

Mr Sean L'Estrange; Mr David Templeman; Mr Peter Katsambanis; Mr Terry Redman; Mrs Liza Harvey; Mr Mark McGowan; Hon Fran Logan; Mr John Quigley

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**McGOWAN GOVERNMENT — LAW AND ORDER**

*Standing Orders Suspension — Motion*

**MR S.K. L'ESTRANGE (Churchlands)** [2.59 pm] — without notice: I move —

That the standing orders be suspended so far as to enable the following motion to be moved forthwith —

That this house condemns the McGowan government for failing to protect the people of Western Australia from dangerous sex offenders and violent criminals.

*Standing Orders Suspension — Amendment to Motion*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [3.00 pm]: As Leader of the House, after some robust discussion, I move —

To insert after “forthwith” —

, subject to the debate being limited to 20 minutes for government members and 20 minutes for non-government members

Amendment put and passed.

*Standing Orders Suspension — Motion, as Amended*

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

Question put and passed with an absolute majority.

*Motion*

**MR S.K. L'ESTRANGE (Churchlands)** [3.01 pm]: I move the motion. I note that it did not take much negotiating by the opposition for the government to agree to that 20 minutes. I think most government ministers are quite happy to leave this minister to hang out to dry because they know perfectly well that this minister is holding them back. They know that in the eyes of the community this minister is embarrassing them. He is an embarrassment to the government because he is failing in his duty of care and safety to the people of Western Australia and continues to do so. Can I just say that if the last 14 months is anything to go by, I am surprised that he is still here today. He should have gone six months ago at the very least, and we will outline from this side of the chamber exactly why that is the case.

There is no better example than the recent escape of Laurie Dodd, a dangerous, violent criminal, who was in a car chased by police and captured. He punched out a police dog and took on the coppers who arrested him, who handed him over to corrective services saying, “This guy is violent and dangerous and hit our dog; you need to hold him down.” “Yes, we have to get him to hospital.” “No worries, you do that, but don’t let him out of your sight.” I can tell members now that Police Commissioner Dawson would be very, very unhappy with the minister because the minister has let the police down. The police put their lives on the line to arrest this dangerous criminal and the minister allowed his department to let him out on the loose. What did he say when he was interviewed by the media—three days later, by the way? He did not call a meeting straightaway when he got that red flag; he waited for two and a half days after the event, until after cabinet had met, to call his meeting. That is how long it took him to try to grip this up, and the excuse he gave to Gareth Parker this morning was quite unbelievable. He has tried to create a smokescreen around all of this that it was due to a classification error of the prisoner.

Let me ask the minister this: if it were somebody on the street who had never been to prison before, would they have a classification? No. If a prisoner is violent and dangerous and has punched out a police dog, does the minister think that the police would have informed the corrective services branch? Yes. In which case, on the minister’s own admission on the radio this morning, he said “Oh, well, we got the wrong classification, so we sent through a subcontractor, when we should have sent the special operations group.” What would have happened if the person did not have a classification in the first place? The minister knows perfectly well that he failed because he knows the police would have told his department that Dodd was a dangerous criminal who needed to be well managed, safely, for the community, but the minister failed to do so. His little smokescreen attempt on the radio this morning does not wash with us because we know it is down to the minister and his mismanagement. That is only part of the story.

Now we will look at how he handled the Latimer case. It is an absolute debacle. The fellow is a notorious sex offender that the minister’s own Attorney General and own police minister have gone on and on about in this place for years. Latimer breached his conditions when he was released to the community, but when corrective services found out that he had breached, it did not tell the police for two days. For two days Latimer was out there, not even

being looked for by the police, so it took a further seven days before they caught him. For nine days, effectively, one of the most dangerous sex offenders in Perth was roaming the streets.

**Mr J.R. Quigley:** Your government let him out in 2015.

**Mr S.K. L'ESTRANGE:** Since he has been Attorney General, the member for Butler has let him out twice. When he was let out the first time, after wandering about for nine days, the police finally arrest him but the courts let him back out. He breached his conditions again and was re-arrested. That was on the Attorney General's watch, so he should not come in here trying to defend the Minister for Corrective Services, whose abdication of portfolio responsibilities is appalling. The Attorney General knows perfectly well that he would love to see him gone, so he should not come in here with crocodile tears for his Minister for Corrective Services. The Attorney General knows he is not up to the job and is failing in his duty of care. He knows that.

