of Western Australia front and centre. What money can we spend from the public purse that will not just deliver us bottom-dollar price, but will really have flow-on effects throughout the economy? What is the local contractor in Mt Barker that can provide a service for Mount Barker High School and a farm? How is that going to generate jobs, economic activity and opportunity in that town? What about in Mt Lawley? What service can be provided by a local community there—or throughout Western Australia? It is a really fantastic opportunity. As said in the service priority review final report —

The amount of WA's annual procurement expenditure means there is potential for its purchasing decisions to drive community benefits in other areas.

Mr W.R. Marmion: Will you take an interjection?

Mr S.A. MILLMAN: Sure, I am happy to, but bear in mind that it might be beyond my expertise.

Mr W.R. Marmion: It throws me an interesting conundrum. I will use my Versteeg example. There will be that and another example.

Mr S.A. MILLMAN: Yes.

Mr W.R. Marmion: Versteeg was a Western Australian company and Henry Walker was not, so one could argue that if Versteeg had had a slightly higher bid and there was some negotiation and they got the job—mind you, they did not know how to build a road up in the Kimberley, but that is beside the point—there would have been benefit for Western Australia if they had got the contract. It is not fair if a Northern Territory company that does know how to build a road in the Kimberley tenders with a good price and does not get it.

Mr S.A. MILLMAN: The member's point is well made. In response I would say that the way that the conversation is evolving now puts us in a position in which the scrutiny of the government decision to spend money will no longer be, "You contracted with Versteeg to undertake the work and it was \$1 000. We criticise you because you could have undertaken with Henry Walker for \$800." It will never be as simple as one being \$800 and one being

\$1 000, so the \$800 should have been spent. It will now be, “We understand that you spent the \$1 000. Can you justify what are the benefits you got from that extra \$200 expenditure?” That is where the broader definition of “value for money” will come in.

Mr B.S. Wyatt: For example, local apprentices employed and things like that.

Mr W.R. Marmion: Yes, you put that into your qualitative assessment of your tenders.

Mr S.A. MILLMAN: It will still be subject to debate, analysis and criticism and all the rest of it, as it properly should, but the fact of the matter is that no longer will it be a simple equation of it being the cheapest price and therefore they got the bid. It will be a more holistic and comprehensive approach, and also, I think, a more accountable and transparent approach. There is a real benefit as a result of the philosophical change presaged by this legislation.

The final point I make is a suggestion to the Minister for Finance. A terrific amount of work was done by the member for Armadale and member for Bateman and in fact all members of the Public Accounts Committee on building capacity for contract management. It is all very well to get this part of the process right, which I think this bill unquestionably does, as is evidenced by the unanimous support in this chamber for it. It is unquestionably appropriate to get this part of the process right, but it is also important to make sure that as we manage these contracts through their life cycle we do not let ourselves lose that value for money. We have a fiduciary obligation to the people of Western Australia to make sure we look after their money appropriately and responsibly, and we need to do that both in procurement and over the contract management cycle.

Mr D.T. Redman: How do you do that?

Mr S.A. MILLMAN: It is funny that the member should ask. I commend to the member the outstanding unanimous report of Public Accounts Committee and a number of the recommendations contained therein, particularly chapter 7. On that, I will end my contribution. I thank members and congratulate the Minister for Finance for an excellent piece of legislation.

MR P.J. RUNDLE (Roe) [7.58 pm]: I am just going to make a very brief contribution to the debate on the Procurement Bill 2020, but I would like the Minister for Finance to make note of a couple of things and perhaps he could talk to them a bit later on. I quote a paragraph from the second reading speech —

We must procure in a way that maximises opportunities for local and small to medium businesses to work with government. We must also ensure government expenditure supports development in the regions, improves Indigenous outcomes and ensures the effective delivery of services to the most vulnerable in our community.

I think that sums up this bill in some ways.

One of the questions for me is about how to quantify some of these things, because it can be very difficult. Firstly, along with the member for Warren–Blackwood, I do not agree with the urgency of this bill. I know it is an urgent matter, but I believe we should have had a better opportunity to talk to our stakeholders. We have many stakeholders, including builders and contractors out in the regions, but we have not had the opportunity to talk to them. Secondly, I have a few examples of what has happened over the last two or three years that have left me in a slight state of shock. One example that really disturbed me was the tender for building fire trucks in Collie. It was given to a metropolitan company when a company in Collie had 25 employees who live locally. On top of that, \$2.5 million was given to the company to set up a business in Collie. I do not know how that fits in. Likewise, a business in Narrogin also built fire trucks and light vehicles. Both of these regional companies were left stranded. When we asked the Premier in question time about the \$2.5 million allocation to help the metropolitan company, he said it was an “elegant solution”. It was a solution to what? The tender process should be fair. Did the Premier add \$2.5 million to the tenders of the other two companies to make it an even playing field?

The TAFE in Esperance is another example. The announcement has just been made. In Esperance, a fantastic local building company is building the \$8 million sports stadium as we speak. It is doing a great job. All the workers and subcontractors are in Esperance. Those workers could have flowed on to the Esperance TAFE. I know there is a tender process but, once again, a local company lost out to a metropolitan company. We ask whether it is an even-handed tender process because this company covered every angle, got all the quotes and put in a very conscientious tender, as I understand it. Some of the other tenders from Perth companies were much more vague, would be my wording. What seems to happen is, although the metropolitan tenders come in several hundred thousand dollars cheaper perhaps, down the track these companies say, “Look, sorry, we need to put in variations. We didn’t foresee what was going to happen in Esperance with subcontractors, the weather and other problems.” All of a sudden, the cost of a building ends up being more than the original quote from the local company. I have seen these variations happen several times. Some of the larger companies are the masters of them.

Main Roads is another example, which I understand is covered by this procurement legislation. A lot of large companies use their market power in blue metal gravel, for example. It is about volume and using their market power. I have seen spreadsheets that show these large companies are dearer suppliers but because they have jobs here and there, somehow Main Roads decides they are more suitable and the local contractors miss out.

Infrastructure projects in the regions, such as bridges, are another example. Some of the companies that win tenders have gone into administration or liquidation at least two or three times previously. Lo and behold, they come in with a new format—the phoenix has arisen—and halfway through the job, they go into administration again. All the local suppliers miss out. Geraldton Health Campus is another example. The member for Geraldton put out a press release in the last couple of days. Once again, consultancy, earthworks and all those things seem to be going to companies from the metropolitan area and the locals miss out.

These are my concerns, briefly. I am curious to hear the Treasurer's comments. I certainly understand that my colleagues are generally in favour of this legislation improving procurement, so I look forward to that. I also express my concerns about the committee report, put out by the chair, Margaret Quirk. Some of her comments on the radio the other day were in relation to people in certain bureaucratic areas getting football tickets and the like. Things like that happen, which may sway procurement decisions. I will leave it at that, but I wanted to make those few brief comments.

MR Z.R.F. KIRKUP (Dawesville) [8.06 pm]: I, too, rise to talk to the Procurement Bill 2020. I will not make a particularly long contribution but I would like to reinforce a number of the sentiments that have been previously raised by my colleagues. Obviously, our lead speaker was the member for Bateman, the shadow Treasurer. I also had the opportunity to listen to the member for Vasse earlier on.

I was most enthralled by three things in this bill: the investigation and audit elements that are being brought in and the debarment, which I think is a very important step. I was surprised to hear when we had our briefing from Hon Dr Steve Thomas in the other place that debarment operates in a number of other jurisdictions internationally. We have not really had the mechanism to deal with it in Western Australia.

Mr B.S. Wyatt: It's amazing, isn't it?

Mr Z.R.F. KIRKUP: Yes. I have the shadow health portfolio, and considering how many things have happened in health, I would have raised the ire of governments successive. The idea that we have not had debarment over this —

Mr B.S. Wyatt: This will be, on its passage and completion, the first one in Australia. Queensland has a form, but it's not based in legislation.

Mr Z.R.F. KIRKUP: That is interesting. I wonder why —

Mr B.S. Wyatt interjected.

Mr Z.R.F. KIRKUP: Hon Dr Steve Thomas in the other place made the point that, of course, debarment operates quite robustly in the United States. I suspect there are perhaps often political overtures as part of different governments there and how they operate their debarment. It exists in Canada as well, but operates very rarely. In that case, perhaps when it comes to provincial governments, maybe here in Australia we have just not got around to it but I am pleased to see it is a strong element of the bill. If there is enough strength behind it, it will obviously ensure that the state has some other recourse when things go awry. I think it is a really important step.

The crux of what I really want to speak about relates to Aboriginal procurement. I applaud the Treasurer and the government for the Aboriginal procurement policy they put in place, I think in 2018. That was a very important measure to help along the journey for our Aboriginal communities, their meaningful engagement and their ongoing involvement in our economy. The reality is that we have a very established system in place in Western Australia. Our government procedures and policies are often very slow to respond to requirements as they are needed, as we see contemporary changes. I was amazed that it took so long for us to come up with a supportive and engaging Aboriginal procurement policy. I personally think it was an important step forward. In more recent reports, I think only last year to 30 June 2019, some 179 contracts were awarded to Aboriginal businesses and 92 Aboriginal businesses were engaged. I think that is a really important step.

I take this opportunity to make a couple of points. I worry about the lower level of value. Nearly \$100 million of the \$167 million that was awarded went to the Kimberley dialysis service. I realise that this is only in its infancy. Over time, as more businesses come onto the national list and into the WA Aboriginal business directory, high-value contracts will be awarded. I do not know the composition of the list. To be perfectly frank, rightly or wrongly—unfortunately, sadly, perhaps this is a reflection of my inability—I have not asked questions about it and I have not requested freedom of information documents.

Mr B.S. Wyatt: But your point is a fair one.

Mr Z.R.F. KIRKUP: Yes. I have not gone through the breakdown in that case. When it comes to procurement of services, for example, we are not just talking about welcome and acknowledgements to country. Obviously, I am very much in support of this legislation. That is not from an executive government perspective because I think all sides are universally in support of the legislation, but some agencies want to make sure they reach the key performance indicators. I hate to use the phrase “window dressing”, but they are involved in easier contracts such as the acknowledgement and welcome to country. I do not enjoy the language of “cultural awareness training”, but that is sometimes what it is called when we refer to the types of programs that those agencies put in place. I think there will come a time when we start to see more businesses on that list as they become more experienced and more

mature as Aboriginal entities. They will then start to play a large role in the provision of services to government and will also be, in this case, important players when it comes to major works and things like that. Ultimately, that is what I would like to see.

When I was at BGC, we created a program specifically to train young Aboriginal men, most of whom were at risk, in building and construction. They started off as a bricklaying team. They were very intensely managed, as members would probably appreciate, being young men, in this case in a trades environment. We had to make sure that we were very intensely focused on bringing them through the journey. We had a really great bloke in Danny Ford running our Aboriginal liaison.

Mr B.S. Wyatt interjected.

Mr Z.R.F. KIRKUP: Yes. He did a great job. We had to manage those young blokes and bring them through. That was a really important process run by BGC at the time, making sure that there was meaningful engagement. That was very much a mature step forward for BGC, which made sure that we could have greater participation of Aboriginal people in our company.

When we talk about Aboriginal procurement and the importance that it has in our state, I am really pleased to see the constant release of reports. I do not know where the report for the current financial year is at; I imagine that may be out or will come out soon. But, of course, the COVID-19 pandemic occurred, so all these things make sense when they are delayed. A couple of things struck me about the first-year performance report covering the period 1 July 2018 to 30 June 2019. Most concerning to me was the number of agencies that failed entirely to meet their policy targets. That was raised by the Minister for Finance in his media release, and undoubtedly would have been raised multiple times within government. A number of large agencies referred to in the first report had zero engagement with Aboriginal businesses. It was not a minor number; they simply ordered a large number of contracts. For example, the Department of Mines, Industry Regulation and Safety had 185 contracts, but only one was engaged with Aboriginal corporations. Health Support Services, which is within my portfolio, had 75 contracts and not one was given to an Aboriginal entity or Aboriginal business. There were quite a number right across the board. Some such as PathWest have a very unique skill set. I understand that it is a very different environment. A number of opportunities are available. I think that was raised in the minister's media release.

The constant reporting to Parliament on the progress of engagement with Aboriginal businesses is a good thing as we continue to shine a light on where agencies are at and the targets that they meet. As I have raised with the minister previously, we do not delve into—of course, I appreciate the intent—the nature of those contracts and what we have engaged in. We talk about a general value for a number of them. I want to make sure that when we talk about Aboriginal procurement—this is the opportunity to talk about it very briefly—it is a vitally important step on the road towards meaningful reconciliation and greater involvement of Aboriginal people in our economy, which is obviously very much a legacy of colonisation. In many cases, the nature of government contracts is reflective of an environment that is very foreign to Aboriginal communities. I support the progressive steps that the government has taken; I think they are very good. What I would like to see, and what I am certain will be something for all of us in this place to consider, is that we look more at the figures of those contracts that are engaged in this. It is an important step. I congratulate the minister, the government and the Parliament for their ongoing commitment to ensuring that we have greater participation of Aboriginal people and Aboriginal businesses, 98 per cent of which were from Western Australia, which is a great result on those contracts. As I said, it is a failure of mine that I have not gone into this more when I should have. We need to look below the waterline and see the nature of those contracts that we have. We have a very good policy in place that should be continued, and there should be ambitious targets for going beyond what we have at the moment, which is still very good. None of us want to be in a position in which we ultimately concede the nature of those contracts. None of us want to see this as a tokenistic approach by some agencies just so that they can tick the box and say they did it.

