



Parliamentary Debates

(HANSARD)

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LEGISLATIVE ASSEMBLY

Tuesday, 15 March 2022

Legislative Assembly

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

PROCEDURE AND PRIVILEGES COMMITTEE

Third Report — Remote participation in Legislative Assembly proceedings — Tabling

MR S.J. PRICE (Forrestfield — Deputy Speaker) [2.01 pm]: I present for tabling the third report of the Procedure and Privileges Committee titled *Remote participation in Legislative Assembly proceedings*.

[See paper [1014](#).]

Mr S.J. PRICE: As members would be aware, during the previous two parliamentary sitting weeks the chamber trialled remote participation from various locations within Parliament House and around the state of Western Australia. The remote participation trial commenced on Wednesday, 16 February, when the member for Nedlands presented her speech remotely from her office within Parliament House. On Thursday, 17 February, the Leader of the Opposition asked the first and last questions in question time from her office inside Parliament House. The member for Kingsley also asked a question remotely from her parliamentary office. In the second sitting week, the Legislative Assembly trialled the use of remote technology from locations outside of Parliament House. There were questions from the member for Kimberley from her electorate office in Broome and the member for Southern River from his private residence. The member for Collie–Preston delivered a 90-second statement remotely from her electorate office in Collie and the member for Cottesloe delivered a 90-second statement remotely using his smartphone whilst in his Parliament House office.

As stated in the report, there is a strong possibility that COVID-19 will remain a significant risk for the 2022 parliamentary sitting year and that absences due to members self-isolating or quarantining or while taking precautionary measures because of COVID-19 could adversely affect the running of the chamber. Accordingly, the Procedure and Privileges Committee is of the view that remote participation should be permitted for the duration of 2022 to respond to the challenges posed by the current pandemic, subject to the criteria and conditions discussed within the report.

Again, I would like to thank the parliamentary broadcasting team in conjunction with the IT department for their work in setting up those members and making the trial a success.

I commend the report to the house.

BUSINESS OF THE HOUSE — TEMPORARY ORDER — REMOTE PARTICIPATION

Standing Orders Suspension — Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [2.04 pm] — without notice: In anticipation of an absolute majority being present on the floor of the house, I move —

That so much of the standing orders be suspended as is necessary to enable a motion to be moved forthwith for the house to adopt a temporary order in relation to remote participation by members.

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

Question put and passed with an absolute majority.

Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [2.05 pm]: I move that the house adopt the following temporary order —

That, until the end of 2022, the house authorises remote participation by members in the following manner —

- (1) “Remote participation” means participation by a member in the proceedings of the house via audiovisual technology.
- (2) The Speaker will determine the proceedings, and the manner in which members may participate remotely.
- (3) Remote participation will follow the Speaker’s Remote Participation Rules determined by the Speaker from time to time.
- (4) A member who participates remotely —
 - (a) cannot vote;
 - (b) cannot be counted for the purposes of a quorum; and
 - (c) cannot call for a division or a quorum.

- (5) A member who participates remotely is not to be regarded as having attended the house for the purposes of standing orders 26, 33 and 34, although they will be recorded in the *Votes and Proceedings* as having participated remotely.
- (6) The contributions of remote participants are a proceeding in Parliament and are to be included in the *Votes and Proceedings* of the Assembly and are to be incorporated in the *Hansard* record.
- (7) The Speaker's Remote Participation Rules have effect notwithstanding any standing order to the contrary.
- (8) Standing orders are suspended accordingly to the extent necessary to effect these arrangements.

In speaking briefly to the motion, the Deputy Speaker has presented a report that has outlined the considerations of the Procedure and Privileges Committee. It has considered the two-week trial when Parliament resumed in February and, as a result, we are moving the temporary order as outlined. Obviously, it determines the definition of "remote participation". It importantly highlights that you, Madam Speaker, will determine the proceedings and the manner in which members can participate remotely. Suborder (4) highlights the certain ways in which members will not be able to participate. The motion outlines that this temporary order will be in place until the end of 2022, and, of course, the standing orders will be suspended accordingly to the extent necessary to effect these arrangements. I know that the opposition has also considered this motion—in fact, the member for Roe is a member of this particular committee. I commend the motion to the house and note that if it is passed, the temporary order will be enacted immediately after the motion has been agreed to.

The SPEAKER: Just before I give you the call, Deputy Leader of the Opposition, I note for any members who have come in to make up the quorum for the suspension motion that that motion has been passed. You do not need to remain here for this motion. We do not need an absolute majority for this motion.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [2.09 pm]: Thank you, Madam Speaker. I am glad to see the chamber is clearing rapidly as I stand to speak!

Several members interjected.

The SPEAKER: I am just trying to keep the COVID-safe 24 in here!

Mr R.S. LOVE: Thank you. As the Leader of the House has said, the opposition is aware of this circumstance. The member for Roe has participated in the development of these measures, along with other members of the committee—I think the member for Cottesloe is on that committee as well—so we are quite happy to see this temporary standing order put in place. We have all been through the experiment. I think the Leader of the Opposition was the first or second person to ask a question remotely, or one of the persons to ask a question remotely, anyway. Certainly, remote participation could be of value as we move through this time in which people may have to quarantine, not necessarily because they have the virus, but because they are a close contact or for some other reason. This measure will enable people to continue to participate.

I notice that suborder (6) states that the contributions of remote participants are a proceeding in Parliament and are to be included in the *Votes and Proceedings* of Parliament and incorporated in the *Hansard* record. I assume that also means that they are covered by parliamentary privilege in the normal manner, which I think is an important matter to have defined at this point. I also note that there are Speaker's Remote Participation Rules. I have not had time to look at those in great detail, but I understand they are in the report as an appendix, so if anybody wants to know exactly how to go about it, they can look at the report and it is all there. We are happy to support this motion going forward.

Question put and passed.

SPEAKER'S REMOTE PARTICIPATION RULES

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.11 pm]: Members, with respect to the motion just passed by the house regarding remote participation in Legislative Assembly proceedings, I table a copy of the Speaker's Remote Participation Rules. As has been alluded to, these rules appear at the back of the Procedure and Privileges Committee report that has just been tabled and a copy will also be handed out to all members by parliamentary officers.

[See paper [1015](#).]

DR JACK BENDAT, AM — TRIBUTE

Statement by Minister for Sport and Recreation

MR D.A. TEMPLEMAN (Mandurah — Minister for Sport and Recreation) [2.11 pm]: I rise today to reflect on the achievements, generosity and commitment to the people of Western Australia by the late Dr Jack Bendat, AM, along with our heartfelt thanks, which should be officially recorded in this house. Dr Bendat passed away on 18 February aged 96.

Dr Bendat's decision to relocate from the United States to Perth in the 1960s was timely and fortuitous for him. As a relatively young man with a vision for coming global trends in property and retail development, it was perhaps no coincidence that he teamed up with two very young and visionary Perth entrepreneurs—Kevin Merifield, then the captain of the Subiaco Football Club, and Kerry Stokes. The partnership brought about a new era in Western Australian retail practices and created the revolutionary large shopping centre complexes that were already emerging in the US. The ultra-modern Dianella Plaza was the first of its kind in Western Australia.

For many decades, Dr Bendat and Mr Stokes continued in partnership, developing large shopping centres and other property ventures in the city and regional areas of the state. These successes allowed Dr Bendat to diversify into other unrelated business ventures in areas such as television, FM radio and viticulture. He founded the Golden West television network as well as many other ventures.

Dr Bendat's purchase in 2014 of the then ailing Perth Wildcats basketball team will leave a profound legacy to Western Australian sport. Under his tenure, the Wildcats enjoyed unprecedented success, becoming virtually perennial finalists, winning six National Basketball League championships and creating the most watched NBL team and the nation's most successful ever elite sporting franchise.

Dr Bendat's contribution to basketball transcends even the ongoing success of winning championships. The Perth Wildcats have raised the profile of their sport in Western Australia, inspiring thousands of boys and girls to participate in basketball at the grassroots level, making it one of the most popular team sports in Western Australia. It is fitting that the Western Australian basketball centre in Floreat is named in recognition of Dr Bendat's contribution.

It is appropriate that Dr Bendat's philanthropic gestures to health, vulnerable young people, sport and the arts has been recognised by his adopted state and nation by his appointment as a Member of the Order of Australia in 2009, being awarded WA's Citizen of the Year in 2002 and being granted an honorary doctorate by the University of Western Australia. Dr Jack Bendat has left a wonderful legacy to our state, and I would hope that his contribution and generosity are widely recognised and applauded by the members of this house and the people of Western Australia.

RODNEY MARSH — TRIBUTE

Statement by Minister for Sport and Recreation

MR D.A. TEMPLEMAN (Mandurah — Minister for Sport and Recreation) [2.14 pm]: It really is with deep sadness that I rise to speak to the house about the passing of Mr Rodney Marsh, who, as we know, passed away recently in Adelaide. As many members will be aware, Rodney Marsh was one of Australia's most successful cricketers, excelling as a wicketkeeper and accomplished as a batsman. He was also a Western Australian legend. Mr Marsh's achievements on the field were unarguably outstanding, and he showed true Western Australian grit and determination early on in his career.

Born in Armadale, he was spurred on by failure to gain selection in the WA schoolboys squad—the same squad that had enabled his brother, Graham, to shine. He went on to make his first-class debut for Western Australia as a batsman against the touring West Indies team in 1968–69, scoring both a duck and 104!

A natural leader, Rodney Marsh captained Western Australia to a Sheffield Shield and Gillette Cup double in 1976–77. He would later coach younger generations of cricketers at the Australian Cricket Academy in Adelaide, of which he was director from 1990 to 2001. His former protégés include Australian internationals Adam Gilchrist, Jason Gillespie and Brett Lee. Although the start of his test career was hardly auspicious—he was nicknamed “Iron Gloves” after dropping three catches in his debut—he showed true West Aussie grit by proving his eastern states detractors wrong.

By the time of his retirement, Rodney Marsh was considered one of the greatest the sport has ever seen, holding the then world record for most test cricket wicketkeeping dismissals—355. He had also stacked up 3 633 runs. He was known for his famous partnership with bowler Dennis Lillee, which yielded a record 95 test wickets, and was the first wicketkeeper to score a test century, making three by the end of his career.

Mr Marsh was made a Member of the Order of the British Empire in the 1982 New Year Honours and inducted into the Sport Australia Hall of Fame in 1985. He received an Australian Sports Medal in 2000 and a Centenary Medal in 2001, and in 2005, he was inducted into the Cricket Hall of Fame by Cricket Australia.

Although highly decorated, Rodney Marsh's achievements reached further than the boundary line. For kids growing up with cricket in the 1970s and early 1980s, Rodney Marsh was an inspirational figure. There is no doubt that his achievements and determination to succeed inspired many young people to take up the sport at a grassroots level. Rodney Marsh's passing is a great loss to Western Australia and our national sport.

I am privileged to have the opportunity to honour and acknowledge such an inspirational, hardworking and determined Western Australian in this place. I am sure that all members of the house will join me in extending our heartfelt condolences to Rodney Marsh's family, his many colleagues and his many, many friends.

Vale, Rodney Marsh.

HARMONY WEEK

Statement by Minister for Citizenship and Multicultural Interests

DR A.D. BUTI (Armadale — Minister for Citizenship and Multicultural Interests) [2.17 pm]: Rodney Marsh was a great Armadale legend.

Today, 15 March 2022, is the start of Western Australia's Harmony Week. Harmony Week is a state government community relations initiative that runs from 15 to 21 March every year. It is a week-long celebration of our cultural and linguistic diversity, culminating on 21 March, the United Nations' International Day for the Elimination of Racial Discrimination. Harmony Week encourages every Western Australian to find out more about this state's amazing wealth of cultural, faith, linguistic and ethnic diversity. It is a time to celebrate Australia's cultural diversity and the many benefits that it brings us. Harmony Week is an ideal opportunity to reflect on the things that unite us as well as appreciating our differences. It is important that we acknowledge that ongoing effort is needed to ensure that racism, prejudice and discrimination do not find a foothold in our society. Racism holds us all back by stopping our social, financial and intellectual development as people and as a state. Racism creates divisions that prevent people from leading full lives and stops our nation reaping the rewards that come with living in a multicultural society with diversity and equity embedded in its foundations.

Harmony Week enables us to discuss these issues openly while celebrating the achievements we have made so far. By increasing our understanding of each other, we make our home a more inclusive and harmonious place to be for all of us.

Last night, I had the pleasure of launching Harmony Week 2022 with the presentation of the Western Australian Multicultural Awards at the Ritz–Carlton Perth. This year, the typically gala event was held on a very small scale, but was streamed live to a large and appreciative audience. Madam Speaker, 10 award winners from a long list of nominees who have made a real impact on the lives of Western Australians were recognised and applauded for their outstanding contributions to our society. Winners included individuals and organisations, a local government, a sport champion, a spoken-word artist, community service providers and community leaders. I encourage members to read more about our inspiring award winners on the Office of Multicultural Interests website.

To recognise Harmony Week, a number of public places will be lit in orange throughout the week, including the Bell Tower, Elizabeth Quay and Matagarup Bridge. I wish everyone a happy Harmony Week!

MINISTERIAL TASKFORCE INTO PUBLIC MENTAL HEALTH SERVICES FOR INFANTS, CHILDREN AND ADOLESCENTS AGED 0–18 YEARS IN WESTERN AUSTRALIA — FINAL REPORT

Statement by Minister for Health

MS A. SANDERSON (Morley — Minister for Health) [2.21 pm]: I rise to inform the house that the McGowan government has finished its consideration of the *Final report—Ministerial taskforce into public mental health services for infants, children and adolescents aged 0–18 years in WA*. I have said before in this place that promoting better mental health and wellbeing outcomes is something I feel very strongly about and I am committed to continuing to advocate for this on behalf of all Western Australians.

Following the tragic death of 13-year-old Kate Savage in the care of the child and adolescent mental health service, the Chief Psychiatrist undertook a targeted review of her care at the request of the then Minister for Mental Health. His recommendations to address gaps in services needed to help those children who are critically mentally unwell and those who are most in need included the establishment of a ministerial task force to investigate and report on specialist public child and adolescent mental health services. The task force was chaired by Ms Robyn Kruk, AO, and has been guided by more than 100 members from three expert advisory groups including children and their families, mental health staff, and key government and non-government agencies. The task force findings and recommendations have been shaped by extensive engagement with hundreds of people from across Western Australia, through interviews, focus groups, workshops and submissions.

We have heard, very clearly, that it is too hard for families to get help; the current system is not listening to their needs, but also, and importantly, it is not working with them to address those needs. We have a very dedicated, incredibly passionate workforce committed to caring for and supporting children and adolescents who are impacted by the overwhelming demand for their services, which has increased by more than 70 per cent in six years. The current experience for a child and their family seeking help is stark and confronting. We cannot allow this to continue any longer. The task force's final report provides clear guidance supporting a contemporary, evidence-informed model of service and models of care for mental health services that will meet the needs of infants, children and adolescents, and their families, in Western Australia from the time they are born through to their eighteenth birthdays. The reform required is wideranging. It is big and complex, and it will take time. This government is committed to implementing all 32 recommendations in the final report in a staged and sustainable way.

I want to thank the task force and the expert advisory group for their work on the report. I want to give particular thanks to the contributors with lived experience, who have themselves been, at times, let down by the system. They

have shown strength and courage in putting together this report, to create change so that others will not experience what they have. To Kate's parents, Meron and Larry, who have shown compassion and courage to commit to and participate in this process whilst mourning the loss of their child, on behalf of the McGowan government and the Western Australian community, I thank you for your commitment to improving the system for all of our children.

QUESTIONS WITHOUT NOTICE

The SPEAKER: Members, I would like to advise that I have approved for the Premier to participate remotely today for question time.

COMMUNITIES — POLICE RAID

103. Ms L. METTAM to the Minister for Child Protection:

On behalf of the opposition alliance, I would also like to acknowledge the sad passing of cricket legend Rodney Marsh and extend our deepest condolences to his family, friends and fans.

I refer to the recent police raid of the home of an employee of the Department of Communities.

- (1) On what date did the Department of Communities alert the minister or her office about allegations of official documents being leaked by an employee of her department?
- (2) Was the minister consulted on whether the complaint should be referred to the Western Australia Police Force?
- (3) On what date did the minister become aware that police were to raid this employee's home in search of evidence?

Ms S.F. McGURK replied:

- (1)–(3) In regard to the questions being asked, it is an interesting use of terminology with regard to the execution of warrants. That was a police operational decision regarding the unauthorised removal of quite a large number of documents from the Department of Communities. Not only was there a large number of documents, but some of them contained very sensitive information, including details of children in care. It was those two points that led the Department of Communities to make a reference of this unauthorised access or removal of those documents from the department. The department made a referral to the Public Sector Commission, the Corruption and Crime Commission and also the police. That was not a decision that I made.

In regard to what date I was informed of that removal, I would need to check my records. I do not have that date in front of me. I was informed that a large number of documents had been, as I understand it, sent to an employee's personal email account and perhaps had been forwarded from there.

I was informed that the department was concerned about that and had made referrals to the external agencies that I referred to—the Public Sector Commission, the Corruption and Crime Commission and the police.

I do remember the execution of the warrants and the date because there was a State Disaster Council meeting. The director general and I both attend the State Disaster Council and it was the morning of 18 February. It was while sitting at that meeting, which I think started at 8.30 or nine o'clock in the morning, that the director general told me that the police had made a decision to issue or execute warrants. I do not know whether I am using the correct police terminology, but by that I understand they had a warrant to seize devices, perhaps a laptop or phones—I am not sure—so that they could investigate those concerns that the Department of Communities had raised with them. I understood that a large number of documents had been removed or sent—by removed, I mean sent to a person's personal email account and perhaps forwarded from there. I was told that the Department of Communities had then referred that to those agencies that I referred to. Then I understood that the police had decided to act on that by issuing or executing warrants in their investigation of those matters.

What is extraordinary to me is that there has been a commentary by the opposition that ministers—either myself or the Minister for Police—should have interfered in police operations and decided whether they should investigate; and, if they did investigate, how they should investigate. That is extraordinary. Hon Peter Collier, who is the opposition spokesperson as shadow Minister for Police; Corrective Services, said in *The West Australian* of 25 February, and I quote —

Mr Collier described the raid as “wrong on so many levels,” saying it was a waste of police resources and if the Government was going to send police to investigate every leak they would need to treble the size of the force.

I have got the greatest respect for the police force, but this is a culture coming from the top down ... from a Government that is absolutely obsessed with secrecy, and absolutely petrified of the truth,” he said.

...

“Never in a million years would I as a minister have endorsed the police going around to someone’s home ... that’s a sad reflection of the Government, but at the same time that puts police in a very insidious position.”

Is the shadow Minister for Police saying that ministers of the Crown should decide what criminal matters are investigated and how they investigated? Is that what the shadow Minister for Police is saying? He said also —

“Never in a million years would I as a minister have endorsed the police going around to someone’s home ...

I am not sure how he thinks the police should do their work, but I would be interested to know how he thinks they should carry out their operations and also what role ministers of the Crown should have in police operations.

I reiterate that what was reported to police, as was reported to the Public Sector Commission and the Corruption and Crime Commission, was a large number of documents—over 2 500 documents. Some of those documents contain spreadsheets with details of children in care. That is very sensitive and specific information. It was the scale and nature of that information that led the Department of Communities to make a report to police. I for one make no apology about that.

COMMUNITIES — POLICE RAID

104. Ms L. METTAM to the Minister for Child Protection:

I have a supplementary question. I will re-ask the question. When was the minister made aware —

Several members interjected.

The SPEAKER: Order, please! I really do not need any advice on enforcing standing orders.

Ms L. METTAM: On what date did the minister become aware that the police were to raid this person’s home in search of evidence?

Ms S.F. McGURK replied:

If the member had listened to my answer, I said that one of the dates that I could be specific about was the date that I heard about the executing of the warrants—that is, that warrants were executed to seize, as I understand, the devices of an employee who was suspected of unauthorised access to those documents. That was on 18 February.

CORONAVIRUS — RAPID ANTIGEN TESTS

105. Mr S.N. AUBREY to the Minister for Health:

I refer to the McGowan Labor government’s efforts to keep the Western Australian community safe throughout the COVID-19 pandemic.

- (1) Can the minister advise the house how the McGowan Labor government is making rapid antigen tests accessible to all Western Australians, particularly in regional Western Australia?
- (2) Can the minister outline to the house how Western Australia’s COVID-19 testing arrangements support Western Australian households?

Ms A. SANDERSON replied:

I thank the member for Scarborough for the question.

- (1)–(2) I am very pleased to say that the McGowan government has prepared well for this COVID surge. Part of those preparations involved ensuring a solid supply of rapid antigen tests across our community. RATs are an important part of the testing regime and have been endorsed by the Chief Health Officer as a diagnostic tool.

