

Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

MISUSE OF DRUGS AMENDMENT (METHYLAMPHETAMINE OFFENCES) BILL 2017

Second Reading

Resumed from 16 May.

MR P.A. KATSAMBANIS (Hillarys) [4.15 pm]: Methylamphetamine is an insidious drug that is leaving a horrific mark right across our Western Australian society. It is ruining people's lives, it is destroying families, it is destroying communities in our suburbs, towns, and even our remote communities. Everywhere we go as members of Parliament we get asked by our community and constituents to do something to alleviate the impact that methylamphetamine or meth or ice, or any other way you want to call it, is having in every single area of our society. It is a killer, a destroyer and a wrecker. But meth is not a phenomenon or a natural disaster or an act of God. It is not a flood, bushfire or cyclone. It is something that is peddled to our community by insidious individuals who have absolutely no care or concern for the impact their actions have on our society. All they are motivated by is greed and a desire to enrich themselves at the horrific expense of the rest of our community.

As legislators—as people who come to this place to represent our community—we are tasked with acting to fix this multifaceted problem. Legislation is only a part of it. We need treatment. We need education. We need our community to be fully aware of what is going on and to have options. We need families to be able to ask for an intervention when their family members are being destroyed but do not want to voluntarily act to fix that problem because the drug has control of the system. As the opposition lead speaker in this debate today, I want to focus on the legislative side, and in punishing those dealers of death and misery who are inflicting this horror on our community.

It is my opinion, and that of the opposition, that we can never be too tough on drug traffickers or dealers. For a brief moment during the recent election campaign it appeared as though there was a bipartisan commitment to being as tough as possible on these merchants of death. Unfortunately, that brief moment gives rise to one of the most significant early broken promises of this new government that has introduced this bill we are debating in the house today. Back in February, the then opposition, which is now in government, wanted to show that it would be tough on time—and I do not criticise it for wanting to be tough on crime. I am happy to criticise it if it does not deliver on that, but I urge it to be as tough as possible on horrific criminals like drug dealers and drug traffickers. In its desire to demonstrate how tough it is on crime, it came out with a policy that is effectively being legislated for today—that is, an increase in the maximum sentence from the current 25 years' imprisonment to life maximum for drug traffickers who traffic more than 28 grams of meth. Some maximum penalties have been abolished so it can be unlimited, and a few other changes have been made around the conspiracy laws and people working with others to traffic this insidious drug. There is absolutely nothing wrong with that. But in the opinion of the opposition, firstly, it does not go far enough; and, secondly, it will have little practical effect in the sentences that judges deliver to these merchants of death.

The then government, which is now in opposition, released its policy that accepted that a life sentence as a maximum for these people—I struggle to call them people but let us call them people for want of a better word—was appropriate to keep these merchants of death off the streets for as long as humanely possible to send a strong message to our judiciary. We are being given a message on a daily basis by our constituents. The then government, which is the now opposition—I may as well use the political term as that was a campaign at the time—the Liberal Party set out a series of minimum mandatory sentences based on the amounts that these people would be convicted of trafficking so that we could keep them off our streets for longer and indicate an extremely strong deterrent effect for any others who also want to engage in this insidious and malicious activity. I was going to use the word “trade”. It is not trade at all. It is just dealing in misery. The Liberal Party set out those minimum sentences.

At a press conference a day or so after the Liberal Party announced its policy, the then Leader of the Opposition, the Premier today, said, “Yeah, we like that. We'll do that too.” Immediately, one of the journalists who was at that conference tweeted that for the first time it appears that both parties are supporting mandatory minimum sentences for these horrific drug dealers. It went on the record and it was never corrected. It was publicly reported on Twitter and in other media that the now government, the Labor Party, had adopted these mandatory minimum sentences for drug dealers and that there would be a bipartisan coalition to fight this. The reporter who first tweeted it was no ordinary reporter. He was a good reporter and great on the road, but he is no longer a reporter. It was Josh Jerga, who is now a special adviser to the Premier. Labor did not do anything to dispel that comment so from then on everyone went to the election knowing that the parties were standing side by side on maximum life sentences and mandatory minimum sentences to try to deal with the legislative side of this massive problem. I acknowledge that it will not be solved only by tougher sentences, but such sentences are an important step along the way to solving this problem.

