

DISABILITY SERVICES AMENDMENT BILL 2004

Consideration in Detail

Clause 1: Short title -

Mr P.D. OMODEI: I note with interest that the short title of the Bill may be cited as follows -

An Act to amend the *Disability Services Act 1993* . . .

I understand that amendments are proposed to change the Advisory Council for Disability Services to the Advisory Council on Disability. Will that alter the short title of the Bill?

Ms S.M. McHALE: No.

Clause put and passed.

Clauses 2 to 5 put and passed.

Clause 6: Section 6 amended -

Mr P.D. OMODEI: Section 6(2) of the principal Act refers to the Disability Services Commission as a body corporate with perpetual succession and a common seal. I understand that this provision will ensure that the Disability Services Commission will stay as a department as established under section 35 of the Public Sector Management Act 1994. This status will be secured by legislative provision. The review of the Act identified extensive support in the community for this status, and I thank those in the public who have supported retaining the Disability Services Commission as a separate body. I commented in the second reading debate that the commission should not only be a separate government department, but should also have a separate minister. That is not to decry the efforts of this minister, but I have a feeling in my bones that it would be better to have a separate minister. I do not refer to a stand-alone minister, but a minister with a portfolio other than the Minister for Community Development. There are certainly crossovers with those portfolios. It may be argued that it is a good thing to have the portfolio under the same minister as the Minister for Community Development. It could also be argued that the commission should be under the Minister for Health's portfolio because some crossovers occur with that portfolio. There are some crossovers with treatment for people who go to prison, so the Minister for Justice could hold the portfolio. I would like a minister separate from all those ministers to hold the disability portfolio. It could be the Minister for the Environment. This would ensure that the commission retains its identity as a separate ministry. It might sound strange, but such an arrangement would allow the minister to argue the case for people with disabilities on a more genuine and stronger basis with not only ministerial colleagues, but also when going to Treasury to argue for funds. This is a personal view and not one on which I have sought advice from my colleagues. I strongly believe in a separate portfolio. I can understand arguments about synergies in having the Minister for Community Development or those responsible for health or justice holding the disability portfolio. If we are to have a separate Disability Services Commission in Western Australia, we should have a separate Minister for Disability Services. That should be a different minister from those I have mentioned. I would appreciate the minister's comment.

Ms S.M. McHALE: I noted the member's comments during the second reading debate in that regard. I do not agree with the member.

Mr P.D. Omodei: That's what democracy is all about.

Ms S.M. McHALE: Yes.

Mr P.D. Omodei: But you're wrong again.

Ms S.M. McHALE: We will agree to disagree. In my experience, it is a matter of the tenacity and ability of the individual minister to argue the responsibility of the portfolio. As I said previously, notwithstanding the fact I am also Minister for Community Development, the Government delivered the biggest single increase ever seen for the disability portfolio in this year's budget. Without wanting to lose my humility, I am pleased, on behalf of people with disabilities, with the budget allocated this year. Advantages have arisen in my being the Minister for Community Development and the Minister for Disability Services. There is a commonality of interest between the two in some of the clients involved. I have checked with the director general, and she assures me that she would not eat me for breakfast, notwithstanding the member's comments a few days ago. I am grateful that she will not eat me for breakfast. Practical examples have arisen in which I have brought the two areas under the portfolios together and sorted out problems that have existed for a number of years. As people from different areas could not run away to separate ministers, we sorted out the problems. I understand the principles and the point behind the member's comment. There are pressures in community development we must address, and there are pressures in the disability portfolio. However, the Government sees both as priority areas.

