



Parliamentary Debates

(HANSARD)

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LEGISLATIVE ASSEMBLY

Tuesday, 8 August 2017

Legislative Assembly

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

VINCENZO LA GALIA — TRIBUTE

Standing Orders Suspension — Motion

On motion without notice by Mr M. McGowan (Premier), resolved with an absolute majority —

That so much of standing orders be suspended as is necessary to enable members to make statements on the passing of former Speaker's steward Vincenzo La Galia.

Statements

MR M. McGOWAN (Rockingham — Premier) [2.01 pm]: I wish to state my sincere regret at the death of Mr Vincenzo La Galia and I tender my deep sympathy to his cherished family and friends, including his beloved widow, Antonietta, and his sons of whom Vince was so proud—Daniel, Mark and David. Vince's family are in the gallery today.

Vince was always known for being one step ahead and I believe the lesson to always be prepared was something he instilled in his sons. It was a wise lesson from a man who lived his life well.

Vince's preparedness and genuine willingness to help, combined with his generous, hardworking and authentic nature, meant he was a person you respected and wanted to share time with; indeed, you were grateful to have him as part of your life. Vince was the sort of person that once you met him, he left an indelible and positive imprint on you.

Born in Italy, Vince was lucky child number 13 for his mother, Carmela, and father, Calogero. After leaving school at 14, he was keen to see the world and gather the skills he believed he needed to prosper and be successful. At the ripe old age of 16, Vince's adventurous spirit saw him spread his wings by travelling, working and living throughout Europe for some years. When Vince was 22, he joined his brothers and sisters who had earlier emigrated to Australia. After a couple of years in Darwin, Vince settled in Perth where he established, by all reports, a brilliant restaurant called Buonasera, and where he met and married the love of his life, Antonietta.

In 1989, Vince began his career with us here in Parliament as steward in the Dining Room, and in 1993 he became acting steward to Speaker Hon James Clarko. A year later, Vince was appointed permanently to the role of Speaker's steward, a role he kept for 20 years until his retirement in 2014. Vince loyally served five Speakers of the Assembly: Hon James Clarko; Hon George Strickland; Hon Fred Riebeling, who is here today; Hon Grant Woodhams; and Hon Michael Sutherland.

Vince served the people of this state through his roles here at Parliament House for 25 years. Anybody sitting in this house could only hope to serve as long as Vince.

Over the years, many of us have mentioned in the Assembly Vince's work ethic, humour, amiable character and our appreciation of him. Speaker Strickland said of Vince in 2000 —

If ever there was a loyal servant to this Parliament who wants to do the best job he can to help everyone, it is Vince La Galia.

In 2002, Speaker Riebeling said —

I know nothing about wines, but he —

Vince —

always makes me look good, because he has forgotten more than I will ever know.

A few years ago I acknowledged Vince on the floor of the Parliament, saying he is the most important person in government in Western Australia. When we all heard Vince was unwell, we willed his recovery. Vince is already very missed. We miss his friendship, his positive nature, his support and his dependability.

After WA Labor's success at the recent election and my appointment to the office of Premier, Vince sent me a letter of congratulations. Being the loyal Italian, Vince commended me for having such capable members of Italian descent in our cabinet and on the government benches. He also reminded me in the letter of the first time we met. I had been recently elected, back in the late 1990s, Vince had been here for some time already and I was attending a meeting of parliamentarians. Vince introduced himself to me and told me that one day I may—I think he said "would"—become Premier of Western Australia. I did not believe him. It was an auspicious first meeting. What Vince did not mention in his letter was that he had also put some money on me to become Premier one day.

Every time I saw him over the last few years he always said that he wanted to collect on his investment. I certainly hope that he did. I thank Vince for his confidence, support and friendship.

I met Vince at a number of the community events run by the Associazione Nazionale Famiglie degli Emigrati, which is an organisation of Italian migrants who came to Western Australia years ago and holds functions in Balcatta. Vince was always very keen to organise people who might be older to make sure that they kept their connections with families and had outings and the like. He was always very accommodating and he wanted to make sure people were happy. He provided support for people who might not have that support. At Vince's funeral mass last week, which I attended along with many hundreds of people, the stories of Vince's care and concern for others, particularly those who might have come to Australia like he did without strong connections, were told. We were told of his entrepreneurial spirit in setting up his restaurants and working in other people's restaurants, and his strong commitment to his family and his friends. The attendance at the mass, at which there were not enough seats for the hundreds and hundreds of people there, showed the important legacy of generosity, service, kindness and support that Vince has left.

His most important legacy, of course, is the love bestowed upon his family—his wife, Antonietta, and sons, Daniel, Mark and David. I offer my sincerest condolences to Vince's family and friends.

Members: Hear, hear!

DR M.D. NAHAN (Riverton — Leader of the Opposition) [2.07 pm]: It is with sadness that we raise the passing of the long-serving and popular staff member of Parliament, Vince La Galia. Vince's greeting to members in the afternoon tea room and dining room will always be remembered. Sometimes we are here under duress, with tension and aggression, but when we walked out of this chamber, past the Speaker's chair and into the coffee room, Vince's smile welcomed us. He made sure that all of us, particularly the new members, were welcome and that all our visitors' needs were met. Vince's happy demeanour, whistling and humming will be greatly missed. His sense of humour, as evidenced by his convenient claim that he did not speak English well, will also be missed.

As the Premier indicated, Vince started as a steward in the dining room in 1989. After working as acting steward to the Speaker, he became the permanent steward to the Speaker in 1994. He served in the position for 20 years. As we heard, he retired in 2014. His hard work and dedication made all the difference. We applaud Vince for his 28 years of outstanding service to our Parliament. Vince continued to work in various catering roles and only stopped working when he became ill.

I met Vince repeatedly in my former role as Minister for Citizenship and Multicultural Interests, with not only the Italian communities, but also the wider community. In retirement he continued to be extremely active in the community. He was president of the Italian pensioners association and active in the WA Italian Club. We offer our sincere condolences to his family and send our warm regards to them in this time of mourning. As we know, Vince was a kind and good man who made an indelible mark on all he met, including in Parliament. May he rest in peace.

MS M.J. DAVIES (Central Wheatbelt — Leader of the National Party) [2.10 pm]: On behalf of the National Party I rise to make a contribution to this condolence motion. I would firstly like to express our sincerest condolences to Vince's family and friends, specifically his wife, Antonietta, and sons, Daniel, Mark and David. Vince was born on 26 August 1948 and passed away peacefully on 28 July 2017. The funeral was held on 3 August with a very large crowd in attendance to pay their respects, including my colleague the member for North West Central, Vince Catania. From that attendance it was clear that he had touched many people with his kind and endearing qualities.

As others have said, he worked at Parliament for 25 years and he was outstanding in his service, always welcoming staff and members with a smile. He was enormously welcoming with his warm and genuine nature. I had to laugh when I did a Google search on him and his LinkedIn profile showed his job as "boss at WA state Parliament", and I think that is certainly what he thought. He knew every single member in this house and every staff member in this place. He was a fixture.

When I became a member of Parliament in 2008, my father visited. My father was a member of this place for only three years, but Vince gave him the same warm welcome despite not having seen him for some years. He remembered his time back in the early days when dad was a member of Parliament. Vince had a memory like an elephant and he was endearing and genuine with everyone in this place.

Vince served as a steward to former National MP and Speaker of the Legislative Assembly, Grant Woodhams. I asked Grant whether he had any words he wanted to pass on to Vince's family and members of this place, and I would like to take the opportunity to present some of those reflections. I quote former Speaker Grant Woodhams —

In my role as Speaker of the Legislative Assembly I think I would have disappointed Vince immensely. It was probably obvious to Vince very early in my term as Speaker that I was not a big eater. He never gave up on enlarging the size of my suits, regularly tempting me with a startling array of wonderful food. In the main I resisted. The same must be said of drink, my usual request for a bottle of soft drink no doubt confirming for Vince my total lack of sophistication. I could imagine him asking himself, "How did this man ever become Mr Speaker?"

I was also a poor entertainer but those who dined in the Speaker's rooms would invariably be impressed with Vince's charm and manner. Nothing was ever too difficult for him. He was always thrilled if my wife or daughter were there, and both would always tell me that he spoilt them with attention while I was in here for a tedious third reading.

Knowing that I was from Geraldton and that I usually drove home on Thursday nights after Parliament, Vince calculated that I would need feeding before departure. Perhaps he borrowed from the old adage that an army marches on its stomach. He would be ready when Parliament adjourned and waiting for me with a box full of food to see the journey out. Vince brought an entirely different meaning to cheese and biscuits!

As a last comment I discovered after a few weeks of being Speaker that Vince was an inveterate collector of badges. One of the small ways I was able to show my appreciation of his work and service was to bring him various types that I found while travelling. I still have a small collection put aside that I had intended to give to Vince when I came down to Parliament. Sadly, that day never happened. To me, Vince was a co-worker in this place. It was a privilege to be here and a privilege to have known Vince. Vale, Vince La Galia.

There is no doubt that Vince has left a significant mark on those who had the privilege and pleasure of knowing him. He will be sadly missed and fondly remembered.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [2.13 pm]: Quite often being elected to this place can be a very daunting experience. We look for that welcoming and smiling face and for many new members, that smiling face was Vince. We all pass on our deepest condolences to the La Galia family. It is very important that his family knows how much Vince was loved in this place. For all members, his cheeky smile, shining eyes and effervescent personality were tremendous things, particularly for those who were newly elected to this place. Vince was a much-loved staff member. He was cherished by the people he worked for in this Parliament. His wonderful manner and the way that he carried out his duties were a wonderful part of this Parliament, which can sometimes be very sterile or a place of adversity, as the Leader of the Opposition highlighted.

Those of us who were elected in 2001 remember Vince with great fondness. I always remember Vince when he had his little office just behind the chamber. It was his den—his special little sanctum—that he adorned with a range of badges and anecdotes, little cuttings from newspapers, photographs, little things that people had given him, little messages that were a reminder of a range of things, and pictures of his beautiful family. His little den was a place that we quite enjoyed visiting because he would welcome us in his very special way. For me, he always welcomed me as “member for Mandurah” in his beautiful Italian accent. He would be very welcoming, but he would do that for everybody. The great thing about him was that we thought that we had known him for a long time—almost all our life—because he had that effect on us.

We normally pause to remember former members who have passed but this is a special occasion for a very special person who was part of all our lives—those who knew Vince and worked with him—to remember him with great fondness. I would also like to express my sincere condolences to his family. Thank you for allowing us as members of Parliament to share in his life journey.

MRS M.H. ROBERTS (Midland — Minister for Police) [2.17 pm]: I, too, would like to pass on my condolences to Vince's family—Antonietta, Daniel, Mark and David. Unfortunately, because I was in regional Western Australia last week, I was unable to attend Vince's funeral at Sacred Heart Catholic Church, something that I would have liked to have done. I think Vince epitomised all that is absolutely beautiful about Italy and Italians. It was an absolute joy to have him around this place. I knew Vince in a number of capacities over a 30-year period. He did not just have an infectious smile but he had a bit of a cheeky grin. Sometimes he made a risqué joke, which was sometimes totally politically incorrect. Some people say that life is too short not to be Italian. I think he thought life was too short not to have some fun. That really made him a breath of fresh air around Parliament House. He was someone who did not take everything quite so seriously, someone who was able to make light on occasion and have a little joke and sometimes share a little treat with people. He was certainly well known for grabbing a few chocolates out of the Speaker's suite and sharing them with any children who happened to be up at the house. He did that for my children since they were very young.

Vince loved his work. He loved the people that he worked with and I think that showed. Even if they only visited Parliament House occasionally, most people would know of the steward who generally had a flower in his lapel, generally a red carnation but sometimes a rose. He was also pretty well known for acquiring carnations and roses from places and handing them to ladies and bringing a little joy to people's lives. I think he brought a lot of joy to a lot of people's lives in the role that he had here.

Nothing was ever too much trouble for Vince; nothing put him out. It did not matter what the request or issue was, he would go the extra mile to help someone at any time. As people know, Vince called a lot of people “numero uno”, meaning “number one”. Occasionally Vince and I would chat in Italian, and occasionally he would ask my kids to say something in Italian before he would hand them a chocky, but he was always a lot of fun. It is without doubt that there has been only one numero uno at the WA Parliament over the last 20 years—that was Vince La Galia.

MS M.M. QUIRK (Girrawheen) [2.20 pm]: It was my absolute pleasure to know Vincenzo La Galia for more than 16 years. My sincere condolences go to his family: his beloved wife, Antonietta, and his children, Daniel, Mark and David, of whom he was extremely proud.

It goes without saying that it was a privilege to have known Vince. He touched many lives and, as we have heard, he will be both sadly missed and always fondly remembered.

Much has already been said about Vince. He had a wicked sense of humour; he never did anything by halves and his hard work behind the scenes and his acute observation of human nature was always evident. On the latter, we would often have a good conspiratorial laugh about the rather peculiar way that things are done around this place.

I want to make special reference to Vince's service in my electorate. As well as his extensive work with Associazione Nazionale Famiglie degli Emigrati over many years, Vince was actively associated with Italian Aged Care and Villa Terenzio hostel in Marangaroo. I asked Chris Roberts, the CEO of Italian Aged Care, for his observations about Vince. Chris said, according to my notes —

Vince was an Association Member of Italian Aged Care since 2014. The role he undertook at Villa Terenzio was over 6 months where he worked closely with myself and my exec team in changing the kitchen into a culturally authentic and efficient service.

He did this voluntarily despite not only overseeing catering functions anywhere between Wanneroo and Albany, and despite his becoming unwell.

His greatest voluntary service was the much bigger role as President of ANFE ... for many years ... which is unrelated to us, but serves the wider Italian community in Perth. Vince was loved by everybody in the Italian community and wouldn't get drawn into petty squabbles between others.

On a personal level, in the short time I knew Vince he gave rise to more funny anecdotes than some people I have known all my life. A story that possibly highlights the occasional problem with a Sicilian working alongside an Englishman, was that due to his distinct pronunciation of the word "lamb", he led me believe for 3 months that he had caught and roasted a llama for a function near Denmark!

Che la sua anima riposi in pace.

MS L.L. BAKER (Maylands — Deputy Speaker) [2.23 pm]: I am going to be very quick. Vince La Galia is an old friend and I will miss him dearly. It is becoming obvious that the longer I remain in this house, the more dark secrets I let out. My first meeting with Vince dates back to the Sorrento Restaurant and the many nights I spent there, having a great meal and a lot of red wine in the company of one of Vince's dear friends and one of my close friends, Jo O'Dea. I often do not remember this, but there was a third person at the table—I think it was Mr Satterley. We had many, many fantastic nights at Sorrento, Sabatini's, La Tavernetta and Buonasera, and I had no idea that he worked at Parliament. When I came to this place in 2008, I walked down the corridor and turned right and saw him. He just grabbed me in a big bear hug and his words were something like, "I can't believe you're still here!" That really was a show of his sense of humour. We used to live life pretty hard and fast in those days and he was certainly a joyful part of my late teens and early 20s.

He was a wonderful man and he will be sorely missed. You have heard about the wonderful achievements he brought to this place and his restaurant and catering honour award in 2007.

I would just say that the only time I ever saw him a bit aghast or downcast was at an Associazione Nazionale Famiglie degli Emigrati lunch one year when I was asked to rep for someone there. I turned up to that wonderful room full of hundreds of beautiful Italian people. He came up to see me and to give me a meal and I looked at him and said, "You realise I'm vegetarian?" His whole face just went, "Oh, no!" In that whole room full of people, he had forgotten one lunch and he was so concerned about it. I will miss him and his presence around the Parliament. He was a joyful man. Vale, Vince.

MS R. SAFFIOTI (West Swan — Minister for Transport) [2.25 pm]: I pass on my condolences to Antonietta, Daniel, Mark and David, to the entire family and to the ANFE community on the passing of Vincenzo La Galia.

Everything I want to say has been said about his welcoming nature, his ability to make you feel a part of this place, his brightness and his happiness every time you saw him in the corridors. I want to really highlight his contribution to the Italian community and the ANFE community. The one thing he would always mention to me was, "The ANFE Christmas lunch, Rita—first Sunday of every December. Put it in your diary now." That was probably in July! I never missed the ANFE lunch because he was such a big supporter of the Italian community.

He will be missed greatly, not only in this place but also by the Italian community. It is with deep regret that we lost him so, so early, and I pass on my condolences to the family and to the community. He is not someone we would want to lose. He was such a sensational person who contributed so much to this place.

I particularly pass on my condolences to Carmelo Genovese, Mr Terranova, and the rest of the community. I know they will sorely miss him. Rest in peace, Vincenzo. Ripose in pace.

MR P. PAPALIA (Warnbro — Minister for Tourism) [2.26 pm]: I, too, rise to reflect very briefly on Vince's passing and to pass on my condolences to Antonietta, Daniel, Mark and David.

In many ways I can only mirror what has already been said by most people today. Vince was an incredible presence in the Parliament and a beautiful man. He welcomed everybody and, regardless of what was going on in his life, he made you feel special when you met him in this place. My experience of him reflects a little of what the Minister for Transport said with regard to Vince's campaigning on behalf of the Italian community in Perth and his incredible work with ANFE. I also refer to and acknowledge the support he gave this place in 2012 when we prepared and passed a motion to acknowledge the Italians interned during the Second World War. He was of tremendous assistance at that time and was incredibly welcoming to some of the families of those interned. He made it a special moment for them.

My family will always remember events in a very specific manner. On the occasion of my first being elected to this place, coming from no experience of politics or Parliament, like everyone I was a little overawed and unsure. It was also a by-election, so I was the only one elected at that time. We were the beneficiaries of an invitation to the Speaker's chambers for a special dinner with Hon Fred Riebeling—whom I am very happy to see here today—along with his wife and, of course, Vince. He hosted us that evening. Although my boys are now taller than me, at that time they were only six and eight, so they were in awe of the place and a little bit bored with the dinner conversation. About midway through the main course, they disappeared with Vince, not to be seen again until well into desserts. We wondered where they had been all that time and what they had been up to. They reappeared with the famous lollies that the Minister for Police referred to! It was not until we were heading home later in the evening that we found out Vince had taken them into the bowels of the building, to the fridge in the kitchen where the ice cream stash was located! I have no idea how much ice cream they consumed that night, but they will always remember Vince for his incredibly generous nature. Every time they came to Parliament they looked forward to seeing him. We reflect sadly on his loss. All I can say is thank you very much to his family for sharing him with us. It was a great honour.

MR F.M. LOGAN (Cockburn — Minister for Emergency Services) [2.30 pm]: First of all I thank you, Mr Speaker, for allowing this debate to take place because it is very unusual for basically a staff member of this Parliament to be honoured in such a way by this chamber. That is testament to Vince himself and how much he was loved around the house.

It is a pity that new members in this chamber did not know Vince because they too would have loved Vince as much as we did. He was a really nice guy. We loved coming back to Parliament because one of the first people we saw was Vince, smiling and laughing and asking how our break was, where we had been and what we had done. He made it a pleasure to be around the house. Vince had a number of endearing, charming and funny characteristics. As the Leader of the Opposition pointed out, Vince was always happy. He always appeared to be happy, but sometimes he would be furious with people around the house, people in this chamber, and particularly members of management of Parliament. He would be furious with them over particular issues, but he never gave it away that he was furious. He always appeared to be happy, singing, smiling and even dancing around the corridors of Parliament House! Vince also had great insight into people in this house. He was a people person throughout his life. His interactions with people, either in the Italian community or at work, gave him the characteristic that he could actually see right through people. No matter what front, image or ego people put on in this Parliament, Vince would see straight through it. He knew exactly what a person's real character was. Vince was also great at insulting people, but he did it in such a way that they did not realise they were being insulted! In his Italian English and expressive characteristics, he would always say the insult in such a way that if you were anywhere around him you would go, "Oh, my God", but the person who was being insulted did not realise they were actually being insulted or had been had a go at. He was absolutely fantastic at doing that.

Member for Midland, it was not just the lollies that Vince was helping the house to from the Speaker's chambers. Former Speaker Fred Riebeling is in the Speaker's gallery today. Fred did not realise that most of his cakes from afternoon tea disappeared after he decided he was not going to eat them and made their way on the trolley around the house to be distributed to Vince's favourite people! Vince had many secrets. He was a wonderful man. Sincere condolences from me personally, my wife and my children, who have known him all their lives, to Antonietta, Daniel, Mark and David.

MR V.A. CATANIA (North West Central) [2.33 pm]: On behalf of the Catania family, I want to say to Antonietta and the boys that we are very sad for the loss of Vince. Vince knew me for about 40 years, since the day I was born, and he also had a long friendship with my family, the Catania family. Dad first entered this place around the time that Vince La Galia started. He was fortunate to know someone with Vince's knowledge. I think he was the most powerful person in Parliament. All the valedictory speeches we have heard in this place, and members' comments today, show how much influence Vince La Galia has had on the careers of people in this place. He is probably the only person who has been thanked in speeches from both sides of the house. Some of the stories are interesting, and we could probably speak a lot more about Vince and the things that he used to do and say, and how he made everyone special.

The member is right that sometimes he criticised people without them knowing. People say that he was Italian, but he was actually Sicilian. There is a big difference between the two. He did not speak Italian; he spoke Sicilian, which only a few people could understand. Even with my own Sicilian descent, I struggled with it, and I had to listen intently because I know that he sometimes took the mickey out of me. He was a very special person, and one of the characters of this place. It will be very hard to replace Vince La Galia, and everyone who knew him will feel the same way. It is sad to lose the historical knowledge he had of the people who came and went in this place. It is a sad day for Parliament, and for all members, past and present, to lose such a wonderful human being who gave his all to his job. His job was to look after Speakers of the house and members, and he was a professional at it. He was born to integrate and serve, and to make people feel special. To the La Galia family, I am sorry for your loss. Whoever replaces Vince in the future has very big boots to fill. I do not think anyone else who works at this place can be like Vince La Galia.

MR D.T. REDMAN (Warren–Blackwood) [2.37 pm]: I want to make a few comments as one of the older members of Parliament. Having been elected in 2005, I have spent a fair chunk of my time here, during which I crossed paths with Vince. I support all the comments made about Vince today. A special part of our relationship was that my wife is actually Italian–Sicilian, in fact. If members can imagine that big, long corridor alongside the dining room, when I came here with my wife and Vince was down the other end of that corridor, he would open his arms and welcome her with his broad Italian accent. For some of our partners, this place is not necessarily seen as friendly. It is a place where people have a shot at us and our names end up in the newspaper. It is fantastic that Vince could make what has been described today as a fairly sterile environment as friendly as it is, and that is his legacy. My wife had a fantastic relationship with him, to the point at which I think I was probably second fiddle when she came here. Vince made her feel particularly special, and that was fantastic.

It is great to see Fred Riebeling in the chamber today. A number of us have had the chance to dine in the Speaker's suite. When Grant Woodhams was the Speaker, I had the chance to dine there. As the Leader of the National Party mentioned, Grant was not a big one for food and wine, but Vince was. I am sure Vince did not see it as a natural environment to work in. I remember thinking one night that Grant must have picked out the wine on the table, because it was pretty average. Grant ducked out to do something, and I said, "Vince, what can we do about this wine, mate?" Vince ducked out and had a look around the corner to check that Grant had gone, and then he came back inside and opened the little cupboard down the bottom and pulled out what might have been a bottle of Moss Wood or something. It was pretty flash, anyway. He put it on the table and opened it, and Grant was none the wiser when he came back. Vince certainly looked after us there. I was not going to mention that, but there have been a couple of other occasions, including the ice cream the member for Warnbro mentioned, when Vince has supported people who have come into this house. Those anecdotes reflect Vince's character and the contribution he made to this place. He made a tough environment really warm, for not just members but also our extended families. For that, we will be eternally grateful. I extend my condolences to the family for the loss of a great fellow.