We saw with Omicron an impact that we had not previously seen with COVID, and that was that impact on furlough, critical supply chains and critical industries. It was not just the health and hospital system that was coming under strain with large numbers of COVID cases. We saw the PCR testing system in the eastern states overwhelmed. People were unable to find RATs in shops. We heard stories of symptomatic people being turned away from PCR testing centres, business groups warned employees that they were unable to return to work without RATs, dairy farmers could not get truck drivers to collect the milk at the farm gate and childcare centres were in crisis.

The cost of RATs can be an issue for WA families and that is why we have now prioritised providing access to 15 RATs to all WA families. No other jurisdiction in Australia has provided free access to RATs for households. About half a million RATs will be handed out at train stations, major events and shopping centres, in both regional and metropolitan areas. An additional 74 000 RATs are being distributed directly to households in remote and regional towns, and regional distribution is being prioritised. Every state member of Parliament will receive 1 000 RATs for constituents in need. New pick-up sites at the

Kingsway sporting complex car park will open from today to Thursday, from 7.00 am to 6.45 pm, replacing the Perth Airport site for RATs. There is currently a site in Rockingham from which people can collect RATs. Almost 650 000 families have registered for five free RATs. All those families will automatically be sent the extra 10 RATs. Half of those registered will receive their order by the end of this week. Also, 48 000 RATs will be distributed to Kimberley communities over the weekend.

We are able to offer this Australian-first free RAT program because we ordered over 100 million RATs. We used our time well to prepare our state for the COVID surge. We know that RATs provide comfort and security for members of the community to go about their business, to send their children to school, to go to work and to continue to visit their vulnerable and elderly parents. It is an important tool in our toolbox to manage this surge. All I hear from the opposition is petty opportunistic comments criticising us for transporting RATs via air freight at a time when we had global supply chain issues. If it were up to the opposition, we would be waiting for that supply. We got on the front foot and got those RATs in when we needed them. I am proud to say that we have been proactive in securing those supplies and we are giving them to WA households.

COMMUNITIES — POLICE RAID

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

My question is to the Premier.

The SPEAKER: He is on the screen!

Ms M.J. DAVIES: I refer to the recent police raid of the home of an employee of the Department of Communities.

- (1) On what date did the Minister for Child Protection, the director general or any employee of the Department of Communities raise concerns with the Premier or his office about allegations of official documents being leaked by an employee of the department?
- (2) On what date was the Premier made aware of the raid of the employee's home?

Mr M. McGOWAN replied:

- (1)–(2) Leader of the Opposition, I am happy to provide that information. For something of that level of specificity, it would have been good if the member had given me a bit of notice so that I could have given her the exact details and the exact dates of when I learnt what I did so that I did not in any way mislead the house. I am happy to provide that to the member. I think I provided this advice as to the exact times and days publicly to the media before. I am happy to provide the member with that advice if she gives me a little bit of notice. If she gives me notice, I will give her the information during question time tomorrow.

COMMUNITIES — POLICE RAID

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

I have a supplementary question. Thank you, Premier. Can I just confirm that despite this being an issue for two weeks now, the Premier is unable to confirm the time line for an issue that is significantly impacting one of the departments in his government?

Mr M. McGOWAN replied:

No, I cannot confirm that. All I would say to the member is that I am happy to provide exact details and exact time lines. If I try to rely upon memory as to exact times or dates, I may get the times or days wrong and, therefore, will have to correct the record.

Ms M.J. Davies interjected.

Mr M. McGOWAN: I think the Leader of the Opposition has been in Parliament for a while. To ask for those sorts of details without notice is not the normal process. Normally, a member would give a little bit of notice so that I can give details in relation to those matters. That is just the normal process of Parliament. People who have been here for a while understand these things after a period of time.

In terms of the broader issue, I endorse what the Minister for Child Protection had to say. I want the member to understand that the issue arose because someone allegedly transferred a whole range of very confidential documents from a server to a private email address. The number of documents in question is 2 646, including 351 presentations and 332 spreadsheets. Much of that concerns highly personal and individual information about hundreds of children in foster care, and also about foster care organisations. Private and confidential information has been removed, which would no doubt cause a great deal of concern for the people and the families involved. That is why it is actually a serious matter that should not be treated flippantly.

The SPEAKER: Before I give you the question, member for Mount Lawley, I might just note for the audiovisual staff that, in the chamber, parts of the Premier's response sounded like he was talking under water. Although I heard every word relatively clearly, some sections were hard to hear. As I understand it from during the trial, sometimes the outside broadcast is perfectly clear, despite the sound quality in here. That is something we will need to work on.

BAYSWATER TRAIN STATION

108. Mr S.A. MILLMAN to the Minister for Transport:

I refer to the McGowan Labor government's record investment in job-creating transport infrastructure.

- (1) Can the minister update the house on the work underway to deliver the new Metronet Bayswater train station and outline how this project is supporting local jobs?
- (2) Can the minister outline to the house what this project will mean for not only public transport users, but also truck drivers travelling through the area?

Ms R. SAFFIOTI replied:

I thank the member for that question.

- (1)–(2) On the weekend, I was able to visit another significant site where we are delivering our record infrastructure program. The Bayswater station project is well underway, members. This will be the new key junction for the Midland line, the airport line and also the Ellenbrook rail line. It will have a new four-platform layout. The station will be able to accommodate six-car sets. There will be new retail opportunities, two new entrances, an elevated principal shared path, two escalators and new amenities at the station. The significant work is there to see. Fluted pillars are now in place. Two beams have been installed —

Mr R.H. Cook: Fluted?

Ms R. SAFFIOTI: Fluted pillars. Two beams have been installed and another 24 beams will be installed over the next few months, and that is just for the southern section. For the northern section, another 26 beams and pillars will be put in place. There are over 350 jobs delivering our new Bayswater train station.

Of course, one of the things that will be disappearing as part of this project will be the Bayswater bridge. The very famous Bayswater bridge has its own website, is regularly featured in The Bell Tower Times and also, as I understand it, has a band named after it. Many trucks have, unfortunately, crashed into that bridge over many years, and one of the reasons has been the clearance, which is only 3.8 metres. The clearance for our new Bayswater bridge will be 4.8 metres—well above that. So we hope no more trucks will crash into that bridge.

It was a bit of an unusual decision, but we invited people's views on how we should celebrate the departure of the Bayswater bridge. People were pretty excited about contributing their ideas. As of today, over 250 submissions have been received on our website. I am of the opinion that there could be an iconic Western Australian coffee table book, a short video montage, a festival —

Mr D.A. Templeman: There should be an opera!

Ms R. SAFFIOTI: — an opera or some mime! Of course, there is also the option of breaking it up and selling it off for charity. That is another possibility. We will entertain all ideas, because this is the departure of a significant Western Australian icon.

A member interjected.

Ms R. SAFFIOTI: Let us hope the member does not! It could upset our program of works.

We know that it has had its own cult following. It will be a sad but also a very happy day for all the truckies who, unfortunately, have hit that bridge over many years. It will be a safer area, with, of course, a brand new Bayswater station.

COMMUNITIES — POLICE RAID

109. Dr D.J. HONEY to the Minister for Child Protection:

I refer to recent allegations levelled at an employee of the Department of Communities; the raid of her home by 10 police, which has resulted in no official charges; and the fact that Western Australian police have announced that they have dropped the investigation as it would not be in the public interest.

- (1) What date was this matter referred to the Public Sector Commission and the Corruption and Crime Commission?
- (2) On what date did the Department of Communities alert the minister or her office about allegations of official documents being leaked by an employee of the department?

Ms S.F. McGURK replied:

- (1)–(2) As the Premier has indicated, and I reiterate, I want to be accurate in the information I give Parliament. On the first question that the member asked with regard to when the Department of Communities advised the Public Sector Commission, I am sorry I do not have that date in front of me, but I am happy to get that date and, for the sake of ensuring that it is accurate, bring it before Parliament at the first opportunity.

I reiterate the point that it was discovered that a large number of documents had been downloaded and sent to an employee's personal email account and perhaps forwarded on from there. That was one of the issues of concern to the Department of Communities. The second issue was the nature of some of those documents.

The proposition that a report was made to police over one or two internal reports of the department is simply not true. In fact, the company that undertook one of those reports, the so-called Westerman report, is called Indigenous Psychological Services, so the idea that the IPS report and the subsequent PricewaterhouseCoopers report, which have now been made public, were the cause of a complaint to the police is just not true. That is not my understanding of what led the Department of Communities to make a report to police of a matter of the scale and nature that it was concerned about that could be the result of criminal activity because of the nature of the report.

It is important to highlight, too, that there is actually a requirement under the Public Sector Management Act for those matters to be reported to external authorities. I quote from a section of the Public Sector Management Act 1994: any information that indicates criminal conduct should be immediately referred to the WA police, in addition to notifying the Corruption and Crime Commission for advice and possible investigation. That is what the WA Public Sector Management Act says. That is what the Department of Communities did and I, for one, think that was a sound thing to do; and, if it did not do that, criticism would have been levelled at it.

COMMUNITIES — POLICE RAID

110. Dr D.J. HONEY to the Minister for Child Protection:

I have a supplementary question. The minister did not answer my second question, which was: on what date did the Department of Communities alert her or her office about allegations of official documents being leaked by an employee of her department?

Ms S.F. McGURK replied:

I am sorry, member, for not answering that question, but I understand that it is the same question that was asked by the member for Vasse; that is, on what date was I advised that a large number of documents had been sent to an employee's personal email account? That is the date I do not have. I am happy to supply that date to the member. I remember the date that the warrants were issued, because, as I said before, I remember that there was a State Disaster Council meeting on that day and I was advised after the warrants had been executed on the employee's house.

INVESTMENT ATTRACTION FUND — JOB CREATION

111. Ms M.M. QUIRK to the Minister for State Development, Jobs and Trade:

I refer to the McGowan Labor government's commitment to diversifying the Western Australian economy and creating new local jobs.

- (1) Can the minister outline to the house how the McGowan Labor government's recently launched investment attraction fund will contribute to a more diversified economy?
- (2) Can the minister outline to the house how the fund will create new local jobs and support new industry?

Mr R.H. COOK replied:

I thank the member for the question, because the member for Landsdale is as equally committed as the McGowan government to creating jobs through a strong, diversified state economy.

- (1)-(2) I was delighted to last week be in a position to launch the investment attraction fund, which was one of our central election commitments at the last election. I launched it at Spacecubed, which is a co-working and innovation space. It was great to be there to talk to the young innovators and entrepreneurs—those who are part of startups and those who are growing existing businesses—and to see the enthusiasm and excitement that they have for the future and the opportunities that exist in Western Australia. The investment attraction fund is one of the McGowan government's major commitments and will assist in bringing further investment and jobs to WA. This important program encourages new investment that will create jobs, increase demand for local goods and services and secure trade in new sectors within new markets. As members will be aware, the state's commitment to diversify the economy is crucial to the future prosperity of Western Australia.

The fund builds on WA's existing strengths and industry knowledge, prioritising projects and sectors that are identified in the state's economic development framework, Diversify WA. Just to remind members, these priority sectors for strategic development include energy and hydrogen, agriculture and primary industries, defence industries, space industries, health and medical life sciences, international education, tourism events and creative industries, and mining equipment technology and services. The businesses seeking to establish and grow their operations in WA are encouraged to submit an expression of interest to the fund through Invest and Trade WA. Businesses throughout Australia and, indeed, internationally will be able to apply for the fund, whether it is about starting up, growing or diversifying a business, or looking to establish themselves to make Western Australia their headquarters. Shortlisted applicants will be

invited to submit a more detailed proposal as the processes progress. To ensure the fund operates with the proper oversight and efficiency, a governance board has been established to assess expression-of-interest submissions and applications with a diverse mix of senior WA government and independent industry representatives. The McGowan government, through Invest and Trade WA is leveraging the state's unique strengths in diverse industries to attract investment with the fund being utilised as an important means to incentivise interstate and foreign investment. We know that economic diversification is hard and it will be a long road to ensure our economy can be integrated into those strategic sectors; however, this initiative is another positive step in the journey towards the state's expansion into industries other than raw mineral extraction. I am sure all members in this place will share my determination to see the WA economy diversify and look forward to the opportunities the investment and attraction fund will bring to the Western Australian economy.

CORONAVIRUS — RESTRICTIONS

112. Mr P.J. RUNDLE to the Minister for Health:

I refer to the devastating news that one of the state's best-loved Telethon fundraising events, the Port to Pub swim, has been denied an exemption to go ahead.

- (1) On what basis was this event denied its application to go ahead?
- (2) Why did it take 11 days for organisers to be told this news?

Ms A. SANDERSON replied:

- (1)–(2) I am always amazed at the opposition's attempt to second-guess or rewrite public health advice with no qualification whatsoever to do so—no qualification whatsoever! The decision to cancel the Port to Pub event was made by the organisers. My office notified them early when level 2 restrictions went on and did enormous amounts of work with the organisers around that event. They have been in conversations every day, up until the point that they decided to cancel the event. They were given options by the Chief Health Officer, who is the appropriate authority in this instance. We do not interfere with public health advice—just like we do not interfere with police investigations. The Office of the Chief Health Officer is a statutory body. It worked with the organisers, and gave them an exemption and a 500-person cap. It told them very early on that they would probably be capped at 500 people as per the directions, but they continued to promote the event. That was a decision for them. We have been in discussions with them, essentially, since imposing the level 2 restrictions. To say that somehow the government cancelled the event is wrong; the organisers cancelled the event. To say that somehow the government should interfere in public health advice and favour one event over another because it fundraises or has some other purpose is also wrong.

Mr P.J. Rundle interjected.

Ms A. SANDERSON: It is also wrong.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, we can do without that contribution.

CORONAVIRUS — RESTRICTIONS

113. Mr P.J. RUNDLE to the Minister for Health:

I have a supplementary question. When does the minister plan to remove level 2 restrictions so the inconsistency that allows 30 000 people at Optus Stadium but cancels outdoor community events is resolved?

Ms A. SANDERSON replied:

It will be when the health advice tells us to.

GOVERNMENT REGIONAL OFFICERS' HOUSING

114. Ms L. DALTON to the Minister for Housing:

I refer to the McGowan Labor government's commitment to supporting local jobs in regional Western Australia by expanding worker accommodation, in particular, in the midwest and Gascoyne regions.

- (1) Can the minister update the house on this government's significant investment in Government Regional Officers' Housing as well as the release of land worker accommodation?
- (2) Can the minister outline to the house how this will benefit the towns and communities in this region?

Mr J.N. CAREY replied:

I thank the member for her question.

- (1)–(2) We know we are in extraordinary times, facing a global pandemic. This has meant pressures across Australia's housing market. Across Australia, we are facing the demand for skilled labour, supply chain issues, and, of course, more Australians are returning home and also returning home to Western Australia.

We, like all states, are not immune to the pressures, but we are doing everything we can right now to tackle both housing and land supply. Our building bonus grant, as we know, is already delivering a huge new supply of housing in both metropolitan and regional Western Australia: 27 000 metropolitan building approvals and 4 000 regional building approvals. We are also focused on land supply through the \$116 million regional land booster program, which has released around 400 industrial and residential lots. We also understand that land is critical to enabling local economies to grow in regional Western Australia but, particularly, releasing land for worker accommodation. I am really proud to be the Minister for Lands; Housing helping to drive this program and to work with local government. We were already delivering on election commitments. We have worked closely with the Shire of Northampton to identify an appropriate location. Last week we released a registration of interest to the market to identify a suitable proponent to develop the land for worker accommodation. We know that this is needed in Kalbarri, not just right now but into the future, and it will help to grow this economic centre. We have already released a registration of interest for worker accommodation in Exmouth. Again, we worked with the Shire of Exmouth and the Gascoyne Development Commission, and they are working through that now to identify a preferred proponent. In fact, I met with the Shire of Exmouth today. As a minister, I make myself very accessible to local governments. We talked about other options to develop temporary or permanent worker accommodation and general land supply in Exmouth.

The government is now investing around \$200 million to maintain, improve and expand Government Regional Officers' Housing in Western Australia. They are popping up everywhere. We have 17 new GROH properties currently under construction, with another 35 properties being planned. We have purchased 27 new homes for GROH, with negotiations for a further 10. In the Gascoyne and the midwest, we have begun construction of two GROH properties in Carnarvon. We are making a concerted effort to invest in both land and housing supply so that we can grow those regional communities, but we are also looking to the future, when the boom will recede, by using our social housing fund and the housing diversity pipeline to create further work, further jobs and further housing and land supply.

PREMIER'S COMMENTS — GOLD-STANDARD TRANSPARENCY

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

There he is. I refer to the reports by WAtoday on 9 March that quoted the Premier as saying that his gold standard of transparency does not apply to every single thing that he does. Can the Premier explain to the Parliament what issues he has dealt with and decisions he has made without applying the gold standard of transparency that he promised?

The SPEAKER: I can see the Premier.

Mr M. McGOWAN replied:

Speaker, can you hear me?

The SPEAKER: Yes, I can.

Mr M. McGOWAN: Thank you. Deputy Leader of the Opposition, I think that article referred to some evidence I provided in the court case in Sydney last week in relation to the matters surrounding the defamation action launched against me by Mr Clive Palmer, so I have to be very cautious and careful in what I say about that and I will not comment directly on that. What I will say, on a broader issue, is that the member might recall that in 2020, we brought legislation to Parliament to deal with a \$30 billion claim by Mr Clive Palmer against the state of Western Australia. That amount is the equivalent of the entire state budget and would have devastated the state's finances for generations. We obviously took action in relation to that, as the member would be aware as he was in Parliament. The action we took was confidential as we prepared and undertook the process of bringing in that legislation. As I said last week, and I will say it again now, that was required in order to save the state. I think the evidence is there that we did the right thing.

PREMIER'S COMMENTS — GOLD-STANDARD TRANSPARENCY

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

I have a supplementary question. There is some level of confidentiality with cabinet and for other reasons, but does the Premier think that his gold standard is not a gold standard at all, given his comments that he does not always apply it?

Several members interjected.

The SPEAKER: Order, please, members! Premier, just wait a moment; I am waiting for order.

Mr M. McGOWAN replied:

I do not think that is a correct assessment of the way the government acts. The Nationals WA have meetings and the cameras are not invited in. People do not hear what members of the Nationals say in those meetings. The same thing occurs when the Liberal Party has party room meetings, meetings of shadow cabinet or whatever other meetings it might have. There are occasions when it is just commonsense that meetings are held without there being public scrutiny of them. When the National Party holds its meetings before question time—I assume it does—to discuss

what questions members might ask and to strategise, it does not advise me, invite my team or invite the cameras in to hear about it, so obviously that process is confidential. The idea that every single thing one does in public life should be open to public scrutiny, particularly when preparing for parliamentary debates or something of that nature or engaging in cabinet deliberation processes, is frankly ludicrous.

In terms of the broader issue, as I said before, in 2020 we had to deal with the \$30 billion claim against Western Australia by Mr Clive Palmer. That was a potentially devastating event for Western Australia. The government put in place the measures it had to in order to protect the state. If I had my way again, I would do exactly the same thing.

AUSTRALIAN MARINE COMPLEX — DRY DOCK

117. Mr D.A.E. SCAIFE to the Minister for Defence Industry:

I refer to the commonwealth government's announcement today of its commitment to build a dry dock in Western Australia. Can the minister inform the house of the role the McGowan Labor government has had in this decision by the commonwealth government, and can the minister advise the house what the years of planning, preparation and investment by the McGowan Labor government at the Australian Marine Complex means for WA jobs?

Mr P. PAPALIA replied:

I thank the member for his question and for his wholehearted advocacy on behalf of the defence industry in Western Australia, and particularly in his electorate.

The fact is that before the McGowan government came to power in 2017, Western Australia had no voice in the national defence debate. There was no representative agency within government that had the sole responsibility of advocating for the defence industry. We fixed that. We created Defence West, we appointed a defence advocate and we recruited a defence industry advisory forum to push forward advocacy of the defence industry in Western Australia. We did that in 2017. In 2018, we commissioned a retired major general, Jeff Sengelman, to compile a *Western Australian defence and defence industries strategic plan*, which he did in conjunction with the office of the then Minister for Defence, Christopher Pyne. That was the first time that collaboration had occurred, and it was solely a result of this government's initiative. That strategy led to us releasing a strategic infrastructure and land use plan for the Australian Marine Complex in 2020. That plan identified the need for a graving dock in Western Australia, in accordance with the Department of Defence's *2020 Defence strategic update*. That was again done in collaboration with the federal government and looked at the strategic needs of the nation, Western Australia and its industry, and identified the need for a dry dock. Since that time, we have invested over \$190 million in upgrades to the AMC on top of previous investments of \$300 million, mostly by Labor governments in Western Australia, to create the world-class facility of the Australian Marine Complex. In addition, we have committed over \$18 million to support WA industries to develop the workforce needed to deliver the equipment needs of the Australian Defence Force. The McGowan government is absolutely committed to ensuring that Australia has the best possible Defence Force equipped with the best possible equipment, and the Western Australian defence industry is right behind it by ensuring the best support to our Defence Force.