Mr P.D. OMODEI: I would not expect the minister to argue any differently from the argument made. I would not expect her director general to say any different from what she said in response to my comment. Otherwise, problems would be caused for the minister and the director general. We will agree to disagree and I will not labour the point. However, under the current portfolio arrangement, the minister will have a Caesar unto Caesar arrangement. We have split government departments in the past. The Department of Conservation and Land Management was split because of issues such as gamekeeping, poaching, conservation, resource management and other such things. The counterargument is that with these areas under one entity, compromise decisions will be made and duties and responsibilities will be identified. However, we will have to disagree. I believe very strongly that there should be a separate minister so he or she can argue, if necessary, with the Minister for Community Development, the Treasurer or anyone in the State or the Commonwealth with his or her own identity. It is not to say that the people the Disability Services Commission serves do not consider the minister to be their champion under the current structure. However, with a different minister they will know that the person at the top of the agency is dedicated to people with disabilities in Western Australia - not to all the other things that happen under the Department for Community Development or under the Department of Justice - and all the things that happen in relation to disability services in Western Australia. I rest my case. We might agree to disagree.

Ms S.M. McHALE: I appreciate that. I do not want to be seen to be having the last word. However, it is a separate portfolio and a separate ministry. One department is not subservient to the other. They are two distinct departments. This clause enshrines that as such. I wondered whether the member thought that the way in which the range of portfolios have been constructed means it is not a commission. I have a separate commission as Minister for Disabilities Services.

Mr P.D. Omodei interjected.

Ms S.M. McHALE: No. We are very conscious of keeping them separate but the point is well made.

Clause put and passed.

Clause 7: Section 7 amended -

Mr P.D. OMODEI: This clause refers to the board of the commission. I note that the board will comprise nine members appointed by the minister.

Under the proposed amendments to section 7 one person is to be the person appointed under schedule 5 of the Act as the chairperson of the council. It refers to the fact that the minister can appoint one of the persons to be chairperson. Is that the council or the commission?

Ms S.M. McHale: There are two; namely, the commission or the ministerial advisory council under disability.

Mr P.D. OMODEI: Does the chairman have to be a person with a disability or have a relative with a disability?

Ms S.M. McHale: No; he or she does not have to be. It will be one of the persons from the commission.

Mr P.D. OMODEI: It refers to the council, not the commission. I know I am ahead of the game but -

Ms S.M. McHALE: The board comes under schedule 3 and the council comes under schedule 5.

Clause put and passed.

Clause 8: Section 12 amended -

Mr P.D. OMODEI: Subclause (1)(d) reads -

in paragraph (i) by deleting "services to people with disabilities;" and inserting instead -
disability services other than disability services provided by carers;

Although we were briefed the other day, will the minister please inform me again why in subclause (1)(c) the wording in paragraph (h) is being changed from "disability service plans" to "disability access and inclusion plans"?

Ms S.M. McHALE: It was very much part of the review. When people were consulted, they wanted to give the plans a better title to reflect what they were about. People thought that disability service plans suggested only the provision of disability services and did not get down to the level of looking at access, inclusion and providing information. The term itself limited people's understanding of what the plans were supposed to be doing. By using words such as "inclusion" we have tried to advance the agenda to things like attitudinal change rather than merely physical access. The purpose of the change was to put a stronger emphasis on what the plans were supposed to be doing, which was to make our physical environment and community attitudes more inclusive of people with disabilities. The term "disability service plans" limited people's expectations or understanding of what the plans were supposed to be doing.

Mr P.D. OMODEI: Where is the provision in the Bill that compels local governments and government departments and authorities to report and to ensure that there are disability services access inclusion plans? How many local governments are providing disability service plans? I remember when we introduced the Act and the requirement was imposed on local governments to provide disability service plans. They responded quite admirably to the extent that local government facilities today are far more accessible than they have ever been. Many of them take great pride in the accessibility of their public facilities. Government departments were not as willing to respond to the concept of disability service plans. I welcome this change. It is a good idea to make people more aware of including and informing people. How have government authorities responded and what actions does the Government intend to take if they do not respond appropriately?

Ms S.M. McHALE: The section of the Act that deals with disability service plans is part 5, section 27. The section currently provides the requirement for public authorities and local governments to provide disability service plans. There is virtually full compliance in that not one public authority or local government has refused to comply with the Act. I would not expect them to. It is a matter of the degree of compliance and the quality of the disability service plans. I am informed that, generally speaking, the disability service plans are of a reasonable quality. Some authorities need a bit more prodding and encouragement to put a bit more effort into them, but it is also recognised that the disparity in the size of some of the council staff needs to be taken into account.