Furthermore, there are not only those very simple examples, but also there is the situation that we have brought to his attention before of a 48 per cent increase in the number of sexual assault-related offenders undertaking community supervision orders, in the last 12 months alone, being managed by the community. It is a 48 per cent increase on his watch from March to March. What is that about? Almost double the number of serious sex offenders are roaming the streets under supervision orders. If his handling of Latimer is anything to go by, I would hate to see how the community feels safe with a 48 per cent increase in the number of people convicted of sexual assaults roaming the streets. It does not stop there. This fellow is like the Demtel ad of ministerial incompetence. He just keeps on giving at the expense of the safety of the people of WA. We know that because the officers at Hakea Prison tell us that they are very, very frightened and that gangs have taken over control of the prison. Prison officers are being bashed; the Corruption and Crime Commission is saying it is very concerned with how the minister's department is operating at the moment. What is he doing? All he continues to do is blame shift—blame everybody else, create smokescreens to avoid the facts and lie in denial. It is not good enough and we will point out to his Premier today exactly why he should be sacked and exactly why he needs to reshuffle that frontbench now.

**MR P.A. KATSAMBANIS (Hillarys) [3.07 pm]:** I rise to support this motion. The member for Churchlands has made the point very, very clear. Unfortunately, this government has a series of lines it spins about supposedly keeping the community safe. However, in reality our streets are becoming full of dangerous criminals, sex offenders and violent offenders who are being let out of prison and out of control on the watch of this government and these ministers.

We have heard about Mr Dodd, a man who attacked police and attacked a police dog when he was being arrested, yet, unfortunately, this minister, the Minister for Corrective Services, was not able to classify him properly so that Dodd received appropriate supervision when he was in hospital. What happened? He left the hospital and beat up the private security that was guarding him. He left the hospital and got on a public bus and is still on the run. We do not know where he is or what he is up to. We do know that he is highly dangerous. The Commissioner for Police told us that he is a dangerous man and we should not go anywhere near him. Unfortunately, he will turn the public and any police officer who tries to arrest him into a punching bag again. It is not good enough; it has happened on this minister's watch. These sex offenders have been released into the community on the watch of this Attorney General, who says he is tough on crime. He gets in this place and says that the government brought tough new laws in, and the Premier got up today and defended him. Premier, the laws might be tough on paper, but laws are tested in courts, and they are tested in the results of keeping our streets safe. On those tests, this government's laws failed in the first few tests they had.

There is Latimer. First of all, he was released back into our community without this Attorney General appealing his release. This is the same Attorney General who when he was shadow Attorney General would say every single time a dangerous sex offender got released that if he was Attorney General, he would march up to the Supreme Court himself and bring an action. He has admitted subsequently that it was grandstanding. So is this supposedly tough new law that the Premier keeps talking about, because the Attorney General has conned him. He was grandstanding out there in opposition and he grandstands in here and out there when in government. Unfortunately, he throws the Premier into it, because Latimer was out on our streets. Not only was he out on our streets, but when he breached the conditions of his release, the corrections department, under the supervision of the Premier's corrections minister did not ring the police and say, "Hey, this guy's in Northbridge. He should not be there; go catch him." They rang Latimer. They rang him up and said, "Would you kindly please leave Northbridge? Latimer, get back on your bus and get out of here." He did, and what happened a few days later? He breached again, because the magistrate, utilising the government's supposedly tough new laws, did not throw him back into prison, but put him back out on the streets. That was under the government's laws, under its watch. So Latimer breached again. The second time he breached, he was hauled in and hopefully he stays in prison where he belongs for a long, long time.

Now we get Ian Thornton, the subject of whom we raised today. He is a convicted child sex offender. He was convicted of assaulting children under 16. He was released into the community and found guilty of breaching the

conditions of his release. He was not found guilty yesterday; he was not found guilty last week. He was found guilty in June of being on the grounds of Bunbury Primary School during a school day. He fronted court in June and the magistrate, under the government's tough new laws, said to him, "We found you guilty; we will sentence you in September. Meanwhile, go back out onto the streets." He was not remanded in custody under the government's tough new laws, but was sent back out onto the streets. Last week he appeared in the Bunbury court for sentencing. Again, he pleaded not guilty, but was found guilty. He showed no remorse, no real understanding of the crimes he committed, which are all on the public record, but the magistrate said, "You can have a suspended sentence; get back out onto the streets." That is not being tough on crime, that is not being tough on sex offenders and they are not tough new laws. That is spin and grandstanding that is placing our community at serious risk of harm—real risk of harm.