THE SPEAKER (Mr P.B. Watson): I have a few little anecdotes and sayings from Vince. I never knew what Vince's second name was; it was always "Mr Vince". When I first got here, I had my three children with me and he said, "Just call me Mr Vince." When I was down in the gym in the morning, I would hear the name Vince on the PA calling him to the phone and I would think: "That's Mr Vince." I never ever knew his name. When my eldest granddaughter, who is 12 now, came in when she was six months old, the first thing that Mr Vince did was put a little chocolate in her bassinet. Of course, my older children wanted a chocolate, too, so they all got a chocolate. Now I know where all the chocolates disappear to from the Speaker's suite. When my granddaughter found out that Mr Vince was retiring, she sent him a lovely letter. She said, "You are the kindest man I have ever met. Every time I came to Parliament, you made me feel special. I especially liked the chocolates, too." That was something from a young girl who had known him for 12 years. It probably reflects what everyone has said in this debate. The Minister for Police mentioned "number one". I remember that Mick Murray—the minister for whatever he is now—the member for Collie–Preston, and I used to get around a bit. I would be walking down the corridor and Mr Vince would say, "You are the best member of Parliament in the world." I said, "Thanks, Vince." Mick would be about 10 metres behind me, and I would hear the same thing. "Mr Murray, you are the best politician in the whole world." He was right the first time!

I am talking on behalf of all the staff—the kitchen staff, the dining room staff, the security staff—and everybody in Parliament. Everyone I have spoken to wanted me to thank his family for sharing him with us for all those years; he will always be missed. I used to come in early and go down to the gym. I had my gym bag over my shoulder and Vince said, "Skinny boy, don't go down there. Come to the kitchen and I will feed you up!" Whatever he did, his memories will be going down those corridors. His singing, his laughter and his kindness to everyone will be remembered forever. To his family, we thank you very much for sharing him with us. On behalf of everyone in Parliament, we wish you all the best for the future.

If all members could stand now, we will have a minute's silence.

Members and officers standing as a mark of respect.

ELIZABETH ALYSE “BETTY” CUTHBERT — TRIBUTE*Statement by Premier*

MR M. McGOWAN (Rockingham — Premier) [2.43 pm]: “Betty” Cuthbert was an Australian sporting hero. She was an inspirational person of faith, determination and humility. Betty Cuthbert was one of Australia’s greatest ever Olympic athletes. Born in the Sydney suburb of Merrylands in 1938, Betty Cuthbert moved to Western Australia several decades ago, where she lived in Mandurah with her long-time carer, Rhonda Gillam. Diagnosed with multiple sclerosis in 1974, Betty Cuthbert died on 6 August 2017 after a long battle with the disease, aged 79. Cuthbert earned the moniker of Australia’s “Golden Girl” after her performance at the 1956 Melbourne Olympic Games, at which she won the 100-metre and 200-metre sprint events. Betty Cuthbert was also a member of the triumphant 4 x 100 metre relay team, and in so doing became Australia’s first triple gold medallist. Injury prevented her from defending her titles at the 1960 Rome Olympics, and she subsequently announced her retirement. Betty’s retirement did not last and she was named co-captain of the Australian track team for the 1964 Tokyo Olympic Games. The Tokyo games saw the 400-metre track event added to the Olympic program. Betty Cuthbert was victorious at the 400-metre event, claiming her fourth and final Olympic gold medal. During her career, Betty Cuthbert set nine world records, and remains the only athlete to win the 100-metre, 200-metre and 400-metre sprints at the Olympics.

Betty Cuthbert was the first Australian inducted into the International Association of Athletics Federations’ Hall of Fame in 2012. She was a 1985 inductee into the Sport Australia Hall of Fame, and in 2000 she was inducted into the Athletics Australia Hall of Fame. Betty Cuthbert was awarded a Member of the Order of Australia in 1984 for her services to sport and the community. She is immortalised in bronze outside the Melbourne Cricket Ground—the site of her 1956 track and field glory. Betty Cuthbert was a torchbearer at the opening ceremony of the Sydney Olympic Games in 2000, passing the torch to Cathy Freeman, who lit the Olympic cauldron.

Betty Cuthbert was a tireless advocate and fundraiser for sufferers of multiple sclerosis, with her efforts recognised with a therapy and education centre named in her honour in 2008. In 2010 she also had a rose named in her honour for her work helping people with multiple sclerosis. In 2014 the City of Mandurah opened Betty Cuthbert Park in the suburb of Halls Head. Betty Cuthbert was a genuine trailblazer for women in sport and her work on and off the field will forever remain an inspiration to track and field athletes and everyday Australians.

Members: Hear, hear!

PARLIAMENTARY SECRETARIES AND MINISTERIAL REPRESENTATION*Statement by Premier*

MR M. McGOWAN (Rockingham — Premier) [2.46 pm]: I am pleased to advise the house that on 3 August 2017 the Governor in Executive Council appointed the member for Perth to be the Parliamentary Secretary to the Minister for Transport; Planning; Lands. This appointment is in addition to his earlier appointment as Parliamentary Secretary to the Premier and Minister for Public Sector Management; State Development, Jobs and Trade; Federal–State Relations. I also take this opportunity to table a revised list of administrative arrangements for the representation of ministers between the houses and parliamentary secretaries, which now includes reference to this new appointment.

[See paper 503.]

QUESTIONS WITHOUT NOTICE**WAGES POLICY — POLICE****263. Dr M.D. NAHAN to the Premier:**

I refer to the government’s new wages policy, specifically the increase of \$1 000 per year, and the government’s position that it must apply to all public servants. Can the Premier explain why the United Firefighters Union of WA received a 1.5 per cent increase two weeks after the government’s wages policy came into effect, and why police officers have not been afforded the same increase?

Mr M. McGOWAN replied:

Just to clarify the opening statement of the Leader of the Opposition’s question, the arrangement with the firefighters was negotiated and concluded prior to the new wages policy being adopted. In relation to the broader issue, we came to office at a very difficult time for the state’s finances. As we know, we inherited a \$3 billion deficit this financial year, and also state debt of over \$33 billion, climbing to \$42 billion according to the forward estimates we inherited. In the time since we have been in office, we have had a further \$5.4 billion writedown in the state’s revenue, courtesy of softness in mining royalties, a loss of federal grants and also a \$2 billion—\$1.9 billion—reduction in goods and services tax revenue, courtesy of the commonwealth Liberal government.

I note that as part of our ways of addressing this issue, we launched a wages policy that we think is fair and reasonable across the public sector. I had some support in this. On 13 June 2017, the Leader of the Opposition said —

I did not complain about Labor’s wages policy. I actually think it is excellent.

I want to repeat that the Leader of the Opposition said —

I actually think it is excellent ...

That is, our wages policy. He also said this, and I quote —

Mrs L.M. Harvey interjected.

The SPEAKER: Deputy Leader of the Opposition, I call you to order for the first time.

Mr M. McGOWAN: Our wages policy, according to the opposition leader, makes him “jealous as hell”. He indicated that when he was in office, he wanted to have a wage freeze altogether. He advised Parliament on 13 June 2017 of this. He also said on 11 July that if —

Mrs L.M. Harvey: Why don’t you talk about what you promised?

Mr M. McGOWAN: No.

The SPEAKER: Deputy Leader of the Opposition, I call you to order for the second time.

Mr M. McGOWAN: He also indicated on 11 July that if revenue had tanked worse—to quote him—we can come back and recalibrate our wages policy. Does the Leader of the Opposition think that people out there in the community and in the press do not know what he has said before? Does he think that he can make absurd speeches to the crowd out there in front of Parliament and no-one knows what he said before? If he is that naive, it shows —

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition, I call you to order for the first time.

Mr M. McGOWAN: If the Leader of the Opposition is that naive, it shows how unfit he is to occupy the office that he does.

WAGES POLICY — POLICE

264. **Dr M.D. NAHAN to the Premier:**

I have a supplementary question. Can the Premier confirm that his officers met with the WA Police Union and verbally offered it a 1.5 per cent increase on 4 May prior to his new wages policy announcement, and can the Premier explain how withdrawing this offer is negotiating in good faith when he did the same thing and gave the 1.5 per cent to the United Firefighters Union of WA?

Mr M. McGOWAN replied:

The Leader of the Opposition will be interested in this. I have here a letter from the WA Police Union dated 16 May 2017. I want to quote one part of what it states —

We have been waiting for an offer from Government to consider ...

It is dated 16 May. In other words, according to the police union, in writing on 16 May —

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: The Leader of the Opposition is an embarrassment with this squawking. Let me speak in here. I would like the opportunity to speak. On 16 May, the union wrote to us and said that it is —

... waiting for an offer from Government to consider ...

Does that not —

Several members interjected.

The SPEAKER: Member for Carine, I call you to order for the first time.

Mr M. McGOWAN: Does that not blow an enormous hole in the argument that the opposition is running and make it plain that when the Leader of the Opposition went outside this house and made the statements that he did before the crowd, he was completely wrong?

Several members interjected.

The SPEAKER: Premier. Leader of the Opposition, I call you to order for the second time. Do not ask a question and answer it.

Mr M. McGOWAN: I want to make a second point in this context. On 12 July 2017, the WA Police Union wrote to us with what it termed its counteroffer. It has 20 separate asks of government and —

Mrs L.M. Harvey: That's what happens.

Dr M.D. Nahan: And you're from the Labor Party and you don't know that?

Mr M. McGOWAN: I am just making the point to the house. Point one in the letter refers to a 3.25 per cent pay increase for the next two years. So a 6.5 per cent request was on offer. I have seen the words out there today of a 1.5 per cent request. The last advice we had from the police union was an ask of 6.5 per cent. That is what we are dealing with and we have —

The SPEAKER: Leader of the Opposition, I call you to order for the third time on the first question. If you do not think I am going to throw you out, just try me.

Mr M. McGOWAN: We have the greatest support and sympathy for police officers in our community. I have worked with police officers in my electorate and across Western Australia for 20 years. I say to the police officers out there across Western Australia that the state, the people and the taxpayers of Western Australia cannot afford the ask being put upon them in the current financial environment. I think that is plain to everyone who understands the financial situation confronting our state. I urge the police union and police officers across Western Australia to pull back from their demands and accept the offer that has been put on the table.

GST DISTRIBUTION

265. Ms E. HAMILTON to the Premier:

I refer to the massive writedown in state revenue. How have the state's finances deteriorated since the election, including the loss of GST revenue, and did the Prime Minister, on his recent visit, give a commitment to address the loss of the GST revenue; and, if not, what was his excuse?

Mr M. McGOWAN replied:

I thank the member for Joondalup for the question. Since the *Pre-election Financial Projections Statement*, we have lost \$5.4 billion, and that comprises mining royalties, GST, softer tax collections in a range of areas and also a decline in direct commonwealth funding for health and education. That was made worse in the last couple of weeks when it became plain to us, following advice from Michael Barnes, the Under Treasurer, that because of the recent census figures, we would have a reduction of \$1.9 billion in our GST share. I want to explain to the house how that works. The census has come out with a reduction of 60 000 Western Australians than were there before, which does not sound like many, but the way that the GST system works means that there is a direct impact from Western Australia's reduced population on the share of the national GST pool, which results in a \$440 million decline. The Commonwealth Grants Commission will assess Western Australia as having a lower infrastructure spending requirement of \$475 million and the Commonwealth Grants Commission will assess Western Australia as having a higher per capita revenue-raising capacity relative to other states, which is \$1 billion. If those three things are added together, a 60 000 decline in population results in nearly \$2 billion over the next four years in lost income to the people of Western Australia from the commonwealth.

Mr D.C. Nalder interjected.

Mr M. McGOWAN: Honestly! Look at you; you are an embarrassment!

Several members interjected.

Mr M. McGOWAN: Listen to the squawking.

Several members interjected.

The SPEAKER: Members!

Mr M. McGOWAN: Mr Speaker, I am trying to deal with a serious issue confronting the people of Western Australia and I hear this bizarre whingeing from across the chamber. Stop your whingeing!

The SPEAKER: Members, you have the opportunity to ask questions.

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse, do not talk when I am on my feet.

Mr M. McGOWAN: When the Prime Minister was in town last week, I raised this issue with him. We wrote to the Prime Minister and the federal Treasurer the week before to explain the situation. They came along without being prepared to deal with this issue and, essentially, it was a very disappointing outcome. The outcome now is that we have to write into the budget for September 2017 a further \$1.9 billion decline in our revenue. That will mean that our financial situation obviously will not be as bright as it might have been. I was very disappointed that the Prime Minister and the federal Treasurer consciously decided not to overrule the grants commission and the flawed census upon which it is operating. I think the people of Western Australia should understand that, despite all the talk, at the first opportunity the federal government and the federal Liberal Party, presumably in consultation with their state colleagues, failed to —

Several members interjected.

Mr M. McGOWAN: Were they in consultation with the Leader of the Opposition?

Dr M.D. Nahan: Pardon me?

The SPEAKER: Yes, you can say something.

Dr M.D. Nahan: Okay; good. Question, please. What is the question?

Mr M. McGOWAN: I asked a simple question: did the Prime Minister consult with the opposition leader in Western Australia? Clearly, he did not.

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse!

Mr M. McGOWAN: I get the feeling that they do not much like the opposition leader.

WAGES POLICY — POLICE

266. Mrs L.M. HARVEY to the Minister for Police:

Given today's large rally of police officers, who enjoy strong community support of 67 per cent for their better pay deal, will the minister now demand that the Premier honour his commitment to a 1.5 per cent pay rise for WA police officers, as he promised at the election?

Mrs M.H. ROBERTS replied:

I certainly acknowledge the dangerous and difficult work done by police officers in this state and I thank them all for their service. I am incredibly disappointed at the state of our finances—a parlous set of books that we have inherited from the former government—that has left our government with little alternative than to put a halt on wages. That is why there will be no increase in the wages of members of Parliament, judges or other senior executives within the public service over the next four years. That is why our government has a wages policy of just \$1 000 flat. That is a Labor commitment. It acknowledges that those lowest paid in the community are doing it the toughest. Unfortunately, everyone in the Western Australian community is having to bear the brunt of additional costs because of the debt incurred by the former government.

Several members interjected.

The SPEAKER: Members!

Mrs M.H. ROBERTS: Unfortunately, there is a deal of hypocrisy from people opposite who now complain that there has to be wage restraint because of their poor financial management.

WAGES POLICY — POLICE

267. Mrs L.M. HARVEY to the Minister for Police:

I have a supplementary question. It is not about platitudes or whether the minister supports the case.

Several members interjected.

The SPEAKER: Members!

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, I call you to order for the first time.

Mrs L.M. HARVEY: It is not about platitudes and supporting the case; it is about whether the minister is going to hold her Premier to account for his commitment or not. Will the minister hold him to account for his election commitment to our officers?

Several members interjected.

The SPEAKER: Members, your own member has asked a question and you are trying to give the answer. Let the minister answer.

Mrs M.H. ROBERTS replied:

Perhaps the member for Scarborough, the former Minister for Police, would like to advise the house why she sat by and saw \$14 million taken out of the police budget and why she did not publicise the fact that the previous government would be increasing Government Regional Officers' Housing rentals for police officers by \$30 a week.

Several members interjected.

The SPEAKER: Members!

Mrs M.H. ROBERTS: In 2015, the previous government took \$14 million out of the police budget, \$30 a week for each of the next four years starting in —

Mrs L.M. Harvey interjected.

The SPEAKER: Deputy Leader of the Opposition, I call you to order for the third time.

Mrs M.H. ROBERTS: For each of the four years starting in 2016–17, the previous government committed to \$30 a week additional GROH rent. The fact of the matter is—only for one year—it kept that secret, by not imposing it last year.

Mr D.T. Redman interjected.

The SPEAKER: Member for Warren–Blackwood!

Mrs M.H. ROBERTS: It grabbed that money from elsewhere in the police budget, patched it up and covered it up so it would not be exposed before the election. Now we find out, after the election, that the whole police budget was predicated on ripping out that \$14 million via increased GROH rentals in the country.

TOURISM EVENTS — MARGARET RIVER PRO

268. Mr D.T. PUNCH to the Minister for Tourism:

How did this government secure the future of the Margaret River Pro and what impact will this have on the south west economy?

Several members interjected.

The SPEAKER: Members!

Mr P. PAPALIA replied:

I thank the member for Bunbury.

Mr J.E. McGrath: Sell the naming rights!

The SPEAKER: Yes, I have got your naming rights! Member for South Perth, I call you to order.

Mr P. PAPALIA: I thank the member for Bunbury for his interest in all things south west, including the Margaret River Pro, from his previous profession as well as his current one.

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse!

Mr D.T. Redman: Welcome to my electorate!

Mr P. PAPALIA: It is not the member for Warren–Blackwood's anymore, is it? It is the member for Vasse's.

The SPEAKER: Minister, through the Chair!

Mr P. PAPALIA: The interesting thing about the Margaret River Pro, noting some of the interjections that I have received in the last couple of minutes, is that on becoming the Minister for Tourism, one of the very first briefing notes I read from Tourism Western Australia was notification that we had lost the Margaret River Pro as a world championship tour event. Not that we, as in the current government, had lost it, but the ineptitude and lack of action of the previous government had lost it. It was gone.

Mr D.T. Redman: Did you read the bit of the briefing note that said what was invested over the last four years?

The SPEAKER: No, but you are going to lose a bit of investment, member for Warren–Blackwood.

Mr P. PAPALIA: In the words of Mark Lane from Surfing WA, it had no pulse, and the member knows that because she was at the press conference in Margaret River when he said that. It was dead and buried. We went out of our way to publicly support it.

Point of Order

Mr S.K. L'ESTRANGE: The minister is referring to a document that he received that said that the Margaret River Pro had been cancelled. I ask that the minister table that document.

The SPEAKER: That is not a point of order. He said that the first thing he got when he became the minister was a briefing note. He did not say that he has the briefing note here.

Questions without Notice Resumed

Mr P. PAPALIA: Regardless of that, I was not reading from anything; I was speaking from memory, and it is not very difficult to remember what I read.

We directed Tourism Western Australia and Surfing WA to go as hard as they could to recover that event. It is a significant event and it would not have been a significant event if it had dropped down to a world surfing leg event.

Mr S.K. L'Estrange interjected.

The SPEAKER: Leader of government business.

Mr S.K. L'Estrange: Manager.

The SPEAKER: The manager of government business.

Mr S.K. L'Estrange: Manager of opposition business.

The SPEAKER: The member has gone up in the world.

Mr S.K. L'Estrange: No, that's always been the case.

The SPEAKER: I call you to order for the first time whatever you are!

Mr P. PAPALIA: As a world championship tour event, the Margaret River Pro results in double the number of overnight visitor stays to the region during the course of the event. It is a significant event, and it would have been a significant blow if it had been lost. Fortunately, we have managed to recover it. It is not just a significant tourism event; it is also probably—in fact, it is—the only annual world-class, top-tier sporting event that is held in this state on a regular basis. That is why it was so important to try to retain it, not just because it has an incredible reach, with the webcast reaching 3.5 million people, 80 per cent of whom are overseas. Unlike some of the fluffy figures that have been claimed —

Ms L. Mettam interjected.

The SPEAKER: Member for Vasse, you have come back very exuberant. Just be quiet so you can hear the answer. I call you to order for the first time.

Mr P. PAPALIA: Unlike some of the fluffy figures that have been claimed about television audiences, naming rights and the like, the difference with a webcast is the ability to know exactly who is watching, where they are watching and how long they are watching for. It is real data and real numbers, and it is a valid argument that that event has a significant reach. It is an incredible event. Between now and the termination of this agreement, we will be —

Ms L. Mettam interjected.

Mr P. PAPALIA: Does the member want to make herself heard or just make noise when I am speaking?

The SPEAKER: Minister, through the Chair.

Mr P. PAPALIA: Over the next two years we will work with Tourism WA and Surfing WA in an endeavour to extend that event as a championship tour event into the future, because it is an incredibly valuable event and I am very thankful that we were able to recover it.

WAGES POLICY — POLICE

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

I refer to the Labor Party's pre-election document entitled "WA Labor, Public Sector Policy" in which it states that a McGowan Labor government would —

- Negotiate cross-Government General Agreements which maintain penalty rates and commuted overtime allowances whilst maintaining the current wages policy.

Is it fair that the Premier has broken his promise to the WA Police Union, yet flatly refused to implement alternative revenue sources such as the special lease rental increase, which would allow the government to appropriately support our hardworking police officers?

Mr M. McGOWAN replied:

I reiterate that I am a strong supporter of our police across Western Australia. More than 6 000 police officers across our state do a good job in very difficult circumstances, and sometimes in the most remote parts of Western Australia—indeed, in some of the most remote parts of the world. In answering this question, I say that I attended the rally outside a little earlier. I stayed for the Leader of the National Party's speech and I heard her say, "The government is saying that from its wages policy it's going to save \$520 million. Well, that's nothing." She said that was nothing. The member for Central Wheatbelt, who was a minister in the former government and is now the Leader of the National Party, regards \$520 million as nothing. That explains why the state is —

Ms M.J. Davies interjected.

The SPEAKER: Leader of the National Party, I call you to order for the first time. If you think someone is misleading the house, implement the process to follow-up on it, but do not say it if you have not.

Mr M. McGOWAN: That explains why the state government has inherited such a dire financial position. The combination of the Liberals and Nationals in government over the course of the last eight and a half years was catastrophic for this state's finances, and we as a government are dealing with it. The fact that the Leader of the National Party goes out and says such grossly irresponsible things about the government's wages policy shows exactly where the conservative forces in this state are at at this point in time.

I also note that the Leader of the National Party is raising the ripping up state agreement acts again. The Treasurer, a few months ago—the Leader of the National Party must have now done this on at least 15 occasions in this house—said that it is like groundhog day listening to the Leader of the National Party in this house. It is true that the Leader of the National Party seems to be fixated on this point.

Ms M.J. Davies interjected.

Mr M. McGOWAN: I will explain this to the Leader of the National Party again. State agreement acts are important for encouraging investment and jobs in this state. We are not going to rip up state agreement acts; that appears to be the Liberals' and Nationals' policy—to rip up state agreement acts.

Mr V.A. Catania interjected.

The SPEAKER: Member for North West Central, I call you to order for the first time.

Mr M. McGOWAN: The Leader of the National Party seems to have a hatred of iron ore miners in this state who employ many tens of thousands of Western Australians.

Mr V.A. Catania interjected.

The SPEAKER: Member for North West Central, I call you to order for the second time.

Mr M. McGOWAN: I do not have that hatred of the iron ore miners that the Leader of the National Party has, and state agreement acts —

Mr V.A. Catania interjected.

The SPEAKER: Member for North West Central, I call you to order for the third time.

Mr C.J. Barnett interjected.

Mr M. McGOWAN: I am sorry; I heard some interjecting back there, Mr Speaker.

I do not have that hatred —

Mr C.J. Barnett interjected.

Mr M. McGOWAN: Pardon? I thought the member for Cottesloe mainly concentrated on talkback these days, but it appears that he is still here and saying things in the house. Member for Cottesloe, I would stick to talkback if I was you.

Mr C.J. Barnett: I'd try to be a decent Premier if I was you!

Several members interjected.

The SPEAKER: Member for Cottesloe, it was a fair call, but I will give you a fair call, too! I call you to order for the first time, but it was a good one.

Mr M. McGOWAN: It was good; I will pay that one. I am pleased that the member for Cottesloe is playing an important role in here.

Ms M.J. Davies interjected.

Mr M. McGOWAN: I am looking forward to the supplementary question. There is no doubt it will be a repeat of what the Leader of the National Party asked before.