What happened with this dry dock initiative is that for the last two years, Defence West has been working with the Department of Defence, the Navy and the office of the Minister for Defence Industry on the proposal. I am very glad to acknowledge and commend the federal government's announcement. I think the \$4.3 billion figure may be a little elevated; I suspect the federal government may have rolled in previous announcements of funding that is already underway at HMAS *Stirling*—normal course of event-type expenditure on the expansion of the facilities at HMAS *Stirling*. Nevertheless, it is wonderful to see the commitment by the federal government and I look forward, with Defence West and Western Australian public servants, on delivering a strategic asset for the nation.

MINISTER FOR CHILD PROTECTION — PERFORMANCE

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

I refer to damning reports that point to endemic and widespread racism in the portfolio of child protection, the police raid of an employee's home, reports of unsafe workloads for staff, failures to meet child safety key performance indicators, and a walkout of exhausted and stressed child protection workers right now. When will the Premier show leadership and sack the Minister for Child Protection?

Several members interjected.

The SPEAKER: Order, please, members!

Mr M. McGOWAN replied:

It is beneath the Leader of the Opposition to launch these sorts of silly, childish and nasty attacks on a minister who is doing a good job in a very difficult portfolio. As anyone who has ever held that portfolio would understand, the minister is dealing with complex issues across a very large state, with people with long-term and sometimes intergenerational issues that are trying to be resolved on a daily basis by committed staff in difficult positions, in difficult locations. What I have noted about the minister is that she is deeply committed to improving the lives of, particularly, people who are disadvantaged and children who are in a position of need. It is a cheap and nasty attack.

In terms of the actual resourcing for the agency, in our time in office, since 2017, we have increased the staffing levels of child protection workers by over 200. That is significantly more than was done during the previous eight years of the last Liberal–National government. It is a massive increase in the number of child protection workers out there across Western Australia. The government made that available because we managed the finances properly in Western Australia, which has allowed us to invest in important initiatives like that.

I also note—the minister has said this and I think it deserves some acknowledgement—that the number of Aboriginal children in care has actually declined. It is the first time, I think, in many years, if not ever, that the number of Aboriginal children in care has declined, because we have worked very, very vigorously with families to ensure that they are able to look after their children, and fewer children are removed into another form of care, which is an important and under-acknowledged achievement for Aboriginal people across the state.

The Leader of the Opposition will no doubt have her matter of public interest motion and I expect it will be full of a bunch of wild and excessive statements and falsehoods, but the minister is doing an outstanding job in a difficult portfolio.

MINISTER FOR CHILD PROTECTION — PERFORMANCE

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

I have a supplementary question. Thank you, Premier. If secret reports that sit on the shelf unattended, raids on whistleblower homes, failures to meet child safety key performance indicators and strikes by child protection workers underway right now is an acceptable standard for a minister in the Premier's government, what does a minister need to do to be relieved of their portfolio?

Mr M. McGOWAN replied:

I think that is just a repeat of what the Leader of the Opposition said before. The number of additional staff we have put in as child protection caseworkers has grown by 28.6 per cent, which is a total of 201.8 full-time equivalent employees, over our time in office. During the Leader of the Opposition's last term in office, it was 13.3 FTEs. We have increased the number by 201; during the Leader of the Opposition's last term in office it increased by 13. Over the Leader of the Opposition's entire time in office, the number of caseworkers increased by 78; over eight and a half years, it went up by 78. Over our five years in office, it has gone up by 201. These are the people on the ground who work with children who are in need of care and are under the department's sole protection. So that is a demonstration of a minister who comes to the Expenditure Review Committee and through the budget process actually gets outcomes that assist vulnerable children who are in need.

On the other issue of the documents that were removed from the department, as I outlined to the Leader of the Opposition before—I think the Leader of the Opposition needs to listen to this—2 646 documents were removed, including 151 presentations and 332 spreadsheets that included highly confidential personal information about children in care. That information should not be removed from the department. It is not the sort of thing that should be available to be released, and so that is why it was a significant issue. The department initiated the actions as required under the Public Sector Management Act 1994, which was passed by Richard Court and Hendy Cowan when they came to office, the best part of 30 years ago, and which has not been changed. They are the processes that are required by law. The context, or the tone, of the Leader of the Opposition's question is that somehow the government or the department should have broken the law, or the minister should intervene to enforce the breaking of the law. I do not understand why the Leader of the Opposition would suggest such a thing. I do not understand why anyone would suggest such a thing. You have to act with propriety when you are in government. The minister and the government have allowed for the processes of the department and the police investigations, perhaps in conjunction with their lawyers and whatever, to run without political interference by the minister or me or any other members of the government. The tone of the Leader of the Opposition's question is that it should be all political and somehow the law—the Public Sector Management Act—should be broken. That is just not something that is appropriate and it shows how unfit for office the Leader of the Opposition is.

The SPEAKER: That concludes question time.

BILLS

Assent

Messages from the Governor received and read notifying assent to the following bills —

1. Courts Legislation Amendment (Magistrates) Bill 2021.
2. Poseidon Nickel Agreement Amendment (Termination) Bill 2021.

RAILWAY (METRONET) AMENDMENT BILL 2022

Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the bill.

PAPERS TABLED

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

COMMUNITIES — POLICE RAID*Question without Notice 103 — Supplementary Information*

MS S.F. McGURK (Fremantle — Minister for Child Protection) [3.19 pm]: I want to make a clarification about an issue raised in question time. I said that I would find the information and give it to the Parliament.

The SPEAKER: I will allow you to go ahead, briefly.

Ms S.F. McGURK: Thank you.

The question was asked of me: when was I informed that the Department of Communities advised police of a possible data breach within its organisation? I can advise that I was advised of that on 25 January after the referral had taken place. I reiterate that I was advised that the warrant had been executed on 18 February after it had been executed.

COMMUNITIES — MANAGEMENT*Notice of Motion*

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

That this house condemns the McGowan government's dangerous management of the Department of Communities, placing the health and welfare of the state's most vulnerable people at risk.

MINISTER FOR CHILD PROTECTION — PERFORMANCE*Matter of Public Interest*

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

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

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [3.20 pm]: I move —

That this house calls on the Minister for Child Protection to resign following the disgraceful police raid on a Department of Communities' worker, her oversight of a department with a toxic culture, and her failure to act on at least two reports that state there is widescale and endemic racism within the organisation.

Nothing that we just heard during question time gives me any confidence that this minister should continue in this role. She should resign. It is plain and simple. It beggars belief that the Premier continues to support a minister who is charged with looking after the state's most vulnerable children, a minister who has been sitting on reports that concluded that the department she is responsible for is plagued by widescale and endemic racism, and a minister who has her hands on a report that says her department is at crisis point in relation to providing services to improve the lives of Aboriginal people, yet who has done nothing. What could be more damning than a survey of 295 child protection staff revealing that not one of them believes that the Department of Communities ensured a culturally safe work environment?

Before I go any further, in relation to the questions that were asked of the minister and the Premier in question time today, given that it has been two weeks since these revelations were made about these reports and what has emerged over the last two years, it is inconceivable that the minister did not have at her fingertips the dates that the opposition was asking for. Quite frankly, the Premier's response was equally as baffling. When there is an issue of this scale, the first thing a minister does is make sure that they are briefed on the time line in anticipation, at the very least, that the opposition will raise these questions in Parliament and that others will do the same so that the minister can provide accurate information to not only the public, but also the Parliament. The Premier and the minister were unable to provide those answers. It is either incompetence because the minister's office has not provided appropriate briefings or the government is hiding something.

It should not take three goes during question time to get a very simple question answered about when the minister was first advised there was an issue in her department when talking about documents that were alleged to have left the department. That is what we were asking. Three times the minister and the Premier were unable to answer those questions, yet it has been two weeks since this became public. It has been two weeks for the minister, the Premier and the government to make sure they have looked at the time line and are able to provide answers to the Parliament and the public.

The issues that have been raised are serious. This minister is responsible for the most vulnerable children in our state. What could be more appalling than a report that the minister has not acted on and kept hidden away? The report states there is "widescale and endemic racism" within this organisation and that racism had led to worker burnout, that there is a clear and strong perception that there was a lack of respect for the skills of Indigenous workers and there is a strong perception that there is a lack of respect for the clinical qualifications of Aboriginal workers.

What does it say about a minister and a government that have been in charge of this department for five years that the overall perception felt by Indigenous staff in this department is that they were of less value than non-Indigenous staff? How is it that the minister sat on the original report conducted by Dr Tracy Westerman and then went on to ignore a second report by PricewaterhouseCoopers that revealed concerns that none of the recommendations of the first report had been implemented? This minister had a second report stating —

- The Department is observed to be slow in adopting and enacting change and is often not responsive enough to drive the level of transformation that is required to improve Aboriginal outcomes.

It was reported that the department was siloed, that it said one thing publicly and did another, and that it seemed to have lost its sense of humanness.

That is in the report that followed the original report. This minister has done nothing to ensure that the department is acting on what is a very concerning original report that raises serious concerns about that department and the people who are charged with looking after our most vulnerable children. What an indictment on a minister charged with that responsibility. She should resign. She should resign because the rot that is seeping through the department is driving people to despair. They have actually walked out and off the job today, as we speak in question time. Responsibility for taking action, driving people to despair and jeopardising those who are in the care of the state stops with the minister. For five years this minister has been in charge. What did the minister do when the contents of the report became public—the concerns raised by a whistleblower? The minister stood by and condoned a full-blown police raid on a worker from the department. That police raid has been declared a miserable failure by former police commissioner Karl O’Callaghan. The police raid sent shock waves —

Several members interjected.

Ms M.J. DAVIES: I do not think this is a laughing matter, members. It is absolutely not a laughing matter. We are talking about a serious matter and I will have on record in *Hansard* that there are ministers in this chamber who are laughing at the serious nature of the issues we are bringing here on behalf of the most vulnerable people in the state.

Several members interjected.

Ms M.J. DAVIES: The police raid sent shock waves through the department and the rest of —

Several members interjected.

Ms M.J. DAVIES: The Minister for Health’s department is no better, and you know it. You cancelled the survey. You cancelled your survey.

Point of Order

Ms L. METTAM: I would like to hear the Leader of the Opposition. The members opposite were actually laughing about the contributions that we were making, which is highly disrespectful, given the nature of the debate.

The ACTING SPEAKER (Ms A.E. Kent): Leader of the Opposition.

Debate Resumed

Ms M.J. DAVIES: Imagine the horror of those who have been working in substandard conditions under the minister’s watch. They are overworked, under-resourced and stretched beyond comprehension undertaking the toughest of jobs. We understand that it is a difficult portfolio, but the government’s response to information that has been brought to light by a whistleblower trying to highlight the issues that were getting no traction under this government to improve the internal workings of a department that is charged with such a responsibility, was a police raid for a document that has now become public, because the opposition and the media were pushing and asking for it. That document is listed on the warrant with just six other documents, so there are seven documents, not the thousands of documents that the Premier was quoted as saying had been leaked. We know that the Premier is prone to making sweeping statements. The Premier said it was thousands, but there were seven documents listed on the warrant and 10 police turned up to the Department of Communities employee’s house. I think that even the police have questioned whether that original decision was the right thing to do. They have since decided that it is not in the public interest to pursue this matter any further. We have serious crime issues in this state, with significant numbers of police dealing with the COVID response, and we have police using 10 officers to raid an individual’s home. Before the government starts accusing me of attacking the police, I am not. These comments are entirely in line with those made by the Premier five years ago when he was in opposition about a police probe into pro-euthanasia advocate Alida Lancee. These were his exact words —

The police only have so many resources and I think they need to worry about things that matter most to people: armed robberies on our streets, dangerous drivers in our community and the methamphetamine crisis.

They were the Premier’s words. So before government members start accusing us of attacking the police, just remember that their own Premier raised similar concerns when there was a raid made on pro-euthanasia advocate Alida Lancee. That is not so when we ask questions now about the whistleblower in the Department of Communities

under the Premier's watch. It is a case of collective amnesia from the Premier and the minister. They have made various statements about who knew what and when over the last two weeks. It has been reported in the media that a number —

Ms L. Mettam interjected.

Ms M.J. DAVIES: Exactly. I thank the shadow Minister for Health.

There have been inconsistencies about what role the government had in and what knowledge it had of this issue. That is setting aside the fact that for two years prior there had been reports gathering dust on a shelf in the department about the inner workings of this department being in chaos and crisis. That question is most serious.

The question still remains: who knew what and when? I do not think those questions have been cleared up. The Premier certainly did not answer that question today. That is especially relevant now that the Director of Public Prosecutions has made a very sensible decision not to pursue the matter any further. The questions that we have about the time line still stand. It would go a great way towards getting rid of some of the secrecy surrounding this issue if the minister just tabled a time line of when this issue was first raised with her, who was advised, how they were advised and who she spoke to in the government and the department as it emerged. Simply make it public; table it in Parliament. If the minister needs a precedent, she can look at one of the issues I had to deal with as Minister for Water. I anticipated being asked questions about a matter in relation to the Water Corporation board. I knew it was going to be an issue raised by the opposition. I turned up to Parliament with a time line that had been thoroughly confirmed by every stakeholder involved in that particular issue and tabled it. What we got today was evasion or incompetence, and I will leave it up to everyone else to decide whether it is one or the other. The buck stops with the minister. She has been in charge for five years. The department is completely dysfunctional and it is failing in its duty of care for its staff and the clients on its watch. It is time that we saw some action either from the Premier to remove the minister and put a fresh set of eyes in the portfolio, or for the minister to remove herself and say that in five years this department has not achieved the things that it should have and that we are putting the people who are most vulnerable in our state at risk.

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [3.34 pm]: I also rise to support the motion moved by the Leader of the Opposition —

That this house calls on the Minister for Child Protection to resign following the disgraceful police raid on a Department of Communities worker, her oversight of a department with a toxic culture, and her failure to act on at least two reports that state there is widescale and endemic racism within the organisation.

I certainly mirror the comments made by the Leader of the Opposition. What an insult to Parliament today, and also to the people of Western Australia, that there are some very basic problems with the time line of events—what the Premier knew and what the Minister for Child Protection knew about such a significant issue for this state. It is not just an insult to Parliament, but to the people of WA. It is quite extraordinary that the Premier was unable to answer such basic questions about the alleged leaks and that the Minister for Child Protection was unable to either. I share the concern and dismay that we have a minister who is so willing to avoid transparency and scrutiny that she throws her staff under the bus to avoid it. She is a minister who is so out of touch with her workforce, that its members have resorted to the most drastic action today in a desperate attempt to seek change within a department that is significantly challenged under this government's watch. It is an extraordinary effort from the very workers that she used to represent as a spokesperson for UnionsWA, who are so frustrated by her inaction that they have taken this action as a cry for help.

This is not a new issue. It is an issue that has been simmering for more than a year as the union has attempted to engage with the minister. There can be no doubt that the outrageous armed police raid on a worker's house last month and the minister's response to it has also fuelled this dissent. As we have heard from the Leader of the Opposition, both the minister and the Premier have repeatedly dodged questions in the media, and also failed to provide basic information today in question time about who knew what and when. They have kept themselves at arm's length, hiding behind the line that there is a police investigation to ensure they do not have to say exactly what they knew before this outrageous raid took place. Instead, we have the minister charged with looking after our most vulnerable children, who was responsible for ensuring those staff who were on the front line had the resources and support they needed to care for and make decisions for our most vulnerable children, standing by and claiming ignorance as armed police stormed the house of one of these valuable workers at six o'clock in the morning in front of her children. That is an extraordinary effort! It is an absolutely absurd and ludicrous use of police resources.

Several members interjected.

The ACTING SPEAKER: Ministers!

Ms L. METTAM: What was the outcome of that?

Several members interjected.

The ACTING SPEAKER: Ministers.

Ms L. METTAM: What was the outcome of that raid? Police were apparently looking for some documents. There were seven papers listed on the warrant, which is quite counter to suggestions made by the Premier again today in question time. Why would at least 10 police officers, some armed, be required for that? There has been no suggestion in reports of the leaked confidential information about specific cases or that there are thousands of papers, so how on earth could this kind of response ever be deemed proportionate to the risk or justified? It must have been incredibly frightening for the worker and her family, particularly the young child, to wake up to armed police swarming their home. There is no doubt about the trauma and impact this event will have on this family even long after our minister has moved on.

Despite no charges being pursued and no evidence of wrongdoing, this sends a direct and threatening message to any child protection worker who would consider raising concerns on the back of a minister who has failed her department. It is a strong message that there will be consequences. It is hard to explain the raid any other way. It is clear that this department, charged with caring for and protecting our most vulnerable residents, is at crisis point. We know that there is deep dissent within the department, and the Leader of the Opposition has pointed to the department for child protection survey. We know that this incredibly important workforce has repeatedly been asked to take a higher number of case loads, and most often, potentially dangerous, at the expense of those they are trying to protect. I refer to the report by Dr Tracy Westerman. We also know, as identified by the report undertaken by Dr Tracy Westerman, that there have been serious endemic issues of racism within the department. Where has the minister been in relation to all of this? Just talking the talk. I quote the minister —

I am proud to be part of a government that will not be distracted in the hard task of this reform and the work that we do in partnership with the community sector and Aboriginal-controlled organisations to achieve better outcomes for vulnerable children and families in Western Australia.

On 19 January this year, we heard the minister say that the Department of Communities is all about people. She is proud of the department, except when those reforms seem too hard or those dedicated employees feel so desperate and despondent that the only way to shine a spotlight on these issues is to go to the media or to take industrial action, which is what we have seen today. This minister will not stand in the corner for her workers; we have seen quite the opposite. Instead of seeking to work with those child protection workers, this minister has turned a blind eye to these issues when raised in Parliament and she has overseen what has been an extraordinary police raid, which has not been pursued in the form of any charges. Instead of negotiating and working with the union representing these concerns, this minister has turned a blind eye. Today it has come to a head again because the workforce is simply burnt out and morale is low.

From budget estimates in the Legislative Council last year, we learnt from the director general Mike Rowe that a total of around 1 100 people are employed in the child protection workforce. He told the committee that at that time, vacancies were running at about 100 positions. We know that this situation has not improved. The representing union—the Community and Public Sector Union—Civil Service Association of WA—believes that the shortage is much larger. It is calling for an additional 200 full-time child protection workers. The union secretary, Rikki Hendon, told *The West* in January that the union has been trying to raise the issues of chronic understaffing with government for more than a year and is frustrated by government inaction. This is now impacting the work of child protection workers, and I quote —

“Workers carry excessive, unsafe and unsustainable workloads that place them and the vulnerable families and children they work with at risk.”

Ms Hendon said the union had provided Minister for Community Services Simone McGurk with evidence of understaffing in October without response.

“Our members have provided critical information to Minister McGurk about the risks of understaffing and have pleaded for manageable case loads that enable them to give every child they work with the time, energy and culturally appropriate support they need but are still waiting for her to act,” ...

For a minister who worked with the unions prior to entering Parliament to ignore such pleas for intervention speaks volumes about the failure under the minister’s watch and how this has not been a priority of the McGowan government. At the heart of this issue, these shortages and unsafe workloads that the union speaks of directly translate into case loads that deal with vulnerable kids who are often in and out of care. I have certainly heard of some very tragic stories and cases from my electorate as well.

We know from the budget estimates hearings last year that the department is knowingly exceeding safe case load numbers. The Western Australian Industrial Relations Commission’s order states that an upper limit of 15 child protection cases should apply to each caseworker. In extraordinary circumstances, this upper limit can be increased to 18 cases. The union claims that workers are sometimes tasked with up to 40 cases. I know that the Leader of the Liberal Party would also like to make comments on this motion. We have seen two damning reports that the government and this minister have sat on and they largely say the same thing; that is, they point to the endemic issues within the department, the complete dysfunction and a lack of resourcing. This raid again highlights the minister’s attitude towards her own people. With those final words, I support this motion calling for this minister to resign in the best interests of our most vulnerable Western Australians.

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [3.44 pm]: I rise to strongly support this motion. We know what the Premier thinks about the Department of Communities. He thinks it is a bit of a joke. The editorial in *The West Australian* of Friday, 25 February states —

Editorial: Police raid on alleged whistleblower a terrifying insight into way Department operates.

A Government minister told me a joke recently. They were enjoying a long conversation with Premier Mark McGowan. But some good-natured jousting came to an end when the Premier remarked, and I'm paraphrasing here, "Be careful or I will give you Communities in the reshuffle".