I appreciate the opportunity to speak on the Procurement Bill; it is not something I would often have the opportunity to talk on. The focus of the legislation is the empowerment of Aboriginal people, which is a very important step. The government can be more equitable when it comes to ensuring that taxpayers' money is spent helping those who need it. I think the member for Roe rightly said that it is a good opportunity to use taxpayers' money to help vulnerable communities and communities that can certainly see an ambitious target set down by government, hopefully one that is met by as many agencies as possible. I commend the bill to the house.

MR B.S. WYATT (Victoria Park — Minister for Finance) [8.16 pm] — in reply: I thank all members for their very useful contributions. I thank the opposition for its support and perhaps some of them for their patience with my request that the Procurement Bill 2020 be treated as urgent. We had a short debate around the urgency earlier. Perhaps I will make some more comments around that shortly.

I found it interesting that three of the members who spoke tonight were former ministers, two of them former finance ministers. The member for Warren–Blackwood, as a former Minister for Regional Development, was very much engaged in the procurement space. There is clearly strong agreement that procurement is an area that has been ripe for reform for some time, hence the support for the legislation tonight. I understand the comments that were made,

because a big component of the legislation empowers what will become a debarment. That particularly got a fair run tonight. That will come. I appreciate the comments from members and their support for this legislation. That is still ongoing but there will be immediate, beneficial impacts from the passage of this legislation.

I will go through the comments made by all members and try to deal with the specific questions that were put. As I go through the first year, I will probably end up cleaning up most of them anyway. The member for Bateman and, I think, the member for Nedlands and others posed questions around government trading enterprises, which of course are big procurers in themselves. Members asked why electricity corporations, the Water Corporation, ports and DevelopmentWA are not in the scope in this bill. There are a couple of reasons. Usually, they come under their own legislation. They have their own statutory basis that requires them to operate on a more commercial basis than the general government sector. I will come to the point raised by all members around the concept of value, such as PathWest. As most members are probably aware, Treasury has been leading the GTE reform project. That will have separate mechanisms to align the procurement practices for those GTEs. GTEs have effectively been taken out and dealt with separately, which we will do as per not just the Langouant report, but also the Barnett government's service priority review, which raised issues around transparency, governance and GTEs. We will deal with that separately. I wanted to get this procurement legislation into Parliament. If we had waited for the GTEs, it would have taken a lot longer and I was keen to get the benefits of this legislation in quicker. That is the issue around GTEs.

The member for Bateman raised a fair question around whether the Department of Finance will need extra resources. I suspect not at this point, but we will see. Jodi Cant, as the new director general, has undertaken a very large restructure of the agency that has created the space, but we want to make sure this works. If resources are needed, resources will be given. A lot will be asked of the agency around this.

I want to get on the record a couple of things. I have made comments in the past about the benefit of being a minister. I am provided with wonderful information when I do up legislation. I want to get something on the record around small to medium-sized enterprises. I have focused, certainly in the second reading speech, on how the bill will assist small to medium-sized enterprises. One of the objectives of the Procurement Bill is to reduce those barriers that that document—the one that the member for Nedlands was waving around—highlights: to reduce barriers to the participation of SMEs in government procurement by streamlining those procedures. When I was in opposition and procurement issues came along, which is an incredibly complicated space, I always thought, "If I eventually make it to government and get access to all the information, I will understand it." It has not actually worked out that way; I still find it an incredibly complicated space that causes no end of frustrations. I was pleased to see pretty much all three former ministers speak on this and express similar frustrations about the procurement process—it is not just me. Procurement procedures and templates for goods, services and works procurement will now become more consistent. That will happen immediately, hence my interjection on the member for Vasse about the works component. That will of course make it easier for SMEs to navigate; there will be one process across government. I made that point in my second reading speech. We can be procuring or tendering, if you like, the same goods or the same services to different agencies but have different processes. It is inefficient for government, but it is also difficult for SMEs to navigate. This bill enables the Department of Finance to strengthen its cross-government leadership role in procurement, to provide clear advice and supporting tools to assist the consistent application of the new procedures and templates that will facilitate that approach.

For SMEs located in the regions, the bill provides for a revised set of procurement policies known as the procurement rules. An updated value-for-money policy will be included with this, which will support a clearer consideration of social value. I will make some more comments on that in a minute. Under this new value-for-money policy, regional prosperity, member for Roe, will be specifically referred to as a value-for-money consideration. That might deal with the issue the member for Nedlands raised as well around those Kimberley roads. In conjunction with existing policies such as the Western Australian industry participation strategy and the Buy Local policy, this will ensure regional businesses are at the forefront of the new procurement framework. I am trying to deal with that. I cannot comment on the specific Esperance tender issue the member for Roe talked about, but by having that value specifically recognised, it means we can weight it accordingly and a regional business would get a much better opportunity to get that regional work. The member for Mount Lawley spent some time on the social objectives, as did the member for Armadale, and I think all members made some comments around the concept of value for money. I found it interesting that early on in the member for Nedlands' career, Main Roads wanted to provide a contract to a second company, simply to keep it going, because ultimately we do not want to end up in a scenario in which there is only ever one contract bid. That, in itself, has value.

Mr W.R. Marmion interjected.

Mr B.S. WYATT: Absolutely. One thing that always terrifies a minister is when we go out to market and there is one bidder, because we never know.

Over the years, governments have got better at deconstructing contracts et cetera to create that competitive tension. The issue of value is really important, because there is a greater expectation, as we all know from our constituents, that if we are spending public money and getting public outcomes, whether they be goods and services or works, that there is a public outcome. The member for Warren–Blackwood referenced the head contractor model specifically

in reference to housing. He made the point, and I think he is right, that maybe it works better in larger metropolitan areas, but for regional WA that head contractor model for housing has been diabolical, in my view. It has devastated local communities, particularly Aboriginal communities that are able to provide maintenance to their own housing stock. It took jobs and wealth out of those communities. It has been frustrating the hell out of me that we have not yet been able to fix that up, but hopefully we will when that contract comes to its end, sooner rather than later, I would like to think. Both the service priority review and the Public Accounts Committee inquiry—I thank all members who contributed to that unanimous report—identified this concept of value. This issue has also been raised by industry, businesses and members of the community as part of the quite extensive consultation process. This bill reflects their sentiments and recommendations, instilling as a key objective the promotion of best value for money in government procurement so as to deliver economic, social and environmental benefits to Western Australians. For example, life cycle cost implications must be considered. What may appear at first glance to be the cheapest tender often may not represent the best value. When considering life cycle costs, the economic benefits of engaging a local business can far outweigh otherwise short-term savings offered by other suppliers. When I say it, it is so obvious, but embedding this in a government practice is quite new and something that we need to do. Similarly, on a regional procurement project, the engagement of local and/or Aboriginal businesses can have a profound effect beyond the face value of the cheapest contract price, hence those comments the member for Warren–Blackwood and I made before around the head contractor model in regional WA. The outcomes were diabolical. To be honest, I am not convinced there have been monetary savings as a result. Employing local people and businesses undoubtedly multiplies the economic benefits for that community. Having three or four extra people working full time can have quite a dramatic impact on a remote community. Doing so also further enhances social outcomes, including the health and wellbeing of those meaningfully employed. Anyone in this place knows the value of a job and an income.

New procurement policy measures issued by way of procurement directions under part 4 will have regard to these objectives of the act. By way of an aside, member for Nedlands, that can be either/or government-wide and at an agency level. They will operate in conjunction with existing policies such as the WA industry participation strategy and the Buy Local policy to also ensure local and regional business are at the forefront of the new procurement policy framework. The introduction of the procurement directions within part 4 of the bill provides a tool to enable the introduction of new sustainable economic, social and environmental measures in a more responsive and streamlined way across all state agencies and all types of procurement. This means that the state’s procurement framework can operate in a more responsive way to changing community expectations in the future and support the adoption of innovations within the WA economy. Again, an example that is put to me on a regular basis by people across Western Australia is that they fully expect that when a government contract on whatever is issued—we get this perhaps more in regional Western Australia—there is an expectation that there are requirements for training, hence my interjection around apprenticeships. We expect that if we are going to provide a road, or whatever the project happens to be, local people will be given the opportunity of that ongoing work and training. I have had a bit to do with the Minister for Transport around a range of road projects in the East Kimberley. We want to keep the workflow, because 90 per cent of that work is being completed by local Aboriginal people, some from the prison work camp. That work is delivering great outcomes, coming in under budget and being delivered early, but we want to bring projects forward to keep that work and training going.

As part of the consultation, industry has conveyed the value of forward procurement guidance on upcoming supply opportunities. This is not a new issue to government, but, again, it is one that we need to be a bit more proactive on. Taking a more proactive approach to procurement planning will give us opportunities to identify specific procurements across the state best adapted to further economic and social benefits for Western Australians. Examples range from services that can be delivered by Australian disability enterprises to works projects suited to greater apprenticeship and training opportunities. These are just some of the aspects that the Department of Finance is looking at to improve the outcome of this bill.

The member for Cottesloe went through a range of his own personal experiences. Of course, he is right that there is a big carrot in not only reducing the cost of procurement, but also getting those outcomes beyond simply the dollar value that we are hoping to achieve. Interestingly, the member for Cottesloe made a point about whether private sector companies have seen the level of corruption we have seen. One thing I found as I moved around the CBD and some of those big companies after our more high-profile corruption issues became public was that a number of private companies made the point to me, “Look, along the way, we’ve had this appear, but it doesn’t become a public issue.” Often, private companies prefer that these issues do not become a police matter, so we do not hear about them. That is not an option for the public sector.

Dr D.J. Honey: Just by interjection, I think they will have individual things. What they do not see is these events going on for longer periods. I think that is the difference.

Mr B.S. WYATT: Like the housing issue, yes. Interestingly, the finance advisers made the point to me that most of the corruption we have seen is on the works side, not so much the goods and services side, because we have been able to get better processes around that. As members have pointed out, this bill should be able to create better processes around the works component as well so that we will hopefully not get those scenarios. The member for Nedlands made the point that, ultimately, we can have all the processes, and I suspect that once we have others in

place—ensuring annual leave et cetera—if somebody is utterly determined to be corrupt and rip off the taxpayer, the chances are that they will get away with it for a spell. The key is having a process that does not allow it to go on for a long period.

Mr W.R. Marmion: By interjection, Main Roads actually got rid of a couple of them in my time without going through a process. They were just told to go.

Mr B.S. WYATT: Yes, and I suspect well before an organisation like the Corruption and Crime Commission was around, many agencies probably dealt with it that way: “Why don’t you just go?”

Mr W.R. Marmion: One guy actually won the commissioner’s citizen of the year award.

Mr B.S. WYATT: Awkward for the commissioner at the time, no doubt!

Member for Warren–Blackwood, I made those comments in respect of that head contractor issue. One of the great frustrations I have had—as I said, I am sure the member does, too—is that when remote communities have had to deal with this model, it has simply not worked at all for regional and remote Western Australia. It does apply to the not-for-profit sector. But a survey undertaken by the Department of Finance on the procurement reform project had responses from over 130 Western Australian government procurement specialists. The results of the survey highlighted the need for more direct support for agencies on community services procurement, and the department intends to respond to and support this. In addition, the Procurement Bill will provide those issues that I have previously mentioned—that is, procurement rules and an updated value-for-money policy. Also—this is what I want to see the Department of Finance do—it will enable the Department of Finance to strengthen its cross-government leadership role in procurement. It will have the tools and capacity to do that as well.

The member for Warren–Blackwood also specifically mentioned the Aboriginal procurement policy. I will make some comments about that policy at the end when I deal with the comments made by the member for Dawesville. The member for Nedlands professed his love of procurement.

Mr W.R. Marmion: It’s fun!

Mr B.S. WYATT: “It’s fun”, he says, by way of interjection. I am not sure, looking at my finance adviser at the back, that anyone has said in the past that they love procurement and find it fun, but it is a huge part of government. In fact, the Department of Finance is really the department of procurement. “Finance” is a funny name; I think it is the same as the commonwealth finance body. But, as we have all discussed, it is incredibly important that we get it right and maximise the monetary, social and other values. I have answered the question of procurement direction. They can apply across the board or be agency specific.

I think I have dealt with the main point made by the member for Armadale on the notion of best value, and I want to thank him and all members of the Public Accounts Committee, because I think its report highlighted the procurement issues. Hopefully, this legislation will deal with those issues.