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The public out there, especially the people who are sick and tired of the impact of meth on their communities and their families, were looking forward to that bipartisan support in a tough approach to meth dealers, mainly men, who peddle this stuff to our community. Unfortunately, that hope and expectation vanished when the government introduced this bill into the house. Although it introduced one limb of the tougher sentencing regime—the maximum sentence of life imprisonment for traffickers who traffic more than 28 grams of methylamphetamine—the mandatory minimum sentences have completely disappeared from the government's agenda. It said one thing during the election campaign and when it came to the crunch and Labor Party members walked into this place to set out their agenda, an agenda that they had indicated they supported during the campaign, the mandatory minimum sentences disappeared. They are not in the bill.

The opposition, the Liberal Party, does not take any issue with any of the provisions in the bill. We support all the tougher sentences. If the government wants to increase the maximum sentence from 25 years' to life imprisonment, we support that. If the government wants to increase penalties on these insidious criminals, we support that, too. If the government wants to make other changes around the conspiracy laws, as this legislation is doing, to make it slightly tougher, that is great, too. We support that. We supported it during the campaign. It was part of our comprehensive policy, but it was only a small part. We are not going to oppose the bill. In fact, we will support it.

Mr J.R. Quigley: You said you would.

Mr P.A. KATSAMBANIS: The Attorney General interjects and says we said we would oppose the bill.

Mr J.R. Quigley interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Thank you, Attorney General.

Mr P.A. KATSAMBANIS: We assess each bill on its merits. Here today and out in the community we will highlight the broken promise of this government—not because we want to do that. We would rather not be standing here talking about a broken promise; we would rather be standing here in a bipartisan manner and passing the legislation the government promised the community before the election. We will be highlighting that. I foreshadow that at the consideration in detail stage, the opposition will move the amendments that the government has jettisoned. We will be giving the government the opportunity to return to a bipartisan tough-on-meth-dealer approach, rather than just coming in with a half-hearted bill that is more about seeming to be tough on crime than being tough on crime and these criminals who deserve no sympathy and no mercy whatsoever.

That is what we will be doing, because in the debate around increasing the maximum sentence to life imprisonment, a few things have been missing. The opposition has been calling for them, and will call for them again during this debate and in consideration in detail. What is missing from the government is any information about how many drug traffickers in this state have received the current maximum 25-year sentence. It has been asked of the Minister for Police, and the Attorney General has knowledge on these matters and could provide the information. Not one incident has been found, in any of the research done by me or any of my colleagues, that a maximum 25-year prison term has been given to a drug dealer in this state since the maximum penalty was introduced—not one! If the government has an example, please, show it to me and I will welcome it. As I keep saying, the tougher the sentences on these horrible people, the better.

The other thing the government has not done in this debate is highlight how the increase in the maximum sentence from 25 years to life will impact in a real-world scenario in real cases before our courts, either now or in the future. How will sentences mysteriously increase simply because the maximum sentence has increased? Where is the evidence that that is the case? Where is the evidence that if we increase the maximum penalty, the courts will start increasing the penalties they are delivering? I know that the government says it is a guide to the court and that we are telling the court that instead of going from zero to 25 years, it can now go from zero to life imprisonment, and that it will see it as a bit of a bidding process and, all of a sudden, mysteriously, slap-on-the-wrist and weak sentences are going to get tougher, and we are going to lock these horrible individuals away for longer.

Mr J.R. Quigley: What is a weak sentence?

Mr P.A. KATSAMBANIS: Hold your horses, Attorney General—I will give you examples! If the Attorney General is patient, like I am often patient with him and all government members, I will give him examples. I would welcome—I say this sincerely—the government indicating, in the examples I will give under the current regime, how much tougher the sentences will be when this bill is passed. Our community is fed up with watching the local drug dealer—or drug dealers, plural!—peddling misery on our streets, using every technique available to them, including a raft of highly paid, sneaky lawyers, to stay out of jail for as long as they possibly can, copping a slap on the wrist, perhaps a fine or a suspended or short sentence, then coming back out on the streets a few months or years later and setting up this insidious business again. The public are absolutely fed up with it. This bill talks tough, and the government struts around pretending it is a tough bill, but in practice it will

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have little or no effect on drug dealers, who will continue to get away with their criminal enterprise. They are going to continue to get slap-on-the-wrist sentences to the detriment of our community. There are going to be more addicted people if we do not stamp on drug dealers. There are going to be more families destroyed. There will be more aggression on our streets. There will be more thefts. We will end up being worse off if we do not continue to send a strong message that the dealing that these people do, the supposed business that they do, has no place in this state.