We get a lot of moralising from the other side of the house. Members would think that any genuine Labor supporter would leap at the chance to work in the Department of Communities, the department that assists and aids the most vulnerable people in our society, but here it is being used as a punishment.

We have heard mostly non-responses today on this matter, but we have heard some fascinating responses as well. This has simply been about the fact that there were confidential papers. Let me tell members how much this minister and this department care about confidential papers. Back in 2019, when the McCall Centre closed, which had been deserted by the Department of Communities, thousands of records of children were left there. The people who occupied that building had spread them around and it took weeks for those papers to be collected. It was a member of the public who was alerted to that matter.

Ms S.F. McGurk interjected.

Dr D.J. HONEY: They were private, confidential papers and it took weeks, minister, under your stewardship —

Ms S.F. McGurk interjected.

The ACTING SPEAKER: Minister for Child Protection, you will have your chance.

Dr D.J. HONEY: It took weeks. That appeared in the press in October 2019 and it took weeks to get a response.

Let us look at the optics of this. Let us be really straightforward here and really look at this picture. If we were in government and government members were in opposition, I can just imagine the reaction of the Deputy Premier, the Minister for Transport, other members and the minister herself if an Aboriginal worker from the Department of Communities was so sick and tired of the lack of action on systemic racism in that department that they went to the press. What has happened? The government has had a report for three years and it has done nothing about it. This worker is so sick of it that she has gone to the press, or at least that is the allegation. What has been the response? Did the minister say, "You know what? We did the wrong thing. We should have reacted to this more quickly. I'm going to put a fire under my department. I'm going to make sure that they get the job done and they fix this and deal with it." What has been the response? Ten police officers, some of whom were armed, have turned up at that public servant's house in the early hours of the morning and traumatised their family. I have it on good authority that a child from that house is still so traumatised that they cannot sleep properly. That family was traumatised by 10 police officers. Imagine if we had done that in government! Members opposite would be howling. They would be in the streets and there would be claims of racism on this side of politics. Instead, government members have stood back. What has the minister said? She said, "Oh well, I'm surprised but I'm not embarrassed." The minister should be on her bended knees apologising to that family because of what has been done under her watch. She had a choice.

This is not the first time that public information has been released from departments. It happens from time to time. Public servants get frustrated and some may be mischievous and release public information. It happens. I look at some of the experienced heads on the other side of this chamber. They know that it happens, and yet the first response when information is released—often it is confidential information—is to go to the police. Is that the first response? Is that how they behave? You are a minister! You are in charge! The minister has a choice about what is done, and to say that she had no choice but to go to the police is absolute nonsense. That is an option that the minister had. Why did she not carry out an investigation in her department? Why did she not rely on the Public Sector Commissioner to do this? The department could have employed an investigator to look into this matter. There was no evidence whatsoever that any information about children had been released—none whatsoever! From the allegations that have been made, it was clearly not the intent of that person to release that information. The government is hiding behind a ruse, but we have the simple fact that an Aboriginal worker working in the minister's department made a complaint and released some information to the press that there was no follow-up on critical reports on racism in that department. What happened? Ten police—some armed—turned up at her house. What a disgrace! The minister says that she is not embarrassed, but she should be ashamed. I know that she is personally a good person, but she should be ashamed of her role in this as the minister. She had a choice between whether there would be a police complaint or whether it was handled internally. The Minister for Police is feigning yawning and is carrying on, but he clearly does not care. This police minister is happy that police resources are prioritised to this matter over other serious criminal matters. No wonder we have bikies shooting each other in Western Australia! This is the Minister for Police's priority in his department. This is an absolute disgrace. This is an absolute misuse of police resources, and it is not the first time, because this is exactly what happened in the Kimberley when a Department of Education worker released some information.

MS S.F. McGURK (Fremantle — Minister for Child Protection) [3.51 pm]: I welcome the opportunity to address a number of the issues that have come up today in question time and in this debate, because they are very serious issues. That is probably one thing that I agree with the opposition about: these are serious issues. That is why I have worked very hard in my portfolio over the past five years to actually get some improved outcomes in a very difficult area—child protection—and in some of the feeder issues such as family and domestic violence and homelessness that contribute to vulnerable families coming before our child protection system. The specific issue being debated today is the unauthorised access and downloading of information by an individual employee of the Department of Communities. Over 2 500 documents were downloaded in over 5 000 emails, and some of those documents contained very sensitive information. That is what we need to understand. That was the scale and nature of the information that the Department of Communities discovered had been sent to an employee's personal email account and possibly forwarded to third parties. The scale and nature of that led the Department of Communities to refer that information to the Public Sector Commission, the Corruption and Crime Commission and the Western Australia Police Force.

As I said in question time, the Public Sector Management Act 1994 actually states, and I quote, that any information that indicates criminal conduct should be immediately referred to the WA Police—in addition to notifying the Corruption and Crime Commission—for advice and possible investigation.

I notice that none of the members on the other side are looking—they are all on their phones—but perhaps they might take some notice of what the Public Sector Management Act states is a requirement of government agencies when they suspect there is criminal activity within their department. Those agencies are obliged to tell the Public Sector Commission, which the Department of Communities did; they are obliged to tell the CCC, which the Department of Communities did; and they are obliged to tell the police, which the Department of Communities did. What the police then do with that information is up to the police. I cannot stress that enough: that is up to the police. I certainly had no involvement in or influence on what the police did with that information, and I understand that the Department of Communities did not either. That is right and proper. What the police decide to do with that information is up to them.

Dr D.J. Honey interjected.

The ACTING SPEAKER: Member for Cottesloe, you have had your chance.

Several members interjected.

The ACTING SPEAKER: Members!

Ms S.F. McGURK: It is for the police to decide how they conduct their inquiries and investigations. The Western Australia Police Force is an independent agency, and that is right and proper. How the police decide to issue warrants is up to them and what they decided to do following that investigation was also up to them.

The Premier has gone through the details of the quantum of information. There were 5 484 emails containing 2 646 documents, 151 presentations and 332 spreadsheets. The documents included highly confidential personal and individual information about hundreds of children in care. I have since learnt that some of that information in the documents that have been referred to was contained in the warrants. As I said, as with any data breach of this magnitude, processes must be followed, and I have outlined that the department is duty bound to notify the relevant authorities, which it did. We would be disappointed and wrong if we were to second-guess that activity.

The department followed published guidance as well as the Public Sector Management Act on how it should conduct itself upon realising the scale and nature of the documents that had been removed from the department, albeit they had been removed electronically; they had been forwarded to a personal email account. As I have outlined, I was made aware of the referral to the police after it occurred, on 25 January, and I was made aware of the warrants being executed after they were executed, on 18 February.

I want to stress, too, another relevant act that I think is important and that has not been referred to—that is, the Public Interest Disclosure Act. The idea being put forward by the opposition is that this employee had no alternative but to download information without authorisation and forward that information to a third party. The opposition suggests that this employee was so frustrated with the department that she had no option but to take that information and forward it to outside agencies in a cry to get action on important issues. I draw the opposition's notice to the Public Interest Disclosure Act. That act is specifically designed to provide the appropriate mechanism for disclosures to be made. If an employee believes that there may have been misconduct or corruption, or a government department is not acting within its remit, that act outlines specific procedures that the employee is allowed to undertake to ensure that they can make those disclosures and their confidentiality is protected. It is, if you like, so-called whistleblower legislation. Protective mechanisms are in place in Western Australia under which an employee can take information to a relevant authority and, if you like, be protected. In this case, all employees are notified that that is the case. They are trained and their obligations are made clear to them. One obligation is to not disclose information or remove sensitive information from the department—it is very important that public sector workers understand that obligation—but another is that if they have concerns, there are avenues that those employees can take and their confidentiality and anonymity will be protected under that act. I think it is important to point that out.

I also want to talk about the allegation or the claim that has been thrown around with abandon by opposition members that there is widespread racism in the Department of Communities. I personally have always found that to be a ludicrous proposition and I continue to reject it. I reject it on behalf of the around 6 000 staff who work in the Department of Communities and who do some of the most difficult work in government. Some difficult work is done across government by police, health agencies, education workers and the like, but there is no doubt that Department of Communities' staff do some of the most difficult work. Yes, they understand that they work with very sensitive issues and that Aboriginal families are over-represented amongst the vulnerable families that they deal with. That is evidenced by the over-representation of Aboriginal children in our child protection system. We acknowledge that. That has been acknowledged in the Closing the Gap targets, for instance. Australian governments, state and federal, know that we have more work to do. In fact, the Department of Communities acknowledged that it had more work to do by commissioning a report in 2017 to better understand how it stood at that point. The report was commissioned nearly five years ago to help the department understand how it could better serve Aboriginal people in the community and within its agency. The Indigenous Psychological Services report found that the department had a lot of work to do. I think most organisations in Australia today, whether in the public or private sector, would be found wanting in response to the question: "Have we got work to do to improve our cultural awareness and our engagement with Aboriginal culture and Aboriginal families?"

A member interjected: How's the National Party!

Ms S.F. McGURK: That is right. That is the reality of Australia in the twenty-first century. There is an awareness but there is a lot of work to be done. I do not, for a moment, think that the Department of Communities is any worse than most organisations around the country today, whether they are public or private organisations. In fact, I venture that it is probably a bit better. It is certainly committed to working, as we all acknowledge, in some very difficult circumstances with child protection, homelessness, family and domestic violence and the like.

The department commissioned this important piece of work and asked the questions. That work went on for two years. It was commissioned nearly five years ago. It is now nearly three years old. The report was an internal report so there was no obligation to make it public. In fact, to say that nothing has been done and that this report has gathered dust is wrong. If opposition members were paying any attention to what I have said publicly on this matter, they would know that that is wrong. A number of elements of the report have been taken up, particularly around the structure of the department. That was what the PricewaterhouseCoopers report was asked to inform—how the department could capture getting good outcomes within its corporate structure. It now has a separate Aboriginal outcomes unit, which is headed by an Aboriginal woman as an assistant director general. They were two of the recommendations made by the IPS report and that is now the case in the Department of Communities.

There is training of all new staff to ensure there is an improved cultural awareness of Aboriginal issues, but also an understanding that the department does not rest on its laurels. It understands that it still has a lot of work to do in that regard. I do not for a moment say we do not still have work to do, but I do not think the Department of Communities is alone in that; that is the case for any state, territory or federal government department within Australia, not just Western Australia. The public and private sectors both have work to do to improve cultural awareness and confidence in the ability to engage effectively with Aboriginal people.

The IPS report has been made public. I wonder how many opposition members have read the 450 pages of the report, because some of the claims and sweeping statements they were making suggest to me that they have not in fact read that report, or the PricewaterhouseCoopers report either. In fact, both of the reports, but particularly the IPS report, acknowledge that the sorts of issues that have led families to come before child protection agencies and the Department of Communities have been generations in the making in many cases and cannot be easily resolved.

I also want to talk specifically about some of the things that have led to some very good outcomes within the Department of Communities in partnership with community sector organisations, but particularly with Aboriginal community-controlled organisations. I do not think these should be underestimated in the twenty-first century given the sort of issues we are dealing with. They certainly should not be underestimated by the opposition. When it was in government for eight years, it achieved none of these things. It tackled none of these issues in child protection—absolutely none. The Premier spoke of the case-load figures in child protection, which were brought to the attention of the Parliament during question time and during the opposition's contribution. The number of case-carrying child protection workers has increased by 28.6 per cent since we came to office in 2017. Over the last four years of the Liberal–National government, it was 2.1 per cent. We have increased it by 28.6 per cent, but in the opposition's last term of government, it was 2.1 per cent. That is incredible. In the last term of government, it was an increase of 13 FTE. The increase under our government is just under 202 FTE. It is important to note that these are real staff who are on the ground doing work. In 2015, the average case load for child protection workers under the previous government was 12.9. In 2020, what was the average case load? It was 9.63. It has reduced. I know these are inconvenient facts for the opposition—the number of staff on the ground and the important and hard work the department is doing to improve its understanding of and engagement with Aboriginal communities, Aboriginal families and its own Aboriginal workforce. Looking at the case-carrying load, the work we have been doing over the last five years is significant.

Finally, as the Premier also referred to, the number of Aboriginal children in care has gone down for the first time since 1996–97. That is significant. The total number of children in care is going down and the total number of Aboriginal children in care is going down. Are Aboriginal children still over-represented in child protection? Yes, they are. I do not deny that at all. They are grossly over-represented. Do we still have work to do? Yes, we do. We are changing the legislation to significantly increase the involvement of Aboriginal organisations when a child comes into care on where they are placed in their cultural planning. The number of contracts to Aboriginal community-controlled organisations is just under 20 per cent. The outcomes are good. Whether it is in Target 120, youth justice intervention or, importantly, child protection, the outcomes are very solid, I think. It is starting to lead us to some very good outcomes for Aboriginal children and their families.

There is a lot more I could add but I know that other people want to make a contribution as well. I was interested in what the Leader of the Liberal Party, David Honey, said on 28 February when he called it a “shameful raid” that aimed to intimidate staff. The Leader of the Liberal Party said in the article —

“This is a department that is failing. The Government’s experiment with mega-departments has failed. The Department of Communities should be disbanded. We should go back to the Department of Child Services focusing on the welfare of children,” he said.

The department of child services? Where is the department of child services, member? I looked back to the 1950s because I know that is an era with which the member for Cottesloe is very familiar. It was not even then. We have never had a department of child services, member. The member does not know what he is talking about. His terminology speaks volumes. He should acknowledge the important work of child protection staff in the Department of Communities; they are doing very good work in difficult circumstances.

MR P. PAPALIA (Warnbro — Minister for Police) [4.09 pm]: I acknowledge and thank the Minister for Community Services for her contribution and for her efforts in this difficult portfolio. Her passion for this role would be apparent to anyone who witnessed her contribution. All the work that she does in this field is extraordinary. I will return to that later.

I wish to say at the outset that I am a little disappointed that I was not given the opportunity to answer questions from members of the opposition during question time, noting that a significant amount of their angst around this matter appears to relate to the conduct of the Western Australia Police Force and their willingness to criticise the Western Australia police, as they frequently do. I would have preferred them to ask me questions as the minister responsible for the police so that I could respond during question time and defend the conduct of the Western Australia police against their baseless accusations.

I notice that Mr Law from *The West Australian* was here during question time. I hope he is still here because I know *The West Australian* has a great interest in this matter. I am about to put some information on the record. I will repeat what I have said about this matter on a number of occasions. At no time have I sought or received a briefing on this matter, as is appropriate as the police minister, because it is an operational matter and I do not involve myself in operational matters, until today when I was provided with a briefing from the Commissioner of Police, unsolicited. That aside, I am able to present some information that perhaps has not been put into the public domain until now, although much of what the minister also responded with confirms exactly what I am about to say.

As the minister indicated, a warrant relating to this matter was executed on 18 February. I was not aware of it at that time, as is normal and as is proper process. That is appropriate and lawful conduct by a minister. I became aware of this matter on 22 February when it was brought to my attention by the media. What I have before me is not a briefing note but notes that I prepared for Parliament. I intend to convey some of the information provided to me by the Commissioner of Police.

On 15 February, the Western Australia Police Force received a complaint from the Department of Communities relating to sensitive, not-for-distribution information, having been sent by an employee from the Department of Communities to her private Gmail account and potentially released further afield. Internal investigations identified a senior Department of Communities employee as a suspect. On 17 February 2022, the Department of Communities provided WA police with evidence of a number of confidential documents being sent to the personal Gmail address of the senior employee. The seven documents linked to media releases referred to in the warrant and referred to by members on the other side were part of—this is from the Commissioner of Police—5 463 emails, 2 614 documents, 150 presentations and 329 spreadsheets sent from the employee’s work email to her private Gmail account. Due to information given by the Department of Communities, detectives were of the understanding that some of these emails may have contained the names of children in the care or support of the Department of Communities. I have great respect for the Leader of the Opposition and I was disappointed by her earlier contribution. She may want to listen to some of this detail.

Dr D.J. Honey interjected.

Mr P. PAPALIA: I was talking to someone I have respect for.

Dr D.J. Honey interjected.

Mr P. PAPALIA: I am not seeking interjections from the member for Cottesloe.

WA police was advised that two of the seven documents contained that level of sensitive information, to which I just referred. One of those documents is *Profile and pathways of children who enter care*. It is an analysis of 327 children who entered care in the first quarter of 2019, report 2, the cohort after two years. That is one of the documents. I say to the member that there were 327 children in care.

Dr D.J. Honey interjected.

The ACTING SPEAKER (Ms R.S. Stephens): Leader of the Liberal Party!

Mr P. PAPALIA: In December 2021, the other document was released, *Critical priorities report*, including the supporting spreadsheets that contained the personal details of children and carers. Detectives applied for, naturally and rightfully, and were granted, a section 42 Criminal Investigation Act search warrant for the address of the employee in relation to investigations of the following potential offences: corruption pursuant to section 83 of the Criminal Code and disclosing official secrets pursuant to section 81 of the Criminal Code. The warrant was executed on 18 February, as the minister correctly reminded us earlier. The investigation is now complete, which is why I have received a briefing, unsolicited, from the Commissioner of Police. It has been determined that there was sufficient evidence to support a prima facie case of disclosing official secrets, pursuant to section 81 of the Criminal Code. However, it was deemed not in the public interest to proceed with the prosecution at this stage, on advice from the Director of Public Prosecutions, I might add. The investigation did not identify sufficient evidence to support a prima facie case of corruption.

There is some other relevant information. On the afternoon of Friday, 11 March, officers from the investigative unit attended the suspect's home address and advised the outcome of the investigation. The Department of Communities investigations team was also informed of the outcome of the investigation. A prosecution is not being pursued in this case. Nevertheless, that does not mean the actions were not worthy of investigation or were not wrong.

Dr D.J. Honey interjected.

The ACTING SPEAKER: Leader of the Liberal Party!

Mr P. PAPALIA: I say to everybody in the public sector that no matter how well meaning and good intentioned, they are not legally able to take sensitive private information about hundreds of vulnerable children from the Department of Communities and release it. That is unlawful, as indicated by the prima facie case for unlawful behaviour and as indicated by the investigation, but it also amounts to misconduct, and it is also wrong. People do not get to determine whether someone's private information should be passed into the public domain, no matter how well meaning and well intentioned they are. That is wrong. It is inappropriate. That was confirmed by the investigation because it found that there was a prima facie case of disclosing official secrets.

I will finish briefly by again referring to the minister. I have been in this place for 15 years. I think Hon Sheila McHale may have been the first minister I witnessed in this difficult portfolio, and one related to it, along with Hon Sue Ellery. I have great respect for both ministers. Many other former ministers from the other side tried their hardest in what is a difficult environment. I can tell members categorically that this is the best minister responsible for these difficult portfolios that I have seen in 15 years. I would argue that anyone in the department and any of those thousands of workers who are out there trying to do a difficult job in tough conditions under a barrage of criticism from the opposition would agree with me. It is incredible that they have been accused of racism. I am the police minister. The Minister for Community Services and I get to work with the Department of Communities all the time. It is a tough job. Sure, everyone would love more resources all the time, but we have given more resources in recent times and we are always looking to do things better. Those people are doing a great job.

Finally, I turn to the director general of the Department of Communities, Mike Rowe. I have witnessed this man over the last year or so in a pandemic, in cyclones, in bushfires and in all manner of difficult situations delivering support to Western Australians. He is a magnificent public servant. He is doing a wonderful job. He is honourable and caring. It is quite disgraceful that his reputation has been disparaged in the way it has by the opposition.

MR R.H. COOK (Kwinana — Deputy Premier) [4.20 pm]: I just want to take a few moments firstly to echo the words of the Minister for Police. The Minister for Child Protection is doing an outstanding job in one of the most complex policy areas—I say this with apologies to the Minister for Mental Health—and is providing strong leadership and extra resources. She is taking that department on a journey and asking the staff the most difficult questions of all about continuing to deliver services in a way that is informed by cultural awareness and cultural security and through working with Aboriginal community-controlled organisations. No other minister can say that. No minister has done a better job of continuing to evolve and grow the terrific work that is being done in such a sensitive area. There is no more solemn or profoundly sensitive obligation on a government department to preserve the personal information it has at its disposal than there is on the Department of Communities. The work that is being done is completely appropriate.

We can read a lot into people by the questions they ask and the motivations that they visit upon others. The member for Cottesloe is essentially inviting the government—beseeching the government—particularly in the words of

Hon Peter Collier, to have the minister act contrary to the Public Sector Management Act and conduct herself in a way that is unlawful. Pity a Western Australian community that is represented in government by this mob. Pity a Western Australian community that has a government minister who, as the member for Cottesloe and Hon Peter Collier would attest, would actually go outside that act of Parliament and act unlawfully.