I have had conversations with representatives of the Western Australian Local Government Association to make sure that they are comfortable with the legislation, because it does impact upon them. They have been pleased with the amount of consultation and they are comfortable with the legislation. When we develop the regulations, they will be consulted again. They are also comfortable with that. It is a process; over time people feel that the requirements are not as onerous as they might otherwise have expected and that in fact they can enhance customer service. WALGA is certainly comfortable with the legislation.

Mr P.D. OMODEI: We are talking about disability access and inclusion plans as proposed under this amendment. Section 29 of part 5 of the Act refers to reporting disability service plans. Subsection (1) reads -

A public authority that has a disability service plan must, if required to report under section 62 or 66 of the *Financial Administration and Audit Act 1985*, include in such report, a report about the implementation of the plan

It seems to me from the wording of that subsection that at the time my suspicions were correct; that is, not all public authorities were complying with the spirit of the legislation. If my recollection is correct, and the director general may be able to correct me if I am wrong, we were having difficulty getting public authorities to implement disability service plans. It seems as though this amending Bill will not compel them either. To what degree are they responding to the push? I can well remember when Dr Louise Alexander was the chairperson of the advisory council when I was the minister. She used to go into town every time a new building was constructed to check how accessible it was. Many of the buildings fell short of the spirit of the legislation. Are public authorities required to deliver disability service plans and what has been the response and the quality of the responses?

Ms S.M. McHALE: Public authorities, government agencies and local governments are required, and will be required, to provide disability access and inclusion plans. Broadly speaking, I believe that attitudes are developing over the years. Probably five or six years ago there might have been resistance, in the same way we saw it with the state records legislation. Government departments and local authorities felt that it was another impost determined and generated by government. Over the years there has been a gradual acceptance and awareness of it. People feel more comfortable when they have done it once. We are seeing a greater awareness among architects and builders of universal design and building codes. Local government authorities are setting aside dollars for building changes. Local governments are also forward planning in their budgets. Some government departments have heritage buildings. Making heritage buildings accessible is notoriously difficult, because of things like lifts and grand entrances that in the early twentieth century were architecturally glamorous but were pretty awful for people with disabilities. We still have some fairly significant challenges, particularly with heritage buildings. There are now heritage architects who are -

Ms S.E. Walker: Making a fortune?

Ms S.M. McHALE: Probably making a fortune but who are also more aware of how to turn heritage buildings into accessible buildings. I believe that we are making progress and there is greater awareness.

Mr P.D. OMODEI: One of the reasons that local governments were cajoled into developing disability services plans when I was the Minister for Disability Services is that I was also the Minister for Local Government, and I think they might have been a bit worried that we would bring in Pinkertons and have a look at their books if they did not play ball. However, whatever the reason, it certainly had the desired effect. I want to make sure that

government departments respond. If that is not evident - the minister should be able to find out fairly quickly - we should change the legislation to compel them to do so.

Ms S.M. McHALE: I, or whoever is the minister at the time, will be reporting to the Parliament annually on how government agencies and other agencies are going, so there will be an annual check.

Clause put and passed.

Clause 9 put and passed.

Clause 10: Heading to Part 3 amended -

Mr P.D. OMODEI: This clause proposes to amend the heading to part 3, delete the words “for Disability Services” and insert the words “on Disability”. What is the significant difference between those forms of words?

Ms S.M. McHALE: It was reported to us by people in the disability services area that they wanted a broader focus on what the council could inquire into, report on or provide advice to me as minister. They felt that the words “for Disability Services” suggested that they had to limit their activities or advice to disability services. They wanted scope to advise on a broader range of topics and issues. It was really with that in mind that the recommendation for this amendment was made.

Clause put and passed.

Clause 11: Section 22 replaced and transitional provision -

Mr P.D. OMODEI: Proposed new subsection (1) states -

A body called the Ministerial Advisory Council on Disability is established.