WAGES POLICY — POLICE

270. **Ms M.J. DAVIES to the Premier:**

I have a supplementary question. Why is the Premier comfortable breaking promises to households and government employees who cannot afford increased costs but not the two most profitable companies in the state? Has the Premier been captured by the big end of town?

Mr M. McGOWAN replied:

The answer is no.

ROAD PROJECTS — TRAFFIC CONGESTION

271. **Mr Y. MUBARAKAI to the Minister for Transport:**

How is this government progressing vital road projects that will ease congestion that were neglected by the previous Liberal–National government?

Ms R. SAFFIOTI replied:

I thank the member for Jandakot for that question. What an excellent question! What an excellent local member the member for Jandakot is. I was out at the Metronet forum last week, and it was great to see such a crowd come out to listen to our plans for rail in that area. Of course, we are getting on with the job.

You know what, Mr Speaker? I did not think the opposition could get any worse, but today it has proven that it can. It has been an absolute rabble during question time. I thought the opposition was bad in the first few months, but it has deteriorated.

The SPEAKER: Can you get to the answer to the question, please, minister.

Ms R. SAFFIOTI: We are getting on with the job of building roads, reducing congestion and creating jobs. It was good to be out on Sunday with the member for Butler with his titanium leg. The poor member for Butler with his new knee was out announcing the \$23 million contribution from the state government to Marmion Avenue. It is a long-awaited project that will ease congestion on the way up to Yanchep. It was great to be out there with the member for Butler.

Mr R.S. Love: You took about \$10 million off regional roads to pay for it.

The SPEAKER: Member for Moore, I call you to order for the first time.

Ms R. SAFFIOTI: I think the Liberal–National Parties did that to themselves when they disallowed their own budget measure in the upper house.

Several members interjected.

The SPEAKER: Members, if we keep having these interjections, I will cut question time short.

Ms R. SAFFIOTI: This is just one of the many road projects we are delivering across the state. Today we announced the expression of interest for a number of other road projects. The member for Jandakot would be very interested in the Kwinana Freeway northbound widening from Russell Road to Roe Highway—the Kwinana Freeway northbound smart freeway upgrade. Of course, for those in the northern suburbs, there will be the Mitchell Freeway southbound widening from Cedric Street to Vincent Street. This is all about reducing congestion and creating jobs.

Mr D.C. Nalder: We announced that for the election.

Ms R. SAFFIOTI: If the Liberal Party announced it, no-one voted for it, so obviously no-one believed it. That is the key, because the Liberal Party failed to deliver in the suburbs, did it not? Again and again, the Liberal Party failed to deliver. We are concentrating on creating jobs, reducing congestion and delivering to the suburbs and regions of WA.

WAGES POLICY — POLICE

272. Mr P.A. KATSAMBANIS to the Minister for Commerce and Industrial Relations:

I refer to the fact that public servants will be offered a pay rise of \$1 000 a year based on a standard 38-hour working week for most public servants. Will the minister now commit to increase the pay offer to police officers in recognition of their longer 40-hour working week?

Mr W.J. JOHNSTON replied:

I thank the member very much. I would be happy to offer a 38-hour week to police, but, unfortunately, the WA Police Union has rejected that offer. Unfortunately, the police union in 1996 chose to go from a 38-hour week to a 40-hour week in return for a 17 per cent wage rise. The union acknowledged in 2006 that police could not go from a 40-hour week to a 38-hour week because they had been paid 5.6 per cent, which is the value of the difference between 38 hours a week and 40 hours a week, in respect of the 2006 industrial agreement. If there is to be any change to police hours of work from 40 hours back to 38, which the government is very happy to do, it has to be acknowledged that we need to offset the 5.6 per cent increase they received at the time they went from 38 hours to 40. I am happy to do that, because that is a no-cost offset by the government. Unfortunately, the police union has not accepted that position. I am perfectly happy to provide the 38-hour week to the police force if the union complies with its own agreement to do that through an offset. Let us make it clear: the police get a paid 40-minute meal break every day, and that is counted in their 40 hours a week. So if they were to work 38 hours a week, the number of hours of actual activity would go up, not down. That is why the government stands ready to agree to that offset immediately.

WAGES POLICY — POLICE

273. Mr P.A. KATSAMBANIS to the Minister for Commerce and Industrial Relations:

I have a supplementary question. Is the minister seriously suggesting that in order to reduce the police working week to 38 hours, he will ask police officers to take a 5.6 per cent pay cut? Is he being serious?

Mr W.J. JOHNSTON replied:

What I said to the member was quite clear. The WA Police Union acknowledged in 2006 that if it ever pursued the request to move from a 40-hour week to a 38-hour week, it would be done on the basis of entirely offsetting that cost.

Several members interjected.

The SPEAKER: Members.

Mr W.J. JOHNSTON: I am sorry, but let me make it clear: that 5.6 per cent is paid to the police every day they come to work. They are currently being paid an additional amount; they are being paid at 105.6 per cent because they work a 40-hour week.

Mr P.A. Katsambanis: You're asking them to take a pay cut.

Mr W.J. JOHNSTON: I am not asking them to do that. I am just saying that given that they get paid for those hours—this is why the police union has rejected the offer—if they go from a 40-hour week to 38-hour week, the number of hours on duty would go up, not down, because they currently get a paid 40-minute meal break. Other public servants do not enjoy the benefit that the police union won in 1996 and that was acknowledged again in 2006 when the WA Police Union acknowledged that as part of the negotiations for wages that the police are currently being paid and continue to be paid —

Mrs L.M. Harvey interjected.

The SPEAKER: Member.

Mr W.J. JOHNSTON: I do not understand why I try at any point to explain important issues to the Liberal Party when its members will not listen. If they do not start listening, there is no point in them turning up to work.

Several members interjected.

The SPEAKER: Members!

Mr W.J. JOHNSTON: As I said, I am very happy to make an arrangement for the police to come into line with every other public servant but that has to be done on an offset basis, which is exactly what the WA Police Union agreed.

HEALTH — AT-RISK YOUTH — PEEL REGION

274. **Mrs R.M.J. CLARKE to the Minister for Health:**

What is this government doing to provide care and support for at-risk youth in my community?

Mr R.H. COOK replied:

I would like to thank the member for the question. She is a great advocate for the people of Peel, along with the member for Mandurah, and for health services in that area, and I congratulate her for her work.

The government went to the election with the pledge that we would put patients in the Peel region first, and we are delivering on that commitment. I am pleased to announce that the McGowan government has committed to a grant of \$4.99 million for an integrated health hub for at-risk youth in the region. This commitment fulfils yet another election commitment by the McGowan Labor government. On 30 June this year, we released \$2.5 million worth of funding to GP down south, which is the preferred proponent of this service, to commence the design and construction works. The funds were used to progress preliminary designs, site works and construction. The remaining grant funding will be released over the next two financial periods as the project progresses. The facility is expected to be operational by January 2019.

The new Peel Youth Medical Services health hub will provide mental health, homelessness, sexual health, counselling and domestic violence assistance services to the young people of the Peel region. The facility will provide care for young people experiencing depression, anxiety and other health issues. As a government, we recognise that there is a significant need to increase health services for young people, particularly future generations, when they are in danger of health risks. The adequate provision of these services is a key election commitment of the McGowan Labor government. Since coming into government, we have worked quickly to put these policies in place because we believe it is important that we act on getting those important services in place. The people of Peel are fortunate to have the members for Murray–Wellington and Mandurah to advocate on their behalf. The McGowan Labor government is delivering on the commitments it made to the people in their region.

WAGES POLICY — POLICE — COMMISSIONER OF POLICE'S COMMENTS

275. **Mrs L.M. HARVEY to the Minister for Police:**

I refer to comments made today by Commissioner Karl O'Callaghan that he is expecting hundreds of policing jobs will need to be cut in response to sweeping cuts expected in next month's state budget. Can the minister please explain to us and to police officers why she has failed to convince her colleagues to achieve a 1.5 per cent pay increase for police officers, consistent with the government's election commitments, and what she is going to do to ensure that no jobs of police officers will be cut as a result of the budget slashes expected by the commissioner?

Mrs M.H. ROBERTS replied:

I anticipate that when the budget comes down, an announcement will be made to appoint additional police officers, particularly for the meth border force and for traffic enforcement in regional areas.

WAGES POLICY — POLICE

276. Mrs L.M. HARVEY to the Minister for Police:

I have a supplementary question. Why can the Minister for Fire and Emergency Services get 1.5 per cent for his fire and emergency services workers—the firies—but the minister cannot get 1.5 per cent for our police officers, which is consistent with her commitment?

The SPEAKER: Member, that is not a supplementary. Next question.

ENTERTAINMENT VENUES — NAMING RIGHTS

277. Dr A.D. BUTI to the Treasurer:

Why can the state not afford to do what the previous Liberal–National government did and pay millions not to sell naming rights for entertainment venues?

Mr B.S. WYATT replied:

I thank the member for Armadale for the question. Some things get a lot of attention and commentary and raise passions, and it seems that naming rights, the sale thereof, to the Perth Stadium and Perth Arena is one of those things. Rather like the issue of daylight saving, it would seem that people have firm views on the matter—they are either agin it or for it. But I was surprised to learn that by not selling the naming rights the government is not only missing out on revenue, but also paying money to not have signs on one of our facilities—Perth Arena. Let me make it clear. In 2012, the former government, in one of its cunning financial decisions, gave AEG Ogden, the operators, the right to sell the naming rights. Somewhere along the way, I suspect that the former Premier, the member for Cottesloe, decided to reverse that, forgetting that Ogden had contractual rights. Since 2012, the state has been paying about \$1.5 million a year to not have signage on Perth Arena. I assure all members and the people of Western Australia that this government will no longer be doing that; indeed, we are seeking to sell the naming rights for Perth Arena. If we get less than \$1.5 million, we will share that cost, but if we get more, we will share the profit. However, either way, we cannot afford to keep throwing millions of dollars to not have signage at Perth Arena. Perth Stadium is one.

Several members interjected.

Mr B.S. WYATT: I know that the member for Cottesloe—Colin from Cottesloe—in high dudgeon called into radio yesterday. I understand the argument that the member for Cottesloe raised, and I understand the position of the former government of not having naming rights for three years and then selling the naming rights. We are bringing that forward now because, ultimately, the days of simply throwing money at things and hoping that they work without generating a return are over. I am pleased to say that interest in the stadium, unsurprisingly, has been strong. There are organisations that are very keenly and unsurprisingly attached to the stadium, like stadia around the globe. We will be pursuing that to ensure that we maximise the return for Perth Stadium and the taxpayers, and to ensure that we remove the liability that the member for Churchlands left of paying Perth Arena \$1.5 million a year to not have a sign.

POLICE — PREMIER'S COMMENTS

278. Mr Z.R.F. KIRKUP to the Minister for Police:

I refer to the opinion piece in Monday's *The West Australian*, written by the president of the Western Australian Police Union, George Tilbury.

Several members interjected.

The SPEAKER: Members!

Mr Z.R.F. KIRKUP: I will start again. I refer to the opinion piece written in Monday's *The West Australian* —

Mr J.R. Quigley interjected.

The SPEAKER: Attorney General, I call you to order for the first time.

Mr Z.R.F. KIRKUP: Minister, I refer —

The SPEAKER: Members!

Mr Z.R.F. KIRKUP: Minister, I refer to the opinion piece in Monday's *The West Australian* —

Ms R. Saffioti interjected.

The SPEAKER: Minister for Transport, I call you to order for the first time.

Mr Z.R.F. KIRKUP: I refer to the opinion piece in Monday's *The West Australian*, written by Police Union president, George Tilbury, who quoted the Premier, commenting that police officers were akin to rangers. Does the Minister for Police agree with the Premier that WA police officers are comparable to rangers?

Mrs M.H. ROBERTS replied:

That is a nonsense question. Clearly, police officers are police officers and rangers are rangers.

POLICE — PREMIER'S COMMENTS

279. Mr Z.R.F. KIRKUP to the Minister for Police:

I have a supplementary question. Will the Minister for Police apologise on behalf of the Western Australian government in recognising the significant dangers police face every day?

Mrs M.H. ROBERTS replied:

Police officers throughout this state should know that they have my respect and support. I have shown an interest in policing matters for 20 years now. I was delighted to be the police minister who eventually gave police officers in this state occupational health and safety. I was delighted to be able to roll out a uniform service gun—the Glock—over a period of a year instead of 15 years, and pepper spray, Tasers and a range of other things. At this time I am working on a redress scheme for police officers who have been medically retired, something on which no work had been done by the former government.

Mrs L.M. Harvey: That's not true.

Mrs M.H. ROBERTS: That is true.

Workers' compensation is a separate matter. An offer was made by the former government that was not accepted. That offer was made at the end of eight and a half years and the former government did not manage to resolve it. My priorities at the moment include being able to deliver on things that will be really significant for the police officers of this state and retired members who unfortunately were not treated well as they exited the service.

The SPEAKER: Members, that is the end of question time.

SENATE VACANCY

Statement by Speaker

THE SPEAKER (Mr P.B. Watson): Members, I have to report a communication from Her Excellency the Governor in the following terms —

The Governor transmits to the Legislative Assembly a copy of a despatch which she has received from the Honourable the President of the Senate of the Commonwealth of Australia, notifying that a vacancy has happened in the representation of the State of Western Australia in the said Senate.

Government House

Perth, 31 July 2017

The despatch from the President of the Senate reads as follows —

31 July 2017

Her Excellency the Honourable Kerry Sanderson, AC

Governor of Western Australia

Your Excellency

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I notify Your Excellency that following today's resignation of Senator Christopher Back, a vacancy has occurred in the representation of the State of Western Australia.

Yours sincerely

Stephen Parry

JOINT SITTING

Motion

On motion by Mr **M. McGowan (Premier)**, resolved —

That Mr Speaker be requested to confer with the President of the Legislative Council, in order to fix a day and place whereon and whereat the Legislative Assembly and the Legislative Council, sitting and voting together, shall choose a person to hold the place of the Senator whose place has become vacant.

QUESTIONS ON NOTICE 55, 72, 375, 392, 424, 484, 501, 554, 571 AND 621

Correction of Answer

MR P. PAPALIA (Warnbro — Minister for Tourism) [3.32 pm]: I rise under standing order 82A to advise the house that I will be providing more fulsome answers to Legislative Assembly questions on notice 55, 72, 375, 392, 424, 484, 501, 554, 571 and 621. The information relating to the Rottnest Island Authority was accidentally omitted from these answers. I will table the corrected answers when information becomes available to me.

LOAN BILL 2017*Assent*

Message from the Governor received and read notifying assent to the bill.

PAPERS TABLED

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

SELECT COMMITTEE INTO CHILD MIGRATION*Submissions Release — Statement by Speaker*

THE SPEAKER (Mr P.B. Watson): I rise to inform members that under the provisions of standing order 32, I have approved the release of several submissions provided to the former Legislative Assembly Select Committee into Child Migration. The request was made by Oliver Cosgrove. The select committee was terminated prior to the conclusion of its inquiry as a result of the dissolution of the Legislative Assembly on 14 November 1996. Although the committee tabled an interim report on Wednesday, 13 November 1996, documents and material collected by the committee were not tabled and were therefore not publicly available. Under Legislative Assembly standing order 30, any committee evidence or documents that were not published or publicly released cannot be disclosed until the expiration of 10 years and subject to the determination of the Speaker. With regard to the abovementioned documents, the 10-year period expired on 14 November 2006 and I have decided to release the documents.

JOINT SELECT COMMITTEE ON END-OF-LIFE CHOICES — ESTABLISHMENT*Standing Orders Suspension — Government Business — Notice of Motion*

Mr D.A. Templeman (Leader of the House) gave notice that at the next sitting of the house he would move —
That so much of standing orders be suspended as is necessary to enable the private members' business notice of motion relating to the Joint Select Committee on End-of-Life Choices to be moved and dealt with during time when government business has precedence.

DOMESTIC VIOLENCE ORDERS (NATIONAL RECOGNITION) BILL 2017*Notice of Motion to Introduce*

Notice of motion given by **Mr J.R. Quigley (Attorney General)**.

PERTH STADIUM — NAMING RIGHTS*Notice of Motion*

Dr M.D. Nahan (Leader of the Opposition) gave notice that at the next sitting of the house he would move —
That this house commits to maintaining the existing name of Perth Stadium, in the best interests of promoting Perth and Western Australia.

GST DISTRIBUTION*Notice of Motion*

Dr M.D. Nahan (Leader of the Opposition) gave notice that at the next sitting of the house he would move —
That this house resolves to write to both the Prime Minister and the federal opposition leader, Bill Shorten, seeking a commitment to deliver a bipartisan resolution, by the federal parliamentary Liberal Party and the federal parliamentary Labor Party, of Western Australia's woeful goods and services tax share.

ELECTRICITY SECTOR*Notice of Motion*

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

That this house calls on the Minister for Energy to outline his plans for the energy sector, including how Western Australia will achieve its large-scale renewable energy target of 20 per cent by 2020, and when Western Australian households will have choice in electricity retailers, as they currently enjoy with residential gas.

STATE ECONOMY*Notice of Motion*

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

That this house notes the constant negative commentary by the Premier and members of his government about Western Australia's economy, which is hurting consumer and business confidence, and calls on the state government to take a more considered approach to the economic narrative.

TOURISM*Notice of Motion*

Ms L. Mettam gave notice that at the next sitting of the house she would move —

That this house expresses deep concern about the handling of the tourism portfolio and the McGowan government's lack of leadership in promoting this great state.

POLICE — PAY RISE*Matter of Public Interest*

THE SPEAKER (Mr P.B. Watson) informed the Assembly that he 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.]

DR M.D. NAHAN (Riverton — Leader of the Opposition) [3.43 pm]: I move —

That this house expresses deep concern that the McGowan government is reneging on its election commitment to a 1.5 per cent pay rise for Western Australian police officers.

This is a very important issue. We recognise that periodically, and probably now, there is a need to tighten up wages policy. The opposition understands—and in fact had a long debate in the years leading up to the last election and during the election campaign itself—the difficult financial position faced by the state, the excessive levels of debt and the need to address issues of expenditure. We knew that and the then opposition knew that. It went into the election campaign with a set of promises to reduce debt, resolve the deficit over four years, and to provide \$5 billion worth of new expenditure. It also communicated with all public servants, promising a 1.5 per cent pay rise. That contributed to its landslide win in the election. Around the time of the election, two major enterprise bargaining agreements were open for negotiation—one for police, and one for firefighters. Both had issued logs of claims, and both were involved in live negotiations at that time. Both would have read the 1.5 per cent promise given by the opposition. The Labor Party won in a landslide and began to negotiate with the WA Police Union and the United Firefighters Union of WA. It met with the police union repeatedly in April and May to negotiate the logs of claim that the police union lodged with the government on 9 March. The government had it in its hands. To say that it was only due in June is ridiculous. The union, of course, as unions often do, asked for the sun and the moon; I think it asked for about 6.5 per cent over two years. We are not supporting that, of course. The union has made it clear repeatedly to the government and the public on radio and elsewhere that it is more than willing to accept what was offered to it prior to the election and after the election—that is, a 1.5 per cent raise. Bureaucrats from the industrial relations department of the Department of Commerce met with the police union on 4 May and verbally offered it 1.5 per cent. There was an offer and there was an acceptance; it was a deal done. The firefighters were going through the same process at about the same time. Before the election they were offered 1.5 per cent and after the election—before the wages policy came in—they were offered 1.5 per cent. Later, on around 16 May, the Premier reneged on the deal with the police union. He decided that the offer that was made before the election and the offer made after the election of 1.5 per cent was no longer suitable for the police. He also decided at around the same time that it was suitable for the firefighters. Why?

I accept what the Premier said when he went out and addressed the police union today. All of us here work in the community and recognise the vital importance of the police and, for that matter, firefighters. They are our front line and protect us. All of us here know the valuable contribution of the police force and firefighters. Why discriminate? Why choose to give a 1.5 per cent raise to the firefighters' union—not to the police—and actually ratify the agreement with the firefighters after the announcement of the new wages policy? The wages policy was announced on about 12 or 16 May but the ratification of the agreement with the firefighters took place on 26 May—almost two weeks later. Why discriminate against the police union and for the firefighters? Numerous times during the last four years of the Barnett government we altered wages policy and ratcheted it down. Each time we announced a change we said that it would come into effect on a certain date in the future that varied. What we also did, as an act of fairness, was state that all enterprise bargaining agreements under negotiation or discussion at the time of the change in wages policy were grandfathered in to the old wages policy.

Mr W.R. Marmion: Very fair.

Dr M.D. NAHAN: That was fair. For all EBAs under negotiation, we followed through with the old wages policy. That cost us money and was difficult for me as the Treasurer to agree to but that was the issue; it was fair and open. Negotiations and discussions had been taking place and positions had been laid. That is what should have taken place here. Two major EBAs were open for negotiation at the time the government was considering revising its wages policy—the firefighters and the police. The police lodged their claims on 9 March and the government has reneged on them and not acted in a fair manner.

This is not just any government. This is a Labor government that prizes itself on looking after workers and representing unions. I have been informed that, as it so happens, the Western Australian Police Union of Workers is not affiliated with the Labor Party and the United Firefighters Union of WA is. Maybe that is the reason for the discrimination. I would like members opposite to explain that to me. Maybe the Minister for Emergency Services was more vociferous in arguing for the firefighters than the Minister for Police was for her people—the police. Simply, an offer was made before the election and after the election to the police, an acceptance was given, and the government reneged on it. The operation of procedural fairness should be that any enterprise bargaining agreement being negotiated at the time of the change in policies should have been grandfathered in. That is what we did. That is what a fair government would do. This government has failed and deserves the ire of the police.

MR K.M. O'DONNELL (Kalgoorlie) [3.50 pm]: I wish to talk on this matter of public interest. I thoroughly enjoyed being a police officer for 34 years. It was good to see all the brothers out there today. Being a police officer is a very hard job. It does not discriminate by gender, age or race. Police officers attend jobs not knowing half of what is behind closed doors. They are given a job and they just go there. With many jobs in our community, people go to work and know exactly what they will be doing. People who work at Coles on a checkout just pick up the items, scan and bag them. Police are told: go to domestics. Like a lot of police officers, I hated going to domestics; I would rather go to something harder. We have no idea with domestics. We go there to help one side of a family involved in a domestic, and within seconds both sides turn on us. I was lucky enough not to receive serious injuries during my police career—that was not because I shirked anything; I think luck played a big part in it—but my heart goes out to all the officers who have received serious injuries in recent times. Being attacked by someone with a Samurai sword is just mind-boggling and terrible.

I will give members an example regarding wages. A young regional police officer comes home to his wife and three children. “Look, honey —

The SPEAKER: Members!

Mr K.M. O'DONNELL: That is all right, Mr Speaker.

He comes home and says, “Look, honey, I’ve got a \$1 000 pay rise.” The wife says, “How good’s that?” The next minute, there is a knock at the door and the wife answers. The husband says, “Who was that?” She says, “It’s the evil landlord”, also known as the WA Labor government. The wife says, “Oh, look, we’ve just got a \$1 000 pay rise.” The evil landlord says, “That’s great. Now I’ve just put up the rent. I want \$1 500.” So the regional copper got \$1 000, and \$1 500 went out the back door. It is very disappointing. I was asked about this on radio about six weeks ago, and I said to ABC radio that I agreed with the 1.5 per cent increase. The ABC asked whether the government was not doing the right thing, and I said, “I can also see where the government is coming from.” However, the big issue I have is that it was a commitment. The former Liberal government promised 1.5 per cent, and Labor matched and committed to it during the pre-election period. It has now changed its mind.