The members for Vasse and Mount Lawley both challenged the concept of what we traditionally consider as value. A couple of years ago, as I said to the member for Nedlands, I received a letter from somebody who had not won a particular contract. For whatever reason, they knew that their bid was much lower than the winning bid. As we all know, decisions on who wins a contract are not made at the ministerial level, but we get these letters and can follow-up on what is going on. They were quite correct; their bid was considerably lower. However, even for a project that I had no expertise in, I questioned that bid. The project was to be done in all parts of Western Australia, and I know how difficult and expensive that can be. Even I questioned the capacity, so the department was quite correct in not awarding it to the lowest bid; if it had, I suspect that we would have been halfway through the contract and would have had to revisit the tender. As we all know, this relates to the delivery of services that government is responsible for, and is not something on which we can say, “Bad luck, it’s your responsibility”, and walk away. Ultimately, we have to ensure that the service is delivered. The member for Vasse raised that issue as well, quite correctly.

I thank the member for Mount Lawley for his comments. He is quite correct; a lot of work has gone into this legislation, and a lot of work will go into the government trading enterprise reform component as well. COVID-19 has certainly given us the opportunity; that is what makes it urgent that we get these reforms done, and I think all members who have commented tonight understand the urgency of this bill.

The members for Mount Lawley, Dawesville and others commented on the debarment regime, in which Western Australia will be nation-leading. We will be the only state government with a legislative debarment regime. Admittedly, the terms of the debarment regime are not embedded in the legislation, but certainly the power to create it is, and this is something that I think is really, really important. It says to those who have the good fortune to win public contracts that there are certain expectations on them. Again, by way of example, a couple of years ago there was a particular company that was not paying its taxes. I understand that companies may not like paying taxes, but when they operate in that environment, that is the way it works. With no debarment regime, it was very difficult for the Minister for Finance to act on that. This legislation will provide these sorts of opportunities, and I do not think anyone in this place will dispute the importance of that.

I agree with everything that the member for Roe said. I cannot make specific comments on the Collie or Esperance contracts that he referenced, but I hope I have dealt with the issue. Regional prosperity is a key part of value in the contract, which will hopefully assuage his concerns. We all want local; in fact, nothing frustrates me, Hon Alannah MacTiernan or others more than when this happens. But I want to make one point; I am aware of a couple in particular. The department is very good at working with companies to assist with the tender process, as the Department of Finance is designed to do, particularly those companies that maybe do not have the administrative capacity of larger companies that know how to churn out tenders. Sometimes, and this does happen, the capacity to deliver is the problem.

That might be why sometimes there are seemingly unfair issues, with a contract in regional Western Australia being delivered out of Perth. It is not something that we want to do. Specifically acknowledging and valuing regional prosperity will hopefully create more flow. As I said, we still need to ensure delivery. Having training and apprenticeships as a part of it means that capacities will be built up in regional centres, which is what we want to see from the government spend that happens year in, year out.

The member is right about companies that use variations. Some companies have a particular strategy by which they do the work and then immediately litigate, looking to settle and knowing full well that it will not go to a full trial. A few actions go to full trial, but companies know that if they bid something, do the work, file the writ and get a payment, then they are done. That happens to all governments. It does not matter which political persuasion happens to be in government at the time. In my view, that is a strategy that we need to pay particular attention to.

I thank the member for Dawesville for his comments on Aboriginal procurement. I put out a statement not that long ago on the six months to December 2019. It was tracking ahead. I think it was \$80-odd million for that six months. The member is right. His worries are quite correct and I worry about them, too. I am in furious agreement with the member on two points that he made. The policy was designed to try to ensure that there would be a flow of work so that companies would have the confidence to engage in joint ventures, build more capacity, bring more people on and pitch for bigger work. To be honest, previous policies focused on and pushed for small-value contracts in terms of monetary value. I want to see Aboriginal companies grow. That is what I want to see as a result of this. The member is right, and I like the fact that we publish that information and show that for some agencies it is zero or one. It puts the pressure on, and that is the intent of it. This is a policy that I am very keen on. Nothing is hidden; it is all there. If the member ever needs any information, he should just let me know.

Mr Z.R.F. Kirkup interjected.

Mr B.S. WYATT: It is. The questions that the member raised are the key points. The member is right that the dialysis contract was a very large contract, but we want to ensure that the rest are not made up of small, unimaginative contracts. That is why we will continue to report on that. As the member said, I was surprised as well when I became a minister that there was no debarment capacity in the state government. That is something that we will change with this legislation.

I think that I have answered all the specific questions that were put to me. I thank all members for their contributions. Procurement is not a natural barbecue stopper, but in light of how much the government spends year in, year out doing what it does, we are right to ensure and expect value to be much broader than just a monetary figure. I feel that all members who have contributed tonight agree with that. This bill does that. It will make it much easier for small to medium-sized enterprises, in particular, to contract with government, bid for work and receive work. Importantly, it will lift thresholds for not just goods and services but also works, so that local contracts can be given. The intent is that they be given quickly. That is something that I will be challenging the department to do to ensure that it happens expeditiously. With that, I thank members for their contributions and support.

Question put and passed.

Bill read a second time.

Leave denied to proceed forthwith to third reading.

Consideration in Detail

Clause 1 put and passed.

Clause 2: Commencement —

Mr W.R. MARMION: I have a quick question on clause 2. Part 1 will come into operation when the bill receives royal assent and becomes the act. Can the minister give us a rough idea of when he thinks the rest of the act may come into play after part 1?

Mr B.S. WYATT: That was a good question. An amendment to clause 2 will be moved in the upper house to ensure that instead of the rest of the act being fixed by proclamation—as we were discussing earlier tonight, some things can be moved on to immediately, but some, such as the debarment regime, might be a little later—we will proclaim parts of the act.

Mr W.R. Marmion: That was a good question!

Mr B.S. WYATT: That was a very good question! I learnt something as well.

Clause put and passed.

Clause 3: Objects of Act —

Mr D.C. NALDER: I understand the principles of what is trying to be achieved by the objects of the act. I want to share some experience I have had with group procurement over the years within the corporate sector. Going back over 20 years ago, I was involved in a project in which I had to process-map ANZ group procurement across Australia and New Zealand. I then had to business process re-engineer it and set all the policies nationally for a consistent approach right across Australia and New Zealand. The intent was similar, but the practical application of it sometimes gets a bit clunky. I want to determine how much flexibility there will be in some of these provisions. I want to give an example. In the policies, we wanted consistency around purchasing printers. They used to cost a bit! Part of the policy to get consistency was that they needed to be serviced. Therefore, the company that could service it had to have an Australia-wide service to get that consistency. By the time we got to that, there were only a couple of companies that could do it, and the price went through the roof. I came back and ran a division for the group over here. I could walk to JB Hi-Fi and pick up a printer for 400 bucks, yet through the group procurement process internally, I was paying over \$1 200 for the same thing. I could let three of those printers break down before I broke even. It was better to throw them out and get another one than follow the process, which was supposed to deliver a more efficient outcome. I am sharing this because, although I agree with the principle, I am concerned about the practical application of agencies and departments dealing with this, particularly in remote locations, because a lot of it can be a CBD-centric model. I am wondering whether this has been considered and whether practical application will be taken into consideration to overcome some of those dramas.

Mr B.S. WYATT: That is a good point. We want to be as flexible as possible. The reason, under the State Supply Commission Act, that we raised that to \$250 000 from \$50 000—which I did a while back—was to create more of that local flexibility to try to resolve the issue that the member talked about. On the passage of this legislation that will apply to works, so flexibility around that sort of scenario can be dealt with. Similarly, in respect of power contracts, regional Western Australia has much more flexibility around that anyway. Moving from \$250 000 to \$500 000 for the next layer of spend, they are a lot more flexible anyway for those sorts of spends. Beyond \$500 000 we are going to end up with the tender process anyway because will need to have some competition introduced at that point.

Clause put and passed.

Clause 4 put and passed.

Clause 5: State agencies —

Dr D.J. HONEY: I know the Minister for Finance has touched on this a little bit, but I am interested to know why we would leave those major corporations out. I refer to clause 5(2)(a). The Water Corporation is an organisation that I have more anecdotal experience with, and I will say that every single specialist I have involved myself within in that field tells me that Water Corporation is not especially efficient and that, in fact, it is inefficient in that area. The minister explained a little earlier, but why is it left out? It seems that it would make a lot of sense to include it. Given that those agencies account for an enormous amount of the government's capital spend outside road and rail projects, it would be very worthwhile to include them.

Mr B.S. WYATT: That is a fair point. Because the government trading enterprises have their own legislation which requires them to act commercially, it creates a slightly different outcome. We are saying that we want to impose social outcomes, whatever they happen to be, in the way the procurement works. Having said that, the service priority review in 2008 and the Langoulant review of 2017 both made this point around GTEs: their governance and transparency need work, so Treasury pulled the GTEs out of this and did that in a separate lot. That will hopefully happen this year. The member's points around GTEs are correct, and we will deal with that. It is just that if we dealt with that as well, I would be worried that we would not have even got this legislation into the Parliament.

Clause put and passed.

Clauses 6 to 8 put and passed.

Clause 9: Procurement to which Act does not apply —

Dr D.J. HONEY: I refer to clause 9(1)(b), which does not include a lease for social housing purposes and the like. Again, I am intrigued as to why they would be specifically excluded. I would have thought that there are opportunities to realise improvements in those purposes as well. I am intrigued as to why they were specifically excluded.

Mr B.S. WYATT: It is almost the flipside of the comments I just made about GTEs—that is, that for the vast majority of our tenants we are looking for competitive tension and a commercial outcome. Leases for social housing purposes are somewhat different. We are looking for a different outcome than we would be through a normal procurement process, which is why those have been excluded.

Dr D.J. HONEY: I thank the minister. I heard what he said, but what are the different outcomes? I imagine it is still a significant investment by the state. Even if it were an outcome of location or some other factor like that, where we wanted to have a spread of social housing, we would say that within that region we would be looking for the best financial outcome for the government.

Mr B.S. WYATT: Yes, in the end I probably just confused both of us with my answer. Included in there is that our social housing is done through its own standalone legislation. Rather than bringing this in as well—bearing in mind that the Housing Act is a big piece of legislation—the decision was made to exclude that and keep it as it currently operates.

Dr D.J. HONEY: If we go to clause 9(2)(a) specifically, I am interested to know why we would exclude the acquisition or disposal of land or of an interest in land, other than a relevant lease. Why would that be excluded from the legislation?

Mr B.S. WYATT: That is one for which I think I have the answer right! The Land Administration Act provides me, the Minister for Lands, with the capacity to do that. Again, we have had to pull out a few things that had their own specific pieces of legislation to deal with those sorts of things.

Clause put and passed.

Clauses 10 to 12 put and passed.

Clause 13: Functions of Minister —

Dr D.J. HONEY: This may be a naive question, but the clause is headed “Functions of Minister”. I am not clear as to which minister it refers. Is it deliberately vague or is it intended to apply to a specific minister?

Mr B.S. WYATT: I thought the member was about to say, as opposed to the dysfunction of the minister! The minister, of course, will always be as gazetted. Often a piece of legislation will refer to a specific minister, such as the Treasurer, or a minister, as defined. That can be seen already; a minister might have responsibility for an act, but a reshuffle happens, and they are moved. We gazette responsibility for legislation, and the minister will be as per the gazette, but I suspect it will always be the Minister for Finance, which is the obvious minister.

Clause put and passed.

Clause 14: Functions of Department CEO —

Dr D.J. HONEY: I refer to clause 14(1)(e) with regard to the functions of the department’s CEO. Sorry; perhaps I have confused myself, minister. I had to do this very quickly. That is included in the CEO’s functions?

Mr B.S. Wyatt: Yes.

Dr D.J. HONEY: That is clear, then. Under clause 14(2), the CEO may do anything necessary or convenient for the performance of the department CEO’s functions under the legislation. I understand, based on experience, that sometimes those clauses are added because they are standard clauses that are put into legislation. Is this a standard clause that is put into the legislation and accepted as a standard clause? It seems to me to be very broad to say “do anything”.

Mr B.S. WYATT: Again, I will blame parliamentary counsel for these things. I suspect that this goes back to whether it has been done in the past and whether a departmental CEO did something that although not illegal was perhaps in contradiction to another act. These things are part of the standard statutory process.

Clause put and passed.

Clause 15: Delegation by Minister —

Dr D.J. HONEY: I know that I am jumping ahead, but to save time I have a question about both clause 15(2) and clause 16(3). Are delegations time bound or subject to review periodically to make sure that they are tracked? I am concerned that delegations could be confused or their origins drift off into the mists of time.

Mr B.S. WYATT: Yes, they are. They are also specific. I find that I must regularly update delegations because, for example, David Honey, executive director of this, has either left the public sector or is now executive director of that. The delegations are deliberately specific. They are limited in person and usually in time. The ones that I have signed—I suspect that this is standard; if I am wrong, I will come back to the member—have been limited in time in terms of electoral cycles. If I am wrong about that, I will confirm that with the member.