There are Latimer, Thornton, Dodd and the hundreds behind them who are a little bit more anonymous, because we know how many sex offenders have been released back out into the community under the watch of the Attorney General and the corrective services minister. They are ticking time bombs. Our community should not be some sort of weird experiment for the therapeutic justice that the Minister for Corrective Services or the Attorney General want to practice. The real justice for these dangerous criminals is to lock them up behind bars to protect our community—to protect innocent men, women and children out there and also to protect those poor, innocent police officers who have to go and recapture these thugs, these violent offenders, and to protect anyone who is guarding them in hospitals and the like. This is a series of failures, a litany of failures, all on this minister's watch. If he cannot handle it, he should just go and let people who can handle it look after the safety of the public.

**MR D.T. REDMAN (Warren–Blackwood)** [3.13 pm]: The Nationals WA also want to support the motion moved by the member for Churchlands. We have raised a number of issues in this house directly against this Minister for Corrective Services. We know that the community generally is not too fussed about corrections; it is not too worried about it. The community is generally not too fussed about what happens behind those bars, whether it is double-bunking or any of the issues that often get raised. The community becomes fussed when it gets threatened—when people get out. We have raised the issue of this minister presiding over the single biggest escape from a Western Australian prison, which was from Greenough Regional Prison. That was under the minister's watch. We have a CCC report about the behaviour of the minister's department, which was the subject of a question asked by the member for Churchlands today. There is a whole range of newspaper articles talking about prisons under pressure. We also have the personal experience I raised here of contractors scanning their own boxes into the prison. Only last week in that very same prison the dogs were brought in and they found a whole lot of drug paraphernalia and meth in the car park, so there must have been something interesting happening in that prison. That is all under this minister's watch. When he stands up in this place and responds to all that, what does he go straight to? He says, "Look what I inherited." That is what he goes to. He puts the blame on someone else. The one thing the minister cannot inherit is an escape. He has to own that. When the community is faced with a safety issue such as this, the minister has to own it. The community is not going to have a bar of the minister's action. The Premier needs to step in, take out the lightweight minister he has in his line-up and sort this issue out once and for all, because we are going to keep standing up and raising issues against this minister's poor management of his portfolio. I have graduated from having a small file to a lever arch file on corrections now, and that is just the newspaper articles. This minister has more headlines on him than the *Hindenburg* disaster, and he deserves to be held accountable to the community. This Premier is not showing the mettle he needs to show to put the minister back in line.

**MRS L.M. HARVEY (Scarborough — Leader of the Opposition)** [3.16 pm]: I rise to contribute to this debate. We saw the Premier stand here earlier today and claim that law and order is all under control, and because of the changes his government and the former Labor government made the community of Western Australia is safe and everything is fine, thank you very much, nothing to see here. Premier, tell that to the 530 people who were assaulted in Northbridge under the government's watch last year, compared with 381 the year before, which is a 40 per cent increase. That is 149 additional people who have been bashed up in Northbridge under this government's watch. The changes this government has made did not help those 149 people. The Premier should tell that to the community when they see the number of people being managed in the community by the government's corrective services people. The number of those people has skyrocketed. In 2016, we had 4 580 offenders being managed in the community; now we have 5 999. That is 1 419 additional dangerous people who should be in prison now being managed in the community.

**Mr F.M. Logan** interjected.

**Mrs L.M. HARVEY:** When we break down those figures further, this is why we are so alarmed, because it is the Minister for Corrective Services' doing. There are 283 offenders being managed because they have been in jail for sexual assault and other related offences, which is a 42.9 per cent increase over last year, when there were 198 people being managed in the community because they had been in prison for sexual offences against other human beings. That is compared with 161 people in March 2016 when the former coalition government was in control. That is

122 more sex offenders being managed in the community now than under the previous government's watch, and the minister wonders why we are alarmed. The Minister for Corrective Services tries to deflect and pass off the responsibility. He said that the reason that Dodd was not classified appropriately was that his classification was dropped six years ago in 2013. I will tell members what happened between 2013 and when Dodd was arrested by police. He stole a motor vehicle, he led police on a highly dangerous high-speed car chase and he had to be apprehended by multiple officers to contain him. One of those officers was assaulted and required stitches. He punched a Dutch malinois dog in the face. That dog bit him and that is why he went to hospital. In between 2013, when his classification was dropped, and when he was arrested by police after stealing a motor vehicle, assaulting and injuring a police officer and punching a police dog, no-one looked at his reclassification. He should have been classified high risk immediately, and then those two officers working for Broadspectrum would not have been put at risk. Those two officers working for Broadspectrum did not realise they were managing a high-risk offender, because corrective services did not tell them.