During the election process the media kept asking me what I was promising for Kalgoorlie—what was I promising. Each time I said, “I’m not promising any monetary value whatsoever.” The now Labor government and the National Party promised tens of millions of dollars for the goldfields, and they were entitled to do so. The media kept saying, “What are you going to promise?” I said, “I will not promise. I will not commit any monetary value item unless I can deliver.” I did not start out as a young politician; I started out as a mature-age politician

Mr Z.R.F. Kirkup: That’s right.

Mr K.M. O'DONNELL: I thank my suburban member there!

I am sticking to the game plan. I got elected without promising one cent. It is not something I am proud of; I would love to have promised monetary things for my electorate, but I promised it hard work and nonstop efforts to try to improve things for the goldfields and, yes, to work with whichever government was in power. I would like to get back to one thing: commitment. I firmly believe that if we promise something, our word is our bond. Your word is your honour. I believe that the state government must deliver 1.5 per cent or, if there is a trade-off and agreement with the WA Police Union, I am all for that. We need to change attitudes and perceptions of politicians. We should not promise things we cannot deliver. That is all I wish to say.

MS M.J. DAVIES (Central Wheatbelt — Leader of the National Party) [3.55 pm]: I rise today to support this motion and speak on behalf of the Nationals. Clearly, we were pleased to be invited today to the steps of Parliament House to address the men and women in blue who turned out to point out the completely unfair way that they are being treated by this state government. Its broken promises will have a real impact on these people who put their lives on the line to keep our communities safe. We stand in solidarity with their request to be treated fairly. As I pointed out at the rally, we think that what is taking place will make it incredibly difficult not only on an individual basis, but also for the government to attract and retain those police officers in the communities in regional Western Australia that we represent. It is difficult enough to do that already, although we had significant programs in place while we were in government to assist the police to do that. Making it more unattractive, punishing them and walking away from a commitment will make it more and more difficult to maintain those

people in our communities. Quite often, the police service is the only essential service in some of our communities. The police are the only state government representative agency in these communities. They are a vital part of our regional communities.

I wish to take up some of the comments that the Premier made during question time and reflect on what this wages policy will deliver for the government. Everyone out there understood very clearly what we were saying. We are facing a \$42 billion debt and a \$520 million solution; taking away from those who can least afford it is not the way to go about it. The real question needs to be asked about why the Premier, the Treasurer and the ministers in this government are not going down every avenue to make sure that we do not have these types of confrontations and conversations with those who serve our communities. We do not think that this government is doing its job in that respect.

Either the government is scared of or captured by the big end of town. The government is not willing to break the promises that it made to Rio Tinto, BHP and the Chamber of Minerals and Energy of Western Australia, but it is very happy to walk away from those who serve our communities and wear the blue uniform and put their lives in danger on our behalf. The question needs to be asked: what is preventing the government from doing everything it can to not break that promise to a group of individuals and people who serve our communities? We think there is a solution, and we support the anger that was palpable out there on the steps of Parliament House. They are angry and they are right to be angry because this government is not doing everything it can to make sure that that debt is reduced in a way that does not impact on families, households and police and public servants. There will only be more pain. The Labor Party came to government with its fingers crossed saying, "We will figure it out. We have no plan." The Liberal Party and the National Party had a plan to reduce that debt. It would never have got to \$42 billion in the out years. The Labor government does not and did not have a plan. It understood the finances of the state and it is now breaking promises so that it can deliver its election commitments. It is irresponsible when we are talking about people who serve our community.

We ask the Labor Party to sit down and have the hard conversation and to stop throwing back in our face that we want to rip up state agreements; that is not what we are saying. We are saying that the Labor Party needs to have the conversation; it needs to sit down and start negotiating, because there are avenues on the table that will allow it to significantly improve its bottom line and the finances of the state. Doing it by cutting savings is not the answer. The people of Western Australia will become more and more wise to this as the state budget is handed down and as more decisions, such as increasing electricity and power prices, become evident. That is what the people of Western Australia are going to see. This negotiation with the police is only the start. In addition to the fact that they have been promised something that they will now not receive, their households will be impacted by increased fees and charges, because this government is going to every corner of households that cannot afford it to pay for the promises it made during the election, knowing full well the situation with the state of the finances.

It is an absolutely outrageous situation to find ourselves in. The Nationals support the WA Police Union in its negotiations. It is wrong for the government to walk away from a promise that it made, especially when it will not walk away from promises made to the big end of town, which could very well afford to sit down and negotiate with the government on outdated state agreements and deliver an improvement to its bottom line. It is an absolute shame. The government should be ashamed when it has to front rallies, as we did today, and look at those people who put their lives on the line for us. I hope it feels ashamed. It is an absolute outrage.

MR W.J. JOHNSTON (Cannington — Minister for Commerce and Industrial Relations) [4.01 pm]: I expected the opposition to develop a case in this debate, but I suppose I have to respond on behalf of the government in the absence of an argument in favour of the motion moved by the Leader of the Opposition. Normally, what happens in a matter of public interest is that the opposition outlines why the house should support the proposed motion, but unfortunately, for some reason today, the opposition has decided not to make a case for why the house should endorse the contents of this matter of public interest. It is therefore very hard for me to speak, because no substance has been put before the house to deal with this issue. I am not quite sure what I should say because I have not been challenged in ask of anything. There has not been any critique and there has been no explanation of why the government's fiscal strategy is wrong. That is the fundamental issue here.

Mr D.C. Nalder: You walked away from a promise.

Mr W.J. JOHNSTON: The member for Bateman interjected and said that we are walking away from a promise. Only a couple of weeks ago, the member for Bateman came in here and asked us to break our promise about Roe 8. Apparently, only some promises are important.

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman!

Dr M.D. Nahan: You broke a whole range of promises. You broke the one on electricity prices.

The SPEAKER: Members, this is not a question-and-answer session. You have had the opportunity to talk, and no-one else wanted to get up.

Mr W.J. JOHNSTON: This is fundamentally the problem with the opposition. Before the winter recess, the Leader of the Opposition said in this place that the government's wages policy was the right approach for the state of Western Australia, and I thanked him for doing so. I congratulated him in public with the media that, for once, he was doing the right thing by the taxpayers of this state and endorsing a sensible policy outcome that will save \$520 million over four years. Unfortunately, it took only the winter recess for the Leader of the Opposition to walk away from that.

Let me make it clear: police work is a tough job. I personally would not want to do it. I make that perfectly clear. I think police officers provide an excellent service to my community and to all Western Australians. That is why I do not understand why we are at this impasse. We have offered a 1.4 per cent increase to police constables, but the police union is saying that it wants 1.5 per cent. That is a \$1.36 difference. This dispute has stretched for weeks over \$1.36 for a police constable. I understand that more senior officers on hundreds of thousands of dollars will not get 1.4 per cent. But for those police on the front line, putting their lives on the line each day, the difference between what we have offered and the previous wages policy is small. Of course, for the very senior officers in the offices doing important work on behalf of the community, there is a larger difference. I attended the police rally today and I can understand why those police officers were there. I imagine that if the weather had not been poor more of them would have been there; I have no question about that at all. I understand that the WA Police Union did not bring a bus from Fremantle or Cannington to the rally. I am sure that if the weather had been better it would have done that—no question. I do not begrudge that the police were paid to attend that rally; there is nothing wrong with that at all. When I was a union official, I had people paid to attend rallies. That is not a problem. That is the sort of thing that employers and unions agree on all the time. Nothing of that is at all unusual. But it is \$1.36 for a first-year constable and that is the argument.

There are some misunderstandings, apparently from the opposition, about time lines. According to the Leader of the Opposition, on 3 May 2017, a deal was done by the police union for a 1.5 per cent wage rise. I find that unusual given that on 12 July 2017, the police union wrote to the Commissioner of Police asking for a 6.5 per cent wage rise plus a whole range of other things including the introduction of a 38-hour week, which is effectively a 5.6 per cent increase. I do not understand. If the deal was done on 3 May, why did the police union write to the Premier after that and complain that no formal offer had been made by the government? I am sure that there is some explanation for these things, and I can explain that. At no time, including today, has the WA Police Union accepted any wage offer from the government. Indeed, it did not, would not and will not accept the wages position of the former government of 1.5 per cent—never. I point out to members that today the WA Police Union is in dispute with the government—since October last year—about auxiliary police officers because it would not accept the 1.5 per cent wages offer. It has sought additional conditions for those officers. Of course, a union is perfectly entitled to ask for those, and I am not begrudging the union's desire to ask for anything; it has an absolute right to ask for whatever it wants. But the idea that on 3 May it was a deal done is a falsehood. I do not know why the Leader of the Opposition made that false claim, but it was false. It is untrue; it is not accurate; it is wrong. I am perfectly happy for negotiations to continue and I am sure that we could agree to a whole range of conditions, but unfortunately the position is that for four years we are asking all unions to accept \$1 000.

I want to return to the falsehood that has been promoted about the United Firefighters Union of WA. I will make a couple of points about that. Let me make it clear: the United Firefighters Union will be offered four years at \$1 000 at the expiry of its current agreement. That union thought the government was going to introduce a wage freeze because there was a lot of discussion in the media about wage freezes. At the first bargaining with the Department of Commerce, as it was, the union accepted the existing 1.5 per cent. The officials at the Department of Commerce, who of course had no idea that the government was considering matters in cabinet, said that if the union is accepting the government's wages offer, they will accept that deal.

They reported back to me as the minister. I was in a difficult position because, of course, I knew what was happening in cabinet but I was not able legally to tell anybody. That is how the United Firefighters Union of WA agreement was endorsed by me. At the time that the agreement was endorsed —

Mr P.A. Katsambanis: When did you endorse it?

Mr W.J. JOHNSTON: I have that date. I am happy to give it as other information; I do not have it on my notepad right here.

Mr P.A. Katsambanis: When did you endorse it?

Mr W.J. JOHNSTON: I will find out in a minute.

Let me make it clear: that was prior to 12 May, when we announced our position. The UFU did not ask for any conditions and it accepted the 1.5 per cent increase. At no time has the WA Police Union accepted the 1.5 per cent increase. If it did, it would accept our \$1 000 offer, which is 1.4 per cent for a first-year constable. This is not about the cash; this is about the conditions. The police union had a long list of conditions, which the former government would not have given them.

I was very interested in the question from the member for Hillarys regarding the 40-hour week. I will just make a point about the 40-hour week. The Liberal Party did not give the police union a 38-hour week in 2008. It did not give the police union a 38-hour week in 2009. It did not give the police union a 38-hour week in 2010, in 2011, in 2012, in 2013, in 2014, in 2015 or in 2016! Indeed, it did not even do it before the election was called in 2017. Not once did the Liberal Party care about giving police officers a 38-hour week. What a shock, because it was the Liberal Party that increased police officers' hours of work from the 38 hours they had worked from 1988 to 1996, when the Liberal Party increased their hours from 38 to 40 hours. Police officers currently work 40 hours a week because the Liberal Party increased their hours. What hypocrisy! Let us understand, in 2006 the police union received a 17 per cent increase —

Mr B.S. Wyatt: It was 1996.

Mr W.J. JOHNSTON: No, it was in 2006, when we were in government. And 5.6 per cent of that increase was to buy out the 40-hour week. Other unions, like the Civil Service Association and others, chose to return to a 38-hour week. The police union did not do that because it took it in cash. Now the police union is asking to keep the cash and get the hours back. No government is ever going to agree to that. We know that because the Liberal government never agreed to it. Let us not kid ourselves; we are perfectly happy—we will do it immediately—to give police a 38-hour week if it is done on the same basis as it was done for every other union that accepted the 38-hour week. I do not begrudge police getting a paid meal break. I think it is a good idea because it means that if something happens when they are eating a sandwich, they have to go on duty. It is an obvious arrangement. But the idea that taxpayers of this state should pay for the same hours twice, having paid for it as part of that deal in 2006 and now having to pay for it again, is not sustainable.

It is not a surprise that the Liberal Party came up with an unsustainable wages process. I remember the 2005 election campaign, when the then Labor government was in dispute with the Australian Nursing Federation, the member for Cottesloe, as Leader of the Opposition, went to them and said, "We'll give in." During the election campaign he said, "We'll give in." In 2008, when the Labor government was in dispute with the State School Teachers' Union of WA, again, the member for Cottesloe went to them and said, "Whatever the Labor government gives you, we'll give you \$300 million more." The 2013 election—nobody can tell us who authorised the nurses' wage rise that was again done in the election campaign. Let me make it clear, the reason the Leader of the Opposition was a failure as Treasurer is because he did not do his job; he did not restrain expenditure. It is a tough job—I have said this before—to look in the eye of a friend and say no.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition.

Mr W.J. JOHNSTON: On the third call here the Leader of the Opposition should start to read what I said in *Hansard* instead of coming up with these stupid things he says all the time. They are stupid things that he says, and this is another one. Nobody in the Labor Party said to the former government that it should spend its way out of problems. We kept saying the opposite to the government. We said not to waste money on things that are not important, but to spend it on the things that are. That is the problem here.

Mr P.A. Katsambanis: It is not important to pay the police officers?

Mr W.J. JOHNSTON: If we had the capacity in government to pay more than we are, that is what we would do.

Mr P.A. Katsambanis: You do; you just choose not to.

Mr W.J. JOHNSTON: What does the member for Hillarys want us to cut?

Mr P.A. Katsambanis: Some of your unfunded promises.

Mr W.J. JOHNSTON: Like which ones? Tell me which one. Which one would the member for Hillarys cut?

Mr P.A. Katsambanis interjected.

The SPEAKER: Minister, through the Chair, please.

Mr W.J. JOHNSTON: The problem here is that, again, the Liberal Party does not understand its own budget. In government it borrowed money for recurrent expenditure for years and years. It borrowed money to give wage increases; this is crazy. That is why we are in a mess in this state.

Ms R. Saffioti interjected.

The SPEAKER: Minister for Transport.

Mr W.J. JOHNSTON: That is why we are in a mess in this state. The Labor Party does not say that the state's economy is in a mess; we say that the state's finances are in a mess. The reason that the finances are in a mess is that there was an incompetent in the Treasurer's job. Now that he is the Leader of the Opposition, he comes in here and cannot make a case. He does not outline what he wants to happen and does not explain what is going to occur. It is rubbish, and that is the disappointing situation.

I want to conclude. All industrial disputes finish—every single one. That is what happens with industrial disputes: they come to a conclusion. The WA Police Union knows that and we know that. I am not critical of the police union. I think it could handle its negotiations better, but that is up to it. The one thing we understand is that when those negotiations conclude and an agreement comes out of them, we have to look back and people will have to look at the performance of the negotiations. Let me make it clear: why are we arguing about \$1.36 for a first-year constable? If I was a first-year constable I would want that agreement done now, because then I would get that money in my pocket rather than leaving it on the table. It is time for this dispute to be concluded. The best way for that to happen is for the police union to accept the \$1 000 wage offer. If there are no cost issues with the scheduling of annual leave and some other matters—if those things can be accommodated—we are happy to do that. If the police union wants to follow through on its 2006 negotiations about the 38-hour week, we are happy with that. If we want to deal with workers' compensation, we can talk to the union about that. But we are not going to pay 6.5 per cent, we are not going to give an effective 5.6 per cent wage rise by simply introducing the 38-hour week and ignoring what happened in the past, and we are not going to give additional increments and those things—not because we do not want to, but because the state of Western Australia does not have the capacity to pay.

MR P.A. KATSAMBANIS (Hillarys) [4.18 pm]: I rise to support this matter of public interest, because every day that our police officers arrive at the police station to log on for work, they put their lives in immediate danger in order to protect us—to protect our community and to keep us safer. Our police officers, like everybody else in our community, recognise that economic times are not as good as they were a few years ago. They recognise that; we all do. The previous government did, which is why it introduced the wages policy of 1.5 per cent increases across the board. The current government recognised that during the election campaign and made what was then an ironclad commitment that it would keep that 1.5 per cent wages policy going forward. The state of the economy was very well known pre-election, as it is now. There are no excuses for this government to come into power and all of a sudden say, “We will renege on the promise that we made during the election campaign. We will renege on the words we used in order to get elected into government now that we are in government.” That is what this government has done, and it has done it to our police officers.

As the Leader of the Opposition pointed out, procedural fairness, which union leaders usually cry blue murder about—the union leaders are often on the Labor benches—means that if a policy is introduced, it is introduced prospectively, not for the negotiations that have commenced in good faith and not for negotiations like the police union negotiations with the government that are almost concluded. We have it on good authority that the Department of Commerce made a 1.5 per cent offer around 4 May, well before the government changed its wages policy, which is why the police union wrote to the Premier asking him to confirm that in writing.

I do not know how the mechanics of this government work. I do not know how long it takes the government to reach an agreement from paperwork. I do know that at the same time as our police officers were negotiating in good faith with this government, the firefighters were negotiating in good faith. They are good public servants too; they work hard, and they put their lives in danger. They definitely deserve a fair pay increase. In the current circumstances, the firefighters got it. Despite what the Minister for Commerce and Industrial Relations told us in question time and earlier in this debate, the firefighters did not get that pay increase before the government's wages policy was changed because the government changed its wages policy on 12 May this year. The agreement lodged in the Western Australian Industrial Relations Commission between the firefighters and the Department of Fire and Emergency Services makes it very clear that its agreement was signed on 26 May—two whole weeks after the government changed its wages policy. Not only that, but the first couple of pages of that agreement points out that not only did it reach an agreement on 26 May but it further amended the agreement on 8 June, which is why the agreement starts on 9 June, runs for three years and concludes on 9 June 2020. Quite clearly, not only had the agreement not been signed with the United Firefighters Union of WA before the new wages policy came in, but even two weeks after it was signed—two weeks after the wages policy came in—it was amended again a week and a half later. The firefighters got their 1.5 per cent and the police were left out in the cold. What can we surmise from that? Probably a few things. First, as was pointed out by others, the firefighters' union is tied to the union movement that supports the Labor government that has donated very, very heavily and campaigned in favour of this government. Did it get a heads-up? Was it given a better deal? The paperwork shows that the firefighters have not been given a better deal. I do not know what happens behind closed doors and I do not know what happens in smoky rooms but the public has every right to question that.

The other thing that we can surmise is that perhaps the Minister for Emergency Services has a bit more sway than the Minister for Police in cabinet. Perhaps it is a combination of both those things. Either way, our police officers have been left out in the cold. They have a legitimate claim to a 1.5 per cent pay increase. The Minister for Commerce and Industrial Relations can throw in all sorts of other red herrings. The one I found most interesting is that he came in here today, as a former union leader, and effectively said that in order for the police to get a 38-hour week, they have to give up some entitlements they got decades earlier. Every union leader I have ever known has said that workers should never give up anything they already have. Start with what you have and negotiate from there—that has been the negotiating position of union leaders since time immemorial. But this Minister for Commerce and Industrial Relations, a former union leader and former senior union official, has

decided that for convenience he will throw out that idea and, in these difficult times, threaten police with a further pay cut if they pursue a legitimate claim to a 38-hour week. That could be a separate issue from the 1.5 per cent pay increase, but the reason a 38-hour week versus a 40-hour week is important in this context has nothing to do with whether the police are awarded a 38-hour week or whether they stay on a 40-hour week. The difference is that by working a 40-hour week, police officers are effectively working 100 hours a year more for the \$1 000 that this government is offering as a maximum pay increase. Therefore, per hour of work, a police officer will get less than any other public servant who works 38 hours a week, because they will be paid \$1 000 extra for 40 hours a week and everyone else will be paid \$1 000 extra for a 38-hour week. That is the lack of fairness over and above the procedural fairness argument with this deal.

I do not have a lot of time and unfortunately I cannot continue to go on about the other reasons that this deal is unfair. I really cannot understand how the Labor government can look police officers in the eye and say, “Thank you for having our back, and we have your back too when it comes to pay increases”, and then come into this place and offer such a measly pay outcome to police officers. If this government genuinely cared about our police officers, the first thing it would do is put a 1.5 per cent pay increase on the table and then worry about the other legitimate claims of police officers and discuss them separately. If the government does not do that, it will continue to show that it holds our police officers, the people who protect us, in total contempt.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [4.27 pm]: It is very disappointing that the Minister for Police or the Premier did not get up to offer their remarks on this matter of public interest before allowing the opposition to close the matter. However, I will contribute to this debate. I think that the contribution of the Minister for Commerce and Industrial Relations in this place, with his weasel words and barbed comments about what police officers get, was an absolute disgrace. He is the biggest gift the opposition has received since its drubbing on 11 March. What the Minister for Commerce and Industrial Relations is fundamentally not getting is that it is irrelevant to talk about policing and what police officers received as part of enterprise bargaining agreement negotiations in 1996 and 2006. What has changed since then? I will tell members what has changed. Our Australian national threat level for terrorist action is now probable, with a special alert for police officers and individuals in our community who wear the uniform to defend our country and our community. They are at higher risk now than they have ever been. They are dealing with the effects of methamphetamine use in the community and the outrageous violence that results from those individuals who are under the influence of that drug. The reason police officers want to keep a 40-hour week is that it gives them better rosters. Who would not want better rosters for police officers, who actually are on duty all the time? Some police officers who have been injured have been injured while they were off duty. That is why police officers get paid for their meal breaks. The Minister for Commerce and Industrial Relations seems to think that that is unfair. It is not unfair because police officers often get called out on their meal breaks to intervene in violent disturbances in our community. They are called out to stop high-speed car chases by people who would evade police and to stop those people from terrorising the community on our roads and to make sure that innocent people in our community do not get hurt by the activities of criminals. That is what they do. They work through their lunch break. They work when they are off duty. All they are asking for is the 1.5 per cent pay increase they were promised by that man sitting there, the Premier, during the election campaign. They were told that the Labor Party would meet what the then government was saying. They were told, “We will meet that 1.5 per cent state wages policy, no problem,” and then they came in here, knowing what the books looked like, saying, “Oh no, we’re trashing that commitment, but we’ll keep our commitment for the majority bloc over there in the missos. We’ll keep our commitment to employ additional teachers’ assistants. That commitment we’ll keep, but police officers—you can go and get knotted! We’re not going to keep our commitment to you. We’ll just keep our commitment to the people who control the numbers in the Labor Party.” That is what this is about. I think it is an absolute disgrace. In the eight and a half years we were in government there was not one protest by the police.

MR B.S. WYATT (Victoria Park — Treasurer) [4.30 pm]: I rise to make a few comments on this motion. I think the member for Cannington has outlined the case. I will emphasise a few points, but the member for Cannington, the Minister for Commerce and Industrial Relations, outlined the case very, very well. What this is not about is the value that we all hold for police. I do not think there is any doubt around the value that we hold for police, and I want to particularly emphasise the comments made by the Leader of the National Party, because there are parts of Western Australia—particularly where there are multifunction police facilities, for example—where the police are very much the only representatives of government. This is not about value for police; let me make that very clear.

I also want to make very clear the hypocrisy we are hearing from the mob most responsible for the fiscal environment we now face. They sit there —

Mrs L.M. Harvey interjected.

Mr B.S. WYATT: No, you listen. They sit there and say, “Like we did in 2013, like we did in 2008, like we wanted to do in 2005.” As soon as there is the first whiff of grapeshot, they throw money at the problem. That is what they are saying. The Leader of the Opposition for years hocked around a freeze —

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition, this is your last chance. You will be going home early. You had the opportunity to speak; now let the Treasurer have his.

Mr B.S. WYATT: The Leader of the Opposition hocked around a wage freeze for the police over the last few years but never managed to get it delivered. He hocked around a freeze that the WA Police Union needed to be aware of. Then, once we announced our new wages policy, he said not only that he was jealous of it, but also that he thought it was excellent. Now, as he thrashes around, looking for a *raison d'être*, he has decided, "Right, this is what I'm in now. I'm going back to throwing money around, the old Treasurer Nahan, not the Institute of Public Affairs Nahan."

