

DEFENCE LEGISLATION AMENDMENT BILL, STATE CONCERNS

69. Mr BLOFFWITCH to the Premier:

Western Australia and other States have expressed concerns over the Commonwealth's Defence Legislation Amendment Bill. Could the Premier inform the House of those concerns and if there have been any developments on this important issue?

Mr COURT replied:

I thank the member for some notice of this question.

Until recently, there has not been a lot of comment on the legislation. The Bill has been drafted and the position put forward by the Federal Government is - with the Sydney Olympic Games fast approaching - that it needs additional powers to help with security. The State Government has expressed a number of concerns and has made a submission to a senate inquiry on the matter stating that it was not deemed necessary to instigate some of the proposed changes. I believe it is a way by which the Commonwealth can bypass the States on a very critical issue. It is clear in section 119 of the Constitution that the Commonwealth, when asked, must protect the States against domestic violence. It is accepted that the assistance should be in the form of the defence force. The Bill does not identify what forms of assistance will be given. It may be that the Federal Police enter a State without consultation. Until now, procedures have involved full consultation with the States before action is taken. Under the new arrangements it could be that the States will be the last to know if the defence force is to be called out. It has always been the case that the States were part of the decision-making process. The New South Wales Government believes the changes are not necessary. It is concerned that it may lead to conflict between state and federal police services if there has not been informed consultation on the need for intervention.

I do not often agree with Senator Bob Brown but he believes there should be state involvement in matters of intervention - as there has always been. I see it as yet another weakening of the position of the States in the Federation. I do not believe it is necessary for the security of the Olympic Games. The Western Australian Government strongly opposes the amendments.