**Mr F.M. Logan:** Yes, they did.

**Mrs L.M. HARVEY:** The minister said on the radio that corrective services had not given him the right classification. The minister said on Gareth Parker's radio program this morning that corrective services had not given him a high-risk classification, and that was why he was being managed by Broadspectrum and not by the appropriate, highly trained officers who would have had him in shackles and thereby not allowed him to escape from Royal Perth Hospital. My blood ran cold when I saw where Dodd hopped off that CAT bus, because that is the CAT bus stop at the back of Gloucester Park where the Trinity boys hop on and off to get to and from school. I know it well. I drive past it every day. That is where Dodd hopped off. We have the issue of Dodd, who is still out there and on the run. That is an incredible risk to our community.

Then we have these two cases of Latimer and Thornton. The Attorney General stands here and says that because of his laws, Latimer is back in jail. Under his laws, he was released! What lame excuse did he give to the court? He said that he had to get off the bus in Northbridge, contrary to his conditions, because he needed to go to the toilet. We do not know whether that is true. Perhaps he hopped off that bus because he saw a potential victim that he liked, Attorney General—a potential victim that he wanted to get his grubby little hands on. We do not know whether that is why he hopped off the bus. The Attorney General did not intervene. I want to read back to the Premier what he said when he was in opposition. He said —

If the Attorney General finds out that a dangerous sex offender has breached his bail conditions, he has a responsibility to act. The Attorney General did not act—case closed. That is the end of the matter. The Premier cannot blame the system.

That is what the Premier said when he stood on this side of the house. That was the standard he demanded of the then Liberal–National government when he stood here in opposition, but he now applies a different standard to his underperforming ministers—the Attorney General, who does not tell the truth about the strength of his legislation, and the Minister for Corrective Services, whose agency does not classify prisoners appropriately and puts the community at risk.

**MR M. McGOWAN (Rockingham — Premier)** [3.21 pm]: The government will not be supporting this motion. Once again, the Liberal–National opposition is abusing the standing orders of the Parliament by not using what it has available to it by way of a matter of public interest motion to deal with matters before the community. Nevertheless, we will not be supporting this motion. I want to deal with some of the issues. Firstly, in debate on the motion and, secondly, during question time, the Leader of the Opposition asked me what the government has done to deal with some of these law and order issues. I gave an answer to the very broad first question of the Leader of the Opposition in question time, but I was not comprehensive enough about some of the initiatives we have undertaken, so I will take members through some of the things we have done to deal with some of these issues. Firstly, we have passed laws to allow for life sentences to be given to methamphetamine traffickers. Secondly, no body, no parole laws, which were called for for years, have been passed through the Parliament. Revenge porn legislation was talked about for a decade but was not done—people are now being charged with and convicted for those matters. “Charlotte’s Law” was introduced to deal with high-speed offenders. It ensures that greater circumstances of aggravation are considered to allow for the easier conviction of people who engage in some outrageous practices on our roads. We now have tougher dangerous sex offender legislation.

**Mrs L.M. Harvey:** It doesn't work.

**Mr M. McGOWAN:** There is tougher dangerous sex offender legislation. I will take the Leader of the Opposition through that again at the end of this list, because she clearly did not listen. Multiple murderer legislation was introduced to allow for mass murderers and serial killers to not be considered for parole. The High Risk Offenders Bill, which is currently before the other house, will ensure that serious violent criminals, not just dangerous sex

offenders, can be kept behind bars beyond the end of their sentence. The Terrorism (Preventative Detention) Amendment Bill is also currently before the other house. The Terrorism (Extraordinary Powers) Amendment Bill, which has been passed, clarifies and allows for the greater use of lethal force when dealing with someone in situations similar to the Man Monis situation that occurred in Sydney. As I outlined during question time, we had to deal with the Frontline 2020 approach, which was widely disparaged by police officers and the community—widely disparaged. That was introduced by the Leader of the Opposition. In 2015, the Leader of the Opposition said that under that system there had been, and I quote —

... an “unprecedented” rise in crime.