That is the reality. The Leader of the Opposition went on radio on 11 July and said, in respect of the police negotiations, that the former government did not enter into negotiations with police on the enterprise bargaining agreement prior to the election. He said that the former government had learnt its lesson and that over two successive elections it had kept enterprise bargaining agreement negotiations live, but that the unions exploited it and got higher wage increases than they otherwise would have got. He said that as a result, the former government avoided that, and so did the Labor Party. That is right; we did not do what the former government did in 2013. When we came into government this year the process started.

Dr M.D. Nahan interjected.

Mr B.S. WYATT: No, the Leader of the Opposition has not listened to what the member for Cannington said. That is why the police union wrote to us later in May. The Leader of the Opposition said the offer was made on 2 May and we got a letter on, I think, 9 May, saying, "You haven't made an offer; what is going on?" That completely undermines the Leader of the Opposition's position. If he is going to now demand spending on every point of controversy, it means he has not learnt his lesson. The Liberal Party is responsible for the greatest fiscal disaster that a government could inherit, and now the Leader of the Opposition is saying, "Throw money at all these issues," because you know what? That was the form of the former Liberal government, and those days are over, let me tell you.

I am surprised that the shadow Minister for Police now somehow wants the taxpayer to pay twice for the 40-hour week. The taxpayer already paid for that back in 2006 at 5.6 per cent; now the opposition wants the taxpayer to pay again. Is it any wonder that the Liberal Party delivered to the taxpayers, the people of Western Australia, a diabolical set of books?

One final point I want to make is this: not only is it a fact that the Liberal Party does not seem to accept it has a moral obligation for the mess it left behind, particularly the Leader of the Opposition in respect of the books of Western Australia, but also the National Party has spent this apparent billions of dollars thousands of times! So far, it has built from the unilateral amendment to the state agreements act a Japanese-style fast train to Bunbury, payroll tax cuts, now police wage increases, and power bills will not be going up because it is spending on that, and the member for North West Central has cut it from five bucks to three bucks anyway! The opposition has spent that time and again. It has to be called out on that because the reality is, Leader of the National Party, not only has it been spent time and again, but after three years, the money is lost! The one thing that has not yet been dealt with is that after three years, the money is redistributed and we find ourselves facing a Liberal Party saying spend more, throw more money at it because it worked in opposition. At some point the Liberal Party may want to think about its economic credibility. At that point, it will need a hard internal discussion. The Leader of the Opposition, who spent a career talking about small government, came in as Treasurer and ruined the books of this state.

MRS M.H. ROBERTS (Midland — Minister for Police) [4.36 pm]: Unfortunately, members opposite are very false friends of police. The Leader of the Opposition is now saying the government should give police a 1.5 per cent pay rise when in fact not very long ago he said that he agreed with the government's wages policy. He cannot have it both ways. As the Treasurer pointed out, the former government had an opportunity to enter negotiations before the election, but it did not. It did not for a reason. I certainly acknowledge the hard work that our police officers do. I am disappointed with the state of our finances and that we cannot offer more to our hardworking police officers. As the Minister for Police, though, I am very keen to work on the redress scheme. I am keen to ensure our police officers are properly protected with vests and I am also keen to put a workers' compensation scheme in place. They are all very real things that will make a real difference for police officers in this state. It will also provide, I hope, some comfort to those families who worry about what will happen if the police officer in their family is injured in the workplace. Police have a generous medical scheme but they do not have workers' compensation. That is the priority that I am currently working on. As my colleagues have pointed out, \$1 000 does not make a lot of difference compared with one per cent when looking at the wages of a constable, senior constable or sergeant; it makes a difference at the higher end. Unfortunately, right throughout the Western Australian public service, people are having to show restraint at that higher end. It is unfortunate that we cannot offer police more. I note at the rally today an officer spent a lot of time complaining about the work conditions he faces at his station in the south metro district. I note that he was left with those conditions by the former government.

MR M. McGOWAN (Rockingham — Premier) [4.38 pm]: The government will not be supporting the Liberal Party's motion in this place. In doing so, I want to reiterate, like a range of members have, my respect and regard for police officers across Western Australia. I think it is a pity that because of the financial position bequeathed to us by the Liberal and National Parties we are not able to pay them more. Were the government to accede to the now demands of the opposition—bearing in mind that a month ago it described our policy as excellent and said that it was jealous of our wages policy —

Dr M.D. Nahan interjected.

Mr M. McGOWAN: People realise the Leader of the Opposition is a chameleon on this issue because he said a month ago that he endorsed the policy. His opportunism is breathtaking. He was the head of the Institute of Public Affairs for 20 or 30 years. He backed our policy a month ago but stood on the steps of Parliament today saying the exact opposite to what he has said for many years. The opportunism and the hypocrisy is breathtaking. Were we to accede to the demands of the opposition on this issue, the entire wages policy of the government would collapse. There would be no wages policy, which would mean more than \$500 million of additional debt. With the luxury of powerlessness, the opposition can say that somehow the government can just make an exception here, but the reality is that an exception in this case would be followed by others. I would love to pay nurses and teachers far more than is provided for in the policy that we have launched. I would love to pay public servants far more than is provided for in the policy, but the reality is that we cannot afford it. The hangover from the Liberal–National government is extraordinary, and everyone across the nation knows it. When I meet with federal government figures, they shake their heads about the conduct of the former government in Western Australia. They shake their heads with shame and embarrassment that the Liberal Party did this to Western Australia. Just to reiterate, the police union wrote to me on 16 May, stating —

We have been waiting for an offer from the government to consider.

That is, no offer was made by the government before 16 May.

Dr M.D. Nahan: They came to me on 9 March.

Mr M. McGOWAN: On 9 March, we were not in office, Leader of the Opposition.

Dr M.D. Nahan interjected.

Suspension of Member

The SPEAKER: Leader of the Opposition, I call you to order for the fourth time. As the member has been called to order more than three times, I now suspend the member from the service of the house until the adjournment of today's sitting.

[The Leader of the Opposition left the chamber.]

Debate Resumed

Mr M. McGOWAN: The second point I want to make is about the arrangements for the firefighters.

Mr C.J. Barnett: This is a disappointing moment.

Withdrawal of Remark

The SPEAKER: Does the member for Cottesloe want to withdraw that remark?

Mr C.J. BARNETT: I think it is a disappointing moment, but I will withdraw if it has offended you, Mr Speaker.

The SPEAKER: I call the member to order for the second time. I have warned the Leader of the Opposition all afternoon, and he disregarded what I said. If you think you can do a better job, you come up here.

Debate Resumed

Mr S.K. L'Estrange interjected.

The SPEAKER: I call the manager of opposition business. Be very careful what you say. If you want to do something, do something about it, but do not just sit there and be smart.

Mr M. McGOWAN: The matters surrounding the firefighters were resolved before the new policy. In relation to the issue that someone raised during question time about rangers, I merely indicated in a meeting to the police union that if an exemption to the wages policy was provided to police officers, other elements of the public sector workforce who are required to work outside of ordinary business hours would request the same exemption. The argument that I somehow equate the role of a police officer to other professions is wrong; it is misleading, and I urge the police union to stop saying it, because other people at the meeting heard what was said.

As I said earlier, the government now faces a \$5.4 billion decline in revenue since the *Pre-election Financial Projections Statement*, which everyone will see when the budget is handed down. That is difficult to deal with, but if we follow the opposition's lead, it will be even harder to deal with.

I want to make one final point. During question time I heard one element of the opposition, the National Party, say that the government is in the pocket of big business. Then a moment ago I heard the Liberal Party say that we are in the pocket of unions, even though I had a bunch of union members yelling at me a couple of hours ago. I am confused about the opposition's argument. Somehow I am in the pocket of big business and I am also in the pocket of unions. The government wants to work with everyone across Western Australia, unions and business alike, to create a better investment environment, create jobs, and make sure that Western Australians are well rewarded, as they should be, and at the same time alleviate the huge financial pressure that the Liberals and Nationals put upon the taxpayers of this state.

Division

Question put and a division taken with the following result —

Ayes (17)

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

Noes (36)

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

Question thus negatived.

**CHILD SUPPORT (ADOPTION OF LAWS) AMENDMENT BILL 2017 —
EXPLANATORY MEMORANDUM**

Statement by Speaker

THE SPEAKER (Mr P.B. Watson): Members, I have received advice that the explanatory memorandum for the Child Support (Adoption of Laws) Amendment Bill 2017, tabled on 28 June 2017, inadvertently omitted two statutes. The additions are the commonwealth Statute Update Act 2016, and the commonwealth Statute Law Revision (Spring 2016) Act 2016 on pages 5 and 6. I have authorised the explanatory memorandum for that bill be replaced with the correct document and for the website to be updated accordingly. Members who have previously obtained a copy of that document are advised to obtain the updated version from the Assembly office.

PORT KENNEDY DEVELOPMENT BILL 2017

Second Reading

Resumed from 28 June.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [4.50 pm]: I rise on behalf of the opposition to support the Port Kennedy Development Bill 2017. We think it is a very sensible piece of legislation. I understand that a lot of work had been done by the previous Minister for Planning, Hon Donna Faragher from the other place, in preparing the contractual arrangements with the developer in this instance, and also preparing the drafting instructions for the legislation that we find before us in Parliament today. The Port Kennedy Development Bill 2017 will create some opportunities for the development to progress in a more normalised fashion in the Port Kennedy development area. It will provide somewhat of a win-win in that it will also prevent the developer in this instance from walking away from what has been a very difficult project to achieve.

The ACTING SPEAKER (Mr T.J. Healy): Member, are you the lead speaker?

Mrs L.M. HARVEY: Yes, I am.

The ACTING SPEAKER: Thank you.

Mrs L.M. HARVEY: It will prevent the developer from walking away from what has been a very difficult project to prosecute. If the developer had walked away from the project because of the agreement that had been put in place and the legislative arrangements, the government of the day would have had no choice but to progress to litigation.

We are very pleased to see that the negotiation for public infrastructure sits with a contract with the developer in this instance. That will ensure that community infrastructure that underpinned the heart of this agreement when it was first established will be developed for the benefit of Western Australians. Port Kennedy is unique. Indeed, the beach in the vicinity of the development zone is one of the few north-facing beaches in Western Australia. Being north-facing, it possesses particularly favourable amenity and will provide a beautiful, well-protected beach for the residents of the southern suburbs around Baldivis and Jandakot et cetera to access and use for their recreational purposes.

I understand an agreement has been reached on the value of the investment already sunk into the project. The problem with this development is that subsequent legislative and regulatory changes made to the original development of this agreement plan have rendered around about 30 per cent of the land that previously formed part of the agreement undevelopable because of the changes in coastal planning policies et cetera. That was part of the problem the developer, Western Australian Beach and Golf Resort, had in being able to prosecute and fulfil the full agenda. I understand that \$20 million of costs have been sunk into the project, and the previous government, under the direction of Hon Donna Faragher as Minister for Planning, negotiated a contract with WABGR, but the contract was not to be binding on an incumbent government, should the election change the government with whom the project developer needed to deal.

That contract was a very good negotiation. Effectively, the contract puts in place a bank guarantee to ensure that the taxpayers of Western Australia are protected with respect to the investment that we expect from Western Australian Beach Golf Resort into the public infrastructure projects that the community really values, such as regional beach works, boat moorings and a public jetty. There is a surf club storage facility and access to beachfront car parks. As I understand it, there is a golf course down in the Port Kennedy area. I have not been there, but as a result of changes to the coastal planning policy, the agreement will require about nine holes of that golf course to be relocated.

It is a very clever contract that recognises the original intent of the project and the agreement between the state and the developer at the time. The proponent and the owner of the project has changed a number of times while this act has been in force. However, the community can expect that the public infrastructure will be delivered. The nine holes of the golf course will be relocated, but regular visitors will still have the amenity of a golf course in that area and access to a very good facility for those people who enjoy that form of recreation. The ecotourism and short-term accommodation sites that were to be available as part of the tourism offering for the precinct are valued at about \$4 million. They will still be developed and will still be available for the use of Western Australian taxpayers. Hopefully, we will see people from Asia and other states of Australia also coming here to take advantage of what will be a beautiful precinct once it finally reaches its full development potential. As I said previously, it is a very rare north-facing and protected cove that provides a wonderful beach environment, particularly for families with small children.

I am certainly looking forward to the project's completion. As I have been advised, around 800 lots will be available for sale and development once this legislation goes through and the act is repealed, and the contract then becomes the point of negotiation between the government and the developer. I think that 800 lots in a prime coastal location would receive very enthusiastic uptake by the community of Western Australia. Most people in Western Australia like the idea of being near an area of high amenity such as the coast, the river or, indeed, the hills. This provides a unique opportunity for people in the Port Kennedy corridor to access prime beachfront lots, and I look forward to seeing that develop.

I also welcome the transition to a normal planning process with the development of the structure plan. Once this act has been repealed, the City of Rockingham will commence a community engagement process for the development of a structure plan to cover this area that was previously inhibited and prohibited from development because of the constraints of this act of Parliament, which really made it impossible for the developer to achieve a desirable planning and development outcome.

I do not have a lot to add. As I said, the Liberal opposition is very supportive of this legislation. It will remove red tape and restrictions on development in an area that provides a prime development opportunity. It will allow a beautiful coastal hamlet to be opened up for Western Australians and others either to visit as tourists or to settle in. It will help us to further develop that unique Western Australian coastal lifestyle that we have become so fond of and create an opportunity for potentially 800 or more taxpayers of Western Australia to take full advantage of. On that note, I conclude my comments.

MR P. PAPALIA (Warnbro — Minister for Tourism) [5.00 pm]: I want to make a contribution on the Port Kennedy Development Bill 2017 because it relates to my electorate. Both the Port Kennedy Scientific Park and Kennedy Bay development are within my electorate and will be impacted by the bill. I was first elected in February 2007. I think you were there, Mr Acting Speaker.

The ACTING SPEAKER: Correct.

Mr P. PAPALIA: From that moment forward at different times throughout my tenure in office, I have been engaged in deliberations or discussions about the Kennedy Bay development, which was already an old project at that time. It had been under consideration and in progress for decades. The act was implemented at a time when, apparently, that was the norm for a development of this nature. I believe initially, in the dim past, this development included a marina and significant development that we would not impose on either Warnbro Sound or Port Kennedy these days, but that is why there was an act. Over the years, some poor constituents of mine were caught in a process whereby one iteration of the project would progress to a certain point and then be delayed and then the proponents would drop the whole project and move on, and then another iteration would be imposed on the people who had either bought or bought and built in the initial development. Over the years, some of those people have sold at a loss and moved on and others have moved in. All of them have been awaiting further development so that they can see an ultimate outcome from the original proposal.

The outcome will not look like the original proposal. I feel that we will end up with a much more enlightened and contemporary development. There is no reason it should not be a normal property development. I say this on behalf of my constituents who have expressed their concerns to me over the years. The people who live in the area or own property in the adjacent suburbs are part of the process, and they need to be consulted thoroughly and have their concerns addressed and their issues heard. That has been part of the problem. Over the years, the project has progressed for short periods and then lapsed and then recommenced. There has been a breakdown in communication, and people naturally get concerned when they are not heard and not consulted.

There are some particular issues I would like to put on the record on behalf of various groups. I know the minister has received correspondence from representatives of the Kennedy Bay community association, who are very supportive of the bill going ahead. They are the people who I think largely reside in the original development. Apart from their own homes, the area is pretty much bare and is a wasteland. It is subject to some antisocial behaviour as a consequence of the development not going ahead and there not being a great deal of activity in what is, in effect, a cul-de-sac that ends at the beach. There is a lot of hooning on Port Kennedy Drive, and a lot of antisocial activity in the form of people dragging away boulders that were placed to inhibit access to the beach and protect the scientific park and the sensitive dunes. People regularly go there and insist upon shoving aside obstacles and driving onto the beach, damaging the dunes and what is pretty unique geomorphology along the foreshore. Through driving vehicles on what should not be a thoroughfare for vehicles, they potentially hurt people on the beach; that is a problem there. People clearly recognise that if the development goes ahead, there will be more activity and more people there, resulting in far less antisocial behaviour, so they are very supportive of it. It is good to see that people have contacted the minister and notified her; Alison Knibbs has been in contact via correspondence.

Other people reside in the older, more established part of Port Kennedy immediately to the east of the golf course. Part of that land that will be subject to part of this new development. The people who reside there are concerned, because by necessity the new development will have an additional access point. What is currently a cul-de-sac ending in a walk down to Warnbro Sound will become a through road as an alternative exit point from the development site and from the Kennedy Bay area. They are concerned about the impact on their lifestyle and the amenity of through traffic. As long as that is considered and addressed—perhaps through some very effective calming measures or other action that might result in it not being seen as a rat route, effectively—I think they will be satisfied. However, they are concerned and I must air their grievances because I have heard them say on many occasions that they have not been consulted, they do not know where the development is going and they would like to know. That is a reasonable concern and request.

I want to represent another party today: the Wetlands Research Association. Members of the association came to see me with a proposal for a Becher science park, which is an opportunity to establish an interpretive centre and a proper scientific study of the Port Kennedy Scientific Park. The area has been neglected and is fenced off. There is access though and over the years there have been a number of bushfires, some of which were lit in a crazy manner just to inflict damage and others as a consequence of a lightning strike or the like. Over the years this area has been neglected, and when we look at it in ignorance, as I did, because I was not aware of the qualities that this particular park possessed, it does not look like much. It looks like scrubby dune hinterland, but apparently there are unique wetlands at this site that enable a very detailed study to be made of long past history on the coast. There are also layers of coastline that can be identified clearly and studied. That opportunity does not, as I understand it, occur anywhere else in the world to this extent. This is a perfect site for the study of this type of geography and history of our coastline and the ancient past. A foundation has been established and a group, led by the Wetlands Research Association, would at its own expense—not at the government's expense—and using its own resources, establish a proper interpretive centre for the public to access and be educated about the unique nature of these wetlands.

I have asked them and I think my office has arranged for them to meet with the Minister for Environment to explain what they are proposing. When members of the group came to see me most recently, they were of the view that they would not be allowed access to the Port Kennedy Scientific Park and would have to try to establish their interpretive centre over Warnbro Sound Avenue in Lark Hill, which would not be a very good outcome at all.

I believe that there is an opportunity to give the group some land in the degraded part of the park. It would also establish a more constant presence that would diminish the likelihood of people driving onto the beach and breaking through barriers and damaging the wetlands, the sand dunes and the beach. I think that would be a great outcome and I encourage the minister to ensure that that group is engaged with as well in this process and its members get access to support in their discussions with DPaW or the latest iteration, whatever the acronym is for the department, to ensure that the group's proposal and offer to create a unique interpretive centre is supported if possible.

I was looking at the direct public works that will arise as a consequence of the development going ahead, and they all look good to me. I can tell members that the golf course clubhouse is pretty much a demountable building. That golf course was very popular. It is well designed and quite a well-known course—I am not a golfer—that people travelled to play. Although the course will change—nine holes will be moved—I believe it will be very attractive for golfers still. It will be good for them and the surrounding community to get a suitable clubhouse to match the scale and the quality of the course.

The only observation I would make about the other works, like the regional beach works, boat moorings and public jetty—I applaud the intent of providing additional services; I am sure the boating community will welcome the boat moorings and the jetty—is that last time this development was moving ahead and the state government provided some facilities at the beach in the form of a boat ramp, there was a great deal of consternation and angst within conservation circles that Kennedy Bay is a feeding ground for fairy penguins that reside on Penguin Island and Garden Island at the Navy base. The rookeries are on those islands and the penguins travel south to feed in the shallows around the Kennedy Bay development. I just urge the department, the council and anyone undertaking these works to ensure that they are done in a sensitive manner with full awareness of the potential impact on the fairy penguin population.

It is good to see that there will be a surf club storage facility. The facility will be used by the Secret Harbour Life Saving Club that services an enormous area, spanning from Golden Bay to the short shallows leading across to Penguin Island. The club patrols the shallows in the summer months to try to protect people from themselves; people walk across the shallows and end up trying to drown themselves when the tide comes in. That will be good because it will provide the club the opportunity to provide further services north of the club rooms, which are located in Secret Harbour.

Beyond that, I commend the minister for getting on with this project. It has been decades in the making. Providing it is done in consultation with surrounding communities, it will be welcomed and it will mark a significant moment in time when not only Western Australia will see the completion of the development that has taken decades, but also the electorate of Warnbro, and that is a good thing.

MS R. SAFFIOTI (West Swan — Minister for Planning) [5.14 pm] — in reply: I thank my colleague the member for Warnbro, and I thank the opposition for its support for the Port Kennedy Development Bill 2017. I apologise for not having had the briefing earlier, but we organised the briefing today and I know a number of opposition members attended it. In future we will make sure that briefings are held well before legislation is debated in this house.

The bill has a long history. When we won government, this bill, and the agreement executed under the previous government, was one of the first things put to me. I asked for some history about the project and was told that the first Port Kennedy development project agreement was signed in February 1992 and it has since gone through a number of forms. Its initial form included a marina, but there were some environmental issues and that was then taken away from the project. Then, as a result of the coastal setback policy brought in around 2010, the project again had to change. When I asked for the history, I was also told about the different planning ministers involved, and we can go through some of them: Richard Lewis, Graham Kierath, Alannah MacTiernan, John Day and Donna Faragher. I hope I am the last planning minister to have to deal with this project!

Many members of the community want to see this project completed because a very small community has been built there without the amenity that its members thought would be there when they moved to that area. They want access to many of the civil works that have been proposed. Of course, this is not the end of the planning process, and there are the issues raised by my colleague the member for Warnbro. We will be going through a structure plan phase in which the council will work with the community to make sure that the structure plan suits community needs and that the project moves forward.

This bill has been a long time coming. I am happy that I have been able to secure some legislative time early on to put this issue to rest. As I said, the previous government executed the sale and development agreement. It was non-binding on this government, but we believe that the course of action proposed by the previous government was the right one, and as a result we agreed to and adopted it. As I said, this has been a long time coming. Hopefully, this legislation gives some certainty to the landowners and the investment community. This project is happening in a very nice part of the world and I think there will be a lot of demand for purchases there because of that. It is in close proximity to the ocean and the facilities that come with it. I am happy we have been able to bring

this bill to this place. Someone told me that eight planning ministers have been involved. I cannot name all eight, but I know it is a number of planning ministers! The project started a very long time ago. I remember it being around when I was in the previous Labor government, but I never thought I would be the one who finished it off at the metropolitan region scheme and local planning stage. In a sense, that is what this bill does; it gives MRS and local planning certainty. Of course, it will then move to the structure plan.

I turn to some of the issues that the opposition outlined. The member for Scarborough outlined many of the civil works and their benefits to the local community. In being briefed on this proposal I wanted to satisfy myself that using legislation to vary the MRS and local planning scheme had been done before, and I found that it had been done before on a number of occasions, most recently with the Sunset Reserve Transformation Act 2014. This has been undertaken before. This is not the normal way that metropolitan region schemes are varied and it is probably not the way we will do it for other projects, but this bill is the finalisation of a lot of uncertainty involved in this project. It reduces the exposure of the state. When I was briefed on these issues, I asked myself what the cost to the state would be if we did not do this. That would involve financial and legal exposure. In the aim of providing good certainty for the development and some satisfaction to local landowners who have been wanting the amenity, and also to limit exposure to the state, there is a requirement to have some certainty by a certain date. Given the progress, enough steps will have been taken to ensure that we are no longer legally exposed. I commend the bill to the house.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

MS R. SAFFIOTI (West Swan — Minister for Planning) [5.21 pm]: I move —

That the bill be now read a third time.

This is my third reading contribution after just making a very important second reading contribution. As I said, we are very keen to proceed with the Port Kennedy Development Bill 2017. Hopefully we can get some certainty. We want to get the public works constructed for the community. We want to give investment certainty. We also want to reduce and limit any exposure to the state government by not proceeding with the works. Hopefully I am the last planning minister to deal with this issue, although we never know in politics. Hopefully the project will go ahead. As I said, the council and the community will be involved, particularly in the local structure plan, and we can really drill down into the planning requirements in the area. This is a strong proposal.

