

**PROSTITUTION CONTROL BILL 2003**

*Standing Orders Suspension Standing Orders - Suspension*

**MR J.C. KOBELKE** (Nollamara - Leader of the House) [3.31 pm]: I move -

That so much of the standing orders be suspended as is necessary to enable, by this motion, one question to be put for each part and each schedule of the Prostitution Control Bill 2003 during the consideration in detail stage.

This motion will enable the House to deal with the Prostitution Control Bill in a timely way. The Bill is obviously controversial and the Opposition opposes it. Clearly, the Opposition wants to put all its points on the record but we want it to do that in a way that will not result in every clause of the Bill becoming another second reading debate, which has occurred with other legislation. We will give time for debate on the main clauses of the Bill and we hope members will use that time to make constructive comment on or criticism of the specific details in the Bill, rather than engage in general debate, which has occurred in the second reading debate and which may be finalised in the third reading debate.

It is intended to finish dealing with the Bill through all stages before the House rises perhaps late tomorrow evening. However, we do not want to get to a stage at which debate on the Bill has finished but no time at all has been given to major schedules to the Bill. At various stages of the Bill another member or I will move that the question be put and we will move on. Members are now aware of the procedure and they will have ample opportunity to contribute constructively to the debate. The Opposition may want more time than that procedure will allow; however, a considerable amount of debate on the Bill has already occurred. If the Opposition is implacably opposed to the Bill and seeks to drag out the debate, it will be viewed as the Opposition's running a filibuster, rather than its participating in a constructive debate on the implications of provisions in the Bill.

Given the general way in which debate on the Bill has been dealt with in the past couple of weeks, and although there may be conflicting points of view, I look forward to a very constructive and positive debate. With those thoughts in mind, I moved the motion so that this controversial Bill will be dealt with in a timely and constructive way.

**MR R.F. JOHNSON** (Hillarys) [3.32 pm]: The Opposition does not agree with this motion and will oppose it, simply because we believe that any Bill of significance that comes before the Parliament deserves the utmost scrutiny. The Leader of the House has said quite correctly that there was quite a bit of debate on the Bill at the second reading stage. The whole purpose of the second reading stage is that members of Parliament, particularly opposition members, can have their say. In government, backbenchers are urged not to contribute too much to debate - Mr Acting Speaker (Mr A.P. O'Gorman) would know that only too well - and are asked to simply sit and vote when the vote is taken. However, members on this side of the House have a duty to keep the Government accountable and to ensure that every piece of legislation is scrutinised. The Opposition does not agree with this Bill. In fact, as I said in my contribution to the second reading debate, I cannot find one group of people in society in Western Australia that agrees with the Bill, other than the Minister for Police -

Mrs M.H. Roberts: The Police Service. You should have heard the Commissioner of Police on radio this morning.

Mr R.F. JOHNSON: The minister says that the Police Service agrees with the Bill. However, police officers have told me quite categorically that they do not agree with it.

Mrs M.H. Roberts: I think you are making that up as you go along.

Mr R.F. JOHNSON: I am not making it up at all. I do not tell lies in this House. I tell the truth in this House and I am telling the minister the truth when I say that many police officers, both serving and recently retired, have said that they have great difficulty with the Bill and they do not believe it is a good Bill. It is not a good Bill. I fully expect the Police Service, under the direction of the Minister for Police, to say whatever she wants it to say. The police would not oppose the minister on a Bill; that would start world war three. I know for a fact that the Police Service in general is not supportive of the Bill. No other organisation or section of the community has said that the Bill before the House is a good Bill.

The consideration in detail stage is probably the most important part of debate on a Bill. Members have given their points of view during the second reading debate and have passed on the comments about the Bill from their electorate, from members of the community and from specific groups in the community that have an interest in the subject. That has been done quite correctly and it is part of the process of any Bill through Parliament. We on this side of the House very often pass a Bill after very little debate if the Bill is not contentious, if there is agreement on both sides of the House or if it is a small housekeeping Bill. However, with a Bill such as this on which the Government and the Opposition have a fundamental difference of opinion, the Opposition expects to

be given the right to scrutinise every single clause that causes it concern. Many areas of the Bill give us concern. Some areas of the Bill will affect local government and some areas will affect people who hold particular Christian values on the subject of prostitution. However, we are now about to examine the nuts and bolts of the Bill.

Mr A.D. McRae: Christian values, Buddhist values - just values. Many people in a culturally diverse community who have ethical values find it very difficult to deal with prostitution. However, it is absolutely true, from what has been said by all the communities to which I have spoken, that they want the matter dealt with.

Mr R.F. JOHNSON: But not in the way that the Bill is currently before the House. If the member for Riverton says that he has spoken to all the religious groups in society in Western Australia and they all want it dealt with by the Bill before the House, he is not being truthful.

Mr A.D. McRae: Now you know that you are playing with words; that is your forte.

Mr R.F. JOHNSON: Western Australia is predominantly a Christian society and without doubt there are other religious beliefs. Western Australia is a multicultural society, but the vast majority of people in society in Western Australia -

Mr A.D. McRae: I would have thought that you, as the spokesperson for multicultural interests, would represent those beliefs.

Mr R.F. JOHNSON: What a silly thing to say.

Mr A.D. McRae: It is not silly.

Mr R.F. JOHNSON: The member for Riverton makes some very silly comments at times.

The ACTING SPEAKER: The member for Hillarys should address his comments through the Chair.

Mr R.F. JOHNSON: I love it when the member for Riverton makes silly comments because he opens up a massive gap in his thinking, which is somewhere between one ear and the other ear. I find that astonishing.