She used the words “unprecedented rise in crime” when she was the police minister. That is what she said in 2015. Members can look at the article by Jacob Kagi. There were huge increases in crime across the community—in domestic violence, sexual assaults, offences against property and offences against the person. A whole range of those sorts of offences were going through the roof under the regime that the Leader of the Opposition put in place, which she described as an unprecedented increase in crime.

**Mrs L.M. Harvey:** I wasn't in denial like you are.

**Mr M. McGOWAN:** The Leader of the Opposition said it. She seems to deny everything she formerly said. When she was the minister, she described it as an unprecedented increase in crime. She was responsible for an unprecedented increase in crime when she was the minister. We unwound Frontline 2020 and, lo and behold, we have seen a reduction in rates of crime across the metropolitan area.

I outlined the dangerous sex offender laws in question time. What I find with Liberal and Nationals members is that they do not seem to take in information when it is given to them, so I will outline it to them again. The dangerous sex offender laws were brought in by Jim McGinty, as Attorney General, back in 2006. They allowed for people judged by the courts to be dangerous sex offenders to be kept in prison beyond the end of their sentence. Those laws were implemented and people have been kept in jail for longer as a consequence. Flaws were identified in the laws in the 2012, 2013 and 2014 period. We said that we wanted to see the laws changed, and we called on the then government to do it. The now Attorney General, as the then shadow Attorney General, stood outside the Parliament and demanded that the government change those laws within the bounds of the Constitution. It refused to do so. Mr Mischin and Mr Barnett refused to countenance it; they refused to even consider changing those laws. What did we do upon coming to office? We issued drafting instructions, passed it through cabinet and got reforms to the law passed. What did that reform do? It reversed the onus of proof. An offender must now satisfy the court that they will comply with any order. We created the requirement that the court must be satisfied, on the balance of probabilities, that the offender will comply with all standard conditions before any supervision order is made. We created a provision for interim orders to be made. The Bail Act was amended so that there is a presumption against bail for any dangerous sex offender who is charged with breaching a dangerous sex offender supervision order. There were a range of other reforms as well. We have significantly toughened the laws. In the case of Mr Latimer, had the laws as they stood when members opposite were in office been in place, he would now not be in custody. He is now in custody because of the changes we made. All of those things happened under this government.

There have been some incidents, particularly in relation to Mr Dodd, that we find unacceptable. As I outlined to the house, clearly there was human error—mistakes were made in relation to Mr Dodd. I am sure that the officers who had Mr Dodd in their custody are feeling a great deal of regret. What occurred would have been a very unpleasant experience for them. Mr Dodd threatened one of their lives. That is appalling behaviour. I suspect that when he is recaptured, there will be very serious consequences for him. I again outline that the Broadpectrum contract was one that we inherited from the last government. The officers involved did not adhere to the conditions that were given to them when he was taken to the hospital. That is what occurred. The downgrade in Mr Dodd's status, if members like—in the level of supervision required—was issued in 2013, when the Liberals and Nationals were in government. That is the reality of the situation we face. The whole thing is not acceptable. I look forward to him being recaptured and going before the courts again. Members of outlaw motorcycle gangs engage in appalling conduct across our community. I expect the full force of the law will be brought to bear on him. I repeat: this motion is wrong. It does not take account of the changes that this government has put in place or the fact that we inherited a range of these rules around the transport of these prisoners, via that contract, from the last government.

**MR F.M. LOGAN (Cockburn — Minister for Corrective Services)** [3.29 pm]: The Premier made reference earlier today to history and learning from history. If you do not learn from history, you will continue to relive history, and I can tell members opposite that they are starting to relive history right now. I would find it absolutely disgraceful for any group of people to come into this house and start accusing me and this government of failing in the area of corrections. That is hypocrisy writ large. We will go through it. There were 37 escapes in three years under the previous government. What does the member for Churchlands say? He says, “Oh, look at what all the

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CCC reports said.” Yes, member for Churchlands—look at what the CCC said about the previous government’s running of the corrections system. That is what those reports were talking about. To come in here and put those reports on us is an outrage and a misleading of Parliament.