Clause put and passed.

Clause 16: Delegation by Department CEO —

Mr W.R. MARMION: I seek clarification about delegations in writing. My question is about clause 16(4), but follows on from clause 16(3), which states —

The delegation must be in writing signed by the department CEO.

However, clause 16 (4) states —

The delegation may expressly authorise the delegate to further delegate the power or duty to an authorised person.

This is a double-barrelled question. When the CEO authorises his or her delegation, can it be further delegated only when it is mentioned in the CEO's delegation of the next person to delegate? The other question is: must it specifically be an authorised person or can it be an authorised position, or—I probably know the answer to this—can it be an authorised category of people?

Mr B.S. WYATT: Yes. The first answer is correct. The power to sub-delegate is given in the original delegation. If, for example, I delegate to Bill Marmion and I am silent on the sub-delegation, the member cannot then sub-delegate unless I have specifically said, "Bill Marmion can sub-delegate it to an authorised person." The member is correct: an authorised person can be a category; for example, a level of public service rank—seniority.

Clause put and passed.

Clauses 17 to 19 put and passed.

Clause 20: Power of Department CEO to borrow money —

Dr D.J. HONEY: I am intrigued why the CEO of the department would need to borrow money. I imagine that agencies that carry out work would need to do it, but I was intrigued why this department, which I see as a functional department of people, would have any requirement to borrow.

Mr B.S. WYATT: Under the State Supply Commission Act there is capacity for State Fleet to borrow, and it has borrowed for the state. That borrowing is still there. This clause deals with that, but it is specific to only State Fleet.

Clause put and passed.

Clause 21 put and passed.

Clause 22: Agency specific procurement directions —

Mr W.R. MARMION: I want to test clause 22(1), which states —

The Minister may issue an agency specific procurement direction ...

If an agency already has a contract running—let us say for Roe 8—the Minister for Finance could direct the agency to cancel that contract. Is that how clause 22(1) can be interpreted? Would there be no limitation on that direction?

Mr B.S. WYATT: No. It would not allow for that. Clause 21(2) sets out what procurement directions are really focused on—not so much around cancelling contracts. Those sorts of decisions are really for the cabinet, not for an individual Minister for Finance, to issue a procurement direction to do.

Clause put and passed.

Clause 23 put and passed.

Clause 24: Compliance with procurement directions —

Dr D.J. HONEY: Perhaps the minister can clarify what is the normal way that these bills are looked at. Was any consideration given to include a clause to say that an officer's noncompliance with procedures would be a misdemeanour or an offence and/or penalties would be prescribed? I know that under other legislation when people do things, the legislation will provide that they have to do this; and, if they do not, they would be committing an offence. That offence is subject to a penalty and that penalty would be prescribed in the legislation. I appreciate that the minister might be a little bit vague about this, but if the Minister for Finance issues a direction in terms of procedures and the department's CEO wilfully or otherwise does not follow those procedures, would it be made clear they have in effect disobeyed the minister and would have committed an offence? I wonder how we pick that up. I made the point in my second reading contribution that it had been made very clear to me in my management roles that if I did not follow procurement procedures, I would have been committing a very serious misdemeanour within the organisations that I was working in. There were very severe penalties and it was made very clear to me that I had to follow those procedures. That was an important part of maintaining proper procurement processes and it was very clear that there would have been serious consequences if I had ignored the organisation's procedures.

Mr B.S. WYATT: Under clause 24(4), an officer, ultimately, would be subject to disciplinary proceedings by the Public Sector Commissioner under the Public Sector Management Act. That can lead to dismissal so there is still a disciplinary process to ensure that people understand that there is a consequence for noncompliance.

Dr D.J. HONEY: The question was: what mechanism makes it clear that it is a serious offence? Is there a mechanism or is this just a normal departmental procedure that the minister has issued a direction and someone in the department, whoever it is, is not following it?

Mr B.S. WYATT: The public sector code of conduct would deal with this—that is, directions from ministers and directions lawfully given under relevant legislation. This will be part of the relevant legislation. This is something that all public servants are aware of, particularly senior public servants. It is part of their contract.

Clause put and passed.

Clause 25: Common use contractual arrangements —

Dr D.J. HONEY: This probably does not require a response from the minister directly, but I make a comment that clause 25 may be the opportunity in future to look at a prequalification process or maybe that can be developed here. Based on my experience at least, it seems that having a prequalification process greatly simplifies things for users of the process, such as agencies that are then looking for suppliers of goods. If the minister does not feel like commenting, I am quite relaxed.

Clause put and passed.

Clauses 26 and 27 put and passed.

Clause 28: Investigation and audit of procurement —

Dr D.J. HONEY: I wonder whether the minister could explain the overlap with the Office of the Auditor General in clause 28 “Investigation and audit of procurement”. Obviously, the Office of the Auditor General has a specific role in this area, and when I was quickly reading through these clauses, I noted that the investigation of incidents can be delegated to another agency, so I understood that, but is there going to be overlap with the Office of the Auditor General? Is it a second check or will this internal investigative process work with the Auditor General?

Mr B.S. WYATT: This bill builds on work that the government has already done to improve public sector agency accountability and transparency, including the measures we announced in November last year around the independently chaired audit committees, rotation of firms, conducting internal audits and segregation of duties and payment authorisations. Specific to the member for Cottesloe’s point, the audit and investigation functions in part 6 focus on the procurement activities of state agencies. It does not duplicate the functions of other bodies such as the Office of the Auditor General. The audits and investigations under this bill relate to an agency’s compliance with the bill, the procurement directions and other instruments under the bill. As a matter of practice, this would principally cover an agency’s compliance with government procurement policies. It is a fair question, but it does not duplicate the OAG’s role.

Clause put and passed.

Clauses 29 and 30 put and passed.

Clause 31: Regulatory action following investigation or audit or judicial or investigative proceedings —

Dr D.J. HONEY: Where would someone outside this agency find out about the outcome of these investigations? Are they published or is this really just to complete the internal process that no-one else has a way of discovering unless they happen to hear about it and do a freedom of information request? I would have thought that as part of transparency it would make sense to have some report or such thing so that we can have comfort that the agencies are complying, or otherwise, with this bill and the procedures prescribed.

Mr B.S. WYATT: If indeed a failure to comply with the legislation has occurred, clause 31(2)(b) states that it is required to be published in the annual report of the accountable authority of the department under the Financial Management Act. The FMA still captures that to ensure that it takes place, because ultimately we want to have it recorded somewhere.

Dr D.J. Honey: I skimmed too quickly. Thanks, minister.

Clause put and passed.

Clause 32: Terms used —

Mr D.C. NALDER: I want to talk generally about debarment. I found “debarment” an interesting term. I have to admit that I have expanded my vocabulary. I sat there thinking that “debarment” almost sounds like an oxymoron, because we bar somebody and then we debar them, and I was not sure what that was. I read right through part 7, so I am asking a general question on this whole part. I see that the CEO has the authority to debar. Earlier, we talked about the delegation of authority to an authorised person. I assume that debarring will be delegated to an authorised person as well. I will use this time to go a bit broader. If someone is debarred, I assume that there has been conduct unbecoming, and I just wonder how that then gets populated, because this specifically refers to an agency. If there is inappropriate behaviour of a supplier and it has been debarred and other departments or agencies should be made aware of it, is there a central registry or something like that for which the Department of Finance is responsible?

Mr B.S. Wyatt: This is once you have been debarred?

Mr D.C. NALDER: Yes. Although the supplier might be banned somewhere, another agency has contracted it for something else and was not aware that there had been previous issues or problems with another agency.

Mr B.S. WYATT: Is there some special person? The question is about delegation. Only the CEO can debar, because no power has been given to the CEO to delegate that role. Clause 36 (1) states —

The Department CEO must maintain a public register in accordance with the regulations of suppliers who are debarred under this Part.

The public register would be seen somewhere like Tenders WA. That is exactly where it would be seen.

Mr D.C. Nalder: Will it be at Tenders WA?

Mr B.S. WYATT: Yes.

Mr D.C. NALDER: Therefore, would we expect anybody who is setting up some form of contract to check that or does the Department of Finance oversee it to make sure that other agencies are checking to ensure that we do not miss some of these things?

Mr B.S. WYATT: I think I have an answer to the member's question about clause 36(1). The list on the public register is maintained on the Tenders WA website. Exceptions can be given to companies that may be debarred. I suspect it will be rare, but capacity has been given for exceptions to be granted when they need to be. The Department of Finance will effectively manage how contracts are issued through Tenders WA. I think the member's question was: would an agency still be able to give a contract by mistake to a debarred company? Technically it probably could, but the Department of Finance's role is to make sure that it does not happen. It is the purpose of the public register and the role of the agency to make sure all those putting tenders through Tenders WA know who is debarred. That is why the public register is important.

Clause put and passed.

Clauses 33 to 35 put and passed.

Clause 36: Miscellaneous provisions relating to debarment of suppliers —

Mr W.R. MARMION: Clause 36(8) is very useful in stating “no civil liability is incurred”.

Mr B.S. Wyatt interjected.

Mr W.R. MARMION: However, my question relates to subclause (9). I do not expect the minister to name anyone, but subclause (9) states —

A supplier may be debarred or suspended under this Part because of conduct that occurred before the commencement of this Part.

I wonder whether the minister would like to share with the chamber whether the Department of Finance considers any possible suppliers to be on the list already, without mentioning their names?

Mr B.S. WYATT: None spring to mind, member, but I guess I will find out in due course whether a list from Finance is going to come my way. I think subclause (9) is only to be consistent with the debarment regime, which is timed to three years, so it took place three years previously. This provision captures that. I am not expecting a list with “Marmion Proprietary Limited is hereby debarred”.

Clause put and passed.

Clause 37 put and passed.

Clause 38: Regulations —

Mr D.C. NALDER: I have just a simple question. I am looking for a date when the regulations are likely to come into effect. Obviously, that is pretty important because this is an urgent bill. I imagine it would be a high priority to get the regulations through, so I want to get from the minister a sense of what the date is likely to be.

Mr B.S. WYATT: I am keen to engage with industry on the main regulations around the debarment regime, so I guess it will be in the back half of this calendar year. I would be keen to get it in and done. I do not want to have a big fight with whomever. We will release a proposed regime, consult widely and have it regulated.

Mr D.C. NALDER: A simple question that comes from that is: why was it urgent legislation then?

Mr B.S. WYATT: I am talking about only the debarment regime. This is the head of power to create the debarment regime, but the other issues applying to works will start pretty much immediately. The whole act will have components; hence, to answer the very first question the member asked, it will be proclaimed in bits so that we can lift the local contracting bid of \$500 000 for works immediately to get it in place. I think that will be of broad benefit. The debarment regime requires some effort around consultation.

Clause put and passed.

Clauses 39 to 73 put and passed.

Title put and passed.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Mr B.S. Wyatt (Minister for Finance)**, and transmitted to the Council.

CHILDREN AND COMMUNITY SERVICES AMENDMENT BILL 2019*Consideration in Detail*

Resumed from 13 May.

Clause 32: Section 81 replaced —

Debate was adjourned after the clause had been partly considered.

Clause put and passed.**Clauses 33 to 50 put and passed.****Clause 51: Section 124A amended —**

Mr S.K. L'ESTRANGE: Can the minister please explain to us why a number of the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse—namely, that out-of-home care workers, excluding foster and kinship carers; youth justice workers; early childhood workers; registered psychologists; and school counsellors be included in mandatory reporting—are excluded from this bill?

Ms S.F. McGURK: I thank the member for the question; it is a good one. Firstly, I will restate what I have said previously in Parliament, which is that the government has made a commitment to implement all the recommendations of the royal commission. That includes the broader areas of professions that would have a higher standard of reporting requirements if they suspected or knew about child sex abuse. This includes youth justice workers, registered psychologists, school counsellors and out-of-home care workers. The reason we have expedited one of these areas—ministers of religion—in the structure of amendments is that the department's advice was very strongly that it was useful to expand the mandatory reporting scheme in a targeted way to ensure that we can properly train those people and the institutions they work within to ensure a competent and thorough knowledge of their requirements under mandatory reporting.

During his speech on the second reading, I think the member asked—I was going to address it later in my third reading speech—why we decided to focus on religious ministers rather than the other occupations. I think the member for Belmont interjected during his speech that he has to read the findings of the royal commission to find the answer to that. I do not have the figure in front of me but something like 58 per cent of the disclosures from institutions that contributed to the royal commission came from church-based organisations. For that reason, it was felt that ministers of religion are either directly or through their work likely to have more exposure to the possibilities of child sex abuse than some of those other occupations. Notwithstanding that, the point that the member for Churchlands made is also correct; that is, those other occupations have a lot to do with children, and that is why they have been included in the list. To answer the member's question, essentially, it was decided to phase in the expansion of mandatory reporting to make sure that we can do it thoroughly and properly, and build up not only the expertise within those institutions and occupations, but also the community's understanding of how the mandatory reporting system works.