Division

Question put and a division taken, the Acting Speaker (Ms R.S. Stephens) casting her vote with the noes, with the following result —

Ayes (5)

Ms M.J. Davies
Dr D.J. Honey

Mr R.S. Love
Ms L. Mettam

Mr P.J. Rundle (*Teller*)

Noes (42)

Mr S.N. Aubrey
Mr G. Baker
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Ms C.M. Collins
Mr R.H. Cook
Ms L. Dalton
Ms D.G. D'Anna
Mr M.J. Folkard
Ms M.J. Hammat

Ms J.L. Hanns
Mr T.J. Healy
Mr M. Hughes
Mr W.J. Johnston
Mr H.T. Jones
Mr D.J. Kelly
Ms E.J. Kelsbie
Ms A.E. Kent
Dr J. Krishnan
Mr P. Lilburne
Ms S.F. McGurk

Mr D.R. Michael
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mrs L.M. O'Malley
Mr P. Papalia
Mr D.T. Punch
Mr J.R. Quigley
Ms R. Saffioti
Ms A. Sanderson
Mr D.A.E. Scaife

Ms R.S. Stephens
Mrs J.M.C. Stojkovski
Dr K. Stratton
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Ms C.M. Tonkin
Ms S.E. Winton
Ms E.L. Hamilton (*Teller*)

Question thus negated.

**SMALL BUSINESS DEVELOPMENT CORPORATION
AMENDMENT (COVID-19 RESPONSE) BILL 2022**

All Stages — Standing Orders Suspension — Motion

On motion without notice by **Mr D.A. Templeman (Leader of the House)**, resolved with an absolute majority —

That so much of the standing orders be suspended as is necessary to enable the Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022 to be introduced forthwith without notice and to proceed through all stages without delay between the stages.

Introduction and First Reading

Bill introduced, on motion by **Mr D.T. Punch (Minister for Small Business)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR D.T. PUNCH (Bunbury — Minister for Small Business) [4.29 pm]: I move —

That the bill be now read a second time.

Prior to the onset of the COVID-19 pandemic in early 2020, the small business sector had been critical to Western Australia's economic stability during the years following the resources investment boom. The small business sector has also been a critical part of maintaining the state's economy through COVID. Arguably, small business and the entrepreneurial spirit are now even more crucial to the state's recovery as the economy rebounds from this once-in-a-lifetime global shock. The small business sector creates and sustains employment, leads innovation and opens up trade opportunities in the global marketplace. Small businesses are also essential to the economic vitality and social fabric of every corner of this great state, providing local jobs, amenities and attractions while also driving reinvestment back into local communities. There are more than 223 000 small businesses in Western Australia. Together with medium-sized enterprises, the small to medium-sized enterprise sector contributes more than 45 per cent, or almost \$100 billion, to the state's gross value added. What is more, almost half a million Western Australians work in a small business, equating to more than two in five people in the state's private sector workforce. This government recognises the immense contribution by small and medium-sized businesses to economic growth and job creation in Western Australia.

Through considered management by the McGowan government, our state and its people have been protected from many of the worst impacts of the pandemic. Despite the prevailing strength of the Western Australian economy, necessary public health and social measures, based on health advice, put in place over the last few years to manage the spread of the virus have impacted small businesses across the state. Some closed their businesses for a period and stood down or retrenched staff, while others adapted the way in which their business operated to survive the pandemic. The McGowan government is committed to doing everything it can to not only keep the community safe, but also

help protect Western Australian businesses, local jobs and the economy from the full brunt of the virus. With our world-leading vaccination rate and sensible public health measures, Western Australians can have confidence in continuing to go out safely and socialise with friends and family. Public health measures and COVID-safe practices are helping to keep people safe and businesses in business by assisting them to continue to operate safely. We know that as COVID-19 case loads continue to increase, even with safe and sensible public health and social measures in place to minimise community transmission, there will be unavoidable impacts on small business. This impact will be greater for some small businesses than for others and will lead to a decline in revenue and pressure on cash flow. That is why the government has announced a range of COVID-19 business support packages totalling \$1.7 billion since the beginning of the pandemic, including more than \$420 million of assistance since December.

As the government's primary small business agency, the Small Business Development Corporation has played a key role in progressing the state's economic response to the crisis under the \$5.8 billion WA recovery plan. In line with this, over the past two years the SBDC has helped to facilitate the delivery of financial support to scores of small businesses and various industry cohorts, including hospitality and food businesses, travel agents, international education providers and the roadhouses that are critical to intrastate trade. However, due to not having the legislative authority under its enabling legislation to provide grants directly to small businesses, the SBDC has had to partner with other government departments to distribute those much-needed funds. There is room to create greater efficiencies in this process and get government assistance payments into the hands of small businesses faster. As we navigate the next phase of the McGowan government's safe transition plan, we recognise that some small business operators require urgent financial assistance to help maintain their cash flow, pay their staff and suppliers, and support economic recovery.

The bill before the house seeks to amend the Small Business Development Corporation Act 1983 as a matter of urgency to enable the SBDC to provide financial assistance and grants directly to small businesses or in relation to small businesses, such as to the landlords of small retail tenants. The SBDC is best placed to expedite the rollout of the level 1 and 2 COVID-19 business assistance packages and other similar programs in an appropriate manner. With its new powers and functions, the SBDC will be in an optimal position to receive and assess applications from businesses quickly and distribute funding with increased efficiency. I am sure all in this house can agree that the small businesses adversely impacted by increasing cases and the implementation of the public health and social measures necessary to keep the community safe from the consequences of the virus deserve to have the financial support provided by the state government paid to them as efficiently as possible. Western Australia's strong budget and healthy financial position has given the state government capacity to provide immediate assistance to small businesses impacted by this phase of the pandemic. This amendment will ensure that payments through financial assistance programs administered by the SBDC can be dispersed directly by the agency, expediting the distribution of funds to the small businesses that need them most. Expediting the distribution of grants under the business assistance packages will assist small businesses and support the WA recovery plan vision of Western Australia being a thriving and innovative place in which to live and work, to visit and to do business.

I commend the bill to the house.

Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the bill.

Second Reading Resumed

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [4.37 pm]: I rise to make some comments on this important bill that we have before us today, which will enable the Small Business Development Corporation to distribute funds directly to businesses. In doing so, I want to talk very briefly about the process that has been followed in the house today, with the suspension of standing orders to enable the Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022 to be debated. What normally happens if a bill is urgent is that a day or so of notice is given and the bill then progress through the normal stages of Parliament. Today, we have enabled this bill to be discussed this afternoon or this evening and to then progress to the other place for debate tomorrow. It is a very short time line. I want to put on the record the fact that the opposition has supported this abbreviation of normal parliamentary processes to enable this bill to be discussed in this way, just as it did with many other bills, in the previous Parliament especially, that were labelled COVID response bills. They were put through under a temporary standing order that existed in the Parliament at that stage. That standing order no longer exists. It was not enacted in this Parliament, hence the need for the suspension of standing orders motion today. Again, I put on the record that the opposition understands the need for the bill to be progressed quickly, but we do not think that it should be done without any scrutiny, so there will be discussion and I am sure other members will want to make a contribution on this bill that was read in by the Minister for Small Business a few moments ago. That was the first opportunity, of course, we have had to hear from the minister on this matter, but the opposition was afforded a briefing last week. I thank the minister and his office for organising that briefing. The lead spokesperson for the opposition on this portfolio is a member of the other place, in Hon Dr Steve Thomas. Dr Thomas participated in that briefing as well and led the discussion. I sat in on the briefing just to take a few notes and listen to some of the reasons being given.

We heard that the purpose of this bill is to enable the Small Business Development Corporation to allow for the distribution of grants to small business that are purportedly related to the COVID response. I am a bit uncertain about that. I ask the minister to outline what other types of grants this legislation may be extended to; how it is thought that the new power to distribute money might be used by the SBDC in other areas, if indeed that is the intention and allowed under the legislation; and, furthermore, whether there is an expectation that this power will continue into the future or whether it is, indeed, just a COVID response measure. It is a COVID response bill, so I think it is fair enough to ask how long it is expected that the particular powers will continue for the distribution of much-needed resources to small business as it deals with many of the uncertainties of the current situation in Western Australia.

It is a very small bill. There are seven clauses and only six of any real note. It is not an election commitment and it has not been brought about by the need for uniformity with another matter. The minister has brought the legislation to the house for discussion because of the current situation, in an effort to streamline some of the processes in making grants available because until now, as we have heard, other agencies have had to be employed for that to occur.

I would like to discuss with and hear from the minister about the capacity within the Small Business Development Corporation to administer such a grant round. What safeguards will be put in place to ensure that appropriate mechanisms are wrapped around those grants? Who will be overseeing that process and will there be a need for extra resources? If it is a function the corporation has not carried out since 2011 or thereabouts, I believe, when that power was stripped away, perhaps the minister might outline whether this organisation is capable of administering these grants at the moment or whether it will need further resources to make that happen.

The previous Liberal–National government as a rule was very reluctant to make grants directly to business. It preferred to look to things such as enabling the common infrastructure and environment for business to thrive in rather than directly funding small business. I imagine that was a reaction to what happened in previous years, when we saw governments picking winners during the infamous WA Inc era. The government of that era was very much behind getting directly involved in funding arrangements with business. I think it was partly a reaction to that, but I do not know. I do know that former Premier Hon Colin Barnett was not a great advocate of directly funding business as such, seeing it as potentially problematic. When I ask about matters of control and the process around how these grants will be administered, it is not just about the COVID grants; it is about any other type of grant that might come forward in the future. Members on this side of the chamber are very conscious of the problems that developed in previous Labor regimes with governments giving out money to businesses. I want to hear that some of the lessons have been learnt from those disastrous episodes in the past and that there will be appropriate checks and balances put in place. I am not in any way casting aspersions on any persons involved in the Small Business Development Corporation. Indeed, I have a great deal of respect for the CEO, who has done a fine job over many years in various governments. That is not the issue here. It is just a matter of process to make sure that we see that the grants will be given in a way that is appropriate and safe moving forward.

We know that small business has been greatly affected by some of the events that have taken place in Western Australia, for instance lockdowns in Perth, regional lockdowns or the imposition of borders. Those have all affected small business, and not all by any means have been fully compensated. There have always been programs when businesses have felt that they should have been funded but did not get funding. With that, I also wonder what the feedback loop will be from the Small Business Development Corporation to government, because we are hearing on the ground about the impacts that are not being covered and the businesses that do not feel they are being looked after, if you like, over this period. This organisation is not just a funding body; it also to promote the small business sector and ensure that it thrives. I imagine that it will have a role of reporting back to government about the efficacy of some of the funding programs and any gaps that emerge in how the funding might occur.

I looked at some of the past packages. This is not a full rundown. From 26 May 2021, a number of payments were made to businesses in Perth, Peel and Rottneest affected when the lockdowns occurred. A package of \$31.8 million in grants was made available. I believe grants of \$2 000 were made available for many small businesses impacted by the Anzac Day lockdown, but no money was made available for regional businesses outside the Peel region during that period. I know there were businesses affected because of the nature of the interaction between especially close neighbouring areas in the wheatbelt that I represent. I imagine there were impacts on some businesses in the south west that felt they were ineligible but perhaps should have been eligible for some of those grants. Again, grants were announced on 19 July 2021. There were problems around the eligibility rules for the \$3 000 one-off cash grants, with restricted access to companies that did not quite fall under the categories set out in the grant application procedures. If these sorts of things were to happen in the future, I hope that the Small Business Development Corporation will act as an advocate for other businesses that might fall through the cracks.

I will jump forward to the so-called safe transition support package announced on 10 February 2022. Initially, the amount of compensation was \$77 million for COVID-impacted businesses. We felt that was a tokenistic amount, given the expected impact on small business. It can be seen from announcements the government has since made to bolster the support that clearly that initial amount was never going to be enough. It just goes to show how some of these decisions were made ad hoc and have not been thought through a great deal. It is not until there is a strong

reaction that the government accepts that it has made some errors and heads back to try to undo the damage that has been done to small businesses because of the inadequacy of its initial response. It is not just about financial responses. I will talk later about other matters that affect small business.

I will look at some of the strong responses members of the opposition have made when things have gone astray. I am looking at a media release put out in 2021 by Hon Dr Steve Thomas, who is the lead spokesperson for small business. It talks about the fact that business compensation on that occasion was still floundering despite the government's enormous boon in income. At that stage he was calling for the need for a standardised support package for small business, which he had been calling for throughout 2021. He highlighted the fact that there was a purported massive budget surplus and that the government was looking at further budget surpluses in future years. We know that the price of iron ore and other commodities such as gas, oil and other things have taken off recently. We do not see a threat to those surpluses in the near term, yet we did not see a standard compensation package being promoted at that stage, according to Dr Thomas. Back in February this year, when the announcement was made for the \$77 million transition package, he came out and slammed the government's inadequate response for compensation, calling it a tokenistic pledge that was far too little, far too late. He again highlighted the huge budget surplus the government had last year and is forecast to have this year, which I suspect is growing beyond even the expectations of a few weeks ago. This is at a time when we are facing a huge amount of uncertainty for small business, families and for the whole community with regard the strength of their income flows.

Let us not forget that in the minister's own words, small business employs two out of five people in the economy. We support small business and the continuation of their employees, and the safety and security of their families. That is vitally important because we know that the cost of living under this government is absolutely skyrocketing. It is becoming a real pinch point. The government needs to respond in a range of ways to the pressures that businesses and community are falling under as a result of COVID and the government's reaction to COVID. Some issues have come up because of the government's failure to recognise the skills shortage and to ensure that we can have people come in to keep our businesses going. It is not just the very elite of the world, but the truck drivers and small businesses and people who operate cafes and bars et cetera like those who are often highlighted in the news in Perth. People are trying to work through the issues to make sure that their transport business, their IT business or a range of businesses have more assistance from government. That does not just mean having finance, but having a reliable transport network, reliable supply chains and available workers. I was listening to the radio while driving on the freeway this morning when I heard about the situation in Broome. Barista positions are being offered at a rate of pay of \$92 000. I am not saying that that is too much to pay for a barista—I am sure it would be very good coffee and they could well be worth a huge amount of money—but \$92 000 is a lot of money for a small business to pay to overcome the skills shortage.

It is not just about compensation packages; it is about making sure that other issues are addressed. I urge the Minister for Small Business to be an advocate for small business in cabinet instead of sitting there meekly and saying nothing and not standing up and fighting for the needs of small business. We are seeing further changes made down the track because the initial allocations of money were clearly inappropriate and not significant. We are seeing that in the current situation as we go through the so-called safe transition plan and the need for more financial support to come through that. Perhaps the minister can address some of the issues in relation to what he is doing to help address small business. It is not just about enabling grants, but also about ensuring people have access to the workforce when there is uncertainty about when restrictions might change or when they might be able to take their business out of being mothballed and start again. We know businesses can find it uneconomic to open under the current restrictions. For them, it is not just about having financial assistance; it is about making sure that an appropriate COVID response gives some level of certainty and an understanding of the need to provide certainty to businesses, especially small businesses.

I understand the pressures many of them have gone through. One small business in my electorate—a hotel that I will not name—posted on Facebook a week or so ago that it had decided to close. The owners said that it was all too hard. They have gone through the mill over two years. I think there was reference to a couple of other issues going on in that business, but, overall, they were overwhelmed by the cumulative effect of all the pressures they had gone through and all the responsibilities that had been put back on them. At the coalface, these are the people who have to ask people to show their vaccination certificate when they come into the hotel to have a meal. I know that is a really, really difficult thing for people who work in the industry to be asked to do. It is one reason they are finding it hard to keep staff. The staff are getting exhausted from having to act as police as well as hospitality workers. At a time when we are thinking about these businesses, we have to understand that they are under a range of pressures. It is not only the purely financial impact on the small business operators, but also the extraordinary psychological impact. They are a resilient lot. They are not used to asking for assistance and subsidies and the like. A business I was talking to in my electorate very recently had to cancel a week of bookings because of all the uncertainty around the restrictions. The fact is that people are not willing to travel and will not make bookings because they do not believe they will be able to carry through with their plans. In one week, a business from a small community in my electorate lost \$80 000 in turnover.

They lost \$80 000 from people who would have potentially come to enjoy the activities that they offer. Businesses have probably done economic impact studies in their communities and found that for every dollar that people

spend directly with them, they spend another 50¢ in ancillary costs around the town. It may be on accommodation or it could be on food, drink and what have you. A town has probably lost \$120 000, but there is a further loss, if you like, because of—I do not know what the opposite of the multiplier effect is—maybe a divider effect. The people who work in that business, of course, are not able to spend that \$80 000 as wages in the local shops or other businesses either. There has been a significant impact from that one business being closed for a week. When I spoke to that person, I asked whether they were eligible for any grants, whether they had looked for assistance and whether they qualified as a small business, and they said, no, they had not done any of that sort of thing. I do not want to denigrate anybody by saying this, but they said they are just not people who look for handouts. They just want certainty. They want the government to understand that the level 2 restrictions that it has put in place are killing their business and making it impossible for them to continue. They want to be able to conduct their business as quickly as possible, and they want the government to start to set some guidelines. The opposition has been talking about this and about the need for trigger points going forward—for there to be certainty for small businesses so that they know where they will stand at certain case load levels.

We know of the uncertainty the other sectors had to go through because of this government's inept handling of early education with the onset of Omicron and its failure to recognise how quickly it was going to become a huge problem in schools. The government has refused to share the modelling or to talk with any degree of honesty and transparency with the community and the opposition. We are seeing these ad hoc decisions. They are made on the run and they have led to uncertainty in that sector. That same uncertainty is felt in the business sector today, and it is that uncertainty that is really making it hard for business. Yes, it is important to get compensation to businesses to keep them going and to recognise that they do not have other resources to fall back on oftentimes. They may have already mortgaged the family home to start the business. They may have debts. They have people relying on them. They may have other ongoing costs of looking after their children and their families. All these things are weighing on their minds, and it is so important that they get adequate and quite quick assistance. That is why we support this bill. We want to see that assistance rolled out as effectively as possible. We do not want to stand in the way of those businesses getting the support that they need and deserve. We question the adequacy of some of those measures, and we question it regularly because we see the effect on business in the electorates and portfolios that we represent—not only from the pandemic itself but also the government's handling of its restrictions on business.

Today, I think the member for Roe asked a question about the importance of the Port to Pub swim. It is very hard to understand why it was cancelled. On health advice 30 000 people can go to a stadium, but a few hundred cannot swim in the sea in small groups. That is staggering. Would it be that there is some other motive for the government in keeping the stadium going? Would there be some financial impact on the government if it was not able to keep that stadium running? I do not know.

Dr D.J. Honey: Maybe there are more football supporters than swimmers.

Mr R.S. LOVE: Maybe there are more football supporters around than swimmers competing in the Port to Pub. It is these inconsistencies, not just in business, but in the life of Western Australians, that are quite staggering for them, and they really do not understand the rationale behind them. We have seen the government walk back from some of the pronouncements it has made. It was mandatory for people to be vaccinated to go to liquor shops, and then suddenly it was quite safe for them to go to liquor shops if they were not vaccinated. We have seen these types of decisions being made. The government has not been thinking things through and that sometimes there may be unintended consequences that are really unnecessary. Since the imposition of these level 2 restrictions, we have been calling for a review, to be conducted over the next four weeks, to make sure that the impacts are appropriate, that they are not excessive and they are well targeted so that if businesses and industries clearly have a case and circumstances that demonstrate that there is an unintended or unnecessary impact on them or on the community that needs to be addressed, it can be resolved.

The 150-person capacity limit on businesses sees many struggling even more. For larger venues, it equates, basically, to an empty room. You walk in there and the room is virtually empty, and businesses cannot afford to open the venue. We have seen that happen before in other lockdowns. We want to know the basis behind some of these pronouncements with the level 2 restrictions. We want to know when they are going to be reviewed. We want to make sure that the compensation package offered to people when these types of restrictions come in are devised in advance and not based on a figure plucked from the air—that is not applied, then re-thought, and then there is a bit more and a bit more. To us, that smacks of a cavalier approach to the whole matter of trying to assess what the impact will be and then applying the right amount of money to it. We do not believe that the government has done that properly. We know that events are being cancelled all over the state—tourism events, community events, business events. Big business venues are shutting down. Many MPs will know their calendars have changed dramatically over the past few weeks and going forward for quite a few weeks. It is to be expected that there will be some level of change as we enter this phase of the pandemic, but I suspect some of the events have been cancelled because businesses really do not know that they can really maintain the struggle any longer against the uncertainty of what the next pronouncement may be. They may narrowly fit within the criteria now, but they will make the judgement call that it is going to be too hard because they suspect this government will repeat its past track record of kneejerk reactions, backflips, broken targets and broken announcements.