With regard to the opposition’s reference to prison officers, at the end of its term in government, prison officers hated the opposition. The opposition cannot believe how much they hated the Liberal–National government for what it did to them. They hated it, yet the opposition has the audacity to walk into this chamber today and talk about the views of prison officers at Hakea Prison. The member for Churchlands should go out there and talk to them himself, and see how popular he is.

Let us look at some of the escapes that took place during the previous government’s time in office. I will deal only with private contractors. There was an escape from Wandoo Rehabilitation Prison using a forklift. They smashed the forklift through the main gate and escaped, during the former government’s period in office. In 2014 there were serious assaults after section 95 work activity at Wandoo Rehabilitation Prison. In 2014, there was an escape from Acacia Prison through a hole in the external fence, which resulted in the dangerous and negligent operation of a vehicle. There was an escape from Royal Perth Hospital that the Leader of the Opposition might remember. The prisoner did not take off with his girlfriend, as it appears Mr Dodd has. The prisoner escaped while being watched by a private contractor at RPH in 2011 and he decided to go around and rob the local Westpac bank. He escaped from the custody of a private contractor in a hospital and did not just take off on a bus; he went around the corner and robbed the Westpac bank. What was the Leader of the Opposition’s response to all these things? It was, “Oh, well, these things happen. Human beings are human beings, when you’re managing them. What can we do? What could we possibly do?” That was the Leader of the Opposition’s response. She interjected on the Premier to say, “Well, what was your response, Premier?” I can tell the Leader of the Opposition: he did not call for her head. Perhaps he should have done. Perhaps he should have said that she should have been sacked as the Minister for Police, but he did not.

Before I go any further, I will just read a quote to the house. I would like the member for Dawesville to listen to this quite carefully.

**Mr Z.R.F. Kirkup:** Why?

**Mr F.M. LOGAN:** Because I would like him to guess who actually made this statement. This is a quote —

**Mrs L.M. Harvey:** Are you going to get to what you’re doing about it?

**Mr F.M. LOGAN:** I addressed that during question time today. Who said this? I quote —

A good government identifies the weakest link to make sure that these things do not happen again. Obviously, what an immature and non-adult opposition does is try to blame everything that goes wrong on the government. That is exactly what has been happening in the past few months. If someone escapes custody, suddenly it is the government’s fault.

Who said that? It was Joe Francis, a former Minister for Corrective Services. Who is continuing to say that? The member for Dawesville and the member for Churchlands. They are continuing to say those things. I again quote Joe Francis as Minister for Corrective Services, who said —

I think it is a bit rich for the Labor Party to try to say that every single time somebody escapes from prison it is the fault of the government.

That was the former Minister for Corrective Services, member for Churchlands.

**Mr S.K. L'Estrange:** What did you say?

**Mr F.M. LOGAN:** We certainly did not call for his head. Do members know why? We did not because, at the end of the day, it was an operational matter. If it had been a direction given by the minister to the department and it stuffed up, then under the Westminster system it would have meant his head, but that was an operational matter. That is the difference—something the opposition has not worked out yet.

The opposition referred to Latimer. The members for Churchlands and Hillarys should remember that none of this would have occurred—Latimer being back behind bars—were it not for our legislation. Latimer was released under 52 conditions, and the first breach was of an order given by his corrections officer to stay out of Northbridge, so it was not one of the conditions —

**Mr P.A. Katsambanis:** It was a condition to follow the orders of his —

**Mr F.M. LOGAN:** That is correct. I am getting to that point, member for Hillarys. The electronic fencing was in Northbridge and he was in and out of that electronic fencing within six minutes. There is no point in blaming the police; the police knew exactly where he was, and two days later they picked him up. They knew exactly where

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he was all the time. It was then determined by the magistrate to have been a minor infringement, and he was let go. For the second breach he was gone within a minute, and now he is back behind bars. Had this happened under the legislation that was in place under the previous government, instead of being picked up within a minute, he would have got a summons through the post and maybe, two or three weeks later, have ended up in court. That is the difference between the opposition's legislation during its time in government and what we have put in place. Thanks should be given to the Attorney General for that.

**MR J.R. QUIGLEY (Butler — Attorney General)** [3.38 pm]: I rise to make a couple of quick points. Edward Latimer was released in 2015 under the previous government and he remained at large for some eight months whilst propositioning young women and was then taken back into custody. On this occasion, as the Minister for Corrective Services pointed out, he was in Northbridge contrary to an order. He was there for six minutes and was arrested. He would not have been arrested under the previous legislation; that was not on. He was arrested the other night after a third breach and he is now back in custody.