Mr S.K. L'ESTRANGE: These are not actually my questions. These questions derive from the recommendation of the royal commission. I am not arguing the case for or against the inclusion of the ministry. It is in the recent royal commission recommendations. It refers to “people in religious ministry”. That is what it recommended. I note that it is included in the bill. The reasoning that the minister just gave is not substantial and, frankly, I do not think it passes the public test. Recommendation 7.3 of the royal commission states —

State and territory governments should amend laws concerning mandatory reporting to child protection authorities to achieve national consistency in reporter groups. At a minimum, state and territory governments should also include the following groups of individuals as mandatory reporters in every jurisdiction:

- a. out-of-home care workers (excluding foster and kinship/relative carers)
- b. youth justice workers
- c. early childhood workers
- d. registered psychologists and school counsellors
- e. people in religious ministry.

Page 100 of the marked-up bill shows how the government has included “minister for religion”, and there are two paragraphs to define what that means. There is a paragraph to define what a nurse means. There are four paragraphs describing what a teacher means. I do not see how it would have been very difficult to create a one to four-paragraph description of a youth justice worker, an early childhood worker, a registered psychologist, a school counsellor or an out-of-home care worker, excluding a foster and kinship carer. I do not accept the minister's answer as being valid, because it would not have been that difficult to include that in the bill.

I also want to pick up on the point that the minister just made. These are my comments—they are not in my notes; I am reflecting on what the minister said. She said that 58 per cent of recorded cases in the recent royal commission were linked to child sex abuse and ministers of the church. I think she said words to that effect.

Ms S.F. McGurk: Church-based institutions.

Mr S.K. L'ESTRANGE: Yes, so 58 per cent. To my mind, 42 per cent—that is the other half of that equation—is a big number. If those 42 per cent of children were therefore abused outside of a church or church institutions, I am guessing that that is why the royal commission said that we should also be focusing on those other groups, because that is probably—I am guessing—where a lot of those contacts may come from. I would have to check that data. There are two points. Firstly, I do not think 58 per cent is a good enough reason to exclude all the others. Secondly, recommendation 7.3 is very clear. It was seeking consistency. The government has chosen to exclude Western Australia from the royal commission's recommendation for consistency across Australia. I do not think the minister is giving us a reasonable answer why the government is excluding all those categories of workers who, by virtue of their profession, are with children during all of their working time. That is not the case for ministers of the church. Ministers of the church will be in front of children only some of the time. I do not understand why she is including a category of worker that is in front of children for some of the time but excluding a category of worker that is in front of children all of the time. Surely, she would want all of them, as well as the ministers of religion.

Ms S.F. McGURK: I repeat the commitment made by this government to include all those occupations that have been referred to and recommended by the royal commission to have mandatory reporting obligations. The implementation of the royal commission recommendations was coordinated by the Department of the Premier and Cabinet because it is not just the Department of Communities that has responsibility for these areas; the royal commission's recommendations went across the whole breadth of government and non-government organisations, but particularly across government portfolios and departments. The Department of the Premier and Cabinet and I, as lead minister, were very methodical when planning the rollout of those recommendations because we wanted to make sure that they were effective. The member said that it would have been easier to add these extra occupations to the mandatory reporting list. That is true; it would have been easy to make the amendment. We have a commitment to the effect of the implementation of those amendments. I was advised—we accepted that advice—that we should prioritise ministers of religion for the reasons that I have outlined; that is, they were heavily weighted on the results of the royal commission in terms of religious-based organisations, and we would take on board a second tranche of amendments to this act related to mandatory reporting so that we could roll out the proper training for those other occupations to make sure it is effective.

I should also point out that the other professions recommended by the royal commission that the member listed, such as youth justice workers and out-of-home care workers, are working in professional fields. They have clear reporting procedures and codes of conduct in relation to suspected child abuse if they are working in schools, the justice system and the like. As such, the government has prioritised the area that has less oversight and formal procedures in place to ensure that children in our state are kept safe. I understand that churches and all institutions that have some involvement to varying degrees are making an effort to improve the systems within their various institutions to have better oversight of child safety. However, the government has made the decision to prioritise religious ministers. We have a commitment to those other occupations, but in order to be effective, we are better off planning and staging that implementation, including for the reason that I just outlined, which is that many of those other professional fields have clear reporting procedures within their current institutions or occupations, if you like.

Mr S.K. L'ESTRANGE: I take it from that answer that resourcing is the issue and the government needs to stage the implementation of recommendation 7.3 of the royal commission because it does not have the resources to cover all the categories.

Ms S.F. McGURK: No, I do not concede that it is a resourcing issue. As I have said, there were hundreds of recommendations. It is getting late, so I am finding it difficult to remember, but I think over 300 recommendations of the royal commission applied to Western Australia. We committed to implement those recommendations, if we had not already implemented them. We have implemented over 100—I think 142—of those recommendations. As I said, our commitment has been to a thorough and effective implementation of those recommendations. That takes time, and a staged approach is sensible. Of course we would want to do it all at once, but we will not sacrifice child safety in that process. Effectively, we want to make sure that we do it properly. We made a public commitment to include mandatory reporting for those other occupations, but we are doing it with a staged, methodical and, I believe, effective approach, with a view to better outcomes for child safety.

Mr S.K. L'ESTRANGE: Can the minister outline to the house the time line for the staged implementation to cover the four out of five categories of workers with children that have been missed from this amending bill?

Ms S.F. McGURK: I am sorry, but I do not have all the time frames for all the royal commission recommendations. At the end of last year, I tabled a report on our progress on the implementation of the royal commission recommendations, and that is publicly available. I can say that there will be a discussion paper on the further expansion of mandatory reporting to other groups, which will be released in coming months. This will address the inclusion of other people who work in religious ministry, such as brothers and nuns.

Mr S.K. L'ESTRANGE: From that answer, the minister said that the government will expand on what is already a category in the bill. People in religious ministry are contained in recommendation 7.3 of the royal commission. People in religious ministry takes into account nuns, brothers and priests et cetera. The minister's bill includes ministers of religion. I understand that and I understand the minister mentioned that she was looking at some of the other recommendations of the royal commission that are yet to be implemented. I am just focused on recommendation 7.3 because it is the key one that addresses workers who will be in front of children. Recommendation 7.3 from the royal commission addressed the need for those people to be captured in this bill. The minister said that this is a phased approach; let us call this phase 1. When does phase 2 start and which of those four categories that this bill has missed will be captured in phase 2?

Ms S.F. McGURK: All additional occupations identified in the royal commission recommendations and that the member has listed will be included in phase 2. As I said, a discussion paper around how that will apply will be released for public comment in coming months. As I said, I do not have the full time frame for the implementation of the royal commission recommendations, but we have tabled a report outlining the progress of implementation for the last two years and tried to be as transparent as possible about our progress. We are trying to balance the implementation of those recommendations with the effectiveness of that implementation. I want to make clear, on the public record, that we will include all those occupations and work through the staged reform of the implementation of the royal commission's recommendations, as publicly reported.

Mr S.K. L'ESTRANGE: The second part of my question was: When? What is the time frame? Will the minister achieve what we have now called phase 2 before the end of this calendar year?

Ms S.F. McGURK: We do not envisage moving amendments to the act before the end of this calendar year. For mandatory reporting to have legal effect, another tranche of amendments would be required to the act. As I said, we commit to having a public discussion paper and making sure that we consult with the various professional bodies and institutions that those people work in as part of the implementation of the royal commission's recommendations. I am happy to get back to the member and put it on the public record; I just do not have the detail with me of the implementation of the royal commission recommendations and whether time frames have been attached to that. It would require other amendments to the legislation, and that is not envisaged before the end of this year.

Mr S.K. L'ESTRANGE: I will conclude with this observation. I think it is disappointing that we are now three and a half years into the minister's term. Everybody knows what professions come into close contact with children. If the intent was always going to be to capture these groups as mandatory reporters, it is disappointing that they will not be captured in the minister's term of government. I will leave it at that.

Mr R.S. LOVE: Having heard the interchange between the minister and the member for Churchlands, exactly what, beyond the fact of simply naming these other professions in this provision, would be required to bring them under the coverage of the act? In the case of ministers of religion, a couple of other provisions need to be outlined to discuss how these disclosures might be made. In terms of the other professions that have been discussed, which come under recommendation 7.3 of the royal commission, what, beyond simply naming them, would be required so that there would be consistent application of the act to them along with doctors, teachers and other persons already known?

Ms S.F. McGURK: In terms of the legal effect, making an amendment to the act would be one step in the process. It is important to note the number of people we are talking about in those other occupations, such as youth justice workers, out-of-home care workers, psychologists and early childcare professionals. Thousands of people work in those occupations around the state. I want to make quite clear that we have not missed those occupations because we are being lazy or short-sighted. In fact, it is quite the opposite; we are absolutely committed to doing this effectively. In other jurisdictions around the world and in discussions around mandatory reporting, there is a very strong argument for quality over quantity in the number of occupations and the reach of mandatory reporting. In fact, it has been other jurisdictions' experience that if the net is cast too wide and requires too many people to have the higher legal obligation to mandatorily report suspected or known child sex abuse, authorities can get flooded with suspicions and calls, which can leave genuine cases undetected. That is the reason we are staging our approach; it is not because we are taking shortcuts or are not interested in those occupations. That is certainly not the case. We are interested in a quality process to make sure that not only is the legislative basis there, but also the rollout, education, professional development and a deeper understanding of how disclosures could manifest and what suspicions might look like are undertaken effectively so that our state can have a good quality system in place for mandatory reporting.

Mr R.S. LOVE: When we look at the role of a minister of religion as opposed to the other professions that the minister has named, we find that most of the other professions deal with children, so disclosures would be made by children to those professionals. In the case of a minister of religion, the disclosure may well be made by a child. It could also be made by the offending adult. Is that the reason for the difference? Is that the reason the minister has chosen to include ministers of religion at this point as opposed to those other professions that mainly deal with children?

Ms S.F. McGURK: I thank the member. It is a good question, but essentially it is both. The government has expedited ministers of religion, given the royal commission's findings on the extent of abuse within the religious institutions that I referred to before; the extent to which that abuse went unreported by senior leaders; and, as is often

discussed publicly, the cultural, scriptural and hierarchical barriers to reporting that have existed. That is one of the reasons that the royal commission was very explicit in its inclusion of ministers of religion in mandatory reporting. It is partly that ministers have exposure to children in their day-to-day work or dealings with the community. This includes contact with children that ministers of religion may have not only in their churches, for instance, but also within schools or other care institutions that churches have an involvement with. Ministers of religion have contact with children and with people who have contact with children, as the member has identified. Obviously, there has been a lot of discussion about Catholic confession. Ministers of religion might hear disclosures in the course of their work. Also, on the point I have just made, cultural traditions within those churches can lead to barriers that need to be challenged and that we are challenging with these laws. I have made it very clear publicly and I reiterate it again this evening, and I hope I do so on behalf of all members of this chamber: child safety is our number one priority. We want to put in place laws that say that we have a particular obligation to vulnerable people in our community—that is, children.

Clause put and passed.

Clause 52: Section 124B amended —

Mr S.K. L'ESTRANGE: Clause 52 is very clear. It relates to section 124B, which is titled “Duty of certain people to report sexual abuse of children”. Clause 52 proposes to amend section 124B to read —

(1) A person who —

(a) is a doctor, nurse, midwife, police officer, teacher, boarding supervisor or minister of religion ...

Then it continues. Clearly, this part of the act deals with the duty of that professional person to make the report. This builds on my and the member for Moore’s concerns, I believe, about clause 51. If the amendment to section 124B(1)(a) had included after “minister of religion” the words “out-of-home care workers (excluding foster and kinship carers), youth justice workers, early childhood workers, registered psychologists and school counsellors”, those words would have sent a very clear message to the professional organisations that employ those professionals that if they see, witness or hear about the sexual abuse of a child, they have a mandatory responsibility to report it. By excluding those four groups that the royal commission recommended, the legislation does not make it a duty of those professionals to do so. I think that is a missed opportunity and I do not think it would have been very difficult to simply do what I just said and include those words in section 124B(1). Can the minister respond to that?