I thank the opposition for supporting the bill and letting it go through this place, and also for receiving the briefing today.

MR P. PAPALIA (Warnbro — Minister for Tourism) [5.22 pm]: I rise again to contribute to the third reading of the Port Kennedy Development Bill 2017. It is appropriate that I reflect a little at this time, like the minister, on the extent of the duration of this project and this process and the impact it has had on people who have been caught up in the extended nature of the development and its multiple iterations and versions. This project has had generational impact. I know that people who have proceeded through middle age and into their retirement years—I know a few of them—are fully impacted by this development because they began in the very early days. It is not necessarily the people who purchased land or built a property in one of the earlier versions of the development but also people in surrounding suburbs. Those people in surrounding suburbs initially bought their block and built their home with a frontage onto bushland in many cases that were essentially long reaches of dune that stretch back from Warnbro Sound towards the suburb of Port Kennedy with only a few fairways and greens between them and the beach. In many cases, pathways allowed them to walk directly from their home across the road through the bushland and make their way to the beach for a pleasant walk, often punctuated by sightings of kangaroos. Plenty of kangaroos live in the bushland around the area. There are some magnificent wetlands that in some cases form obstacles on the golf course but add to the ambience and beauty of the walk ruined by the game of golf. People who reside in the nearby suburb have over the years had some degree of uncertainty about what would happen next. There have been various development proposals. The most recent development proposal included—although I did not hear all the minister's contribution, I am sure that she touched on this—a 100-metre setback in anticipation of future seawater rising, which had a significant impact. It really made the proposal before this one untenable and had a huge impact. At the time people were anticipating a significant development. They had reassured themselves about the benefits from the development going ahead. Even though they were not in the development site—they were in the nearby suburbs—they managed to identify potential benefits to the community in the form of an interpretive centre, which was going to be funded from the development. I also recall that there was a proposal for an eco-camping site at Long Point. Much of the site was impacted by the 100-metre setback and they were not able to plan on that going ahead. Unfortunately for the developers, a number of property sites would have been impacted upon by the 100-metre setback in the last proposal, all of which had to be abandoned.

That meant that, naturally, there would be an impact on the return to the community in the form of developer contributions and other outcomes as a result of the development. The list of public amenity to be funded through this development is still significant—in the order of \$14 million. That is nothing to be sneezed at. There was a range of additional infrastructure to improve the amenity and support the boating community in particular. This site is popular with the boating community. There are not many boat ramps around Rockingham—this is one of the better sites—so some moorings, another jetty and facilities of that nature would make the place even more attractive.

As I said in my second reading contribution, if the Becher Point scientific park proposal goes ahead, it would need the support of the agency under the Minister for Environment's purview. It will probably be the Minister for Environment's responsibility in the end. I hope it can be supported. If it is possible to put it on the Port Kennedy Scientific Park land in part of the area that has been degraded, we will end up with one of the key elements of the last development proposal, which had to be abandoned but which had been well supported in the community—that is, an interpretive centre that is accessible and provides educational opportunities for not only schools in the region but also university academics and researchers from around the world. An extensive niche sector of the tourism industry is associated with ecotourism, and within that are opportunities to conduct scientific studies and to support research. People will travel to participate in those opportunities. The member for Bunbury would know that people come from all over the world to Bunbury to volunteer at the Discovery Centre during their holidays, to conduct research and studies on the dolphins and to provide support for that fantastic tourism attraction on Koombana Bay.

Mr D.T. Punch interjected.

Mr P. PAPALIA: A free plug!

There is just as much interest within the educated circles of those who study this type of geography and geomorphology, and wetlands of this nature —

Ms R. Saffioti: What's that word again?

Mr P. PAPALIA: If I say it again I will get in trouble because they ridiculed me for not fully understanding it, and they were right!

People interested in these matters will travel to this site because I am told by people who know that it is of that calibre. There is therefore an opportunity for us to realise a bit of a tourism attraction, but it is very much also an educational opportunity. Interestingly, as has already been identified by the community, the end of Port Kennedy Drive is often unpopulated at night and at weekends and, as a consequence, antisocial behaviour takes place there. In the event that we are able to locate an interpretive centre in the degraded part of the scientific park, it will in all likelihood be in close proximity to that area. It will be on the north western end of the scientific park, and I understand that it is the intention of the Wetlands Research Association, in its Becher Point proposal, to have a live-in caretaker on site. If that were to be the case, it could resolve a lot of the issues surrounding antisocial behaviour and threats to the environment from people who insist on accessing places that they should not access and driving their vehicles through vulnerable sand dunes, threatening the bird species that nest there and people on the beach —

The ACTING SPEAKER (Ms S.E. Winton): Minister, I have given you some latitude, but I must remind you that the third reading debate is restricted to the content of the bill and is not as wide-ranging as debate on the second reading. Keep that in mind. Thank you, minister.

Mr P. PAPALIA: Thank you, Madam Acting Speaker. You are making it incredibly challenging for me to continue to make my contribution on behalf of the electorate and in assistance to the Minister for Planning and, more importantly, I guess, the Leader of the House—but, that aside, I will continue on!

This development, which is part of the Port Kennedy Development Bill 2017, will potentially enable consideration of the establishment of an interpretive centre, and I feel that will achieve a greater contribution in the form of return to the community than would otherwise be the case. We know that we are in a diabolical financial situation that constrains opportunities for the state to contribute. We know that, of necessity, the extent of the contribution by the developers has had to be diminished because in the course of this process they have had land removed from them, which diminishes their opportunities for development. Therefore, their return has been reduced and they unfortunately have not quite as much to contribute. That aside, if we throw the \$14 million worth of capital works or direct works into the mix and we add the potential of a world-class interpretive centre that does not incur a cost to the state or the community, we will get a pretty good outcome. It is nevertheless not quite what was originally proposed. As I understand it, there were various iterations. At one stage hotels were proposed, along with various town centre proposals. There were designs for shops and the like but I am unsure whether the latest version has a —

Ms R. Saffioti interjected.

Mr P. PAPALIA: I think there is a small retail component to it but it is not anywhere near the scale of what even the last proposal was. It is very much diminished from previous iterations. Categorically, the people who live in the Kennedy Bay development will be wholeheartedly supportive of this bill and enthusiastic about some action finally taking place, and I look forward to that happening and them finally being rewarded for their persistence and patience. Those people who reside on the west-facing extremities of the suburb of Port Kennedy adjacent to the golf course will be most impacted by any change. Provided the government engages in adequate consultation with the wider Port Kennedy community and they are able to be heard and, wherever we can, we accommodate their concerns regarding through traffic, potential site lines and the like, generally the entire proposal will be well received. It will be incumbent upon the council to oversee a lot of that process. I have confidence in the City of Rockingham. It is a good council, it is well led, and I am sure in this particular case it will be very sensitive to the long-term nature of the development and the concerns that have been held by many residents throughout that time. I am sure the council will do all it can to provide residents with the best possible outcome and the best possible process for the development.

I fear that I missed the part of the Minister for Planning's contribution when she listed the number of planning ministers who have overseen this development and named them. I am sure the list was extensive. Even in my time, there must have been five, or perhaps half a dozen, planning ministers who have overseen one version or another.

Ms R. Saffioti: Maybe up to eight.

Mr P. PAPALIA: Possibly up to eight in my time!

Ms R. Saffioti: Hopefully I am the last one.

Mr P. PAPALIA: I hope the minister will be the last one. She can triumphantly visit the electorate of Wambro to—what is it called when we use a spade?

Mr A. Krsticevic: Sod turning.

Mr P. PAPALIA: Sod turning—that is the one! Triumphant sod turning, to the applause and accolades of the community of Port Kennedy, particularly those in Kennedy Bay.

Ms R. Saffioti interjected.

Mr P. PAPALIA: I do not think they want a shovel or a golden shovel; they just want it to happen. I am sure they are just over the whole thing. They will be very happy to see something happening.

I hope that the whole development is viable and feasible for the developers. I assume it is, otherwise we would not be at this point. I imagine that the potential return for developers has taken an extensive hit in recent years. That is absolutely the case with this particular development. There have been some unintended consequences of protecting people against building too close to the shoreline in anticipation of sea water rising. There has also been a well-known and quite well publicised collapse in the property market in Western Australia.

Ms R. Saffioti: Green shoots!

Mr P. PAPALIA: Okay, I apologise. I should be optimistic, and I am, but throughout the time this particular developer has been engaged in this project it has suffered a significant impact, I would have thought, on its projected return as a natural consequence of the changes in the property market in Western Australia and significant drops in land and house values. That aside, there are green shoots. Apart from having such a wonderful minister to enable the development to go ahead in a more reasonable and normal fashion, perhaps this is finally the right time for developers to receive an unexpected return through a pick-up in property values hopefully in the near term. As a consequence, perhaps their anticipated return will be exceeded. That would be a good reward for their persistence and patience, because they too have gone through a significantly challenging period, dealing with a number of unanticipated and unexpected hurdles that were not in evidence when they first took on the project. It would be appropriate if the developers got a decent return out of it.

We may have explored just about every possible avenue for discussion around this development, and that has brought us to the point in the debate where I can conclude by congratulating the minister on hopefully being the last minister to have to deal with this development. Providing direction, framework and a pathway ahead is a great thing, and is a key achievement that the minister will be able to recall in future years. When she reflects upon what will doubtless be an outstanding political career, bringing the Port Kennedy redevelopment to its final conclusion may be right up there, achieving what eight other ministers were incapable of doing. That is not a small thing. I thank the minister for the opportunity to be here and congratulate her on that, and I look forward to some real action in the near term.

Question put and passed.

Bill read a third time and transmitted to the Council.

CHILD SUPPORT (ADOPTION OF LAWS) AMENDMENT BILL 2017*Second Reading*

Resumed from 28 June.

MR P.A. KATSAMBANIS (Hillarys) [5.43 pm]: As the lead speaker for the opposition, I indicate that the opposition will support the Child Support (Adoption of Laws) Amendment Bill 2017. It is a short and relatively uncontroversial bill. It adopts as Western Australian law a series of changes that the commonwealth has made to its child support regime, which includes the child support scheme and is backed up by a series of acts, primarily the Child Support Act 1988, later the Child Support (Registration and Collection) Act 1988, and a few other minor acts. This is one of those bills that I usually approve of very readily, because it has only two pages. I have often said that less legislation is better legislation, and less red tape is very welcome in our society. The mechanics of the bill adopt the amending legislation that the commonwealth has introduced in this area since the last adoption of laws bill that this Parliament passed in 2015.

A series of relatively minor changes have been made to the commonwealth law, effectively bringing residents of Norfolk Island, Christmas Island, and the Cocos (Keeling) Islands into the child support regime. Those residents are now defined as residents of Australia for the purposes of the scheme. Other minor changes have been made by the commonwealth; the titles of judges who hear these cases have been changed and corrections have been made to typographical errors and the like. Why do we need to do this? Constitutionally, the commonwealth, through its powers over marriage, has been able to implement laws on the provision of child support for children born in wedlock. For children born outside of wedlock—exnuptial children, if you like—the powers still rest with the states. Every other state and territory has referred its powers to the commonwealth government but Western Australia, in our wisdom over the years since the modern family law regime was implemented in the mid-1970s, has chosen not to refer those powers. Every time the commonwealth amends its laws, we have to pass an adoption of laws act. That applies to not only child support, but also various other family law matters. We have our own Family Court of Western Australia that operates in tandem and in parallel with the federal jurisdiction. From the date of passing, the commonwealth laws apply to all children and families who come under the child support scheme except those who reside in Western Australia. This bill has to become law and be enacted before those laws apply in Western Australia. It is my personal opinion that in 2017 perhaps we need to re-look at how we do this. Of course, we should not jump to any immediate conclusions. It is worthwhile examining what may be the unintended consequences of us making the leap of faith and referring our powers. Perhaps it is also worth examining each of the limbs separately—the child support system, the Family Court Act and maybe even the operation of the court itself. From all reports that I have heard, the Family Court of Western Australia is often used as a model, compared with its commonwealth cousin, in the way it operates procedurally and in the time taken to reach outcomes in most cases—but not all. I think that the Attorney General would say that generally speaking that is the case.

Mr J.R. Quigley: Generally speaking.

Mr P.A. KATSAMBANIS: The commonwealth has often looked at the Family Court of Western Australia as a testbed for new ideas and to see if things can be done better. I think that is a vote of confidence in the court. As far as the adoption of legislation is concerned, perhaps it is time that we revisited it. It might be something that, in time, can be looked at by a parliamentary committee and about which we can reach a bipartisan decision. We should also consider those externalities and whether there might be things that a referral of powers might do that we do not want it to do. It may extend the commonwealth jurisdiction beyond its rightful role in the narrow child support scheme. We know from history that there is one thing the commonwealth government likes to do—extend its jurisdiction. The wording of any future referral would have to be very, very carefully scrutinised. A number of bipartisan bodies of this Parliament could look at that. Today I flag that as something that, as I said from the outset, is a personal opinion of mine that is worthwhile looking at and considering. The opposition and I have no objection at all to Norfolk Islanders, residents of Christmas Island and residents of the Cocos (Keeling) Islands being included as residents of Australia for the purposes of the Child Support (Assessment) Act, and we do not have any problems at all with any of the particular other amending pieces of legislation that the commonwealth has passed over the last two years on the child support scheme. The child support scheme, in practice—to pick up on the comment of the Attorney General earlier—and in general, works relatively well and ensures that the parents of children make fair and equal contributions to the raising of those children. It also ensures a system of collection of the funds to make that concept a reality in practice. Some issues will always arise, particularly around timing and other matters. Some of those issues arise simply because of the delay in adopting some of the commonwealth legislation through the process we have here in our Parliament. We should try to minimise those.

I do not think there is that much more to say about the bill. I do not think there is that much value in us trawling through the operation of the commonwealth child support scheme in our Parliament, apart from just generally saying that in practice it works relatively well. There is that funny quote used sometimes about something being the worst thing ever except for all the alternatives. I think that is probably the case with the child support scheme.

Although we could always find faults in it, any other proposed scheme or the alternatives that existed beforehand were actually a lot worse. Sometimes we should be grateful for what we have.

In closing, I again suggest that although it is a personal opinion, perhaps the Attorney General and the government can start considering a mechanism whereby we can at least consider in a collegiate manner, perhaps through a parliamentary committee, whether we should go down the referral path as all the other states and territories have done. And if we do, how do we do it to make sure we limit that referral very narrowly to the areas that we are properly referring, rather than opening up a Pandora's box for the commonwealth government or the High Court to utilise to unfairly reduce the legislative power and the jurisdiction of this Parliament and state? The opposition supports the bill, wishes it speedy passage, and we hope that those other matters can be considered in due course.

MR S.A. MILLMAN (Mount Lawley) [5.53 pm]: I rise to speak on the Child Support (Adoption of Laws) Amendment Bill 2017. I thank the member for Hillarys for his contribution to the debate, and for clearly outlining the opposition's position on this bill. In the time available to me I would like to pick up on some of the points the member for Hillarys made that informed the opposition in its support of the legislation, briefly expand on those by reference to the constitutional necessity, and then, before I conclude, add my own perspective on why the objects that will be achieved by this bill will be worthwhile. In that spirit, I wonder whether I can start with the constitutional basis upon which this legislation is required. As members may or may not be aware, the commonwealth constitution provides at section 51 for various heads of power that the commonwealth Parliament can make laws with respect to. At sections 51(xxii) and (xxiii), the commonwealth Parliament has the power to make laws with respect to marriage and the custody of children. As the member for Hillarys quite rightly pointed out, subsequent to a successful referendum in 1946, the commonwealth Parliament also has powers for the provision of child support and child endowment. However, the extent of the commonwealth Parliament's powers to make laws with respect to these matters as spelt out in the constitution does not extend to what we could call properly, *de jure*, exnuptial or children of *de facto* relations.

In other jurisdictions, the power to make laws with respect to these matters, which resides in the states, has been referred to the commonwealth in accordance with section 82 of the commonwealth Constitution. I thank the member for Hillarys for his *ex tempore* comments in his consideration for a referral. I agree that a discussion, deliberation and debate of the referral is not the purview of this debate this evening, but I take his comments on board. Those powers not having been referred by the Parliament of Western Australia, it falls to this place to give effect to a settlement of very complicated matters in the late 1980s and early 1990s.

If I may, I will take the house through some of the history of the Child Support (Adoption of Laws) Act 1990. Members may be aware that when the original Western Australian act was introduced, it was introduced subsequent to the Parliament of the commonwealth enacting the Child Support (Registration and Collection) Act 1988, formerly known as the Child Support Act, and also the Child Support (Assessment) Act 1989. The Western Australian state Parliament desired that the adoption of the commonwealth laws be applied within Western Australia so that Western Australian children or the children of Western Australian relations would not fare worse than their counterparts in the eastern states. Bearing that noble principle in mind, the Western Australian Parliament passed the original version of this act. From an administrative or legislative-mechanical perspective, however, each time that there has been an amendment to this scheme for policy reasons that have been thoroughly thrashed out in the commonwealth Parliament, it has of necessity fallen to this Parliament to amend its governing legislation in this field to bring those amendments into line for the benefit of the children who are supported by this legislation in Western Australia.

As the member for Hillarys quite rightly pointed out, the latest amendments to the current act date back to November 2015. Subsequently, a number of pieces of legislation have been passed by the commonwealth Parliament and they now fall to us to incorporate into our legislation. I will go through some of those very briefly. They include the Norfolk Island Legislation Amendment Act, which picks up the points about Norfolk Island that have been touched on by the opposition spokesperson on this bill; the Territories Legislation Amendment Act 2016; the Statute Law Revision Act (No. 1) 2016; the Civil Law and Justice (Omnibus Amendments) Act 2015; the Australian Immunisation Register Act 2015; the Statute Update Act 2016; and the Statute Law Revision (Spring 2016) Act 2016.

In the absence of the WA state Parliament passing this legislation, the benefits of that legislation as passed by the commonwealth Parliament that flow to children in the eastern states will be denied to children in Western Australia.

Sitting suspended from 6.00 to 7.00 pm

Mr S.A. MILLMAN: Before the dinner adjournment, I had been working through the constitutional framework under which it falls to this Parliament to make the necessary amendments to the Child Support (Adoption of Laws) Act 1990 to pick up the amendments that have been made by the commonwealth Parliament to the commonwealth child support legislative scheme.

Honourable members may recall that before the dinner adjournment, I had referred to section 51(xxi) of the commonwealth Constitution, which vests in the commonwealth Parliament the power to make laws with respect to marriage; section 51(xxii), which vests in the commonwealth Parliament the power to make laws with respect to divorce; and section 51(xxiiiA), which was introduced into the commonwealth Constitution subsequent to a successful referendum in 1946 and makes provision for things such as social security payments and child endowment. I think that earlier I alluded to the wrong provision of the commonwealth Constitution. The provision that I had in mind was section 51(xxxvii), which allows for state Parliaments to refer to the commonwealth Parliament particular heads of power to make laws with respect to certain matters.

The Child Support (Adoption of Laws) Act 1990 gives effect to a number of family law and child support matters that were captured, as I have said, in the commonwealth Child Support (Registration and Collection) Act 1988 and Child Support (Assessment) Act 1989. The Parliaments of New South Wales, Victoria, South Australia and Tasmania had at that time, and the balance of state Parliaments have at this time, referred to the commonwealth Parliament under the aforementioned section 51(xxxvii) the power to make laws on this issue. The Western Australian Parliament has not made that referral. However, the Western Australian Child Support (Adoption of Laws) Act 1990 reflects all the good policy decisions and relevant considerations that informed the commonwealth Parliament when it enacted those two acts. The bill that is currently before this house for discussion and debate is the latest iteration of that ongoing process.

When members have regard to the text of the amendment bill, they will see that it is very brief. Clause 3 states —

This Act amends the *Child Support (Adoption of Laws) Act 1990*.

Clause 4 amends section 3 of the act to delete “1 July 2015; and” and insert “1 July 2017; and”. Clause 5 amends section 4(b) of the act to delete “1 July 2015; and” and insert “1 July 2017; and”. For illumination, so that members can appreciate the practical effect of these changes, section 3 of the Western Australian act currently provides that a reference to the Child Support (Registration and Collection) Act is a reference to that act of the commonwealth in the form in which it existed on 1 July 2015. If we do not amend that reference to 1 July 2015 in our act, the child support regime will be frozen in time as at 1 July 2015. By making this very small amendment on the face of it, we will keep our Child Support (Adoption of Laws) Act 1990 current with the equivalent commonwealth legislation.

People might ask why that is important. The answer is that it is important for a number of reasons. A number of changes have been made to this regime since 1 July 2015. If I may, I will briefly go through those for the benefit of the house this evening. I do not propose to delve into them in great detail; I just think that it is important that they be put on the record as considerations that this place should take into account when deciding whether to pass this bill.

On 14 October 2015, the Civil Law and Justice (Omnibus Amendments) Act 2015 was passed by the commonwealth Parliament. That act related to procedural matters in the Administrative Appeals Tribunal, where disputes are brought for adjudication in this field. Section 96B of the Child Support (Registration and Collection) Act was repealed and modified by virtue of the changes to the Civil Law and Justice (Omnibus Amendments) Act. On 12 November 2015, the commonwealth Parliament passed the Australian Immunisation Register Act, which relates to the provision of immunisation for children and the way in which vaccination is recorded. That is defined as a designated program, so those changes will be brought into effect by the passage of this legislation. On 10 March 2016, the Statute Law Revision Act (No. 1) 2016 made some minor amendments to correct cross-references and typographical errors. On 1 July 2016, under the Courts Administration Legislation Amendment Act, the way in which the Federal Court of Australia, the Federal Magistrates Court of Australia, the Federal Circuit Court of Australia and the Family Court of Australia were administered was altered to provide for the appointment of a chief executive officer of the Federal Court. All those changes need to be reflected in the Western Australian legislation by the incorporation of the commonwealth legislation.

Finally, on 1 July 2016, under the Norfolk Island Legislation Amendment Act, Norfolk Island, which had been an external territory of Australia since 1913, became subject to the laws of the commonwealth. This last one is a bit interesting. There is a perverse situation with Norfolk Island, Christmas Island and Cocos (Keeling) Islands whereby if one parent were in one of these jurisdictions, the applicable jurisdiction to the dispute would be unclear because the Western Australian legislation applied only until 2015, but there would be no extraterritorial application to Cocos (Keeling) Islands, Christmas Island and Norfolk Island. That anomaly will be corrected and it will make it clearer and simpler for the people involved, which is something that we should strive for with legal proceedings.

By passing this legislation, Parliament will bring all those amendments into effect and will ensure that we maintain parity with the commonwealth legislation so that children in Western Australia have the same rights, benefits and privileges as children throughout the nation.

I will make one final point about constitutional law and it relates to what the member for Hillarys described as exnuptial children, or children of de facto relationships.

The powers of the commonwealth Parliament are powers to make laws to section 51(xxi) marriage and section 51(xxii) divorce. What we are talking about in those circumstances is the classical conception. That means that the Western Australian Parliament ought to make the necessary legislative framework as far as de facto and exnuptial circumstances are concerned, and that has been picked up by the commonwealth legislation. All children will be treated equally across Australia, consequent upon the passage of this legislation. Although on the surface it might seem like a relatively mundane administrative or mechanical requirement, my personal view is that it provides an incredibly important safeguard for children in Western Australia.