The now Leader of the Opposition said on 19 March 2014 —

Let us be clear: on this side of the house, we support the independence of the judiciary and the Director of Public Prosecutions, and their separation from government.

In 2015 she said —

Members in this house need to understand that the commonwealth Constitution does not allow us to lock up sex offenders forever and throw away the key.

When I pointed out that we were at risk of losing the legislation to a High Court challenge if we try to throw away the key forever, the member for Hillarys said that that was a risk he was prepared to take—to allow the High Court to strike down the legislation and have no dangerous sex offender legislation. That was the risk that the member for Hillarys was prepared to take. As to the court's attitude to Labor's amendments, I refer the chamber to *State of Western Australia v Corbett*, handed down on 6 September 2019, in which Tyrone Corbett was alleged to have breached a number of conditions placed upon him by supervision officers. It comes back to the reversal of the onus of proof, which the former Liberal government refused to do. It refused to reverse the onus of proof but, recognising that the onus of proof had been reversed, Mr Justice Hall said —

I am not satisfied that the respondent would substantially comply with the standard conditions if released. In particular I am not satisfied that he would substantially comply with the conditions regarding supervision by a community corrections officer and compliance with all reasonable directions issued by such an officer.

The application for release is refused.

That is what Latimer is facing under Labor's laws, not wandering around the street for eight months, as he did under the Liberal laws, which the Liberals refused to amend. Of course, I said that the Attorney General should appeal, because he would not change the law. We do not have to appeal, because we changed the law and, at the end of the day, like a little row of tame ducks, members opposite went, "Quack, quack, quack" and lined up to vote for us, because they knew that we were delivering to the community a far stronger regime than they ever had, and now we are broadening it out to other violent offenders through the High Risk (Sexual and Violent) Offenders Board, which the opposition has already voted for in this Assembly. The opposition mentions in its motion the protection of the people of Western Australia from dangerous sex offenders and violent criminals. The previous government never did anything about violent criminals, but the McGowan Labor government is doing it as it has passed the bill.

*Division*

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

Ayes (19)

Mr I.C. Blayney  
Mr V.A. Catania  
Ms M.J. Davies  
Mrs L.M. Harvey  
Dr D.J. Honey

Mr P.A. Katsambanis  
Mr Z.R.F. Kirkup  
Mr A. Krsticevic  
Mr S.K. L'Estrange  
Mr R.S. Love

Mr W.R. Marmion  
Mr J.E. McGrath  
Ms L. Mettam  
Dr M.D. Nahan  
Mr D.C. Nalder

Mr K. O'Donnell  
Mr D.T. Redman  
Mr P.J. Rundle  
Mrs A.K. Hayden (*Teller*)

**Extract from *Hansard***

[ASSEMBLY — Tuesday, 24 September 2019]

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Mr Sean L'Estrange; Mr David Templeman; Mr Peter Katsambanis; Mr Terry Redman; Mrs Liza Harvey; Mr Mark McGowan; Hon Fran Logan; Mr John Quigley

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Noes (36)

Ms L.L. Baker  
Dr A.D. Buti  
Mr J.N. Carey  
Mrs R.M.J. Clarke  
Mr R.H. Cook  
Mr M.J. Folkard  
Ms J.M. Freeman  
Ms E.L. Hamilton  
Mr M. Hughes

Mr W.J. Johnston  
Mr D.J. Kelly  
Mr F.M. Logan  
Mr M. McGowan  
Ms S.F. McGurk  
Mr S.A. Millman  
Mr Y. Mubarakai  
Mr M.P. Murray  
Mrs L.M. O'Malley

Mr P. Papalia  
Mr S.J. Price  
Mr D.T. Punch  
Mr J.R. Quigley  
Ms M.M. Quirk  
Mrs M.H. Roberts  
Ms C.M. Rowe  
Ms R. Saffioti  
Ms A. Sanderson

Ms J.J. Shaw  
Mrs J.M.C. Stojkovski  
Mr C.J. Tallentire  
Mr D.A. Templeman  
Mr P.C. Tinley  
Mr R.R. Whitby  
Ms S.E. Winton  
Mr B.S. Wyatt  
Mr D.R. Michael (*Teller*)

Question thus negatived.