There is the example of the break of faith with the community over the border opening. A breach of trust occurred when the Premier had his dramatic press conference during peak TV time to really draw out the drama of the whole issue and how important it was that he had made this change. Instead of looking Churchillian, he looked like someone going back on his word. That has resonated right through the community. The community does not trust this government like it did a year ago. The government has betrayed and breached their trust. It has lost the trust of many in the community. When community members go forward, they are thinking whether they will be able to make things work in the future. Will this event they are going to stage in May be able to be held? Will they commit to all of the costs and all the work to get it to go ahead? Even though it fits very narrowly and they think it might just work, their expectation, what they are saying to themselves, is that it is not going to happen and that this government is just not going to let go of these restrictions and it could get worse for them. So many of them are saying that it is just too hard and they have to either reschedule or just cancel their event altogether. There needs to be a commonsense approach to the whole matter, especially in the hospitality industry, to make sure not only that there is very appropriate compensation but also that we are not compensating businesses that do not need to be as badly affected as they are.

It is not a great public policy outcome to offer compensation when a change could have easily been made and then that business would not need the compensation. I do not think business is actually going to say no to assistance. I hope that those businesses entitled to the assistance will take up what is available through the Small Business Development Corporation. I have no doubt that the SBDC will do as diligent a job as it can with the resources that it has to ensure that business has its needs met. Nothing I have said today should be taken as any measure of criticism of the SBDC. We need to ensure that the appropriate checks and balances are applied to the allocation of the money, that the SBDC has appropriate resourcing to ensure that it can carry out this function and that SBDC has a feedback mechanism to government of what is actually affecting the business community—and where some packages may be inadequate, where some may be improved or where some businesses might still be missing out and not having their particular issues addressed. That is a very important role and I do not want to see that role of advocacy and support somehow lessened because the SBDC is acting as a gatekeeper for government funds.

This will lead to an interesting time for that organisation. I wish it the best in the carriage of this commitment going forward. I hope that the government takes on board some of the concerns of business around the uncertainties and some of the unnecessary restrictions, the lack of any trigger points, the lack of any review of the processes going forward and the lack of any certainty for business on what they might face in the future when trying to plan out where they might go.

I am sure that other members of the opposition will have some words to say. I hope that they will also point out to the government just how some of its previous packages have failed to hit the mark and how some of our businesses that qualify as a small business, in all sectors right across Western Australia, need assistance. They need not only financial assistance but also the government to listen, understand and take on board their concerns and their circumstances to ensure that their future business needs are met. With that, I will conclude my contribution. I think that the member for Roe would like to have a few words.

MR P.J. RUNDLE (Roe) [5.12 pm]: I certainly appreciate the opportunity to make a relatively short contribution today given the short notice that we have had. The member for Moore alluded to this earlier—it seems to be a pattern that is developing with this government—that we seem to spend half our life debating emergency legislation, one way or the other, and once again today we have had a suspension of standing orders to deal with the Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022. The Attorney General, who is sitting over there, is well aware of how to bring on legislation with no notice, but we certainly understand the reasons for bringing this forward today. As the member for Moore said, we support the legislation, but I will take the opportunity to point out some of the discrepancies and disturbing developments that have happened to some small businesses in my electorate, and also some events that have happened in our electorate.

The Premier's salary turns up every fortnight without a problem. When he signs off as Premier, he will receive more money from his superannuation than he does from his salary. He does not need to worry.

Several members interjected.

The ACTING SPEAKER: Members!

Mr P.J. RUNDLE: As the member for North West Central said the other week, the now Premier was out on the steps with Alan Carpenter when it was decided to get rid of the superannuation program.

Point of Order

Mr D.T. PUNCH: This is not relevant to the bill.

The ACTING SPEAKER (Ms A.E. Kent): There is no point of order.

Debate Resumed

Mr P.J. RUNDLE: He was out on the steps with former Premier Alan Carpenter because he knew that he was elected a member in 1996 and that the Gold State Super fund applied to him, as it still does to two other members of the current government, I believe. The Premier does not have to worry because his salary will turn up every

fortnight, whereas our small businesses—our hairdressers, our beauty salons, our travel agents and the like—are just trying to exist. It is very important that the small business grants are targeted very carefully towards those businesses. We are standing up on behalf of small business in our constituency. I want to remind everyone that this state government has a \$5.8 billion surplus. I note the minister's comment that we have 223 000 small businesses. I am worried that we might have only 210 000 in the next year or two. We have seen what has happened in the central business district in Perth; it is like a ghost town. As I said, it is okay for the Premier because his salary will continue to come in every fortnight. The central business district is like a ghost town, and, as the minister knows himself, being a regional member of Parliament, many of our regional towns are under pressure. It is the small businesses in the main street and the side streets that keep our small regional towns and our regional cities going. They are under a massive amount of pressure. I just wanted to point that out.

As the member for Moore said, I certainly support the SBDC. I would be interested in comments from the minister about the SBDC's capacity and ability to oversee the whole grant program, because if other agencies have been taken out of it, that will put pressure back on the SBDC.

I also agree with the member for Moore about the cost-of-living pressures that every family is now undergoing with the cost of water, electricity, petrol and the like. This is just adding pressure onto our small businesses. For instance, last year the member for North West Central alluded to the toilet tax, which is the service charge that comes on when a lot of the hotels and motels out in the regions have not got that high an occupancy rate. They might have only a 10, 20 or 30 per cent occupancy rate, but they still get charged for every single toilet in those buildings. This needs to be worked on harder as it is certainly an issue for many of our small businesses that cannot be underestimated. The minister pointed out that almost half a million Western Australians work in small business. It is the most important sector. The government and the Premier have bent over backwards to help out the mining sector, and I understand why; they need to keep the royalties flowing in. But the small business sector needs to be looked after, and I am worried about the damage that has already been done.

If I can, I will just go through a few examples of some events in my electorate that have been affected. I asked the Minister for Health today about the COVID arrangements for the Port to Pub swim. I received the same old answer: it is due to health advice. There we are. This Saturday, we were due to have the Port to Pub swim. A lot of people have been training hard and the organisers have been working hard for months and months on end, but there we go. They had to wait for 11 days to get a final answer about why the event had to be cancelled. In question time today, the Minister for Health tried to put the blame for the cancellation of the Port to Pub swimming event back onto its organisers. My question is: what will be the compensation for those organisers, who have worked for months on end? Time after time, all we get from asking these questions is the answer: it is the Chief Health Officer; it is the health advice. We have no targeted response to organisations like that that have had the rug pulled out from under them through no fault of their own.

I recently talked to a local travel agent. Over the last couple of years, his turnover has gone from about \$2 million back to about \$100 000. He has no employees left. His turnover is down to about five per cent of what it was. Yes, he has been able to pick up a couple of \$10 000 grants, but his small business has been decimated. He is just surviving as an owner with no employees, hoping that he can go along until he can get to a point at which turnover picks back up again.

Another event in my electorate that I would like to mention is the unfortunate cancellation of the Wagin Woolorama, which is a really important event for not only my electorate, but also the whole state. It is probably one of the state's premium field day events in the regions. Around 20 000 to 25 000 people visit that event over two days. The organisers had a COVID plan in place. They have the potential for 50 per cent capacity, the same as Optus Stadium, but their venue is 200 000 square metres, which is about 10 times the size of Optus Stadium. The people of regional WA are scratching their heads about why an event such as the Woolorama, which is spread out over a large area, had to be cancelled. I am sure that the Minister for Disability Services over there went to the Woolorama back in the day when he was the CEO of the South West Development Commission. I am sure that he strayed across from Bunbury to have a look at the Wagin Woolorama. It is a massive event for not only the great southern, but also the whole state. The people of Wagin are questioning why it is that the Woolorama, spread out over an area of 200 000 square metres, with a COVID plan and the ability to run at 50 per cent capacity, with marshals on every indoor pavilion—it was all there, all planned and all ready—was no good. But it is okay, we can have 30 000 people at Optus Stadium; that is not a problem. The people of Western Australia are questioning: What is going on? Why are there these inconsistencies? All we get out of the health minister is, "Health advice; the Chief Health Officer." A lot of small businesses in Wagin were relying on the Woolorama.

The other part that really upsets me is we cannot get an answer. If someone tries to ring numbers, they get put through to the COVID update hotline. They cannot seem to break through to someone who will actually make a decision and give them some guidance. These are the frustrations that our constituents are facing. As I said, we have had the same thing over the last few days with Port to Pub. Events that have had to be cancelled include the Cranbrook Show and the Katanning Harmony Festival day. It is a massive weekend.

Dr D.J. Honey: Come on, the Cranbrook Show!

Mr P.J. RUNDLE: I know that it is very close to the heart of the member for Cottesloe, who was brought up in Cranbrook and went to Cranbrook Primary School. He is a bit of a celebrity in the local area of Cranbrook! That is another event that has had to be cancelled. The Katanning Harmony Festival, in my home town, is a big event. We have over 40 nationalities in Katanning. It is a fantastic event. The Minister for Citizenship and Multicultural Interests was going to come down for that. That is a real disappointment. The Pingrup races, which is in its ninetieth year, is another one. I went to the Esperance Cup meeting the Sunday before last. Normally, we have thousands of people there. Once again, it was spread out over a massive area, but it could have only 500 people. That is a massive event for that particular turf club. It was left to try to mop up the loose ends, I suppose we could say. The organisers are left wondering how they are going to be able to compensate people and how it will work over the months ahead, because that is their big event for the year. I am sure that the member for Kalgoorlie has been to the Esperance races at some stage or other.

The ACTING SPEAKER (Ms A.E. Kent): That is just a rumour, member!

Mr P.J. RUNDLE: It is a fantastic event. It was great to see the Esperance Bay Turf Club hosting the Norseman Cup this weekend on behalf of the town of Norseman. These are the sorts of events that are being cancelled, and our local communities are really suffering. Occasionally, organisers can run an event at a capacity of 10, 15 or 20 per cent, but then it is a matter of the response from this government about how they will be compensated. Through no fault of their own, they have lost their major event of the year. How is that going to work? I express my frustration about that.

I refer to the education portfolio and our camp schools. I am the shadow Minister for Education and Training. The member for Moore mentioned education and some of the grief that is happening in that area. We have seen a change of mindset this year. We were told that schools will be the first to open and the last to close. On the first day of school, 55 teachers were sent off to complete a 14-day quarantine, and years 3 and 4 were all sent off for quarantine. That has totally flipped and changed over the last few weeks. These are the challenges faced by our principals, staff and families. I think that this government is underestimating the amount of pressure that our principals and staff are under and the load that has been put on them. They have to undertake COVID tracing and try to supply different online and hard copy packages, and that has been a real challenge.

As I have said several times in this Parliament, we have had thought bubbles from the Minister for Education and Training, and school camps were a classic example. She said, “We’re going to cancel school camps.” She did not talk to any of the school camp providers, who have upwards of 20 employees all trained, all vaccinated, ready to go. She did not talk to them; she just said, “No school camps this term.” Then we had to push back. The camp operators had to go to the media to tell the minister how it all works. They have employees who are vaccinated and ready to go. If they lose those employees, we may end up with a situation like that in the eastern states, where the governments of Victoria and New South Wales had to put up over \$100 million to try to compensate the camp schools, which still could not get those employees back because they had gone. Once again, the thought bubble has happened. I will say, to the credit of the Minister for Education and Training, once the opposition and the camp school operators pushed back—went to the media, did all that stuff—the minister came out with her package of the full amount for weeks 2 to 4; 70 per cent for weeks 5 to 7; and 50 per cent for weeks 8 to 10. That is a package of some description. Now we need to know what is going to happen in term 2, of course. We understand the situation with COVID, but we also understand that we have schools, camp school operators and the like, and they need to be able to plan forward as well.

That is just an example of some of the small businesses that have been affected in my electorate and in other electorates. The shadow Minister for Tourism, the member for North West Central, has been pointing out over the last few months, and the last year or two, how many tourism businesses in his electorate have not been looked after properly. They have not had the targeted relief.

[Member’s time extended.]

Mr P.J. RUNDLE: Hon Dr Steve Thomas in the other place, as the shadow Treasury spokesperson, made a comment that I think sums it up pretty well. He said, in Western Australia —

“The inequity in determining eligibility for lockdown grants to small business, and the random classification of who is and who isn’t an eligible small business, is symptomatic of a government and a Minister with a serious disconnect to the harsh economic reality of small business survival.

I think that sums it up. As I said earlier, it is hairdressing and beauty salons and travel agents that have really suffered. Some of these businesses have disappeared off the face of the map not only in regional towns and regional cities; go for a walk down Hay Street Mall, Murray Street or William Street. Many of our small businesses are suffering. As I pointed out earlier, it is no problem for the Premier. His salary comes in every fortnight. That is not a problem. He is not running a small business. He does not understand the challenges.

I think I will wrap it up there. I know the opposition will be supporting this legislation. We understand that it is an opportunity to distribute grants from one particular location. We look forward to the minister explaining the capacity of the Small Business Development Corporation—that is, whether it will be able to handle this new arrangement.

In the general context of small businesses, we look forward to not only the SBDC putting the grants out in a proper way, but also this government focusing more strongly on targeted grants for the small businesses right around the state that have suffered hardship over the last two years.

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [5.34 pm]: I also rise to make a contribution to the Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022. As has been indicated by previous speakers on this side, we will be supporting the bill, but I think this is an opportunity to discuss some issues around this compensation package and the impact that particularly the phase 2 restrictions have had on our community and our business community in particular. Obviously, the purpose behind the bill is to allow the Small Business Development Corporation to distribute small business assistance packages. Previously, the Small Business Development Corporation has had to partner with other agencies to distribute funds—primarily the Department of Local Government, Sport and Cultural Industries—along the way. This bill will expand the corporation's powers and functions by inserting a new section 11AA to provide direct financial support and grants to small businesses and other persons for the purposes of benefiting small businesses in this state. Obviously, we support the intent of that and believe it is a worthwhile thing to do, but I think there are some points worth discussing in this bill.

First and foremost, why has it taken over two years since COVID has impacted this state for this legislation to come along? The Western Australian government has provided the lowest level of support for business all along. What we have seen typically is that the qualification criteria for packages is such that many businesses are not eligible, or otherwise businesses find it so complex—as was mentioned by the previous speaker—that they just give up trying to qualify for them.

I will talk about this package. We have seen other packages. We had packages to support school camp providers, the safe transition industry support package, the small business assistance grant and the events industry program for festivals and events. I will not dwell on those, but a lot of businesses found they were not eligible for the latter, despite the fact that their events were cancelled.

For this package, my first point is the amount of money that is available. New South Wales had significant restrictions at the start of the year. It provided a support package of well over \$500 million. Proportionately, this package should be in the order of \$150 million or \$200 million if it were to maintain that level of support. Much more than that, the eligibility criteria for this package is such that many businesses that are on their knees and losing their money, which is only going to be exacerbated by the level 2 restrictions, will go broke. We have heard the examples mentioned. Not that it will have such a major impact on business, but I am shattered to hear about the Cranbrook Show being cancelled. If we look at the qualification criteria for this legislation, we see that businesses have to show a 50 per cent reduction in turnover on the same period last year. If members go to the Perth CBD, not that they would want to, they will see that they could fire a metaphoric gun down the malls on many days without fear of hitting any person. There are no people there. In fact, metropolitan Perth has seen over a 40 per cent reduction in vehicle traffic into the city. Of course, there is a corresponding reduction—I suspect a greater reduction—in people catching public transport. There has been a massive depopulation of the Perth CBD. Many businesses have taken the preventive action of getting their staff to work from home, partly in response to the government's phase 2 restrictions and the complexities of that. It is also a preventive action so that their businesses do not suffer collapse if they get COVID in the office and all staff are infected. There are many businesses in the CBD. Compare that with the New South Wales package, which was related to the shutdowns earlier this year. To qualify for it, businesses had to show only a 40 per cent reduction in turnover, but, critically importantly, it was against either their January 2021 turnover or January 2020 turnover—before COVID impacted the community. That is a sensible metric. As I have said, many businesses that had a substantially reduced turnover in 2020 are now looking at a 50 per cent reduction in turnover. They are facing a hurdle.

We know that some businesses have benefited from the COVID pandemic, although that is waning in some areas at the moment. Local camping businesses that do not rely on interstate tourists and so on have boomed. Some communities, not all, have done reasonably well out of that. We might say that those businesses have benefited. Many businesses, particularly those that rely on interstate and overseas tourists and businesses in major areas, have suffered. I have received quite a deal of correspondence from a cafeteria in Osborne Park, which is where the office of *The West Australian* is located. Most of the staff from *The West Australian* are working from home. Only critical staff are in that building. Any members who have been up there will know that very few people are there; only key personnel are in the building. The little businesses in that area that relied on the foot traffic associated with the businesses based in Osborne Park have seen a massive drop in turnover. That is true right across metropolitan Perth. We are not talking about a handful of businesses or only businesses that are in the CBD; we are talking about cafes, cafeterias and the like in business parks all over metropolitan Perth, such as in Welshpool and the like. As I said, any business that has relied on interstate or overseas tourists is really suffering.

I am sure that members get similar solicitations to me, which indicate that these businesses are really doing it hard. The government is setting a hurdle for businesses to show a 50 per cent reduction in turnover compared with last year. This will see businesses go to the wall. Typically, we are not talking about the big corporates. They have done quite well out of the pandemic. The supermarkets have seen a significant increase in turnover and the mining

companies are obviously enjoying an unparalleled minerals boom, which has been accelerated dramatically by the conflict of Russia invading Ukraine. Those other little businesses are really suffering. We will see those businesses go to the wall. They are typically family businesses.

There was a bit of byplay earlier, with the member for Bunbury talking about superannuation and the like and the payments. As the member would know, the only savings that a lot of businesses have—their superannuation—is the goodwill in their business. At the moment, there is zero goodwill for many of those businesses. If those businesses shut down, those people will lose everything. They will not just lose their business. That is what they were going to retire on. Typically, they do not have personal superannuation. Their superannuation is in the goodwill of the firm itself. The government needs to look at that. It needs to look at the qualification criteria. That needs to be amended. It also needs to look at the quantum for this. This is a grossly inadequate package, something that we have seen along the way.

None of the packages that we have seen along the way have been well thought out. As was pointed out, we have seen these ad hoc kneejerk reactions. We saw the government effectively shut down the school camp industry, placing restrictions on school camps. After the event—once there was an outcry over the devastating impact that would have on small communities and small businesses—the government came forward with a package that many saw as inadequate. At least the government came forward with a package, which was good, but that was only after the event.

Two years on, with all the issues, the government knew it did not have a good mechanism for getting grants out. The Small Business Development Corporation had to work with other agencies, and a lot of complexities came with that. Now we have seen the introduction of this bill. We support the bill, but we need a more structured approach from the government. We need qualification criteria that actually reflect the reality of what businesses are seeing on the ground. Most businesses will not qualify for assistance because they are not doing it tough. There are still many thousands of small businesses that have not just done it tough because of the phase 2 restrictions; they were doing it tough last year. They are doing it even tougher right now because of these additional restrictions.

I think there is a degree of comfort in government because we have a royalties revenue stream that is unparalleled in the history of the state. I think the government will end up with an accumulated surplus of around \$15 billion over the forward estimates, including the past year. The government has a phenomenal amount of money at its disposal. When we come out of this pandemic and the price of iron ore, gas, nickel and other commodities drop and those commodities come back, which we know will happen, we want all those little family businesses still running. There is a cruelty here for many of these small business owners. These are prudential sensible people. Through no fault of their own, some people have lost everything—a lifetime's work. Appropriate government support will help those businesses to be running in a couple of years. Let us stop seeing this ad hoc response. This support should be codified. We all know that the COVID pandemic is not over. We all know that things are likely to come along over the next year or so. Let us have a much more codified approach so that businesses have certainty. One of the biggest frustrations that has been expressed to me by small businesses is that there is no certainty. They are basically waiting to see the Premier's Facebook page before they have any idea of what is coming in terms of support. They cannot plan. As I said, announcements are made very suddenly; they are very reactive. Changes are made when there is an outcry. I ask the government to please consult with industries before decisions are made, not after, so that appropriate measures are implemented right at the start rather than a confusion of changes once an outcry occurs. With those few comments, I commend the bill to the house.

MR D.T. PUNCH (Bunbury — Minister for Small Business) [5.46 pm] — in reply: I thank members for their contributions. I thank members opposite for their support of the Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022. I want to begin by acknowledging and thanking all the businesses of Western Australia for the work that they have done in contributing to our state, contributing to our management of the pandemic and contributing to a set of circumstances that back in 2019 nobody in this house or in Western Australia would have foreseen in terms of its impacts.