Ms S.F. McGURK: I thank the member. I trust that the questions by both the member for Churchlands and the member for Moore are motivated by wanting a robust system of mandatory reporting in our state. I think we would all share that goal. I can only reiterate that the reason we have not included all occupations in this first tranche of amendments is that we want an effective rollout and implementation of this system of mandatory reporting, and it is not as simple as putting some words in a bill. It is actually in the professional development and the work with employers, employer representatives, institutions and peak bodies, if you like, that represent those occupations. As an example, I have a lot to do with the early childhood sector. That sector employs thousands of people in our state across hundreds of individual centres. It is a big piece of work to make sure that there is a deep understanding of the obligations that go with mandatory reporting within the early childhood sector. It is about not only resources, but also making sure that employees can talk to their peak bodies and unions. There are various private centres, community centres, local government centres and family day care providers. There is a huge body of work in just that one area of professional occupation listed there to make sure that employees understand how child sex abuse can manifest, how disclosures can manifest and what to be aware of. That professional work has already taken place with the other occupations that are listed in the bill. There has been a lot of discussion amongst the various churches as a result of the work of the royal commission, and that work will continue. Some of that work has been going on since the royal commission. Some of it will be done with the state government and some is being done by the churches on their own. But, as I said, it is not just a matter of putting the occupations there and thinking that sends a clear message. Through the royal commission implementation, we are doing a whole lot of work on the importance of understanding child vulnerability and child sex abuse in all its forms, and mandatory reporting is just part of that.

I should mention that another important recommendation of the royal commission was what it called reportable conduct—that is, the obligation of institutions throughout our community and society, particularly those that have exposure to children, to have a reportable conduct scheme so that if disclosures are made, there are enacted reporting requirements and obligations within those organisations. We have allocated the oversight of the development of those reportable conduct schemes to the Ombudsman of Western Australia so that he can start to do some work to make sure that, for instance, not only the perpetrator, but also the institutions that have an obligation to oversee child safety are held to account. Of course, that is what the royal commission was all about.

There is a lot of work to do; there is no doubt about it. It is very urgent work because it is about child safety. We have said publicly that we owe it to the victims who came forward and told very personal and incredibly harrowing stories to the royal commission. We are indebted to them and we honour them in the implementation of the recommendations. I stand by that, and I stand by the staged rollout of mandatory reporting in order to be most effective. I hope that answers the member’s question.

Mr S.K. L'ESTRANGE: I will choose two of the groups that I am talking about that have been omitted, and that is early childhood workers and registered psychologists and school counsellors. I would be very surprised if those two groups today were not well aware of the need for child safety and of the need to report anything untoward. If a child in their care disclosed to them information that set alarms bells ringing that there might be something wrong with either a colleague or at home or wherever, I would be very surprised if there were not existing measures in place to report that information to the authorities.

To say that we need to do more consultation with these groups to work out how they can report, I do not buy that. I do not think it passes the practical test. I think those groups would already be well aware of the need to report anything untoward with regard to the safety of children. As I said earlier, making sure those groups are listed would put it in law that they have to report. They already know they have to. If the minister can tell me of a group that does not know that, I would be interested to know, but I am pretty confident that the people who work in groups that come into contact with children all the time would be well aware of the fact that if they come across information that tells them the child may be in danger, it is their duty to report it to their superior. But the bill does not tell them that there is a legal requirement to do so, and it does not tell them that there is a fine if they do not do so. I do not accept that the reason for staging it is that the government wants to get it right. I think it could have been just put in and most of these groups would have come on board. Whatever measures the department already has in place to deal with teachers under mandatory reporting could simply have been replicated across these groups.

I honestly do not understand the rationale behind avoiding those key groups, and there are additional reasons why I do not accept that. The minister can correct me if I am wrong, but the royal commission looked at historical child abuse that went back some time. I do not know the statistics of recent child sex abuse, for example; I do not have that data in front of me. I can only assume that the minister has that data in front of her; she might have data, pertaining to the last five years, on where child sex abusers are mainly congregating or accessing children outside families, for example. The minister might already know that. If some of the groups that have been omitted from this bill form the main group of what is going on in recent times, I would be very concerned.

There are two things I ask the minister to comment on. We understand the royal commission's findings on the atrocious past treatment of children; we get that, and we know why the minister is addressing the fifth group in recommendation 7.3 of the royal commission's report. I am also concerned about the other four groups and I wonder if the minister has any recent data to tell us where the 42 per cent she mentioned earlier are mainly found today.

Ms S.F. McGURK: I thank the member. The royal commission looked mostly at historical child sex abuse, but not entirely. Some of the cases were quite recent and I think it is important for us to understand that. Again, we really want to honour the work of the royal commission and the people who came forward and gave us a very robust framework within which to try to stop abuse happening in the future and, if it does occur, to make sure that we can take swift and effective action. It is not just historical abuse; that is the first point.

The institutions that represent the other 42 per cent would include some government institutions, for instance.

Mr S.K. L'Estrange interjected.

Ms S.F. McGURK: Yes. I do not necessarily think it is a view that those categories of workers would be perpetrators. If we have any suspicion that perpetrators are likely to be more prevalent in any given area, we are quite proactive about that. A lot of work is done now with police in coordination with child protection workers and the not-for-profit sector to make sure that we are active. Police work in uncovering people accessing child pornography and harmful images of children often gets publicity. It is not my understanding that these recommendations came about because any of these workers were likely to be perpetrators, but they have a lot of exposure to children and their families and because of the professional frameworks that they work within, they might be privy to some disclosures.

I take issue with one of the points that the member made about the capability of some of those occupations to be able to identify possible child sex abuse now. Some of those occupations have had a lot more training than others. School psychologists, for example, have had four-plus years of training, while a child care worker could be in place with a certificate III.

Mr S.K. L'Estrange interjected.

The ACTING SPEAKER (Mr T.J. Healy): Minister, I will let you conclude your response and answer.

Mr S.K. L'Estrange interjected.

The ACTING SPEAKER: I will let the minister finish and then come back so you can ask your next question.

Mr S.K. L'Estrange: No, the minister may have accepted the interjection.

The ACTING SPEAKER: Minister, do you seek to finish your response?

Ms S.F. McGURK: I will just finish my response. I think I am able to address the point that the member is raising. We have made a couple of points. One is that we think the second tranche will require some consultation but also, importantly, some capacity building amongst some of those occupations. In other areas there might be a lesser degree of training and awareness raising in identifying possible sex abuse and the requirements to follow up. For

others, such as early childhood educators, it is as I said: there are literally thousands of early childhood educators around the state, some of them very young workers, operating in hundreds of centres around the state. I think we have more than 300 long-day care centres and, of course, scores of family day care workers and out-of-school hours carers. There are myriad people in that second tranche, so capacity would need to be built in those occupations. But it is also true that they do, on the whole, work in professional centres and have some reporting procedures around them. Although early childhood workers are skilled in their own areas, the centres are quite regulated and the department and I have responsibility for overseeing the implementation of those regulations.

It is getting late; I do not know whether I have addressed all the questions the member raised, but, essentially, I take issue with the idea that increasing our mandatory reporting reach across the state is as easy as putting another half a dozen occupations into the legislation. It is not just amendments to the act; it is doing the implementation —

Mr D.R. MICHAEL: I would like to hear more from the Minister for Child Protection.

Ms S.F. McGURK: It is actually doing the implementation throughout the institutions that they work in and, in some cases, capacity building amongst those occupations. Some of that work is in the control of state government agencies and organisations that we have oversight responsibility for, such as early childhood education. But in other areas, such as churches, our regulatory reach is more limited. With regard to mandatory reporting, though, we are saying that we want to reach into those institutions and say, “We consider child safety to be important and we are saying to ministers of religion that if they suspect or know about child sex abuse, they need to report it.”

Mr S.K. L’ESTRANGE: Just picking up on that point, I do not want to go tit-for-tat on this. I am not suggesting for one moment that it is easy to put something in a bill. The whole premise of my line of questioning is all around the royal commission’s recommendation 7.3, which looked for a uniform approach across Australia. It was very, very clear about the groups that should be included. If it is hard work to make sure that those groups go in, I would be disappointed if that hard work has not been completed and that only one of those five groups had been put in.

Ms S.F. McGURK: I do not want to leave the debate on that point. We are committed to doing this work. Labor’s record to improve standards in child safety have been significant. We have removed the statute of limitations for child sex abuse, implemented the redress scheme and implemented mandatory reporting under a previous Labor government. To date there have been many improvements to child safety. The improvements that we are now implementing are recommendations of the royal commission and have occurred under Labor. We have to get the balance right when rolling out those recommendations and improvements to make sure that we have made a quality effort.

Clause put and passed.

Clause 53: Section 124BA inserted —

Mr R.S. LOVE: Clause 53 details the role of the confessional and the responsibilities of religious ministers. Proposed section 123BA, titled “Provisions for ministers of religion”, states —

(1) In this section —

religious confession means a confession made by a person to a minister of religion in the minister’s capacity as a minister of religion in accordance with the tenets of the minister’s faith or religion.

Is the person involved intended to be a perpetrator or victim, or either?

Ms S.F. McGURK: Either, member.

Mr R.S. LOVE: When a person is in the confessional, it is my experience, having been brought up a Catholic, that the priest may not know the identity of the person making the confession. A person may make a confession because they feel guilty even though they are actually a victim. Is a responsibility imposed upon a religious minister to go further than just receiving an anonymous confession, to try to ascertain the details of the person who is making the confession and to then report that? That may not be known to the religious minister.

Ms S.F. McGURK: The obligations required under mandatory reporting may be a fine point of law, but on the face of it I do not think that the obligations under these provisions to make it a requirement that the religious minister is obliged to uncover the identity of someone who discloses something in the circumstances that the member has described. There was clear evidence during the royal commission that there had been a significant failure to report child sex abuse due to the exclusion, or privilege, applied during confession. For many who have been raised in the Catholic tradition, we understand that quite well. I have no doubt that this is a point of significant angst for the Catholic Church as an institution and for the priests who are charged to practise the church’s teachings. Notwithstanding that, the Parliament is obliged to have standards about what we prioritise. I have made it clear that the statement that we make here, in adopting the recommendations of the royal commission, is that we prioritise child safety and that a religious minister must report any knowledge he gains at any time, whether it is in the confessional or outside the confessional, confirming child sex abuse, or a reasonable suspicion of child sex abuse. If he fails to do that, penalties will be applied under this act. I hope I have answered the specific question about what information this legislation obliges a religious minister to elicit in the event of an anonymous confessional method—that traditional confessional in which a priest may not know who he is speaking to.

Mr R.S. LOVE: What the minister has outlined is reassuring and troubling at the same time. It means that the basis of what this provision is trying to achieve is quite genuine. However, I am now struggling to see how effective it will be, because in many circumstances the religious minister might have the out to say, “Nominally, this is an anonymous confession” even though they may recognise the voice or they think they know who that person is. Does that provide an out for that religious minister to not provide what might be an effective report because they effectively, or officially, do not know the identity of that person?

Ms S.F. McGURK: There are a couple of points there. I point to section 124C(3)(ea) of the act, which states “to the extent, known to the reporter”. Prior to that, paragraph (d) states “the grounds for the reporter’s belief”. But also the words “the extent, known to the reporter” might be useful here—the name of the person, the person’s contact details or the person’s relationship to the child. The act is clear about any sort of suspicions that people have and the extent of knowledge of a person with mandatory reporting obligations. They are obliged under these provisions to hand over that information.

The second point is, these expectations will be dealt with during training or the rollout of mandatory reporting. Once these provisions become law, we will be able to work with various institutions. We have done that with the occupations that are currently under those obligations to make sure that they have a good understanding of their obligations under the law and also how confessions, either by perpetrators or victims, might be expressed. Obviously, there is quite a body of knowledge about that that we cannot take for granted. People’s capacity in relation to that needs to be increased.

My third point is about what the member identified as a minister for religion getting away with saying that he did not actually know who it was when he really did know. I hope that a religious minister would have the extra obligation somewhere, whether it is in law or a higher law, to feel obliged to adhere to and to tell the truth about that.

Mr R.S. Love interjected.

Ms S.F. McGURK: That is right. We will make it clear what we have control over—that is the statute books. However, failure to mandatorily report, by its nature, may only come to light after the fact. The member may be aware of the case at one high school, Trinity College. Some teachers who knew about an assault against a student were charged because they failed to report the assault. They have been pursued under the current mandatory reporting obligations. That was only known after the fact, later on when disclosures were made, and it was realised that some people who had mandatory reporting obligations had failed to report the incident and, therefore, were prosecuted.

Mr R.S. LOVE: Just to wrap it up, basically, these provisions refer to offences to children after the commencement date, so the exact date and the exact age of the person would be relevant to the requirement to make the report in this circumstance and it would not refer to a historical offence as such, or am I reading too much into the provisions of the preceding clauses?

Ms S.F. McGURK: Can I clarify? Is the member asking whether after the proclamation of these amendments a minister who has knowledge of abuse or suspects abuse of someone who is no longer a child would still have mandatory reporting requirements? Is that what the member’s question is?

Mr R.S. LOVE: The question is more whether they need to know it is a child. If they felt it was a historical offence, would there be mandatory reporting? Do they need to identify the age of the offence? Given that a confession could occur some years after the offence has occurred, how does the minister ascertain whether it is an offence that needs to be reported?