That is basically the same as the current situation, but it reflects the new words “on Disability”. Proposed new subsection (2) states that the council is to comprise not more than 14 members. Proposed new subsection (4) states -

In appointing the members the Minister is to ensure that -

- (a) they are all persons who have disabilities, or knowledge of, and experience in, matters relevant to people with disabilities;

In other words, that is almost anybody -

- (b) they reflect the interests of the entire spectrum of disabilities; and
- (c) at least 2 of them have had recent experience in matters relevant to people with disabilities outside the metropolitan region.

How will the minister determine who those two people will be? Will they be nominated to the minister through the commission, the advisory council or the regional advisory forums that were held? These people will be an addition to the council. That will be very valuable and greatly welcomed by the disability sector in regional Western Australia.

Ms S.M. McHALE: Proposed new section 22 is a new provision to make it clear how the council will be established. That is a good thing, and I want to put that on the public record. The minister will seek nominations. A regulation will be generated to specify how those nominations will be sought. In recent times we have advertised in *The West Australian* for council members. We have also used the disability network. The regulations will outline the range of ways in which we will be seeking nominations. The process will be extensive and statewide, in all likelihood using community newspapers, *The West Australian* and the newsletters of various organisations, and including the reference networks that exist in regional Western Australia.

Clause put and passed.

Clauses 12 to 19 put and passed.

Clause 20: Section 28 replaced and transitional provision -

Mr P.D. OMODEI: Proposed new section 28 deals with disability access and inclusion plans. Proposed new subsection (6) states -

After reviewing its disability access and inclusion plan, a public authority must lodge a report of the review with the Commission in accordance with subsection (7).

Proposed new subsection (7) states -

Not more than 5 years is to elapse -

- (a) between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of the review of the plan with the Commission; or
- (b) between the lodgment of the report of one review of a plan and the lodgment of the report of another review of the plan.

Five years is a relatively long time. Some of these authorities are very large. However, having established their first plan, which obviously will be the most difficult task, it would seem to me that these plans should be reviewed at a more regular interval than every five years, because a lot of things can change in five years. I believe the plan should be reviewed every three years.

Ms S.M. McHALE: I am informed that the practice has been that the plans are reviewed every five years. However, it has never been a requirement. We will now require the plans to be reviewed and updated at least every five years. It is entirely open to authorities to review the plans in a period of time shorter than five years. I agree with the member's sentiment that five years is a long time. The requirement to put in place a disability access and inclusion plan has been in place for 10 years. However, given the resistance to those plans, it was considered best that in the first instance we leave the review period at five years. Some of the plans may require a lead-in time, perhaps of up to five years, because they may commit a local authority or government agency to change a building, for example, which will require significant capital funding. Dr Shean has just given me the example of installing a lift. We know that it can cost \$200 000 to install lifts. Budgeting might be required for that. It was considered that this was not something which needed to be changed but which needed to be enshrined in legislation. I take on board the member's comment. It is something that we need to monitor.

Clause put and passed.

Clause 21 put and passed.

Clause 22: Sections 29A to 29C inserted -

Mr P.D. OMODEI: I refer the minister to the insertion after section 29 of a number of sections in part 5, and in particular proposed section 29C, which refers to the annual report by the commission about plans. Proposed subsection (1) states -

As soon as practicable after each 1 July the Commission must give the Minister a report on the effectiveness of disability access and inclusion plans, and the extent to which they have been complied with, during the year that ended on the preceding 30 June.

Obviously, the minister, on behalf of the commission, will report to the Parliament each year. If at any stage the minister believes that an authority - local government or whatever - is not complying with the legislation and the spirit of it, I suggest that the minister could report that to Parliament, and at the same time an amendment to the Act could be created. I am concerned because, as the baby boomer spike starts to appear, the number of people with disabilities will increase, whether it be as a result of age, infirmity, disease or whatever. Statistics show the number of people in the disability sector. We must ensure that public places, in particular, are accessible to people with disabilities. Although great strides have been made in the area of access and a range of other matters to do with people with disabilities, my concern is that still not all places are accessible to those people. If the minister would take that on board, I would appreciate it, and I am sure the people of Western Australia would too.