When the Minister for Police, the Leader of the House, the Premier and most other ministers were on this side of the House as members of this Parliament prior to the last election, they vehemently opposed the guillotining and gagging of any Bill that went through Parliament. What has occurred since the last election? Nothing but the gag and the guillotine being used frequently. There is a lot of hypocrisy in this place.

The Opposition demands the right to consider the clauses that give it concern. If it takes longer than the Leader of the House would like, that is tough but it is quite clear that the Gallop Labor Government has the numbers in this House to pass this legislation. It can do whatever it wants to do. It can guillotine the Bill through this House in a limited time without proper scrutiny of the Bill by the Opposition. The Government is fully aware that when the Bill reaches the upper House, the Greens, who have the controlling numbers in the other place, will not agree with it. If the Greens do not agree with the Bill - they normally would agree with their coalition partner, the Labor Party - the Bill will not progress through the upper House. The Minister for Police was quoted in the newspaper this week as saying that the Bill will be abandoned because it will not get through the upper House. If it is to be abandoned, why is she wasting the time of this House by progressing the Bill any further? What is the point? If the minister is certain that the Bill will not get through the upper House, why is she causing the staff of Parliament House to work later tonight and tomorrow night than they would normally work and keeping members in this place for much longer than need be?

The Leader of the House has the prerogative to put whatever Bill he wants to through the House and to state the order in which they will be dealt with. However, if the Bill will not pass through the upper House, why guillotine it? Why not leave the Bill until we return to Parliament after the winter break, when there will be more time to debate it? In the 12 months leading up to the next election, the House will not sit as much as it has done in the past two and a half to three years. The Government knows full well that every time the lights are on in this Chamber, it will be getting beaten around the head by an extremely effective Opposition. I guarantee that next year we will sit fewer weeks and days.

Mrs C.L. Edwardes: I bet we do not sit four weeks in a row again.

Mr R.F. JOHNSON: For many months, the Leader of the House has received nothing but absolute cooperation from me, his opposite number in this Chamber, and the Opposition in general in progressing legislation through this House. Since the opening of this session, the Opposition has had strong concerns about only two Bills: the Cannabis Control Bill and the Prostitution Control Bill. They are not necessarily our strong views, although we have strong views. We represent people in our electorates who have very strong views, and they expect this House to scrutinise this sort of legislation more than other legislation because it will have such a drastic impact on their lives. The fact is that no local authority wants a proliferation of brothels in its area or wants brothels

made legal. I have said before that brothels are illegal. Mr Acting Speaker (Mr A.P. O’Gorman), you and I reside in our electorates within the City of Joondalup. We and the member for Kingsley know that the vast majority of City of Joondalup councillors do not want brothels in its local government area. In fact, I do not know of one City of Joondalup councillor who wants brothels to open in Joondalup. I would be very surprised if any wanted that.

I will not filibuster. I could easily speak for an hour, but I will not do that because I am trying to work with the Leader of the House so that we can scrutinise the Prostitution Control Bill as much as possible in the limited time he is allowing us. Let us make no mistake: this Bill will be guillotined and rushed through this House. All stages must be dealt with by the end of tomorrow evening. We will be kept here until it is finished. The Opposition does not mind if we sit all day Friday, Friday night or Saturday, but it opposes the use of the guillotine on a Bill such as the one that is before the House today. We will not be able to properly look at some areas of the Bill. We will not get answers from the Minister for Police and Emergency Services on many areas of the Bill. The issue will be simply guillotined. There will be a limit to how much we can ask the Minister for Police and Emergency Services about the clauses of the Bill. The member for Kingsley has enough questions to last at least 26 hours of debate, without taking into account the concerns of other members on this side of the Chamber. We know that members on the other side will not say a dickybird. They will keep stum. They will stay in their places, and stand only to move a motion to gag debate on clauses of the Bill. That is what will happen. The Government has the numbers to do it. Members on this side will attempt to raise as many concerns and ask as many questions as they can, but I know for a fact that we will not be able to ask all the questions we want and need to ask.

On behalf of the Opposition, I oppose the motion.

Question put and a division taken with the following result -

Ayes (27)

Mr J.J.M. Bowler	Mr J.N. Hyde	Ms S.M. McHale	Mr E.S. Ripper
Mr C.M. Brown	Mr J.C. Kobelke	Mr A.D. McRae	Mrs M.H. Roberts
Mr A.J. Carpenter	Mr R.C. Kucera	Mr N.R. Marlborough	Mr D.A. Templeman
Mr A.J. Dean	Mr F.M. Logan	Mrs C.A. Martin	Mr P.B. Watson
Mr J.B. D’Orazio	Ms A.J. MacTiernan	Mr M.P. Murray	Mr M.P. Whitely
Dr J.M. Edwards	Mr J.A. McGinty	Mr J.R. Quigley	Ms M.M. Quirk ( <i>Teller</i> )
Dr G.I. Gallop	Mr M. McGowan	Ms J.A. Radisich	

Noes (18)

Mr C.J. Barnett	Mrs C.L. Edwardes	Mr A.D. Marshall	Ms S.E. Walker
Mr D.F. Barron-Sullivan	Mr J.P.D. Edwards	Mr B.K. Masters	Dr J.M. Woollard
Mr M.J. Birney	Ms K. Hodson-Thomas	Mr P.D. Omodei	Mr J.L. Bradshaw ( <i>Teller</i> )
Dr E. Constable	Mr M.G. House	Mr P.G. Pandal	
Mr J.H.D. Day	Mr R.F. Johnson	Mr R.N. Sweetman	

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Mr S.R. Hill

Mr M.F. Board

Question thus passed.