I want to address as many of the questions that members asked as possible. I will start with the member for Cottesloe's question: why has this bill come forward now? We would not be in this situation if the Liberal and National Parties had not taken this power away from the Small Business Development Corporation in 2011. After reading *Hansard*, I see that that amendment went through without a murmur. I refer to all the inefficiency that has come out of the SBDC, being a principal small business agency having to negotiate with third-party departments to deliver financial assistance when it is required, and that financial assistance might be in circumstances of disaster relief or dealing with other emergencies that have an unforeseen impact on small business. The reason we are here today is that the opposition, the then government, removed this power back in 2011 for some unknown reason.

One of the first questions that the member for Moore asked was: what types of grants may be part of this amendment bill and will the powers be continued? In my view, they are sensible. The feedback that I have had from the SBDC board is that it is sensible for this power to continue. I understand it is a welcomed power because it will improve efficiency in those unforeseen circumstances such as emergencies that impact on small business and which require a government that is a great supporter of small business. I recall the SBDC came out of that great advocate, Hon Mal Bryce, who originally put the act together for the SBDC. I see this power continuing and I see it being used

judiciously in support of small business. I certainly reject any notion that it will be there just to be used on a whim to provide money to the small business sector. Everything that I have observed, and certainly my reading of the history of the Small Business Development Corporation, indicates that it is a very well considered organisation. I have enormous respect for the board and the frameworks and policies that it has established to support small business in the state.

The member for Moore raised the issue of the capacity within the SBDC to administer the financial delivery. That is what we are talking about. It already has capacity for assessment, but this is about the delivery of money directly to businesses. There is no doubt in my mind that these assistance packages are going to be well utilised by the sector. Certainly, they were very well received in discussions we had with the peak bodies leading up to the establishment of the assistance packages. I anticipate that there will be a lot of interest in applying for support, because we know that it has been a tough period, and the small business sector has expressed that to me directly. Notwithstanding that, the issue of safeguards is important. There are opportunities for totally unscrupulous people, or maybe even foreign actors, to try to take advantage of the support that we want to provide to hardworking small business operators. One of the safeguards will clearly be the use of myGovID to make sure that we know whom we are dealing with. There will be a requirement for documentation to support the operation of the business within Western Australia. That is not going to be onerous, because we want a balance between good accountability and simplicity in accessing funds and getting funds out efficiently. Again, I have had discussions with the commissioner and I am very assured by the steps that have been put in place to address the issue of fraud, which is a very real concern when dealing with large amounts of money.

We intend to increase resources. There will be increased resources for assessment; that is where the bulk of the additional workload will be in dealing with the volume of applications that we anticipate. The SBDC already has very good fraud detection capability within its existing staffing. The board has established a new audit and risk committee. I have written to the board and the board has replied to me that it feels confident about the additional responsibilities that will come with the amendment made by this bill. I have every confidence in the board and the staff. They are receiving additional resources in recognition of the volume of work that is likely to come through.

The member for Moore also talked about consultation and feedback. Since I became Minister for Small Business in December, I have taken the opportunity to meet with small businesses as often as possible. I have held a number of round tables with small businesses in regional WA, as has my parliamentary secretary, and I intend to continue to hold them. I have also had a number of small business round tables within the metropolitan area. Certainly, while I am the minister, one of the hallmarks will be continual engagement with the sector so that I can hear directly from it. I am aware of some of the issues that the member has raised. Skill shortages and some of the pressures on small businesses are common. They are not being addressed by this legislation, but I am very well aware of those and we will work through those with small businesses.

Prior to my becoming the minister in December, Hon Reece Whitby consulted with key representative bodies to look at the information about how we live with COVID in WA and what the future might be as the response to the COVID pandemic unfolds, and that incorporated Emily Roper, the director general of the Department of the Premier and Cabinet. In January 2022, Hon Roger Cook met with representatives of the tourism and travel industries to hear firsthand from those sectors. On 18 February 2022, Hon Roger Cook and I hosted a virtual industry round table to discuss the impact of COVID-19 on businesses and the operations of members of the sectors and how they are tracking now and will track into the future.

My view is that a lot of consultation has been undertaken to understand the needs of small business and what the impacts might be in the medium and longer term future. I note that we have undertaken that consultation in an environment in which broadly—I certainly take on board the points that the member for Roe and the member for Cottesloe made about individual businesses—the key financial indicators for the state are very positive. In my view, that is a reflection of the very hard work that has gone into how we manage not only the safe transition support policy and the move towards opening our borders, but also the overall Western Australian state recovery plan. An amount of \$1.7 billion has been spent through the safe transition support program since the beginning of the pandemic. That is a significant amount of money. There has been \$420 million of business assistance since December and the overall WA recovery plan had \$5.8 billion. When members talk in throwaway terms about the state's surplus, they need to remember that this government is not only investing significantly in state infrastructure that builds a future and a platform for recovery, but also directly supporting small businesses. Many small businesses in this state have benefited from that, and I am sure that those in the member's electorate have done so. I certainly get feedback in my electorate that that is the case, and I have had that feedback in other regional centres that I have visited.

The member for Moore spoke about the losses that have been felt by small businesses, and I certainly do not take away from that. But I remind members that we are living in a pandemic situation and the kinds of impacts that we have had are going to have a profound impact on the way that we live, our economy and the way that we work, which we have seen very transparently in working from home and working from an office location. Imagine if we lost control of the virus in the state. Imagine if we had the experience that we have seen in the eastern states collectively, with significantly longer lockdowns and significantly harsher restrictions. They have been profound

impacts, and they are still being felt in the eastern states. Despite what we hear, people in the eastern states are still very reluctant to engage in going out and supporting the economy. Despite the requirement to wear a mask being removed in New South Wales, people are voting with their own masks and are continuing to wear them in the light of growing COVID numbers. This is a pandemic that we cannot afford to lose control of.

A number of comments were made about the uncertainties that small businesses face. If I could remove uncertainty and provide certainty overnight, I would. But we cannot do that in a pandemic; we have to be nimble and we have to react, and we have to do that with well-considered health advice. That is how this government has managed the impact of those losses on Western Australia. It has worked hard to provide the best climate for small businesses to survive and, in some cases, grow, and we are seeing that in our economic performance indicators for the state. The government also recognises the profound social impact. I recognise—I have heard this from small businesses—that they are tired and fatigued, that the issue of skill shortages has had a profound impact on some businesses' ability to continue to operate, and that the uncertainties cause stress. What we are doing with the assistance packages and this amendment bill is addressing one very small part of the overall response strategy. That one small part is to right the wrong from 2011 and give the SBDC the power to assess and to provide financial assistance. This will create an efficient climate so that small businesses that are doing it tough have an accountable but straightforward assessment process. There will be a streamlined process for the administration of funds so that businesses receive those funds in a timely manner and can meet their obligations.

We are working hard. We are at the pointy end of this phase of the pandemic. The Chief Health Officer and the modelling are forecasting a peak over the next week or two, and then we will see some potential increases in hospitalisations a couple of weeks after that. That is what the modelling is telling us and we have based our assistance packages on how we maintain that model and how we maintain control of the virus to try to create the best outcomes for small businesses and the families that run them. That can be a difficult challenge. I have heard lots of criticism about this notion of health advice.

Sitting suspended from 6.00 to 7.00 pm

Mr D.T. PUNCH: I want to conclude my remarks. Before the dinner break, I was commenting that all the work that has been happening around the small business response has been predicated on the advice of the Chief Health Officer. All too often in this place that advice has been trivialised, yet I know that the Chief Health Officer has excellent qualifications; he is eminently qualified. The science behind the management of the COVID pandemic has brought this state to a point at which the outcomes have been far more preferable to the outcomes of those that we have seen nationally or, in my view, globally. We have a great deal to thank the Chief Health Officer for and we should not be trivialising the advice he provides.

My last comments are for the member for Roe. The member for Roe seems to be preoccupied by toilets; it frequently comes up in his contributions. He frequently references “thought bubbles”. From my understanding of what he says, it is his view that everything that comes out of government is the subject of a thought bubble. Nothing could be further from the truth. All the way through there has been a carefully considered strategy that has responded to changing circumstances, and that has brought us to this point and the amendment bill that we are dealing with now. As I said at the beginning, we would not be here had it not been for a lack of foresight by the Liberal–National government in 2011. This amendment bill puts an amendment into the Small Business Development Corporation Act that will deliver better outcomes in terms of efficiencies and how we respond to the needs of small business throughout this pandemic period and into the future when we deal with other disasters.

I thank members opposite for their contributions. I understand that we are going to go into consideration in detail.

Question put and passed.

Bill read a second time.

Consideration in Detail

Clause 1: Short title —

Mr R.S. LOVE: I welcome the advisers. I hope they enjoyed some dinner provided by the minister. It is lovely to have them here tonight.

The short title of the bill is the “Small Business Development Corporation Amendment (COVID-19 Response) Act 2022”. Why was that name chosen? I understand that the bill will not be required only while there is a response to COVID-19, so why was this title chosen, given that its operation is not limited to the COVID-19 response period?

Mr D.T. PUNCH: Essentially, it is because of the urgency of the bill and wanting to make sure that we are as expedient as possible in getting a response and financial assistance out to small businesses.

Mr R.S. LOVE: To be clear, it is not intended that the bill will operate simply during the COVID-19 response period; it is intended to remain as a standing power of the corporation going forward.

Mr D.T. PUNCH: Yes.

Clause put and passed.

Clause 2: Commencement —

Mr R.S. LOVE: Clause 2 deals with the commencement. It states at clause 2(a) that sections 1 and 2 will commence “on the day on which this Act receives the Royal Assent” and clause 2(b) states “the rest of the Act — on the day after that day.”

I turn now to the publication of the guidelines in clause 6. We can talk more about this when we get to clause 6, but I want to ask when will the guidelines that are found at proposed sections 11AA(3), (4) and (5) come into operation? When will they be required to be published?

Mr D.T. PUNCH: It will be from the date on which the act is assented to; but, of course, grant programs can change over time and guidelines will be reissued as grant programs change.

Mr R.S. LOVE: When is the first lot of guidelines expected to be published? Will it be published immediately upon the act being assented to?

Mr D.T. PUNCH: Yes.

Clause put and passed.**Clause 3 put and passed.****Clause 4: Long title replaced —**

Mr R.S. LOVE: Clause 4 will delete the long title, which is quite a lengthy title for the act. The third dot point states —
to enhance a competitive and fair operating environment for small business in the State; and

The fourth dot point states —

to empower the Corporation to give financial assistance, grants and operational funding in relation to small businesses ...

In terms of enabling the corporation to make competitive and fair operating environments for small business in this state, how does the minister anticipate these grants will function in a non-COVID environment? Obviously, we are now talking about two measures. There is the measure of responding to the current situation and then there is the longer term measure that we are introducing—a change—that will continue forever. Therefore, how does the minister anticipate that this legislation will create a competitive and fair operating environment for small business? Does this bill mean that the minister is guaranteeing not to pick winners amongst small business? As I see it, this bill will move us away from a situation that the previous government felt was important in enabling the right conditions for small business rather than picking individual small businesses for funding. We will now move to a situation in which, post-COVID, potentially there will be small businesses that may be funded and others that may not. How will the minister ensure that it is a competitive and fair operating environment for all small businesses rather than just those that may qualify for a grant program or some allocation of funding?

Mr D.T. PUNCH: The function that relates to the competitive and fair operating environment is implicit in all the operations of the corporation; it relates to its dispute resolution processes or its advisory processes. There is no sense of picking winners, and, certainly, the whole operating ethos of the board and the way the functions are read there would preclude against picking winners.

The next dot point below provides the capacity to improve the efficiency of services to that targeted group of businesses, instead of having to partner with a third-party agency to deliver financial assistance in the circumstances of an emergency such as a bushfire, cyclone or the like. Therefore, it is certainly not a case of picking winners; it is a case of efficiency.

Mr R.S. LOVE: That is an interesting response, minister. That is very interesting for me as a member representing an area where there was the very significant natural disaster of cyclone Seroja throughout much of my electorate. Is the minister saying that in future there might be an opportunity for the corporation to be involved—like the Department of Primary Industries and Regional Development has been in the past, for instance—in farmers, communities and individuals receiving grants, and it may be involved in directly assisting in the distribution of funding from allocations under a state of emergency? Normally, we expect a state of emergency to be a bushfire, flood or cyclone et cetera.

Mr D.T. PUNCH: Yes. When the SBDC might be allocated a role for assessment for a particular purpose or a particular incident, the bill will empower it to provide the direct financial assistance on the back of that assessment. Therefore, it is an efficiency measure.

Clause put and passed.**Clause 5: Section 11 amended —**

Mr R.S. LOVE: There are not many clauses left! I will read from the explanatory memorandum under “Part 2 — Small Business Development Corporation”. The second paragraph states —

Clause 5(2) inserts proposed subsection 11(3)(c) to clarify that the Corporation has the power to enter into contracts or other arrangements in the performance of its functions.

Can the minister explain to me what the need is for the corporation to be able to enter into contracts? What might those contracts mean in terms of specific matters expected to be carried out by businesses, what expectation is on the corporation, and what might those contracts involve?

Mr D.T. PUNCH: This clause makes it very explicit that the SBDC can enter into contracts for the provision of services, such as the small business advisory services that operate around the state. It was implicit in the act previously, but in taking this amendment through, we will make it quite clear what the function is and what the powers are of the SBDC.

Mr R.S. LOVE: That is interesting, minister. I had not realised that there was a problem in funding those contracts, which have been in existence for many, many years. The Small Business Development Corporation funds entities to provide those services in different districts throughout the state. Is the minister saying that there is some sort of question mark around its current ability to carry that out?

Mr D.T. PUNCH: No; I am not. What I am saying is that the bill will make it absolutely crystal clear that it is there so that there can be no question about it. However, the operations to date, as far as I understand, have been within the principles of the act.

Mr R.S. LOVE: Therefore, the only contracts that we are talking about in these circumstances are those contracts for the provision of that service that has historical significance, or are there other contracts that the minister envisages that may be entered into and can he give me some examples of what they might be?

Mr D.T. PUNCH: This contract provision has to be considered in the context of the functions of the act. The SBDC has an obligation to fulfil those functions, and the board is entitled to choose a range of options in how it fulfils those functions. This contract provision will make it transparent when the board is actually engaging in contracts and for what purpose, but it will have to be related back to the functions of the SBDC.

Mr R.S. LOVE: Turning to the provisions of clause 5(2), proposed section 11(3)(c) refers to entering into contracts or other arrangements. Can the minister elaborate a little on what those other arrangements might be other than contracts that he is seeking to have the corporation enter into?

Mr D.T. PUNCH: It refers to any of the functions listed under section 11(2).

Clause put and passed.

Clause 6: Section 11AA inserted —

Mr R.S. LOVE: Clause 6 is quite a lengthy clause considering the size of the bill. The explanatory memorandum states —

This provision extends the Corporation's functions to provide financial assistance and grants in relation to small businesses and makes provision for guidelines to be made and ...

To be introduced.

In terms of the guidelines that will be introduced immediately, will they relate specifically to COVID-related circumstances or will they be more general and wider than simply that?

Mr D.T. PUNCH: The guidelines are already there for level 1 assistance and will come into being with the act. In relation to other programs that may be established from time to time, maybe in response to a disaster situation, there will be specific guidelines and they will have to be published. It really makes provision for transparency in the development and publication of guidelines on programs now and into the future.

Mr R.S. LOVE: Sorry; the minister had his mask on and I am not sure exactly what he said in the first little bit. Is the minister saying that these guidelines are COVID-specific and they are the ones being written and other ones will be developed later? I am trying to gain understanding.

Mr D.T. PUNCH: The current guidelines published for level 1 are COVID-specific. The immediate requirement is for COVID-specific guidelines. At some future date, there may well be guidelines published for a specific purpose associated with a particular task.

Mr R.S. LOVE: Moving further through the explanatory memorandum—I am relying upon this because this is the explanation that has been provided to us about what it all means—on the next page in the fourth paragraph under this clause, it states —

... enables the Corporation to give financial assistance and grants to persons who are not small businesses for the purposes of financially benefiting small businesses, in accordance with the guidelines that must be made under subsection 11AA(3).

Given that those guidelines have already been written for COVID-related circumstances, are there other entities that, in this particular circumstance, the government is seeking to provide grants to or through, and could the minister outline some examples of what those groups might be?

Mr D.T. PUNCH: An example is probably the best way. For example, that covers the issue of assistance to landlords in relation to retail tenants. The assistance is actually being paid directly to the landlord rather than through the retail tenant. There are separate provisions for retail tenancy support. That is the sort of example.

Mr R.S. LOVE: Just to confirm, have those guidelines already been written?

Mr D.T. PUNCH: Yes, that is my understanding.

Mr R.S. LOVE: If we are talking about the corporation having the ability to distribute other funds—the minister has mentioned a number of circumstances in which there might be emergencies and other things—is the intention also to change the business nature of the corporation to provide grants to persons outside the realm of emergency response? Is that going to be the business of the corporation going forward; and, if so, has a budget been assigned to that purpose?

Mr D.T. PUNCH: No, that is not the intent. This is really an amendment for business as usual for the Small Business Development Corporation. The functions remain the same apart from that inclusion of the power to distribute funds to small business.

Mr R.S. LOVE: Talking more specifically about the guidelines that have already been written, will they have to be provided to Parliament? Will they be disallowable or are they simply a guideline rather than a disallowable instrument?

Mr D.T. PUNCH: The guidelines will be published on the website. These amendments make provision for the guidelines.

Mr R.S. LOVE: Thank you. But what status do the guidelines themselves have, and would it be possible for a chamber of Parliament to set aside or disallow those guidelines on the basis that they do not conform to the purposes that Parliament feels are appropriate?

Mr D.T. PUNCH: The guidelines are based on decisions of government in relation to a particular task that is set for the SBDC. It will be the responsibility of the SBDC to develop those guidelines and operationalise them. That is a matter for the board. I would expect that, as minister, I would have an oversight role in relation to that.

Mr R.S. LOVE: I am not sure whether that answers the question. Would they be disallowable under the rules of the chamber?

Mr D.T. PUNCH: No, they would not be disallowable.

Mr R.S. LOVE: In the production of the guidelines—the minister mentioned before some of the audit circumstances that are being outlined—I am interested to know whether the minister has spoken to the Auditor General about this program, what level of oversight the Auditor General will have over this program and whether the Auditor General has given any advice about the construction of the guidelines and the oversight that will go with it.

Mr D.T. PUNCH: I have not spoken with the Office of the Auditor General, but the SBDC has taken advice from the OAG and the State Solicitor's Office, and the board, in relation to its government responsibilities, would seek to assure the overall operations and has established an audit and risk committee to add further to its governance of these programs.

Clause put and passed.

Clause 7: Section 19 amended —

Mr R.S. LOVE: Clause 7 in the bill is pretty non-specific about where funds might be that will pay for financial assistance grants et cetera, but the explanatory memorandum states —

The purpose of this provision is to make clear that money held in the Small Business Development Corporation Account may be applied to financial assistance, grants and operational funding in relation to small businesses.

What money is currently being held in the Small Business Development Corporation account for the purpose of providing the grants, and how much money will be allocated to that after the commencement of the provisions in this bill?

Mr D.T. PUNCH: The funds will be transferred from Treasury to the SBDC account for the particular program that is being funded. I need the member to repeat the second part of his question; I think there was a second component to it.

Mr R.S. LOVE: My question was about what money in the Small Business Development Corporation account is available now for funding and what moneys are to be distributed into that account so that it can actually commence. Is there money in that account at the moment?

Mr D.T. PUNCH: Yes, the SBDC is currently in the assessment process and funds will be transferred as required for the program funding once this amendment has gone through.

Mr R.S. LOVE: Finally, and probably the last question, regarding reporting on the totality of the arrangements and the funding program et cetera, what level of detail will be reported by the corporation about where the grants

may have gone? I assume there will be some level of confidentiality or it may try not to identify people who may or may not have received grants, but will there be some information about the sectors and the regions and what level of grants have been applied so that there is an understanding of how this program has actually been rolled out?

Mr D.T. PUNCH: That information on the overall transparency of the program will be provided at a program level in the annual report.

Clause put and passed.

Title put and passed.

Third Reading

MR D.T. PUNCH (Bunbury — Minister for Small Business) [7.30 pm]: I move —

That the bill be now read a third time.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [7.30 pm]: I want to pick up on a couple of things that we have heard in the consideration in detail of the Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022. I first want to thank the advisers for their contribution. I also reiterate the opposition's support for the bill. We understand that we need to provide support to small business. We have heard through the consideration in detail stage that this bill seems to be a genuine attempt to target that expenditure throughout the COVID pandemic and all that entails. We have heard that the Small Business Development Corporation will be given the power to continue to fund small business into the future through whatever means are seen to be appropriate and under the guidelines that it will be required to publish on its website. We have heard that those guidelines will change according to the requirements that exist at the time, whether that is responding to a particular emergency or a particular set of circumstances. I imagine that a series of guidelines will be drawn up over time and will be applied in a rather bespoke fashion to whatever the circumstances might be. I am heartened to hear that advice has been taken on the audit process and that controls will be put in place. We know that there is always a risk when an organisation is involved in providing financial support; therefore, probity must be applied. I have been given some assurance that that will be the case.