Of course we need to do all the other things as well. We need to look after broken families. We need to look after the addicted people and give them pathways to help them change their behaviour. We need to consider involuntary orders, as the previous government did—I hope this government carries this on—because that is what our community is asking for in extreme circumstances, when addicts' brains are simply so fried, so far away from the human being they were before addiction, that their families know that the only thing that will save them is an actual intervention.

Mr M.J. Folkard interjected.

Mr P.A. KATSAMBANIS: Members of the government will get their chance. The former government provided rehabilitation beds—tick! It provided treatment—tick! It provided resources in the community—tick! All of that is needed, yes. We cannot fight meth, or any other drug, solely by focusing on the criminal element. If we do not get the dealers off the streets, they will not lose the incentive; they will continue to go after these mass profits that are built on the misery of ordinary families in this state. Make no bones about it; getting dealers off the street is an incredibly important part of it.

Let us look at how courts have dealt with some of these dealers to see whether we think they are doing a good job and that the current regime is working. There are many examples—some on the medium side of things and some on the really bad side of things. Let us look at the 2014 case of *Stoysich v the State of Western Australia*. He was charged with one count of possession with intent to sell 26.8 grams of methylamphetamine and one count involving 56.4 grams of meth. The total effective sentence was four years' imprisonment for dealing in almost 80 grams of meth. Under the amendments I have foreshadowed on the notice paper, someone like that would get a minimum sentence of 10 years. Under the government's plan of no minimum and an increase from the maximum penalty of 25 years to life, how much more than four years would this dealer get?

Mr B. Urban: Six!

Mr P.A. KATSAMBANIS: I do not know where all the members are from, but one of the members tells me it will be six years. How? There is no mechanism whatsoever in the current bill to move the sentence from four years to any amount—none whatsoever! If the member thinks that someone who copped four years' imprisonment for dealing—one count of possession with intent to sell 26.8 grams of methylamphetamine and one count of dealing 56.4 grams—should get six years, that is fine. That is an opinion. That is not what a court is going to do, remembering that this person fits the category that the government has set as a threshold of 28 grams. If a person is peddling more than 28 grams, the government states that they are subject to a life sentence now. In 2015, they were subject to a sentence of 25 years, but got only four years. Where are we going from four years out of 25 years? What is it going to be out of life? We do not know. With the opposition's plan, which the government said it supported before the election, this person would get an absolute minimum of 10 years. Before I get into the other examples that I have—I will leave some for my colleagues—I should preface that by saying that the people we are talking about, no matter what amount of drugs they were caught with, whether it was one gram or 100 kilograms, as we see occasionally, have all met the standard for trafficking, which is an intention to sell or supply. We are not talking about an addict caught in possession of some drugs that they are going to use; we are talking about people who have an intention to sell or supply and have met that test. The government's bill does that, too. We are dealing with people who the court has found to be drug traffickers. I make it very clear that we are not interested in people who are part of that vicious cycle. It is true that occasionally they commit crimes that they deserve to go to jail for, but they are also in need of treatment. We need to have a holistic approach, and most sane people recognise that.

Let us look at other examples. *The State of Western Australia v Hunter* [2014] WASCA involved possession of 110 grams of methylamphetamine with intent to supply and a second count of possession of 5.28 grams of meth with intent to supply. The total effective sentence for this person for the possession of 110 grams of meth—I am no expert on this sort of stuff, of course, but one gram meth is roughly equivalent to 10 hits, or 10 doses —

Mr B. Urban: It's called 10 points.

Mr P.A. KATSAMBANIS: The member probably has a bit more knowledge about that, and I thank him. It is 10 points or 10 hits or whatever one wants to call it per gram. This person was running around with over 1 000 hits at about \$70 a pop.

Mr B. Urban: It's \$25 a pop.

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Mr P.A. KATSAMBANIS: It is \$25 a pop—whatever it is. The member obviously has some good knowledge on this.

The effective sentence for this person who was dealing more than 1 000 doses of misery—dealing in death and destruction—was three years and eight months.

Mr B. Urban: That's disgraceful.

Mr P.A. KATSAMBANIS: It is absolutely disgraceful. We are on a unity ticket.

This matter was appealed and, to the credit of the appellate court, they were resentenced to five years and six months. I would say that that is equally disgraceful.

Mr B. Urban: Absolutely!

Mr P.A. KATSAMBANIS: It is absolutely disgraceful. Again, we are on a unity ticket.