Ms S.F. McGURK: One of the points I would make in response is that clearly the mandatory reporting requirements if someone failed to report what they suspected or knew was abuse against a child mean they could be prosecuted. If that person was no longer a child, obviously we would still want them to report, because it is not only a question of justice for that victim, but based on the current knowledge about sex abuse, it is quite likely that that person could still be offending against others. If I understood the member’s question correctly, the prosecution under the act could only apply if the suspicion was against a child. Having said that, obviously the unequivocal message from this government, and I am sure of whatever persuasion, would be that people need to come forward if they suspect, even though a victim may no longer be alive for instance, because as I said, it is more than likely that the perpetrator has other victims.

Clause put and passed.

Clauses 54 to 58 put and passed.

Clause 59: Section 133 amended —

Ms S.F. McGURK: I move —

Page 37, lines 19 to 28 — To delete the lines.

The government amendment is in relation to changes as a result of feedback from a number of stakeholders that were concerned about the amendment in clause 59. As a result of that feedback, I am withdrawing the clause from the bill.

Just by way of background, quickly, the review of the act reported that it was inconsistent for the Children’s Court to be able to make an interim order in relation to a child for whom the CEO already had full legal parental responsibility. That question was contemplated under clause 59. Because of this possible uncertainty, the previous proposal would not have allowed the court to make an interim or a time-limited order when the CEO already had legal protections. The feedback from stakeholders was that they felt frustrated that this limited the court’s discretion to manage extension and revocation applications in cases before it. In fact, some examples were given that reunification, which might have been possible because of the passage of time or a change in circumstances, could be put at risk because the court would not have the opportunity to reconsider the matter at a later time. As such, we have decided to withdraw the amendment.

Mr R.S. LOVE: To be clear, clause 59 is not being withdrawn in its entirety; it is only subclause (2)?

Ms S.F. McGURK: That is right. The amendment is to clause 59, as listed on the notice paper.

Mr S.K. L’ESTRANGE: In the minister’s answer, she referred to some groups. Can the minister let us know which groups requested the change?

Ms S.F. McGURK: Certainly. The Aboriginal Legal Service spoke and wrote to us. Djinda Service, which is part of the Women’s Legal Service Western Australia, and the Children’s Court raised concerns about that specific provision, as did the Aboriginal Family Law Services.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 60 to 70 put and passed.

Clause 71: Part 10A inserted —

Ms S.F. McGURK: I move —

Page 47, line 30 – To insert after “officer” —

or inspector

Mr S.K. L’ESTRANGE: I am looking at the marked-up bill and this clause covers nine pages. It is a significant part of the bill. Could the minister explain this clause? I do not think this part of the bill was based on a recommendation of the statutory review. Given that there was no reason for it, can the minister explain why it has been included?

Ms S.F. McGURK: First of all, the amendment we have moved is just to add the words “or inspector” to those who are able to undertake the inspections, as outlined in the new provision. That simply corrects a drafting oversight.

The member is correct; these new provisions were not contemplated by the review, but they effectively strengthen the powers of officers authorised by the department and industrial inspectors from the Department of Mines, Industry Regulation and Safety—hence the amendment to include “or inspector”—to investigate offences under the act. The investigative powers under the act relate to the employment of children. The conversation we had previously about mandatory reporting, for example, gave us another example of the need for the department to undertake some investigations when the police are no longer involved or are not involved because of the nature of the issue. Essentially, we have picked up, in the most part, the powers of investigation currently in place in the Child Care Services Act 2007. These are the proactive powers of investigation that take place when the Department of Communities is required to check that regulations are being adhered to in childcare centres and the like. That is essentially the reason; I hope I have explained it to the member.

Mr S.K. L’ESTRANGE: The bill allows the powers to be exercised only when an authorised officer is investigating a “suspected offence”. What is the criteria to justify a suspected offence?

Ms S.F. McGURK: It is envisaged that the authorised officers would be given powers under these new provisions to apply in relation to all offences under the act. As I said, the current provisions for those investigative powers relate only to employment of children offences. In terms of the reasonable suspicion the member asked about, it really depends on what provisions under the act we are talking about. For the example I gave about investigation into a matter of mandatory reporting that the police are no longer involved in or are not involved in, we need to have the powers to go into an organisation and inspect, and ask questions. These are the sorts of powers that are envisaged. These provisions effectively mirror those investigative powers of the Child Care Services Act in Western Australia.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 72 to 75 put and passed.

Title put and passed.

PLANNING AND DEVELOPMENT AMENDMENT BILL 2020*All Stages — Standing Orders Suspension — Notice of Motion*

By leave, **Mr D.A. Templeman (Leader of the House)** gave notice that at the next sitting of the house he would move —

That so much of the standing orders be suspended as is necessary to enable the Planning and Development Amendment Bill 2020 to be introduced without notice and to proceed without delay between the stages.

House adjourned at 10.32 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

POLICE OFFICERS — OVERTIME**6018. Mr P.A. Katsambanis to the Minister for Police; Road Safety:**

I refer to police overtime, and ask:

- (a) What are the total hours of overtime worked by police officers each month in 2015, 2016, 2017, 2018, 2019 and 2020 to date; and
- (b) What is the cost of overtime for police officers for each month in 2015, 2016, 2017, 2018, 2019 and 2020 to date;
- (c) How many police officers worked overtime for each month in 2015, 2016, 2017, 2018, 2019 and 2020 to date?

Mrs M.H. Roberts replied:

The Western Australian Police Force advise:

- (a) Total Hours Worked

Month	2015	2016	2017	2018	2019	2020
January	22 857	40 255	42 806	23 295	35 188	47 673
February	34 666	30 871	39 392	25 387	31 295	44 733
March	33 917	32 065	36 969	29 974	44 169	
April	30 730	30 276	48 397	37 882	39 709	
May	36 281	43 475	29 475	32 637	36 581	
June	26 918	29 397	31 452	36 137	33 678	
July	25 376	32 202	33 531	31 378	27 437	
August	33 006	22 394	26 440	25 666	31 499	
September	29 096	21 359	24 785	33 615	36 121	
October	25 644	24 411	30 686	27 899	37 313	
November	34 696	24 876	26 861	34 845	47 057	
December	26 034	27 493	30 411	39 863	46 069	
Total	359 221	359 074	401 205	378 578	446 116	

Please note prior to 2020 the Agency recorded overtime as “week-endings” rather than the actual date worked. Overtime worked from Monday through to the Sunday of a given week would be recorded as a week-ending total for the Sunday date.

- (b) Cost of Overtime

Month	2015	2016	2017	2018	2019	2020
January	\$3 240 975	\$1 967 287	\$2 103 467	\$1 915 692	\$2 752 391	\$3 264 288
February	\$1 924 116	\$2 270 539	\$3 129 481	\$1 828 972	\$2 591 006	\$3 635 637
March	\$2 356 512	\$2 509 930	\$3 118 405	\$2 289 940	\$2 687 270	
April	\$2 211 909	\$1 965 844	\$2 976 619	\$2 392 050	\$3 060 177	
May	\$2 171 965	\$2 914 055	\$3 034 312	\$3 781 251	\$4 744 854	
June	\$2 227 568	\$3 768 915	\$4 059 539	\$3 532 753	\$3 098 121	
July	\$2 811 194	\$2 225 862	\$1 699 799	\$1 637 274	\$1 789 613	
August	\$2 150 686	\$1 875 354	\$2 164 168	\$2 169 154	\$2 143 509	
September	\$1 980 897	\$1 672 232	\$1 913 938	\$1 946 058	\$2 417 941	
October	\$2 169 316	\$1 478 835	\$1 908 037	\$2 222 649	\$4 086 988	
November	\$1 934 405	\$1 571 469	\$3 094 025	\$3 572 640	\$2 812 502	
December	\$3 347 357	\$2 897 282	\$1 902 317	\$2 779 957	\$4 052 651	
Total	\$28 526 900	\$27 117 604	\$31 104 107	\$30 068 390	\$36 237 023	

Please note the overtime amounts paid represent what was paid in the pay periods that fell in the months requested. This may not necessarily line up with the overtime worked within that month due to timing difference of payment.

(c) Officers Worked

Month	2015	2016	2017	2018	2019	2020
January	2 872	3 513	3 544	2 884	3 284	3 605
February	3 128	3 179	3 290	2 938	3 202	3 538
March	3 308	3 308	3 282	3 100	3 610	
April	3 003	3 242	3 612	3 294	3 416	
May	3 226	3 535	3 060	3 093	3 334	
June	2 960	3 189	3 100	3 139	3 310	
July	2 935	3 255	3 226	3 209	3 039	
August	3 225	2 920	2 910	3 023	3 225	
September	2 984	2 821	2 846	3 280	3 188	
October	2 901	3 020	3 115	3 069	3 352	
November	3 318	2 951	3 010	3 199	3 567	
December	3 013	2 939	3 154	3 409	3 579	

Please note The number reflects the total officers who claimed within the month and not the number of instances of overtime worked.

CORONAVIRUS — EMERGENCY SERVICES — EMERGENCY RESCUE HELICOPTER

6091. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

I refer to the State Emergency Rescue Helicopter Service, and I ask:

- (a) How many pilots/flight crew and maintenance crew are currently employed/contracted by the Department in the operation of the State Emergency Rescue Helicopter Service; and
- (b) What is the continuity plan to ensure continued operation of the Department's two emergency rescue helicopters should a crew member contract or test positive for COVID-19/Coronavirus;
- (c) What steps have been taken to protect the pilots/flight crew employees from COVID-19/Coronavirus?

Mr F.M. Logan replied:

- (a) As the State's only 24-hour, 7 day a week Emergency Rescue Helicopter Service, DFES employs through contracts a total of 9 Pilots, 9 Aircrew, 3 Licensed Aircraft Maintenance Engineers and 14 Critical Care Paramedics (CCP) to deliver front-line service for the primary Jandakot and Bunbury-based Emergency Rescue Helicopter Service (ERHS) aircraft.
- (b) The ERHS is a vital emergency service and DFES and the ERHS contractor have a contingency plan in place to ensure it continues to service the community.

The continuity plan includes daily operating Infectious Diseases protocols/procedures. DFES has developed several Courses of Action (COA) to address continuity plans for different aspects of the service. This includes contingencies for accessibility/availability to parts, stock, medical supplies, equipment, PPE, and ERHS personnel.

- (c) All ERHS flight crew and maintenance personnel have been provided with the necessary PPE which is carried on-board the aircraft, as per normal procedure, so that it can be donned at the direction of the CCP when a patient is symptomatic or if a clinical risk assessment indicates potential COVID-19 infection. Appropriate decontamination procedures have been enhanced and implemented for both aircraft and personnel at each Rescue Helicopter Base.

To ensure continuity of the ERHS, DFES initiated a lock-down of the two Rescue Helicopter Bases to enhance social distancing and isolation of ERHS operational personnel.

All COVID-19 directives as issued by the State or Commonwealth governments have been continuously implemented and updated as new guidance is provided. This includes the elevated-levels of cleaning for each base, as well as more hand sanitisers and hospital grade disinfectants provided for staff.

To mitigate cross-contamination infection risks, DFES has further coordinated with each of the receiving tertiary hospitals to ensure "clean" and "dirty" paths have been established for the CCP when accompanying the patient from the rooftop Helicopter Landing Site down to the emergency room/operating theatre.

CORONAVIRUS — INTERSTATE AND INTRASTATE TRAVEL RESTRICTIONS

6092. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

- (1) Have all regional and state border check point personnel been briefed or trained in the correct method/operating procedure for the conduct of COVID-19/coronavirus vehicle/people check points?
- (2) Are all COVID-19/coronavirus regional and state border check point personnel, (who are approaching people crossing a check point) wearing the correct COVID-19/coronavirus personal protective equipment (PPE)?
- (3) What specific PPE is being issued to each COVID-19/coronavirus check point person who is manning a regional or state border check point?

Mr F.M. Logan replied:

- (1) Yes.
- (2) Yes.
- (3) Western Australian Police Force (WA Police) are managing all Vehicle Control Points (VCP's) Statewide. WA Police have advised that they are supplying the appropriate PPE to all personnel assisting at VCP's in relation to COVID-19.

DFES personnel are required to wear PPE/PPC whilst operational.

CORONAVIRUS — PRISONS — PERSONAL PROTECTIVE EQUIPMENT

6093. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

I refer to the management of the COVID-19/coronavirus pandemic in Western Australian prisons, and I ask:

- (a) What quantities of the following supplies will be required and provided to prison staff for each prison:
 - (i) Long-sleeved gown;
 - (ii) Surgical face mask;
 - (iii) Face shield or goggles;
 - (iv) Disposable non-sterile gloves; and
 - (v) Hand sanitizer;
 - (vi) Anti-bacterial soap;
- (b) Are there any shortages of the above stores at any of the WA prisons/detention centres; and
- (c) If yes to (b):
 - (i) Which prisons have shortages;
 - (ii) How and when will these shortages be rectified?

Mr F.M. Logan replied:

- (a) As the duration of the COVID-19 pandemic in WA is unknown, the Department cannot advise what quantities of the supplies outlined will be required at this stage. However, under a whole-of-State approach, the Department of Health is currently taking the lead in the distribution and allocation of Personal Protective Equipment, which will be guided by a scenario/category based decision framework outlining PPE requirements for five scenarios/categories of COVID-19.
- (b) No.
- (c) Not applicable.