Ms S.M. McHALE: I will make a very quick comment. This is a new provision that requires the minister to report to Parliament. I believe that is a good move. There was quite a bit of understandable nervousness among authorities, and local government in particular, that they would be named and shamed. However, I believe that if we are trying to push the envelope on disability, we need to have the capacity to report to Parliament on progress. We will report on both good practice and poor practice, because if we do not do that, we will be derelict in our duties.

Clause put and passed.

Clauses 23 to 26 put and passed.

Clause 27: Section 42 replaced by sections 42 and 42A -

Mr P.D. OMODEI: Clause 27 states in part -

Section 42 is repealed and the following sections are inserted instead -

“

42. Director to decide, give reasons etc.

- (1) After an investigation the Director must decide whether or not any unreasonable conduct referred to in section 33(2) has occurred and must give written notice of the decision to -
- (a) in the case of a complaint - the complainant and the respondent;
 - (b) in the case of an investigation conducted under section 46 - the Minister and any person affected by the decision; or
 - (c) in the case of a matter referred under section 46A(1) - the presiding officer of the House or committee and any person affected by the decision.

”

I presume this is in relation to the Office of Health Review and complaints lodged; is that right?

Ms S.M. McHale: Yes, it is.

Mr P.D. OMODEI: If somebody died in the care of a non-government agency that was funded by the Disability Services Commission and a complaint was made, how would that complaint be handled under this proposed section? When the clause refers to the director, is that the director of the Office of Health Review?

Ms S.M. McHALE: This clause refers to the director of the Office of Health Review. In the member's example, I am informed that in all likelihood an internal inquiry would be undertaken by the commission in conjunction with the agency. For the information of the member for Warren-Blackwood, I indicate that we are also amending the Act to ensure that an agency in which there is an untoward event must report within seven days of that event. There currently is no time period, and I was naturally concerned about that. We are strengthening that. The agency must report to the commission within seven days of an allegation being made or an event happening. The organisation would undertake an investigation and report to the commission. In the case of a death, obviously it would need to be reported to the coroner's office, and in all likelihood the coroner would have to carry out the investigation. It probably depends on the allegation. An allegation of financial impropriety would in all likelihood go to the Office of Health Review, and the director would undertake an inquiry. I could direct the director of the Office of Health Review to undertake an inquiry, and he could also report to Parliament if he felt that something needed to be brought to the attention of Parliament. It is important to note that until these amendments to the Bill were put forward, the referral of matters was restricted to the Minister for Health. However, the Minister for Disability Services will be empowered to refer matters to the Office of Health Review for inquiry and reporting to Parliament.

Mr P.D. OMODEI: The Minister for Disability Services thought that she was the only minister who was involved. It just goes to show that the Minister for Health had some input. Proposed section 42A(1), "Reports to Parliament", states -

The Director may at any time lay a report before each House of Parliament on any matter that the Director considers necessary -

- (a) arising from an individual complaint or an investigation; or
- (b) in relation to the performance of the Director's functions under this Act.

Obviously, that provision has been put into the Bill for a specific purpose. I just wondered what kind of act or event would require the director to lay a report before each House of Parliament. Is there anything specific, or is it just in case there is something of a significant, serious nature?

Ms S.M. McHALE: A good example is that if the director felt that the commission had not acted appropriately, he could go over the commission's head and my head and report to Parliament independently.

Mr P.D. Omodei: That would be serious, would it not?

Ms S.M. McHALE: It would be serious, yes. I have seen only one report from the Office of Health Review while I have been a member.

Mr P.D. Omodei: It is very rare.

Ms S.M. McHALE: It is very rare. This provision will strengthen the Disability Services Act to ensure that that power is in place, because at the moment it is in the Health Services (Conciliation and Review) Act. It is rare, but it is important that the Bill provide the ability for the director to report straight to Parliament.

Clause put and passed.

Clause 28 put and passed.