The Minister for Small Business in his response to the second reading debate took a bit of a dig at the previous government for removing this power from 2011 onwards. I will respond by saying it was quite clear that the former Premier had a very deep concern about some of the excesses that we saw under the Labor government with WA Inc. He had a deep suspicion about funding business directly given the track record of Labor during the era of Burke and other Premiers. It is, therefore, understandable that the then Premier made that decision. I do not think that was necessarily an inappropriate response to have been made by the minister 11 years later. A long time has elapsed since that decision was made, and the Small Business Development Corporation has been functioning well in the meantime, until COVID. A lot of thought will need to be given to future programs that are perhaps not related to emergency responses and what that will mean. We certainly all want business to thrive, and we want conditions to be put in place to enable business to thrive. We do not want to see the government plucking out favourites and picking winners; we have seen enough of that over the years. We want to ensure that the money goes to people who can demonstrate need so that it will be an effective method of distributing the finances that are required. I have also taken some assurance from the minister's remarks that the necessary amount of resource will be provided to that organisation to enable it to do this particular task. As I have said, I have no concerns about the personal integrity of the corporation and its officers. I have the greatest respect for them.

With that, I will conclude my remarks. I do not know whether anyone else would like to make a third reading contribution. Hopefully, this bill will go through the other place, and in the very near future small business will get the assistance that it desperately requires at this time.

Question put and passed.

Bill read a third time and transmitted to the Council.

TRANSPORT LEGISLATION AMENDMENT (IDENTITY MATCHING SERVICES) BILL 2021

Receipt and First Reading

Bill received from the Council; and, on motion by **Mrs J.M.C. Stojkovski (Parliamentary Secretary)**, read a first time.

Explanatory memorandum presented by the parliamentary secretary.

Second Reading

MRS J.M.C. STOJKOVSKI (Kingsley — Parliamentary Secretary) [7.36 pm] — by leave: I move —

That the bill be now read a second time.

The Transport Legislation Amendment (Identity Matching Services) Bill 2021 will implement the Intergovernmental Agreement on Identity Matching Services that was endorsed by the Premier and other first ministers at the special meeting of the Council of Australian Governments on counterterrorism on 5 October 2017. Its content is based on

legislation that was previously considered by the Parliament in the form of the Transport Legislation Amendment (Identity Matching Services) Bill 2020, which lapsed with the prorogation of Parliament in December 2020. However, a number of the bill's provisions have been amended to address recommendations of the Standing Committee on Uniform Legislation and Statutes Review in response to the committee's concern about sovereignty, as well as an amendment to allow for computer system testing. The proposed amendments are detailed in the explanatory memorandum.

The objective of the intergovernmental agreement is to facilitate the secure, automated and accountable exchange of identity information, with robust privacy safeguards, in order to prevent identity crime and promote law enforcement, national security, road safety, community safety and service delivery outcomes. One part of this work is to build the National Driver Licence Facial Recognition Solution. The solution is a technical platform that facilitates the sharing of driver's licence information between commonwealth, state and territory governments under strict access conditions. It is part of the commonwealth government's face-matching services.

Within the solution system there are secure databases that hold each Australian state and territory's driver's licence information, separate from each other. Western Australia will always maintain control over and access to its own data and can withdraw, with notice, from the solution or suspend access to WA data at any time. As host of the solution, the commonwealth Department of Home Affairs cannot see or modify identity information data that is contained within each state or territory's database.

The bill will amend Western Australian road laws: the Road Traffic (Administration) Act 2008 and the Road Traffic (Authorisation to Drive) Act 2008. It will also amend the Western Australian Photo Card Act 2014. This will allow the Department of Transport to contribute Western Australian learner's permit, driver's licence and photo card facial images, along with identifying information such as names and addresses, to the solution. The face-matching services will allow members of the community, with their consent, to quickly and easily have their identities verified when engaging with government—for example, when applying for a driver's licence, learner's permit or photo card—by matching their facial images with images on official government records. The face-matching services will also benefit victims of natural disasters who have lost their identity documents.

Western Australia's ability to access the face-matching services, enabled by this bill, will help deter crime, prevent identity theft and provide law enforcement agencies with a powerful investigative tool to identify people who may be associated with serious criminal activities. Identity crime is one of the most common and costly crimes in Australia, with around one in 20 Australians becoming a victim of identity crime each year, at an estimated annual cost of \$2.2 billion. The face-matching services will also help Western Australians who have become victim to identity theft more easily restore their compromised identities.

The face-matching services will help prevent and detect the use of fake or stolen identities, which can be key enablers of fraud, organised crime and terrorist activity, and protect Western Australians by making it easier for law enforcement agencies to identify people who may be of interest in relation to criminal activities. The face-matching services will use sophisticated, secure facial recognition technology to streamline existing, resource-intensive manual processes for verifying known persons' identities and identifying unknown persons. This will speed up and improve the provision of customer service and law enforcement investigations.

The current document verification service, hosted by the commonwealth Department of Home Affairs, cannot detect documents such as a driver's licence that contains a fraudulent photo but a legitimate name and address; nor can it identify an unknown person from a facial image. The document verification service is currently used by WA government agencies and the private sector to verify identification information on drivers' licences and other government-issued identity documents. The face-matching services will also improve road safety by increasing the detection and prosecution of driving offences by making it harder for persons to obtain a driver's licence with false identities to avoid traffic fines, demerit points, driver disqualifications and licence cancellations.

Existing WA road laws and photo card legislation provide strict conditions around how facial images and identifying information are collected, stored, used and disclosed to ensure that the privacy of Western Australians is protected. Current legislation permits release of individual facial images upon request to the Western Australia Police Force, the executor or enforcer of a deceased estate, the Australian Security Intelligence Organisation, and, with the prior approval of the Commissioner of Police, prescribed law enforcement officials. Although the bill will expand disclosure provisions, it will provide strict conditions around how facial images and associated personal information will be disclosed via the face-matching services. Department of Transport customer information will be subject to strong safeguards through legally binding identity-matching services documents called participation agreements, and participation access arrangements. These will be signed by senior representatives of other states and territories before access is granted to Department of Transport customer-identifying information.

The National Driver Licence Facial Recognition Solution has been designed and built with robust privacy safeguards in mind and has been subject to detailed privacy impact assessments and data security assessments. The Department of Transport acknowledges that strict privacy controls must be in place to protect the privacy of WA customer information, and has engaged a specialist privacy consultant to undertake a privacy impact assessment on its

participation in the solution and use of face-matching services. WA identifying information will be accessible only by authorised agencies and by individuals within those agencies who are also appropriately authorised and have undertaken required training. Access will be subject to a robust audit and compliance framework and independent oversight.

The face-matching services cannot be used to conduct real-time monitoring or live facial recognition of people in public spaces—sometimes referred to as mass surveillance—or identify people to investigate minor offences, such as jaywalking or littering. This will enable participating government agencies and organisations to verify a known identity with the consent of that customer through the face-verification service. Due to strict privacy protections in the commonwealth Identity-matching Services Bill 2019, only agencies with law enforcement, national security or anti-corruption functions will be able to identify an unknown person through the face-identification service.

The bill also supports this government's digital reforms, with a focus on delivering convenient, smart and secure services through central coordination and cross-sector collaboration. These build on the foundations of the digital service delivery set out in the *Digital strategy for the Western Australian government 2021–2025*.

I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

FIREARMS AMENDMENT BILL 2021

Third Reading

MR P. PAPALIA (Warnbro — Minister for Police) [7.46 pm]: I move —

That the bill be now read a third time.

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [7.47 pm]: I rise to make a few concluding remarks as part of the third reading debate on the Firearms Amendment Bill 2021. Again, I thank the Western Australia Police Force and the minister's advisers for the information and the clarification that has been provided to the opposition through the consideration in detail stage and the broader process, and for the communication with other members of Parliament, in particular the shadow Minister for Police in the other place.

From the outset, as I have already stated, the opposition supports the intention of this legislation. Some issues were raised by members of the opposition, who sought some clarification from the minister on some of the definitions and some of the unintended consequences. But we certainly support the intention of this bill and the shadow minister and the team in the Legislative Council will go through the bill in further detail. We support what this bill sets out to achieve. We thank the minister for the clarification and information that has been provided through the consideration in detail stage. We accept the important role of good gun laws and how they impact, control and stamp out organised crime and, in particular, the scourge of outlaw motorcycle gangs. Good gun control plays an important role in protecting victims of family and domestic violence. We note the importance of this bill in targeting criminals and criminal activity. As I stated, we certainly support what this bill sets out to achieve. I will also take the opportunity to thank the Western Australia Police Force for the outstanding work it undertakes in our community. We certainly support how this bill will hopefully strengthen Western Australia police in their enforcement activities. Over the last 12 months to two years of the pandemic we have certainly seen an extraordinary effort on their part, which continues.

I will leave my comments there. I would also like to thank the community representatives who have come to us and the licensed firearm operators who had genuine concerns and issues that they wanted to have clarified, along with some of the local Western Australian sporting shooters groups that also sought some clarification. They may well seek answers to more questions from our members in the upper house, but I put it on the record that we will not oppose this bill and we certainly support what it intends to achieve.

MR P.J. RUNDLE (Roe) [7.51 pm]: Like the member for Vasse, I will make just a few brief comments on the Firearms Amendment Bill 2021. Firstly, I would like to thank the Western Australia police for not only their efforts on this bill, but also the work they have done over the last couple of years in roles that I do not think many of them would have expected a few years ago. As members of Parliament, we interacted with the police on Operation Tide to try to help our constituents get back into WA or to get some clarification. I just want to express, on a personal note, my appreciation to people like Brad Sorrell, Cameron Western, Darryl Gaunt and many others who have helped out over that time.

There has also been the challenge of the outlaw motorcycle gangs. That is something that seems to be occurring much more often these days, or at least the publicity certainly is, so along with the member for Vasse, I reiterate that we will not be opposing this bill. We have tried to point out the concerns of the people we have been talking to in the firearms industry, if you like, and part of that is the 81 000 licensed firearm owners in WA. We have tried to express the concerns that they are worried about and the unintended consequences.

I got a message this morning from someone who holds a couple of stocks. The questions now are about the bureaucracy and the work involved in whether they can actually now hold firearms, and how it will work as far as

our repairers go with the interchangeable stocks and the triggers that have been lawfully held until now. The other thing we have to think about in Western Australia is the size of the state and the difficulties we have with our regional people who are out there with pest control and other things. That really needs to be kept at the forefront: that accessible repair work is a long way away. Hopefully, there will not be too much bureaucracy in their way, but we understand the legislation. From my experience, it is always a challenge when we look at issues when they really need to be able to take the gun to the repairer, if possible, and if there are parts that they are already holding, how that is dealt with. I fully understand the scenario with regard to 3D printer manufacturing of firearms and the like, and I can fully understand what the minister is targeting there. At the same time, there is a lack of clarity in relation to historical manuals and those types of things, which we brought up during consideration in detail.

I reiterate that we are not opposing the bill, but it is our job to try to clarify for our constituents the unintended consequences. We do not have many repairers out in the bush, so we need to make sure that they are accessible and that our licensed firearm owners are thought of and remain part of the thinking as we go into the new legislation. We also need to make sure that our police force targets things in the right way. I will leave it at that, but as I said, I want to congratulate the Western Australia Police Force on its efforts over the last couple of years in what have been trying circumstances.

MR P. PAPALIA (Warnbro — Minister for Police) [7.56 pm] — in reply: I thank members for their contributions to the third reading debate and all those who made contributions during the second reading debate and consideration in detail of the Firearms Amendment Bill 2021; it was quite an extensive discussion. I trust that the concerns members raised were addressed in consideration in detail. I urge anyone out there who is following the debate with interest, including licensed firearm owners, to read the answers that were provided on advice from the advisers. I believe we addressed concerns about what might have been perceived as unintended consequences. I can confirm that no change has been made to the law with regard to who can repair a firearm; that is unchanged. If there is any expectation out there that people were doing things that they should not have lawfully been doing, we are not changing those laws; it is already unlawful.

That aside, I draw members' attention back to the focus of the bill. This bill is focused on serious criminals. The intent of much of what we are doing here is to assist police in targeting serious organised crime, terrorists and serious family and domestic violence offenders. Those are the types of people that the bill will provide police with additional powers to target. That is the intent of the bill, and it means that it will not impact on the vast majority of people out there who are lawful firearms licence holders.

I repeat that the bill is a consequence of a long series of consultations and deliberations, beginning with the national firearms agreement before the Law Reform Commission report, which was tabled in 2016 after a couple of years of work and some 1 244 written submissions, followed by the ministerial working group during the last Parliament, appointed by the now Speaker in her then role as Minister for Police. There was a lot of further consideration, and that has resulted in the prioritisation of the things that we have in this bill and the structure of it.

I join members in thanking those who worked very hard to bring this bill to the Parliament: the advisers, Mr Malcolm Penn, Ms Louise Looby and acting inspector Ken Walker, and all their team and the other people who have worked diligently to prepare the legislation, including Ms Jessica Garcia from my own office, who has worked very hard on this legislation. I look forward to its swift passage out of here, into the other place, and on into the public so that we can target serious criminals and assist the police in making the place safer and better for all Western Australians.

I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.

House adjourned at 8.00 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

WA COUNTRY HEALTH SERVICE — CHILD DEVELOPMENT SERVICES — WAIT TIMES

326. Ms M.J. Davies to the Minister for Health:

- (1) Can the Minister please provide the current wait list period (in months) for children aged under 6 for the following services, broken down into WA Country Health Service (WACHS) sub regions:
 - (a) Audiological assessments;
 - (b) Speech pathology assessments or therapy;
 - (c) Ear, Nose, and Throat (ENT) services and surgeries; and
 - (d) Developmental paediatrician services?
- (2) Can the Minister please provide the current wait list period (in months) for children aged over 6 for the following services, broken down into WA Country Health Service (WACHS) sub regions:
 - (a) Audiological assessments;
 - (b) Speech pathology assessments or therapy;
 - (c) ENT services and surgeries; and
 - (d) Developmental paediatrician services?
- (3) What is the current staffing gap in Full Time Equivalent (FTE) in WACHS, for the following services targeted at children under the age of 18:
 - (a) Audiological assessments;
 - (b) Speech pathology assessments or therapy;
 - (c) ENT services and surgeries; and
 - (d) Developmental paediatrician services?
- (4) What is the current staffing gap in FTE in the Child and Adolescent Health Service (CAHS) for the following services:
 - (a) Audiological assessments;
 - (b) Speech pathology assessments or therapy;
 - (c) ENT services and surgeries; and
 - (d) Developmental paediatrician services?
- (5) What are the “did not attend” rates for the 2021–22 financial year, for children under the age of 18, for medical and allied health appointments in the following health service provider regions or sub regions:
 - (a) East Metropolitan Health Service;
 - (b) North Metropolitan Health Service;
 - (c) South Metropolitan Health Service, including services in the Peel region which are captured by the area for the South Metropolitan Health Service;
 - (d) CAHS; and
 - (e) WACHS:
 - (i) South West;
 - (ii) Wheatbelt;
 - (iii) Great Southern;
 - (iv) Goldfields;
 - (v) Midwest;
 - (vi) Pilbara; and
 - (vii) Kimberley?
- (6) For children under the age of 18, what initiatives does the government have in place to reduce the waitlists, did not attend rates, and to increase the staffing levels in rural, regional, and remote locations?
- (7) Are any interstate or international service models being considered for adoption or trial within WACHS sub regions, whether by WACHS or by CAHS? If yes, please detail:
 - (a) The name of the service model;

- (b) The service provider sub region where the service model is being applied;
- (c) The age cohort targeted;
- (d) Stage of adoption or trial for the service model;
- (e) If any trial sites have been chosen and the locations for each service model; and
- (f) If the Future Health and Research Innovation Fund is being leveraged for the service, and the amount of funding being provided by the Future Health and Research Innovation Fund?

Ms A. Sanderson replied:

- (1)–(2) The Department of Health has invested significant effort through the Sustainable Health Review Implementation program to address a wide range of critical reforms, including comprehensive Outpatient Reform Projects that involve extensive work to improve the quality, consistency and accuracy of outpatient data. This will enable accurate reporting of wait times for outpatient appointments to assist clinicians and the public in accessing appropriate care. Further work is occurring to identify and remediate identified quality issues. Until such time as these reforms are complete, reliable outpatient waiting time data is unavailable.
- (3) The current difference between the staffing establishment and currently employed staff for WACHS for services for children under the age of 18 is:
 - (a) 0.53 FTE
 - (b) 14.75 FTE
 - (c) WACHS does not directly employ ENT medical practitioners; services are contracted.
 - (d) Paediatricians directly employed by WACHS deliver both developmental and general paediatric services.
- (4)
 - (a) Community Health Audiology – Nil vacancy
PCH Audiology – Nil vacancy
 - (b) Community Health Speech Pathology – 4.0 FTE
PCH Speech Pathology – Nil vacancy
 - (c) ENT Department – Nil vacancy
 - (d) Community Health Developmental Paediatric Services – 0.5FTE Registrar
- (5) (a)–(e) [See tabled paper no [1013](#).]
- (6) WA Health has a comprehensive Outpatient Reform Program (OPR Program) in place consisting of multiple reform initiatives aimed at ensuring timely, equitable, cost-effective and clinically appropriate access to public outpatient services. This is a state-wide program, covering both adult and paediatric services that is currently funded over 4 years.

WACHS has also implemented strategies to recruit and retain clinicians providing services to children under the age of 18.
- (7) WACHS continually reviews the service it provides to identify opportunities for improvement.

CORONAVIRUS — TESTING CLINICS — MOORE ELECTORATE

353. Mr R.S. Love to the Minister for Health:

- (1) Can the Minister please provide a list of all COVID testing and temporary testing sites for symptomatic and asymptomatic patients in the Electorate of Moore?
- (2) With reference to the Department of Health website which lists COVID testing clinics (www.healthywa.wa.gov.au) as follows – ‘testing is available at COVID clinics, regional public hospitals and health services, remote health clinics’, will COVID testing be made available at the following health services:
 - (a) Bindoon;
 - (b) Mingenew;
 - (c) Jurien Bay;
 - (d) Leeman; and
 - (e) Lancelin?

Ms A. Sanderson replied:

- (1) Formal PCR COVID testing sites are located at the following WACHS Health Centres:
 - Dalwallinu
 - Dongara Eneabba Mingenew

Goomalling
 Jurien Bay
 Morawa Perinjori
 Mullewa
 Northhampton
 North Midlands (Three Springs)
 Moora
 Wongan Hills

- (2) (a) There is no WACHS facility at Bindoon.
 (b) Testing is available at the Mingenew Silverchain post.
 (c) Testing is available at WACHS Jurien Bay Health Centre.
 (d) Testing is available at the Leeman Silverchain post.
 (e) Testing is available at the Lancelin Silverchain post.

In the case of a surge in these locations, temporary testing capacity may be deployed. Additionally, testing can also be undertaken at home using Rapid Antigen Tests which are now widely available to the public. RAT kits are available at supermarkets, pharmacies and other selected suppliers. As part of the WA Free RAT Program, every WA household is eligible for five free RATs.

ENERGY — POWER OUTAGES — MOORE ELECTORATE

354. Mr R.S. Love to the Minister for Energy:

I refer to unplanned power outages within the South West Interconnected Network (SWIN) since 1 November 2021 to present, and I ask:

- (a) For the localities listed below, please outline the date of the outage, duration of the outage, reason for the outage (if known) and the number of extended outage claims made with respect to each outage:
- (i) Perenjori;
 - (ii) Mullewa;
 - (iii) Morawa;
 - (iv) Three Springs;
 - (v) Mingenew;
 - (vi) Dongara;
 - (vii) Port Denison;
 - (viii) Northhampton;
 - (ix) Port Gregory;
 - (x) Horrocks;
 - (xi) Nabawa;
 - (xii) Yuna;
 - (xiii) Jurien Bay;
 - (xiv) Cervantes;
 - (xv) Green Head;
 - (xvi) Leeman; and
 - (xvii) Eneabba; and
- (b) Please identify the towns where Western Power is not meeting its required benchmarks or targets for reliability of supply within the regional SWIN?

Mr W.J. Johnston replied:

- (a) [See tabled papers no [1011](#) and [1012](#).]
 (b) Service Standard Benchmarks (SSBs) are set through the independent ERA's Access Arrangement determination. Western Power has met all SSBs related to its rural network in Access Arrangement 4 reporting periods. The only SSB not met to date was the Perth CBD SAIFI in FY2020/2021.