CORONAVIRUS — PRISONS — VIRTUAL VISITS

6094. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

I refer to the suspension of social visits due to COVID-19/coronavirus in Western Australian prisons, and I ask:

- (a) What alternative arrangements have been made for social visits:
 - (i) If the arrangement has been made to conduct social visits via electronic means, what technology is being adopted for electronic assisted visits; and
 - (ii) Is the number of electronic assisted visits different to the frequency of face to face visits:
 - (A) if yes to (ii), how is it different?

Mr F.M. Logan replied:

- (a) Prisoners and detainees have access to the Prison Telephone System (PTS) and E-Visit Kiosks. All prisoners and detainees are being offered free telephone calls via the PTS. All sentenced prisoners and detainees can send 16 letters per month at the prison's expense (increased from 12). Remand prisoners continue to be able to send unlimited letters.
 - (i) Additional E-Visit Kiosks are being deployed. The use of fixed tablets using video calling (Skype or other conferencing solutions) is being piloted. The emailprisoner.com.au service is in use at a number of sites.
 - (ii) Yes.
 - (iii) In the first instance the frequency of electronic assisted visits will be less due to technical limitations and the need to maintain social distancing.

CORONAVIRUS — PERSONAL PROTECTIVE EQUIPMENT**6095. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:**

I refer to the management of the COVID-19/coronavirus pandemic in Western Australia, and I ask:

- (a) What quantities of the following supplies will be required and provided to Department of Fire and Emergency Services staff:
 - (i) Long-sleeved gown;
 - (ii) Surgical face mask;
 - (iii) Face shield or goggles;
 - (iv) Disposable non-sterile gloves; and
 - (v) Hand sanitizer;
 - (vi) Anti-bacterial soap;
- (b) Are there any shortages of the above stores at any WA fire stations or within the Department of Fire and Emergency Services; and
- (c) If yes to (b):
 - (i) Which fire stations/operational departments have shortages;
 - (ii) How and when will these shortages be rectified?

Mr F.M. Logan replied:

- (a) As the duration of the COVID-19 pandemic in WA is unknown, the Department cannot advise what quantities of the supplies outlined will be required at this stage. However, all stations and facilities have sufficient stock of required PPE. DFES has an emergency cache containing disposable gloves and Nitrile gloves. DFES has personal issue goggles and crew breathing apparatus for operational use.
- (b)–(c) There are no current or forecast shortages of required PPE, hand sanitiser or anti-bacterial soap.

CORONAVIRUS — PRISON OFFICERS**6096. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:**

I refer to each of the following prisons: Acacia Prison, Albany Regional Prison, Bandyup Women's Prison, Broome Regional Prison, Bunbury Regional Prison, Casuarina Prison, Eastern Goldfields Regional Prison, Greenough Regional Prison, Hakea Prison, Karnet Prison Farm, Melaleuca Remand and Reintegration Facility, Pardelup Prison Farm, Roebourne Regional Prison, West Kimberley Regional Prison, and Wooroloo Regional Prison, and ask:

- (a) How many staff are currently on leave due to COVID-19/coronavirus (that is, they have been diagnosed with COVID-19/coronavirus symptoms); and
- (b) How many prison officer staff are on leave due to concerns about contracting COVID-19/coronavirus (i.e. they do not have symptoms but are on leave due to their concerns);
- (c) What is the minimum number of staff required to operate each prison should an outbreak of COVID-19/coronavirus occur?

Mr F.M. Logan replied:

As at Friday 15 May 2020:

- (a) 6 staff are isolating because of possible exposure to COVID-19/having some potential symptoms until they are given clearance to return to return to work. To date only 1 Prison Officer has tested positive to COVID-19. The Officer had returned from overseas and tested positive but had not returned to work.

- (b) 15 officers were on leave due to the following reasons:
- The mandatory period of self-isolation having returned to Western Australia from either interstate or overseas;
 - Care-giving responsibilities including for someone at higher risk of poor outcomes were they to contract COVID-19; and/or
 - Self-isolation due to pre-existing or underlying health reasons unrelated to COVID-19 but which put the individual at higher risk of poor outcomes were they to contact COVID-19.
- (c) The minimum number of staff required to operate each prison varies from site to site. There are processes in place for the continuation of service delivery in prisons notwithstanding any impact of staff on leave due to COVID-19. Each site has developed, as part of the Pandemic Planning process, Levels of Service Matrices detailing essential services for contingencies of 100%, 75%, 50% and less than 50% staffing levels.

CORRECTIVE SERVICES — INDIVIDUAL MANAGEMENT PLANS

6097. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

I refer to the Department of Justice, Adult Custodial Rule 18, which states that all prisoners serving an effective sentence of greater than 6 months will have an initial Individual Management Plan developed, and I ask:

- (a) As at 1 February 2020, how many prisoners were awaiting completion of their Individual Management Plan;
- (b) As at 1 April 2020 what has been the impact of COVID-19/coronavirus restrictions on the completion of prisoner Individual Management Plans?

Mr F.M. Logan replied:

- (a) As at 31 January 2020, 936 prisoners were awaiting completion of their initial Individual Management Plan (IMP). Of the 936 prisoners, 151 were within the 28-day timeframe set out in Adult Custodial Rule (ACR) 18 and 785 were outside the timeframe and therefore overdue.
- (b) As at 31 March 2020, 879 prisoners were awaiting completion of their initial IMP. Of the 879 prisoners, 153 were within the 28-day timeframe and 726 were overdue. The Department of Justice has been declared an essential services agency by the Western Australian Government and continues to assess prisoners in accordance with normal business practices.

CORONAVIRUS — PRISON PROGRAMS

6098. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

I refer to the training and rehabilitation programs run in Western Australian adult prisons, and I ask:

- (a) Which training and rehabilitation programs are currently suspended due to the COVID-19/coronavirus pandemic?

Mr F.M. Logan replied:

- (a) Reintegration Leave and the Prisoner Employment Program have been suspended.
- First Aid Training, Barista and Certificate IV Beauty Therapy training were suspended in line with Department of Health guidelines. The Department is taking steps to re-commence these services.
- Four casual tutors chose to cease tutoring in prison, due to their age and at-risk health status.
- Two contracted service providers ceased delivery of their Family and Domestic Violence programs in 4 prisons and 11 community settings. The Department has been working with these service providers to recommence service delivery which is anticipated by 4 May 2020. The Department has stepped in to assess individual cases in terms of risk and provide counselling where required.
- No other criminogenic rehabilitation programs have been suspended due to COVID-19, though some individual sessions did not run due to facilitator unavailability.

CORONAVIRUS — BANKSIA HILL DETENTION CENTRE

6099. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

I refer to youth offenders and children under the age of 18 housed at Banksia Hill Detention Centre, and I ask:

- (a) Have any education, training or life skills courses been suspended as a result of COVID-19/coronavirus;
- (b) If yes to (a) what alternatives are planned to support detainees?

Mr F.M. Logan replied:

- (a) No education, training courses and life skills courses that are provided by BHDC were suspended as a result of COVID-19. Education is running full school and is fully staffed. Five education, training courses and one life skills course, all provided by non-government/government organisations, were been suspended as a result of COVID-19; these courses have now recommenced. The suspension of the courses was at the direction of the non-government organisations, not the Department. The education and training courses recommenced 4 May 2020, while the life skills course recommenced on 1 May 2020.
- (b) Two (2) additional programs have commenced:
- Indigenous Players Alliance providing a recreation and education/training program for females and males.
 - National Suicide Prevention and Trauma Recovery Project providing culturally and gender specific mentoring for females.

CORONAVIRUS — BANKSIA HILL DETENTION CENTRE

6100. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

I refer to the transfer of young offenders to and from Banksia Hill Detention Centre, and I ask:

- (a) Are inter-regional transfers (e.g. from the Kimberley to Perth and back) continuing as at 9 April 2020; and
- (b) If yes to (a), what measures have been put in place to prevent the spread of COVID-19/coronavirus;
- (c) If no to (a), what interim detention measures are being utilised?

Mr F.M. Logan replied:

- (a) It is confirmed that intra-regional transfers are occurring for young people returning to the Kimberley from Banksia Hill Detention Centre (BHDC).
- (b) In response to the COVID-19 pandemic, BHDC has developed and implemented a Pandemic Plan which includes actions such as ceasing of social visits, social distancing during education and recreation activities, increased use of Personal Protective Equipment (PPE), and a focus on hygiene and cleaning practices. Regular monitoring occurs of the young people's health status by the medical staff. Specifically for young people returning to the Kimberley area, the Department has followed the directives of the Chief Biosecurity Officer and the Western Australian Police (WAPOL) arising from the Emergency Management Act and the Biosecurity Act. Banksia Hill Detention Centre was approved as a place of quarantine supporting the expedited transfer of young people into Bio Security Controlled Zones, with provisional approval extended to adult prisons.
- (c) Not applicable.

CORONAVIRUS — PRISONS

6101. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

- (1) What is the management framework for the release of a prisoner who has tested positive for COVID-19? (i.e. where will the prisoner be required to quarantine for 14 days)?
- (2) How will the 14 days of quarantine be managed?

Mr F.M. Logan replied:

- (1) A prisoner who has completed their sentence in full and who has tested positive for COVID19, will be released to freedom with a transition plan that is inclusive of ensuring the continuity of care with a community health provider, assessment of accommodation suitability and if necessary provided for.
- The possibility of discharge has been included in the assessment tools used by Nurses and Doctors to ensure this risk is identified early.
- This plan will identify a place where social isolation can be conducted in line with Australian Government – Department of Health medical advice.
- (2) A 'Managing Isolation Guideline' is available on the Australian Government – Department of Health website.

CORRECTIVE SERVICES — PRISON OFFICERS

6102. Mr S.K. L'Estrange to the Minister for Emergency Services; Corrective Services:

I refer to the Corrective Services Academy, and I ask:

- (a) How many prison officer graduates do you require to address staffing shortfalls by 31 December 2020;

- (b) Given your answer to (a) will you still be able to achieve this given the COVID-19/coronavirus restrictions:
 - (i) If yes to the above, what training competencies will not be achieved due to hygiene and social distancing requirements e.g. self-defence training; and
- (c) What training competency gaps will prison officer graduates be graduating with that need to be picked up at a later stage;
- (d) How will any training competency gaps impact on the operations of WA corrective services facilities?

Mr F.M. Logan replied:

- (a) Corrective Services has determined that it requires approximately 400 Prison Officers in calendar year 2020. The Academy Foundation Program Calendar 2020 has scheduled a total of 13 Prison Officer Entry Level Training Programs, resulting in an output of 308 Prison Officers. In addition, 85 Officers will transition from the former contractor to Melaleuca Women's Prison.
- (b) Corrective Services is committed to the delivery of all Programs in accordance with the Calendar, including a local Program delivered at Eastern Goldfields Regional Prison (EGRP) tentatively scheduled to commence in July 2020. Corrective Services will continue to monitor the ability to deliver all scheduled programs whilst managing the impacts of COVID-19.
 - (i) The Corrective Services Training Academy has augmented existing learning and development delivery technology with the implementation of alternate delivery methods (where practicable) such as Skype for theory based modules. Robust personal hygiene requirements have been implemented to reduce risks within specialised training modules such as Defence and Control, Basic Riot Control and Compressed Air Breathing Apparatus. Adjustments have been made to session plans and modes of delivery within the specialised elements to limit prolonged physical contact and/or frequent exposure to alternate training partners within the group. All training competencies and learning outcomes will be achieved in accordance with the Training and Assessment Strategy.
- (c) All trainees will transition from the Academy as Probationary Prison Officers to respective facilities having completed all requirements of Module 1 (off the job) of the Entry Level Training Program. Module II (on the job) will occur as normal in the workplace over the following 6 months. No training gaps will be carried over from Module I to Module II of the Program.
- (d) Not applicable.

HOMELESSNESS STRATEGY — COMMON GROUND FACILITIES

6105. Mr A. Krsticevic to the Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services:

I refer to the recent announcement regarding Common Ground facilities, and ask:

- (a) when is it estimated that:
 - (i) building site locations will be confirmed;
 - (ii) construction will commence; and
 - (iii) the facilities be complete and ready to accept tenants?

Ms S.F. McGurk replied:

- (i) The Department of Communities (Communities) is currently assessing potential site locations for the two Common Ground facilities. The first site will be within the Perth CBD area and second site within a regional/suburban location. It is expected that an announcement will be made in the next 10–12 weeks. Once site locations are confirmed, Communities will be able to finalise the construction and development timelines for the first and second sites.
- (ii)–(iii) Construction commencement and completion, along with service commencement dates are currently being defined. Dates for both facilities will be determined once site locations are confirmed. Estimated dates will be contingent on any limitations which may result from the COVID-19 pandemic.