DR A.D. BUTI (Armadale) [7.10 pm]: I would also like to contribute to the debate on the Child Support (Adoption of Laws) Amendment Bill 2017, which, as the member for Mount Lawley and others have mentioned, is a very brief bill to amend the Child Support (Adoption of Laws) Act 1990. The member for Mount Lawley has gone through the Constitution and given us a constitutional lesson, so I do not need to go through the whole constitutional paradigm, but I would like to comment on that. I will also talk about child support in general, the philosophy behind child support and legislating for child support.

As has been mentioned, the commonwealth Constitution gives the commonwealth Parliament exclusive powers to make laws on marriage. That is why the national debate on same-sex marriage or marriage equality has to be had in the commonwealth Parliament, because that Parliament has the power to amend the meaning of marriage. It is really quite interesting how the Liberal Party and its bedfellow, the National Party, have got themselves into great difficulty over this issue. The majority of federal parliamentarians support marriage equality. The majority of the public, going by the opinion polls, support marriage equality. The commonwealth Parliament has the power to amend, define or redefine the meaning of marriage, but the Liberal Party, through the prism of leadership tension, is going down this stupidity of a plebiscite, which has no constitutional binding effect or any legal effect, necessarily. By all counts it will not pass federal Parliament so it will then go to this absurd postal plebiscite, which the federal government has stated will not be binding. Some coalition members of Parliament who oppose marriage equality have said that if the postal vote comes back saying no to marriage equality then they will see that as binding, but if it comes back saying yes to marriage equality they will see it as not binding. It is incredibly absurd and it is no wonder the Australian public seems to have increasing disdain for politicians. This is an incredible situation. Most politicians in federal Parliament want to at least be able to vote on it and by all counts there would be quite easily a majority supporting marriage equality. The public supports marriage equality. The federal Parliament has the constitutional ability to amend the definition of marriage, but the Liberal Party, through leadership problems, is doing everything that it possibly can to prevent that from happening. During the debate on the weekend, Professor Flint mentioned that we should be looking to former Justice Scalia of the Supreme Court of the United States and what he defined as marriage. Justice Scalia was what we call an “originalist”. He looked at the meaning at the time the Constitution was formed.

Why would we want to do that? The Australian High Court, which is our superior court, decided in the case brought against the Australian Capital Territory legislation for marriage equality that marriage can be between two people of the same sex. The High Court of Australia, which is the supreme court in Australia, decided that marriage is not limited to the current situation and that the power to enact laws for marriage rests in the commonwealth Parliament. That is why the ACT marriage equality legislation was struck down as being unconstitutional. What is more important is what the High Court said about what comprises marriage. As mentioned by the member for Mount Lawley, the commonwealth Parliament has the power to deal with marriage and issues of guardianship, parental rights and custody. That is quite interesting because parental rights and guardianship rights are very much one and the same but there are differences and custody is a subset of guardianship rights. Those rights become very important when a child is not being cared for by the biological parents, and the commonwealth Parliament has the power to legislate for that.

Interestingly, as has been mentioned, under the Australian Constitution, the commonwealth Parliament does not have the power to deal with exnuptial births; in other words, a child that is the result of a de facto relationship. That is very interesting in regard to the Western Australian situation, because when the Australian Family Court was established as a result of the Family Law Act 1975 under Attorney-General Lionel Murphy, who then, of course, became a Justice of the High Court, and there were some infamous dealings in respect to that, Western Australia decided not to go into the federal sphere. The Solicitor-General at the time was Sir Ronald Wilson who, of course, became Western Australia’s first High Court Justice. Sir Ronald Wilson had a very distinguished career. He was a Solicitor-General of Australia and was offered a position on the High Court in 1976, but he knocked it back. When it came up again, I think in around 1978 or 1979, he accepted the appointment the second time. At that time, he was a very strong states’ rights person, but he changed later on. There is a lot of debate about Sir Ronald Wilson, but at that time he was very focused on states’ rights; he believed that we should have a separate Family Court. On the protection of de facto relationships, one could argue that having our own separate Family Court has given us, as a state, greater legislative powers to enact laws in the Family Court of Western Australia.

Ms J.M. Freeman: I don’t agree with that.

Dr A.D. BUTI: The member may get up and make her point. As the member for Mirrabooka would know, a case in the High Court about three or four years ago has shown that that is the case. Unless the Family Court of Australia has been given the right by a state court, which it can do under the Constitution, it cannot protect a de facto relationship. But that process has to be adopted. The Family Court of Western Australia is able to do so because the Western Australian Parliament has the constitutional ability to enact laws for de facto relationships. I am not advocating that we should stay out of the federal Family Court scenario; I actually believe that we probably should not. But I would not want to say that because I do not know whether that is our government's position; so maybe we should be a bit circumspect about what we are saying. Anyway, the Western Australian Family Court mirrors the federal Family Court. The only point I was trying to make is that the Western Australian Family Court has always had powers to deal with de facto relationships and the children of de facto relationships. The federal Family Court does not have that ability and can only do so if a state Parliament gives it that ability. That is also the situation with child support for exnuptial children from a de facto relationship. Whether the WA Family Court should be retained is a constant discussion in legal circles. I have never practised in the family law jurisdiction, but there are pros and cons. There are those who say that we should terminate the Family Court of Western Australia and come under the commonwealth Family Court and those who do not agree with that. I will leave that for another day. I will leave it to the Attorney General and the government to decide where we should stand on that question.

Getting down to child support itself, the Hawke government enacted legislation to basically provide a greater legislative and administrative ability to ensure that non-custodial parents pay the appropriate child support. Often orders are made by courts about child support and the non-custodial parent does not comply with those orders. Even if there are not orders, sometimes the non-custodial parent just does not pay child support. For a period of time I worked on a contract basis as a review officer with the department responsible for child support. Child support payments are worked out on the income of the non-custodial parent and the custodial parent and other variables. For instance, if there was an agreement before the relationship split, whether divorce or separation, that a child would be sent to a private school, the child support payable by the non-custodial parent would factor in private school fees. There are also other issues to consider. When I had the role of review officer, the non-custodial parent was generally the father and the custodial parent was more often than not, but not always, the mother. What the non-custodial parent should pay was determined based on income and that parent could make an application to have that varied. Of course, if the custodial parent made an application to have the payment increased, the non-custodial parent paying the child support would often make an application to have it decreased. That would come before the review officer and he would deal with that. In that role I had considerable resources and the ability to tap into the Australian Taxation Office database. When the non-custodial parent ran a business it was often very difficult to determine their taxable income. It was interesting that the determination was not made on what was actually being earned, but on what they were capable of or should be earning. In other words, often to get out of paying child support a non-custodial parent would go on the dole. They would cease their jobs and go on the dole. The review officer had to make a determination whether the parent had the ability to get a job and whether the state of the employment market would allow them to get one. Often they would not come forward and say that they would take a pay cut or work only a couple of days a week because they do not want to pay child support. A couple of people said that. Rather than determining what they should pay based on the fact that they were working only three days a week, the determination was made on the fact that they should be working five days a week.

The philosophy behind it is that a parent has an obligation to pay child support. The non-custodial parents would often say that the mother, the custodial parent, is in another relationship and her new partner is earning X amount of dollars et cetera. That may be the case but under the child support legislation, the non-biological parent is not responsible for child maintenance. The biological parent or the legal parent—not the stepfather, for instance, if the child was not adopted—is responsible for child maintenance. The point is that the non-custodial parent would always see that the money was going to the custodial parent and did not see that the money was supposed to be used for the maintenance of their child. That is where the problems arose. There was a justifiable angst because some of the non-custodial parents would argue that the assessment was made based on their gross income, not their net income. Obviously, the net income is the amount of money that is left to spend but the assessment was made based on the gross income. We could argue that that seems a bit harsh. If the non-custodial parent was in a new relationship and had children to look after in that new relationship, they would often argue that they had to properly provide for their new family et cetera. The situation obviously created many problems. Review situations could get very heated and quite dangerous. That is why there was always a panic button under the table. It is terrible that in our society we have Parliaments that have to legislate to ensure that non-custodial parents pay child support. It would be great if we did not have to do that—if people did the right thing.

[Member's time extended.]

Dr A.D. BUTI: It would be a great system if people realised that they have children and they will do the right thing by them but, unfortunately, that does not always happen because of the dynamics and the tensions between the parents of the child.

The initiative taken by the Hawke government to legislate in this area was much needed and has proven to be very important. Once the orders are made, it does not always mean that the money is paid. Obviously, we try to garnish the income but that is not always possible and it is very difficult when non-custodial parents are working overseas. The situation is very complex. In the end, non-custodial parents who do not wish to pay for the maintenance of their children must realise that it is about providing support for the child that they brought into this world. As someone said to me, divorce is the worst economic decision one can ever make. There is no doubt that when someone divorces, there are major economic consequences. As we know, relationships break down in society. If children are a product of that relationship, they have to be catered for. It is not their fault that the relationship broke down. That is why there is a need for child support to take place.

Although the bill is brief in its content, it plays a very important role in the child support system. All it will do is ensure that Western Australia is in uniformity with the rest of the commonwealth. It is legislation that will always need to be amended. Changes always need to be made in this area of the law because there are imperfections. When relationships dissolve and children, money and emotions are involved, problems must always be attended to. The philosophy and legislation behind child support is very important. It is of detriment to human character that we need this sort of legislation. One would hope that we did not need this type of legislation. Many couples with children who separate or divorce have no need to go down this path. Many couples can decide on a position, whether it is formally or informally, for the payment of child support. Calculating the payment of child support usually comes with custodial rights, or asset rights, to children. The greater time spent with the child has often meant a reduction in child support paid. Obviously, if a person had a child for two or three nights, they would provide for that child two or three nights a week. The Howard government brought in legislation that changed the way custody was calculated. It was very disruptive, because the Howard government believed that there should be more equality of time for the care and control, or custody or access, of children. That meant one night with dad and one night for mum, or three nights with dad and three nights with mum. That can be incredibly disruptive, but it does not have to be. Although custody has to be worked out individually, stability is important in a child's life. If they are moving from one parent to the another weekly, that is generally not conducive to providing a child with a stable environment. Governments and Parliaments will always seek to improve the child support system and the child care and access regime. It is something that governments need to tackle. This bill is just another chapter in the story of how governments and Parliaments deal with this matter.

MS J.M. FREEMAN (Mirrabooka) [7.33 pm]: I rise with some trepidation to speak on the Child Support (Adoption of Laws) Amendment Bill 2017 after making loud comments while the member for Armadale was speaking. He heard me and I may have misunderstood him. I come after two eminent and legally qualified members of Parliament. I am simply a bush lawyer who, although there is good bushland around Mirrabooka, does not live in the bush. I note that my rather loud comment, which I did not intend to be an interjection, while the member for Armadale spoke, was about my concern of the inconsistencies in two different family law systems that are predominantly for people in de facto relationships. Inconsistencies often occur for those people because we run two systems—a federal family law system and a state system—and that complexity often impacts on those who can least afford it. To understand some of the areas where things fall through the gaps, one needs to have legal training or legal representation, and that concerns me. What I want to raise—I was going to do it later on, but I will take the opportunity now—is that our current family law system has an impact on how the Child Support (Adoptions of Laws) Amendment Bill 2017 works. Because we have a different family law system, when people in a de facto relationship separate and try to work out a financial settlement, they cannot split their superannuation.

I do not know whether members know how super splitting works, but when a marriage breaks down, the parties within a certain period of time can split the superannuation of the partner who was the primary income earner or who had the greatest amount of super. They can split it and it will go into the retirement income of the other person. Traditionally, this happens in situations in which men have greater superannuation entitlements and women do not because they have tended to be the primary carer and not the principal earner in a relationship. That applies only to marriage relationships in Western Australia, but in the rest of Australia it applies to any relationship, de facto or married. In other states the super can be split, regardless of the type of relationship, so that there is some retirement income for the partner with less superannuation. That is a really important aspect of negotiations in settlements because in our community women tend to have less retirement income than do men. Because of that, the capacity to split super was put into the legislation that covers superannuation.

As I understand it, if there are enough assets in the relationship when the negotiations for settlement take place, more of the proceeds of the property are put into the settlement so that that in some way balances things out, but it does not provide a sustainable retirement income for one of the partners. That is of great concern, because we have a separate family law system. It was mentioned earlier that the federal government can just refer it back to us, or we can refer it to the federal government. I spoke about this to my learned colleague the member for Mount Lawley, and we need to do some more work on this. As I understand it, it is because superannuation covers the field in terms of the federal system; I think we come under section 109 of the Constitution. There cannot be a situation in which superannuation can be split in Western Australia because we have a separate family law system. All the other states refer their family law court cases to the federal system so that they do not run a separate

system and so there is not that discrimination. I chose not to marry my partner. We chose to put a new roof on our house instead of paying for an expensive white fluffy dress that I would not really suit. I chose to be in a long-term de facto —

Mr I.C. Blayne: You don't have to spend all the money that you are talking about. You can just pop down to the registry office.

Ms J.M. FREEMAN: I could have done that too. I chose not to for lots of other reasons. I am a good feminist. I think marriage is a patriarchal institution. If the member really wants me to get into that, I am happy to go down that path, but I am not sure that it relates to the Child Support (Adoption of Laws) Amendment Bill 2017. I am talking about the particular aspect of super splitting because it impacts on the child support laws we adopt. By choosing not to get married, I am disadvantaged with super splitting if I separate from my partner. I understand that, but many people do not choose that. Many people who end up in de facto relationships for various reasons—low socioeconomic issues around marriage and stuff like that—do not get married and can end up being disadvantaged. Primarily, a person in a same-sex relationship cannot choose to get married. A person in a same-sex relationship in Western Australia at this point in time, even though our super laws are equal to the rest of Australia, can be a beneficiary if something happens to the other person, but there is no super splitting if the relationship splits. There is no choice but to marry in Western Australia and in Australia as a whole. I concur with the member for Armadale on that. That also has an impact on the Child Support (Adoption of Laws) Amendment Bill because one area this has a detrimental effect on is exnuptial children, as they are called, or de facto children. They are disadvantaged because Western Australia has this lag time. Children of same-sex relationships also may want to get married and they would be detrimentally affected by the fact that for some reason Western Australia has decided not to refer its powers.

I agree with the opposition spokesperson on this matter. I had the opportunity to listen to his speech when I was in my office. He put forward that in this day and age we should be considering whether it is still pertinent and appropriate to have this two-tier system for the child support adoption laws; that we do not just do what the rest of Australia has done and refer our legislation so that it changes when federal legislation changes. It is completely confusing to me why we do not do that. We keep debating child support and the adoption of the laws, but we do not debate child support because we know it is a federal matter. None of us want to get into the substantial debate about child support. When someone comes in to my electorate office with a child support complaint, I am ever so happy to say, “Child support has nothing to do with me as a state member of Parliament; you need to see your federal member of Parliament,” because it is so fraught with he-said, she-said conflictual-type situations. It is so based on process that it is not something that a state member of Parliament can even begin to tackle. This is unlike other areas. Some federal matters will come into our offices and we will want to tackle them because, as members of Parliament, we can do some sorting out, but in this area we do not do that. We do not discuss the policy issues. One of the major policy issues that was discussed in a recent inquiry was a limited child support guarantee, as exists in some other countries, under which the government agrees to make up some or all of the shortfall if the paying parent does not meet the child support obligation. That is a good policy debate, because the only people being disadvantaged by someone not making child support payments are the children. There needs to be a good discussion about how we ensure that that disadvantage does not happen. However, we are not going to have that policy debate because it is a debate for the federal Parliament, which deals with child support. However, we are debating a piece of legislation that adopts all of that. To me, it seems to be completely incongruent, for want of a better way to describe it. I am unsure of the necessity now.

The child support system was introduced in 1988 for very good reasons. It was part of the reform process that the Whitlam government began in the 1970s, with a family law system that did not seek to apportion blame. It was no longer necessary to say that someone had been unfaithful or adulterous, or had some reason to leave a relationship. The reform process was formulated around the idea that people needed to continue to live respectful lives with the best outcomes for themselves and their children and the welfare of the community. This measure was part of that, to ensure that children of relationships that broke up were financially provided for. Having read some of the reports on this issue, my understanding is that 21 per cent of children in Australia have a parent living elsewhere and so qualify to receive child support. That is a pretty huge number, so we are looking at a major area. One of the reasons for the urgency of this bill is that, as I said before, there will be substantial disadvantage for ex-nuptial children in Western Australia if we do not pass this measure. However, looking at the areas that this legislation impacts, I was not necessarily sure about Norfolk Island or the other areas being particularly affected. I do know that we have not adopted any changes to the state child support laws since 1 July 2015, but a reading of some of the notes and information around this shows that the legislation is actually amended quite often, so that time lapse can become a difficulty.

Since 2003, child support has been the subject of two parliamentary inquiries, a ministerial task force and some major reforms. It is consistently amongst the top five Australian government agencies in the number of complaints received by the Commonwealth Ombudsman. Child support is a key challenge to policy and government in Australia. One of the biggest complaints is about the discrepancy between the amounts paid and the amounts not

paid and how those are calculated. One of the other big controversies is that people can lose their family tax benefits because of the calculations and people are not made aware of that. Many complaints have been made that because the calculations indicate that a person is receiving a certain amount, Centrelink can stop their family tax benefit even if they are not receiving that amount.

Mr S.A. Millman interjected.

Ms J.M. FREEMAN: The Australian Federal Police will not necessarily pursue it. It will stop people's tax cheques.

[Member's time extended.]

Ms J.M. FREEMAN: If there are outstanding payments for people's child support because they have lodged those and the Child Support Agency is aware of that, it will take that payment for that year. If a recalculation occurs because a person has not filled in tax returns for a time and there are back payments due for anything outside the current financial year, the AFP will not pursue it. As I understand it, the person has to pursue it under personal payments. Centrelink will consider whether people are eligible for a back payment when calculating family tax benefits. It is fraught with those complexities. The greatest criticism of the Child Support Agency is its capacity to communicate with people and take them through a process. If we are to continue to have a separate act in Western Australia, we have a responsibility to make the federal government aware when the Child Support Agency is not serving the community that we say needs a separate act—that is, the Western Australian community. That goes without saying. We need to make the federal government aware through our processes when the Child Support Agency is not responding appropriately to our constituents and our communities.

On 20 July 2015, the federal House Standing Committee on Social Policy and Legal Affairs presented its report, "From conflict to cooperation: Inquiry into the Child Support Program". The committee found that the child support program was generally functioning well and that in approximately 75 to 80 per cent of child support cases parents were meeting their child support obligations and had established cooperative post-separation relationships. That is still 20 per cent —

Mr S.A. Millman: Seventy-five to 80 per cent are meeting them but 20 to 25 per cent are not.

Ms J.M. FREEMAN: Twenty to 25 per cent are not. It is a challenging area.

That was in 2015. I must admit that in the time that I gave myself I could not find out in detail about one of the big issues that came out of the report, but there was a discussion about reviewing the formula, how accurate the formula is, and how it operates. The committee made a suggestion that, as the child support formula was developed in 2005 and it included a range of assumptions about cost of living and government provisions of welfare that had significantly changed, the formula should be reviewed and should adapt to changes. I imagine that the formula would not take into account the casualisation of the workforce and many of those other aspects that have continued to change even since 2005. Family violence was one of the major aspects of the report. It looked at ensuring the response of the child support program to family violence and the difficulty of receiving payments when family violence is involved. In some ways that went to the discussion about whether there should be a limited child support guarantee program. That is worth considering. The report contained 25 findings and recommendations—quite a number. The need for mediation was highlighted. The member for Mount Lawley might be able to help me, but mediation and family dispute resolution has very much become a part of the family law system. I would have thought that was before 2015. The question is —

Mr S.A. Millman: Compulsory referral.

Ms J.M. FREEMAN: Yes. Compulsory referral mediation has to happen before people can go to the Family Court. I understand people need —

Mr S.A. Millman: A ticket!

Ms J.M. FREEMAN: Yes, people need a ticket! People need a family dispute resolution certificate to go to the Family Court.

The report recommended that mediation should also occur in the area of family support payments. I do not think that is accessible through the Family Court dispute resolution framework because I understand it is free at the current time. I would think that is certainly worth us knowing about, considering Western Australians will have a separate piece of legislation for Western Australians. If there is a dispute around outstanding payment amounts under the child support program, will people receive free mediation to assist them? There is no doubt that someone having the information and capacity to pursue their rights would be assisted through mediation and clarification of those aspects. That seems to be one of the very important findings of the inquiry into the child support program.

One of the most important things the inquiry found was that public confidence is paramount for Child Support. That confidence can be undermined because of criticism of advice and decisions, including that that advice and decisions are inconsistent. The inquiry found that the only way Child Support looks into decisions, the consistency and appropriateness of them, is through the complaints process. It does not have an internal process to ascertain

whether there is integrity in the decision-making process. This is a 2015 report that I have not found a response to, but it seems that that would undermine confidence in the system if that is the case. At the moment the processes and procedures seem to be almost hardened and steadfast to the point of being bureaucratic, yet inconsistencies occur. There may be a bureaucratic process at one point, but also some sort of capacity for merit-based decision or review. How does that come together? In the small amount of cases I have dealt with through Child Support, I am not certain that that has been properly addressed.

In 2017 the Australian National Audit Office audited the arrangements between the Australian Taxation Office and the Department of Human Services. It related to the ATO holding back tax refunds to recover past overdue payments. The audit did not go into anything other than whether there was integrity in that process that ensured that it was being done appropriately and within the terms of agreement. The audit did not go into how the clients viewed that, or not in any significant detail.

At the end of the day, we cannot look at it as only a monetary process. We all know that we have to focus beyond those administrative processes. We have to acknowledge that it is about a lived experience and a lived concern of child support. Policy and the social and economic wellbeing of children and their caregivers should be at the forefront of how child support is delivered and administered in our community. In saying that, I will end with an email that was sent to me by a constituent about the child support system. This email is from a few years ago, but I think it outlines the concerns. She writes —

I am a single parent of a little boy who is in my care 100% of the time. My sons father is a FIFO worker and earns substantially more money than I am able too. We currently have a private collect case —

That means that they have agreed to it —

and this has worked well over the years and he pays on the 15th of each month.

On the 6th of January 2014 I received a letter to advise me that Child Support had received updated 2012/2013 taxable income for my x and his income was now assessed —

As higher and he had an obligation to pay more support. On 7 February 2014, she received another letter from Child Support to notify her that it had received an updated taxable income for 2011–12 and the figures had changed. She continues —

As you can see based on the updated figures that have been received by Child Support of X actual taxable income amounts I am owed some funds in back payment of child support.

I have attempted to text and emailed to notify that there is a new amount he has to pay now and that we need to address the back dated assessments and funds outstanding, I have had no reply and the payment I received on the 15/2/14 was the reduced amount of \$1436.75.

I have contacted Child Support to find out if I am required/entitled to receive the arrears of child support funds and if I can get any assistance from Child Support Office ...

I will not read much more, because I have limited time, but, basically, the Child Support Agency said that the lady had to collect the payments herself and that there was nothing that it could do. In conclusion, she writes —

I understand we are a private collection case but Child Support are involved in the assessment and are the office that have changed the assessment and back dated it, I am just asking for a little help in ensuring my X is aware that he needs to pay the new amount and the back pay. I feel as though I am caught between an organisation that will not assist me to collect what I am entitled too (keeping in in mind that I assume Human Services - Centrelink will raise an overpayment on my Family Tax benefit as it is deemed that I should collect the new assessed amount and arrears) and a father that is ignoring my requests to pay what he is obliged too. My preference, in a resolution to this situation is for Child Support to help me to advise my X of the importance of this assessment and the backdating and that he needs to pay the arrears and new assessment amount from now on.

I really do not want to go to a Child Support collect case and to support this feeling have been told by the Child support if I do change to a Child Support collect case they will only back date for 3 months —

She could not get all the other back payments in any event. She continues —

... although the letters I have received fall into this date range and I had no idea this back dating assessment was going to take place. I find this unfair as the new assessments took place within 3 months. I feel I am in an impossible position, with myself and my child not receiving the monies we are entitled too and unable to get any assistances from anyone.