Clause 29: Part 6 Division 4A inserted -

Mr P.D. OMODEI: I could not let this clause pass without commenting on its very intriguing wording. Clause 29, which will insert division 4A, "Director's relationship with the Minister", into part 6 of the Act, states -

44A. Minister may give directions

- (1) The Minister may give directions in writing to the Director with respect to the performance of the functions of the Director under this Act, either generally or in relation to a particular matter, and the Director is to give effect to any such direction.
- (2) Without limiting section 46, the Minister cannot under subsection (1) direct the Director with respect to the performance of the Director's functions in respect of -
 - (a) a particular person;

I thought it was a very interesting play on words with the director directing, the minister not directing and so on. It goes on to state -

- (3) The Minister must cause the text of any direction given under subsection (1) to be laid before each House of Parliament within 14 sitting days after the direction is given.
- (4) The text of a direction given under subsection (1) is to be included in the annual report submitted by the accountable authority in respect of the OHR under section 66 of the *Financial Administration and Audit Act 1985*.

What kind of direction will it be? Can the minister enlighten me on what all that means? There seems to be a lot of directing the director.

Ms S.M. McHALE: I will try! The member will recall that in 1998 the complaints powers were moved from the Equal Opportunity Commission to the Office of Health Review. It is probably fair to say that disability was a bit of an add-on. Clause 29 will give the Minister for Disability Services the same powers as the Minister for Health to direct the Director of the Office of Health Review to undertake an inquiry or a review into a particular matter. There also must be some sort of legislative provision for the relationship between the minister and the Director of the Office of Health Review.

Mr P.D. Omodei: Okay; you win!

Ms S.M. McHALE: I win; good!

Clause put and passed.

Clauses 30 to 33 put and passed.

Clause 34: Schedule 5 amended -

Mr P.D. OMODEI: I presume this clause relates to the chairperson.

Ms S.M. McHale: Yes, it does.

Mr P.D. OMODEI: The clause proposes that the chairperson of the Ministerial Advisory Council on Disability can be appointed a third time. Has that happened in the past? Usually the appointment is for two terms. This provision will give some flexibility. The same provision was put in place for the chairperson of the board some time ago, and now the same will apply to the council. If the chairperson is very good at the job, there is no reason that that person should not be appointed for a third or fourth term if necessary. Will the appointment be restricted to three terms? I presume that they are three two-year terms. Can the minister give some reasons for that? I suspect that the reasons I have provided are good enough, but the minister might have some other reasons.

Ms S.M. McHALE: The current provision is that a council member can have up to two terms of two years. A person would come on, learn the ropes as a member of the council in the first two years -

Mr P.D. Omodei: When you say "come on", do you mean somebody who has been on the council before or someone who has come in out of the cold?

Ms S.M. McHALE: I mean someone who has come in out of the cold, becomes a member of the council and gets up to speed on the role of the council. It might then become obvious that that person has leadership qualities, so he or she is appointed as chair in his or her second term. It might take that person a little while to get into stride as chair, but as soon as that person gets on top of the position of chairperson, his or her term finishes. We have not had the ability to use the skills and knowledge that person has gained by allowing a third term. That limited the efficacy of the council. The council has had some terrific chairpersons and it seemed unfortunate that it was losing them. The amendment will allow the minister to give that person a third term as a council member or a second term as chairperson. Debbie Karasinski is an example. She was a terrific chairperson. The current chairperson is terrific. However, there was no capacity for the minister to allow the

chairperson to continue for a third term. We have limited it to three terms in total because it is a community-based council. We want people to become members of the council, develop skills and advise the minister, but we also want to move people through the council so that their skills are extended into the community. That is why we have elected to limit general membership of the council to two terms, or four years, and the chairperson's term to six years.

Mr P.D. OMODEI: Obviously the chairperson of the advisory council is a member of the board. Will that impact on a person who is elected to the board for two consecutive terms?

Ms S.M. McHale: Two three-year terms.