MRS L.M. O'MALLEY (Bicton) [8.03 pm]: I rise to make a brief contribution to the Child Support (Adoption of Laws) Amendment Bill 2017. I do so with a sense that this is important business in contribution to the inclusivity of access to financial support for all children residing in the state of Western Australia. To recap briefly on the legislative situation, under the Constitution of Australia, the commonwealth Parliament has power

to legislate for the maintenance of children of a marriage, but it gives no power to legislate for the maintenance of exnuptial children, who are children born outside a marriage. The Constitution of Australia provides for the commonwealth Parliament also to legislate in respect to —

(xxxvii) matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law;

By this process of referral, in those states the commonwealth child support acts apply to both the children of marriage and exnuptial children alike. When the commonwealth amends the child support acts, which it does somewhat frequently, the amendments apply to all those children immediately. This is the situation in all other states except for WA. We have chosen not to refer this power, which means that exnuptial children will be left in a vulnerable position until we pass this bill.

It is a pretty straightforward bill. It simply aims to ensure that under the adoption of law child support option that the state has chosen, inclusivity of access to maintenance is the same for exnuptial children as it is for children born in marriage. If this bill is not passed, we risk having two systems in play, with the ability to ensure access to financial support for exnuptial children greatly diminished, resulting in the risk that these children will be greatly disadvantaged.

At this point, I would like to speak about the importance of certainty and stability and a sense of inclusivity for all children. We are referring here to children in quite objective terms, as we must when speaking of legislation. We use words like “exnuptial” or “marital”, but we are talking about kids who need support from legislation that protects all children and does not differentiate between children who are born within the current legal definition of “marriage” and those born outside the current legal definition of “marriage”. The ability of some children to get financial support will be diminished unless we pass this amendment bill.

Relationships break down every day and when a child or children are involved, the child or children must be at the centre of critical decisions such as where the child will live and with whom. Fortunately, in many cases, separated parents are able to come to arrangements for support and access that work for all the parties, with all parties meeting, and even exceeding, their responsibilities. Certainly, in my experience, I have a brother who has gone above and beyond his responsibilities. Although there were many traumatic times when they were first working out the arrangements for their children, they were able to do so. They were married, as it is currently defined, and therefore did not have to go through the additional challenges that many parents could face if we do not pass this bill. Sometimes, however, it does not work out quite that way. What if, for example, one parent is absent? What if the absent parent and the child’s custodial parent are not married?

Again, I refer to a situation that I am quite familiar with. In my electorate, a lovely young woman who works exceedingly hard has no support from the father of her child. She worked right up until about 38 weeks, I believe—she may have gone slightly longer—because she knew that she would have to work as much as she possibly could to provide a financially stable and secure home for her child. She is very fortunate that she has the support of many friends and work colleagues and that we have a system that supports mums such as the young woman I have referred to. She has no support from the father. He has chosen to absent himself; he did so early on in her pregnancy. It has made the situation incredibly difficult for her and, with the father choosing not to participate in the child’s life in any way, that currently includes financially. If we do not pass this bill, it will obviously have an impact on her ability to follow through the system to access support from that absent father. When we look at the breakdown of marriages and the way that we deal with them as a legal term, or the breakdown of relationships, we can see that we have certainly come a very long way in how we legislate for the provision of maintenance for children when things go wrong. Again, I will refer to a situation in which two members of my extended family’s relationships and marriages broke down prior to the introduction of the Family Court. I think the member for Mirrabooka referred earlier to it being a time when a reason had to be given, be it adultery or something of the like, for a relationship or marriage to be annulled. That caused incredible acrimony; it was a terrible situation. In my family it resulted in two families being completely torn apart to the point at which there were no family connections over 20 to 30 years. We have come a long way. The introduction of the Family Court certainly improved things a great deal and we now have that separation between the courts and a support mechanism for custodial situations so that, by and large, we have an administrative system.

Here we are with this amendment bill that takes us to the next step. Again, I refer to the member for Mirrabooka who spoke of this being a legislative debate and not a policy debate. As members of this house, we certainly should turn our thoughts to where the system is going in that regard. This amendment bill will ensure that all children will be included and that no children will slip through the cracks. I also refer to an issue that the members for Mirrabooka and Armadale spoke of earlier: the children of same-sex couples. Once again, I refer to a personal anecdote; I have great friends in this situation. The children of those relationships are doubly disadvantaged because they cannot see their parents marry and, should their parents unfortunately split up, our current legislation does not protect them from being able to access vital maintenance payments either. They are doubly disadvantaged.

It is for this reason and the reasons that I outlined earlier that I support this bill. We need to action it as quickly as possible and I ask all members to likewise support it.

MR T.J. HEALY (Southern River) [8.13 pm]: I rise to speak to the Child Support (Adoption of Laws) Amendment Bill 2017. I note with interest that it will be 30 years next year since the passing of the original child support scheme by the commonwealth Parliament. Prior to 1988, the court order-based child maintenance system that existed in Australia was seen as seriously inadequate. It required parties to reach agreement, or institute proceedings for an order in the Family Court prior to the child court being possible. In reading about the pre-1998 system as an adult I was shocked to read about the abject poverty that women and children were often left in following separation, and the increasing government expenditure for maintaining children when their absent parents did not contribute towards their upbringing. I was a part of that system. My parents were divorced early in the 1980s when I was young and my mother, as a single mother, relied heavily on child support and on the system. I am not saying that my parents were perfect, but the separation was difficult and complicated, as it is for a majority of families. When families split up it is not usually a simple or friendly matter.

My birth parents still do not get along over 30 years later, so members can only imagine how difficult things were way back then. It is my belief that codified and legislated child support arrangements support families. My family, generally, was able to agree mostly on a system through a family lawyer, but a system does help. It is not always available to everyone. I think of all the possible situations the 1 635 single-parent families of my electorate in Southern River would be in without this legislation. On average, I understand that 84 per cent to 88 per cent of single-parent households are single-mother households. That is certainly what I identify with. Even today, we know that those 1 300 or so single-mother families in my electorate of Southern River suffer great hardships, including higher unemployment rates. Sixty-three per cent of single parents with a child under four years were jobless in 2015. The national Household, Income and Labour Dynamics in Australia—HILDA—survey tells us that between 18 per cent and 23 per cent of lone parents are falling below the poverty line.

Where would we be without the changes of the last 30 years? Today, the child support scheme is based on the principles of parental responsibility for the financial wellbeing of children when parents separate or divorce and limits the government's involvement to allocating the cost of raising children in separated families between parents and the government. Through the child support scheme, the parent who does not live with their children, because of separation or divorce, is required to make a financial contribution towards their upbringing. Of course, that contribution—as I repeat what has already been said by other members—is based on the payer's income, the exempt amount of the payer's income and the amount of the payee's disregarded income. As a new father, I reflect on the purpose and goals of the child support scheme, noting that at its core is a desire for equity, equality and a child-centred approach in which those who chose to bring a new life into this world are expected, where able, to ensure that every child has every opportunity they deserve. It is also an approach in which one parent is not left carrying the wheelbarrow financially to the point at which it is detrimental to both the parent and the child. This is a system that has received much criticism. The Acting Speaker (Ms J.M. Freeman) spoke about electorate officers having to deal with this fraught issue. It is humans dealing with humans; it is families coming apart. There is no simple formula. It is a very human issue.

Clearly there is much room for improvement with child support, but Australia would be a much poorer nation should it not be in place. As members are aware, we are debating this bill today due to the structure of our national constitution that at its core makes a distinction between families in which parents are married and families in which they are not. The member for Bicton and others mentioned the current marriage debate and that marriage is not accessible to all. I will not go into that area right now. But, again, this is not an equitable area for all. Today we are not here to debate the merits of that division of families or whether such a system of marriage reflects modern Australia; we are here to ensure that all families no matter their circumstances have access to the commonwealth child support scheme. Our learned colleague Hon John Quigley rightly pointed out in his first reading speech on this bill that it is both appropriate and desirable for us in this house to act expediently and bring this act of Parliament in line with recent changes at the federal level. Of particular note are our fellow Australians who dwell in one of the most beautiful tropical locations—that is, the Christmas and Cocos Islands. The commonwealth Territories Legislation Amendment Act definition of a resident of Australia now applies to residents of the Christmas and Cocos Islands. As such, they are now covered by the child support scheme. It is disappointing that this did not occur earlier. Until we pass this bill, residents of the Christmas and Cocos Islands in exnuptial cases will be unable to access this scheme should one parent reside in Western Australia. Considering the strong links between Western Australia and the Christmas and Cocos Islands, the likelihood of this occurring seems high. I think I would hear no objections from the other side of this chamber if I were to call such a situation unacceptable. As such, considering the importance of this legislation and the likelihood of its ramifications to residents of our state and my electorate, I commend the bill to the house.

MR B. URBAN (Darling Range) [8.19 pm]: I rise in support of the Child Support (Adoption of Laws) Amendment Bill 2017. I will put forward a bit of a perspective from my time as a police officer. It is quite sad when police officers get called to houses, whether it is due to a domestic dispute, a dispute involving a father or

mother wanting to see a child, or police officers being used as pawns to do welfare checks on the child. That basically upsets the balance of the home, whether the mother or the father is there, and it is not anything of any intent. I will not say that the child support system is flawed, but it needs to be reviewed, and it is not reviewed in this place.

I took note of the thoughts of Madam Acting Speaker, the member for Mirrabooka, about the child support agency. While I have been in my role in this place, twice people have wandered through our office doors to talk about child support cases. It is not as though a father or a mother does not want to pay for the child; it is about getting some equality and a balance. I will not name names, but there is a mother who looked after her children; one is now 20 years old and the other has turned 16. One day, after a consent order had been made, they went to the father's house. He works away at a mine site and the consent order states that they have to return to their mother's house when the father returns to the mine site. The 20-year-old daughter lives with the father because it is convenient as it is close to work. When the 16-year-old child visits the father, he does not return to the mother's house. That happened in January this year. Out of the blue, the woman found herself on a minimum wage of about \$13 or \$14 an hour as a cleaner, and she picks up extra hours to make ends meet even further. She lives in a rural setting and needs a car to get to work, and that is an extra expense. She is struggling. The father is not struggling—far from it. However, out of total spite, the father is asking for money for the 16-year-old when it is not needed. The system is quite wrong and it is not fair. Parts of it are not quite right and they need to be addressed. They need to be addressed not in this place, but as a federal issue and further.

I will not dwell on this issue too much and I am trying to talk it out. Another person with a quite sad case came into the office. This father has not seen his children for a number of years. He is paying child support on a regular basis and he is not getting access to the children. The mother has a restraining order against him for no other reason than that she fears for her safety, but there has been no evidence of her safety being compromised and there has been no pursuit of any assaults or threats to her. I will keep talking as much as I can to say that this bill needs to be passed in this place so it can move on.

MS E. HAMILTON (Joondalup) [8.24 pm]: I rise to make a contribution to the Child Support (Adoption of Laws) Amendment Bill 2017. It is important to understand that the Family Court of Western Australia operates separately from the Family Court of Australia and we need to understand that difference. We have a separate system here in WA and that is why we are now having a conversation about adopting the laws in this place. As someone who has had to navigate the Family Court system in WA, I would like to put on the record that this institution is difficult for many to navigate. It is unfortunate that such a large volume of cases is being dealt with in the Family Court. The time that cases take to be heard is very long. Under the previous government, we saw a failure to adequately invest in the Family Court of WA. It is unfortunate that it takes up to two years for a matter to be heard before a magistrate. That is unacceptable, mainly for the children who are party to this system, but also because the Family Court is the last place that anyone would want to find themselves in. For a family member or someone in a relationship, it is the last place they can go to resolve a dispute.

It is often the case that there are heightened emotions at the time of separation or divorce for all parties concerned. To participate in a system that is not operating as efficiently as it could makes the process much more difficult than it needs to be. This is an issue that I am quite passionate about. This system really needs to be looked at and reviewed. More than that, this is my reality, which means that it is a reality for lots of other families in WA and in the electorate. I have a theory, which I have talked to my staff about quite a bit. If something comes through my doors or if there is something that I am living with, it is affecting a whole host of other people as well, who do not have the ability or the knowledge to interact about their concerns. It is something that we have to take quite seriously.

At a federal level, changes were made to the Child Support (Adoption of Laws) Act in WA. The commonwealth amendments, which affect change to the child support scheme, do not apply to unmarried couples and their exnuptial children in WA. The commonwealth does not have the power to make laws relating to ex-marital children. This is a role for the state Parliament. That is why we are discussing the legislation in this place today. Even though the first words of this bill are “child support”, we are not really having a conversation about child support. Many of my colleagues have raised issues this evening relating to the federal child support scheme. We recognise that we as state parliamentarians do not have a role to play in this scheme; rather, we are having a conversation about the state Parliament introducing laws that will bring the state of WA into line with the rest of the country, recognising that exnuptial children from de facto relationships have the ability to receive child support and their caregiver has the ability, whether that be the mother, the father or an alternative caregiver, to follow through and seek the necessary support if that situation arises. More important than that, this is a conversation about ensuring that the children are treated fairly and in the same way as every other child in the same circumstance across the country. They should be given the opportunity to be provided for and to have a stable life in a mostly stressful and difficult time.

The commonwealth has the power to make legislation about marriage. Federally, there is no acceptance of de facto or exnuptial children in this case. We need to make sure that we have legislation here in WA that recognises the

children of these relationships. It is the case in WA that if two people have lived together for two years, they are in a de facto relationship. With the passing of this legislation, for the purposes of child support, children from relationships will be considered. The commonwealth Parliament has done the heavy lifting on the policy changes. We in WA are able to reap the rewards and benefits of that hard work and implement the changes in WA. The legislation will bring WA into line with the commonwealth and ensure that children living here are treated exactly the same way and have every other opportunity that every other child in the country has.

It is unfortunate that we have seen the number of family breakdowns start to increase. Each and every one of us would personally know of such a situation or would have heard about it throughout the electorate. It is very important that we have the legislation here in WA. It makes sense. I support it. Ultimately, this legislation comes down to making sure that our children are not discriminated against. I support the legislation.

MRS J.M.C. STOJKOVSKI (Kingsley) [8.30 pm]: I rise to make a brief contribution to the Child Support (Adoption of Laws) Amendment Bill 2017. The administration of the child support scheme, as many of my colleagues have outlined tonight, is a hugely complex issue. As in many responses to complex problems, the legislation is not a perfect solution and, therefore, requires frequent amendment, which often exposes Western Australian children from exnuptial relationships to disadvantage.

As legislators, we have an obligation to ensure that children are treated fairly and equitably under the law. A recent quote encapsulates this, which states, according to my notes —

The best way to create a genuine “responsibility era”—a genuine commitment to families and to the values they reflect—is to begin with those to whom we owe the greatest responsibility—those whom we most value—our kids. Let’s not just talk about it—let’s put kids first.

I believe that this amending bill will do just that. It is a well-known fact that in modern society many people do not get married but choose to live together in de facto relationships. Children from those relationships in Western Australia are at a disadvantage because laws have not progressed through this place. Adults sometimes do not agree on things; we see it in this place and in our personal relationships. The breakdown of a relationship can be a difficult and stressful time and emotionally challenging for many involved, not least of whom the children who are affected by the situation but who have very little say or control over the situation. The need to legislate for all members of the community, particularly those most vulnerable, such as children of relationships that are breaking down, is essential work in this place. As I have said, children do not have a lot of control over these situations, and it is my firm belief that it is our obligation to ensure that we legislate to protect them. If parents cannot agree on their financial obligations to children and to maintain those obligations, the only recourse is to take the matter through the courts, which is an expensive and time-consuming exercise. Protracted proceedings in court can increase financial and emotional stress already being experienced in family homes, particularly in those experiencing a breakdown in the parents’ relationship.

I have spoken a number of times in this place about the rise in the number of children experiencing anxiety and depression. Many school principals have indicated that the breakdown of relationships is a key factor that contributes to that. It is our responsibility to ensure not only that children have equitable access to financial assistance, but also their emotional and mental state of health is looked after responsibly.

I commend this bill to the house. I believe that we are doing the right thing by bringing the Western Australian legislation into line with the commonwealth legislation so that Western Australian children are not disadvantaged because we currently are not covered by the amendments that were introduced through the commonwealth legislation.

MR M.J. FOLKARD (Burns Beach) [8.33 pm]: Madam Acting Speaker, thank you for the time and privilege to speak on the Child Support (Adoption of Laws) Amendment Bill 2017. We have heard some interesting contributions, particularly from you, Madam Acting Speaker (Ms J.M. Freeman), on the bill.

It will introduce into Western Australia a national child support scheme to ensure that children receive adequate maintenance, which is serious for the community and for us as members of this place. Knowing about certain circumstances—I can speak about only those that I have had to deal with in a previous life as a policeman, and my colleague the member for Kalgoorlie also referred to experiences in this area—family separation is a serious issue and the people who pay the cost are our kids. That being the case, I can tell members about a couple of experiences—particularly one that stands out in my mind, of a young family that broke up, and there were two young children involved. One was a year old and the other was three, both still in nappies. The separation came about rather suddenly, and I was called to the house because one of the children had been found wandering the streets. We found the young child and returned the child to the house. When we entered the place, I found the mother in absolute despair. The father had left the home some two weeks earlier and had stripped all the bank accounts of funds and had taken away all her identification and ability to make applications to banks; this was very much a power thing, and the woman was in absolute despair. She was sitting in a corner, crying, when we found her. She had been completely stripped of any maintenance or means of supporting her children, and the family was very much in crisis.

Out in the country people do not have the fantastic facilities available in the city, so it fell upon us to come up with solutions for this particular incident. We had to find the partner to find out why this had happened and to look into the circumstances why the children had been left in such a state of neglect. Despair was for mum and neglect was for the kids. We dealt with mum; it was a case of a couple of phone calls to a couple of very friendly, fantastic ladies within the town community. They rustled up a hot meal and the next morning they went around, cleaning up the house and giving her the absolute support that she needed. That is something you find in a country town. They were the practical things we could do to support this individual and the two kids. Giving her a bit of respite so she could actually get a good night's sleep for a change—that was one of the things we needed to do. The other thing was getting her to the local doctor so the kids could be looked at to make sure they were all right, which we were able to do.

But when it came down to actually finding long-term, secure funds for the mother and two children, there were a couple of ways we had to deal with it. One was to get her into the local Centrecare in Geraldton, so we arranged for that. She was that distraught that she did not have enough money to put fuel in her car, so guess what? She went into the back of the police van, and we got her down there so that we could start setting things up. We went to the bank and did all the running around so that we could slowly start building her up.

The other thing we knew was that the other party in the relationship was quite well-off. He was hiding from his obligation to the maintenance of his children; he was hiding himself and hiding the income he had received over that time. He was not standing up to his obligations. This individual was a fisherman by trade and was plying the coast. I knew he was working at one of the nearby towns and I called the local police sergeant there and went and found him. We managed to have a quiet chat with him and to find some of the necessary documents so she could open up bank accounts.

These were only short-term fixes; they did not fix the problem of long-term support for those children. The Child Support (Adoption of Laws) Amendment Bill 2017 allows for that. I note that the other side of the house is in agreement that this legislation should be passed posthaste. It supports the children and stops the hideous incidents that I have encountered, and I am sure there are many members in this house who could recount similar stories. We empowered the impoverished mother to get her fair share of maintenance. This gentleman was earning a good dollar and he thought it was all right to spite his ex-partner. The real tragedy is that the main cost was to the kids.

This bill has one purpose—to make sure that these kids do not live in absolute poverty. It will ensure that mum has enough money to put food on the table, that she can buy nappies and that she can take the kids down to the local doctor to get fixed. To me this situation is a no-brainer. We must get this bill through. I will not speak particularly long on it because it has been covered by other members within the house. In order to bring proper financial support to these kids who are in poverty, this bill should not be obstructed in any way. It should be allowed to go through posthaste. I will not speak any longer.

MR S.J. PRICE (Forrestfield) [8.40 pm]: I rise to contribute to the debate on Western Australia's Child Support (Adoption of Laws) Amendment Bill 2017. As has been discussed so far this evening during this debate, the commonwealth child support scheme essentially enables the collection of support payments from parents to maintain a person, and the costs associated with the raising and upbringing of the children once a couple has separated. Two commonwealth statutes come under the remit of the commonwealth child support scheme—the Child Support (Registration and Collection) Act 1988 and the Child Support (Assessment) Act 1989. Under the Constitution, the commonwealth Parliament has the power to legislate for the maintenance of children of a marriage, and a marriage only. It has no power to legislate for the maintenance of exnuptial children. Essentially, depending on the marital status of the parents, children are being treated differently within the eyes of the law. To ensure that all children within Western Australia are treated equally, we either have to refer the powers to the commonwealth, which we have chosen not to do, or we need to adopt the relevant legislation and any amendments from time to time. As we have heard tonight, for Western Australia to do that, a reasonable time lapse has to occur between when the amendment is adopted federally versus when it is adopted in Western Australia. The last amendment bill was in 2015.

Even though Western Australia has now adopted the relevant legislation to ensure that the commonwealth child support scheme applies to Western Australia, every time an amendment is made federally it applies automatically in Western Australia to the children of married couples as a result of the power that is given to the commonwealth under the Constitution. We are essentially talking about a group of people who, once again, are impacted on by the marital status of their parents. As we progress and get more modern, what determines a family these days is certainly about to be redefined, hopefully sooner than later. A number of different variations are available now. On top of that, the institution of marriage is undergoing significant change. I have pulled up some rough, quick figures. According to the Registry of Births, Deaths and Marriages, there were 12 320 marriages in Western Australia in 2016. That is interesting. Another document that refers to census data from 2016 states that over 201 000 people over the age of 15 declared they were in a de facto relationship within Western Australia. That figure can essentially be halved. If 200 000 people are in a de facto relationship, I might as well say there are

100 000 de facto relationships out there. We have 100 000 de facto relationships versus 12 000 marriages. There is a significant difference in that, which highlights the importance of this legislation, because the children of those 100 000 de facto relationships are not treated equally or covered by the legislation until we go through this process. That in itself is somewhat flawed and might need further discussion at some point. Everything we do must always be in the child's best interest. The child's best interest lies in ensuring that whichever parent has the main responsibility for their upbringing and education is able to do that and is afforded equal representation under the legislation, and within the different government departments that enable that person to provide what is required by the child. Ensuring that we have consistent legislation across the country, and that all our children are treated equally, will ensure a consistent approach, and in the future we can address this issue in a way that will be beneficial to the children whom this legislation will impact.

We must make sure that the legislation we adopt today picks up the changes. The documentation that accompanies the bill shows that a lot of the changes are mechanical, apart from the recognition of the Cocos (Keeling) Islands, which is a significant change, providing for the islands to be captured from a particular date. The changes we are referring to today are mainly mechanical, but there could be changes that have significant impact on the children of unmarried parents—essentially families that are not recognised as traditional under the law at the moment. We must ensure that we are prepared for the future, as I mentioned earlier, as the definition of a family changes over the years in the future, and who will have the responsibility for providing the children with the upbringing they require, through the provision of adequate financial support, and recognition of the children within the legislation.

We have heard significant contributions tonight to the debate on this legislation. It is important to remember that we are here to pass laws that are in the best interests of Western Australians, and ensuring that the requirements in the legislation are consistent across the country to help with some of the issues associated with dealing with some of the federal departments in Western Australia, because these laws come under their jurisdiction. I commend this bill to the house. We have heard how important it is and it has considerable support in this place.

Debate adjourned, on motion by **Mrs M.H. Roberts (Minister for Police)**.

House adjourned at 8.48 pm