Mr P.D. OMODEI: Debbie Karasinski, whom I know very well, was a member of the board and then became chairperson of the advisory council. Will allowing people to stay on the board longer complicate the process? If they have done their two terms, will they have to stand down for a year, after which they can be nominated again? For many years we have had outstanding chairpersons under all ministers - present company excepted! If an outstanding Western Australian wants and is prepared to be chairperson of the board or the advisory council, and the minister or the Government of the day is prepared to nominate that person as chairperson, we should have the capacity to do that. Does the legislation as it currently stands, or even with the amendments, frustrate that ability in anyway? If so, we do not have it right.

Ms S.M. McHALE: We experienced the same difficulties with the board, and that is why we have brought in the amendments. I am informed that although they reduce some of the frustration, they do not eliminate it entirely.

Mr P.D. Omodei: So there might be a time when somebody has to stand down for a year?

Ms S.M. McHALE: Yes.

Clause put and passed.

Clauses 35 and 36 put and passed.

Title put and passed.

Leave granted to proceed forthwith to third reading.

Third Reading

MS S.M. McHALE (Thornlie - Minister for Disability Services) [4.42 pm]: I move -

That the Bill be now read a third time.

MR P.D. OMODEI (Warren-Blackwood) [4.42 pm]: I will take two minutes of the House's time. I thank the minister for her cooperation. A lot of work goes into amendment Bills, particularly Disability Services Commission amendment Bills. A lot of volunteers give their time to consult with the community. If the consultation process used on this Bill was followed when considering other Bills, we would have much better laws in Western Australia. I take this opportunity to thank the minister and the Government for bringing forward the Bill and indicate that it has the Opposition's strong support. The Bill will refine the Disability Services Act a little and make it more workable. It will also give us the ability to refine it even further, if that is needed. I take this opportunity to thank all those people in the non-government agencies who play an important role in the disability sector in Western Australia. There is no doubt that without those compassionate people, the world would be much poorer. We can do a lot more in the disability sector. As I said, 70 per cent of people with disabilities are being looked after by their parents, brothers, sisters or other relatives. We spend a lot of money in this State on a lot of different things. I am sure that if the Government saw its way to further increase the funding for people with disabilities in Western Australia, it would get total bipartisan support. I am pleased to say that during my time in Parliament, the disabilities sector has been one of those areas that has received good bipartisan support. I thank all those people who make a contribution to people with disabilities in Western Australia, and indicate that while I am a member of this place, the Opposition will do its very best to improve the lot of people with disabilities in the State.

MS S.M. McHALE (Thornlie - Minister for Disability Services) [4.44 pm]: I thank the member for Warren-Blackwood for his contributions on behalf of the Opposition and also his efforts to be bipartisan in this area. It behoves all of us to be advocates of people with disabilities. As ministers and members of Parliament, we are in a prime position to ensure that the needs of what is clearly a vulnerable sector of our community are constantly met and at the forefront of those who make the policies and, more importantly, those who spend taxpayers' money. Certainly, as minister, I have strongly represented the needs of people with disabilities with my cabinet colleagues. Once again, I put on public record my thanks to Hon Sue Ellery, MLC, for chairing the Disability Services Act review steering committee. There were three working groups. Dr Phillip Deschamp chaired the disabilities plans working group; Ms Debbie Karasinski chaired the complaints mechanism working group; and Mr Barry MacKinnon chaired the working group that looked at other provisions of the Act. I put on record my

thanks to those people, the members of the working groups and the ultimate review steering committee. They did a lot of hard work and were thorough, persistent, considered in their approach, and realistic. As a result, we have a good set of amendments.

As I said, the fact that this Bill has gone through Parliament with bipartisan support shows that they are good amendments. We dealt with the issue of a separate council versus a board. I maintain that both have a place in advising the minister. We have advanced the agenda for people with disabilities and we have pushed the envelope in disability access and inclusion plans and how they will be extended. It is now a matter of carefully monitoring and reporting to Parliament, and ensuring that the intent of the amendments are put into practice. Once again, I thank the member for Warren-Blackwood and all other members.

Question put and passed.

Bill read a third time and transmitted to the Council.