Now we get to some of the more serious offences. The State of Western Australia v Wilson, also in 2015, involved four counts: possession of 71.4 grams, possession of 303.7 grams, both of which clearly made the threshold of intent to sell or supply; and, also, possession of 2.67 grams of cannabis and another count of possession of 371 grams of meth. This person had nearly 750 grams of meth. It is an extraordinary amount to be caught with. The total effective sentence was six years and six months. Again, this was appealed, and on appeal the sentence was increased to eight years and six months. I say—I hope that most members in this chamber, if not all members in this chamber, would agree—that that is still not enough for the misery that they are causing. These are continual counts. They are not doing it just once; they continue to do it in large quantities. In this case, it was one quantity of 303 grams and another of 371 grams. That is a lot of meth. It is a lot of misery, a lot of death and a lot of pain. Many families have been broken and many suburbs and towns have been destroyed, and all for six years and six months at first instance and then eight years and six months on appeal.

Under the government's plan, I have no idea whether this person would get a tougher sentence or how much tougher that sentence would be. The government, the Attorney General and the Minister for Police say that they will leave it up to the courts. That is not good enough because the courts have already shown us what they will do with 25-year maximum sentences. This guy was entitled to cop 25 years, but he got eight years and six months. Under the opposition's foreshadowed amendments, which we will move in the consideration in detail stage, the minimum sentence would be 15 years. This vermin would be off the streets for a minimum of 15 years, and the judge, in his or her discretion, could choose anything higher than 15 years to life. I think that would be appropriate.

Another example is MSO v The State of Western Australia, which is another 2015 case. There were four counts of possession: 10.5 kilograms of meth, 2.46 kilograms of heroin, 599 grams of cocaine, and 1.09 kilos of MDMA, which, again, I say to my police friends in the chamber is, I think, commonly known as ecstasy, but I am not sure.

Mr M.J. Folkard: What was it?

Mr P.A. KATSAMBANIS: It is MDMA.

Mr M.J. Folkard: Yes, that's it.

Mr P.A. KATSAMBANIS: Obviously, I know a little about this. They are the four horsemen of death—meth, heroin, cocaine and MDMA. In total—I am just doing a quick calculation in my head—it was nearly 15 kilograms of the stuff. I am a simple person and I would say that that is serious; that is maximum sentence territory. If a person has meth, heroin, cocaine and MDMA in huge quantities—many kilograms of the stuff—they are right at the top of the tree of maximum sentences. I would be thinking of a sentence of 25 years, 23 years or 22 years—okay; somewhere near that. What did this person, MSO—we do not even get a name—get? They got eight years and two months. Under the proposed amendments I foreshadowed —

Mr J.R. Quigley: Do you know why they didn't give a name?

Mr P.A. KATSAMBANIS: There are many, many reasons, and I am not criticising that. A mandatory minimum sentence of 15 years —

Mr J.R. Quigley: Could you advance one reason?

Mr P.A. KATSAMBANIS: I could advance many; the Attorney General could advance some.

Mr J.R. Quigley: You haven't advanced one.

Mr P.A. KATSAMBANIS: The Attorney General can advance some.

Mr J.R. Quigley: You don't know; do you?

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Mr P.A. KATSAMBANIS: There are lots of reasons.

Mr J.R. Quigley: Such as?

Mr P.A. KATSAMBANIS: There are many reasons, such as protection of the individual.

Mr J.R. Quigley: Why would they need to protect the individual?

Mr P.A. KATSAMBANIS: Attorney General, I will take you up on your interjection and I will tell you why: we are dealing with scum of the earth and their mates who are scum of the earth. The very fact that someone got caught could be the reason their life is in jeopardy. Perhaps they either deliberately or inadvertently reveal information they do not want to. I acknowledge the reasons the judicial system withholds the identity of people. I am not going to question that. I think the system gets it right most of the time. In fact, when it gets it wrong, it is usually because they did not withhold someone's identity when they should have. I recognise that. These guys are bad eggs. Their friends are bad eggs. Guess what? Strange things happen to them. There are examples of this. Movies have been made about this sort of stuff, Attorney General—about some of these bad eggs getting beaten up and killed in prison. He knows that; I know that. Are we going to stand up to them or stick up for them? I am not going to stick up for them, because they are dealing misery on our streets—to our children, to our older folk, to everyone. Almost every strata of our society has been touched by these drugs. Eight years and two months' imprisonment is not good enough for that.

Under the government's proposal, how would that change? Would they mysteriously get life imprisonment? No, I do not think so. Would they get any increased sentence? Maybe they would; maybe they would not. They might get three months, a year or two years more. At least with the opposition's proposal, we know, very clearly, that in the future a person such as this would get a minimum of 15 years' jail. Again, the judge would have every right and every opportunity to award a higher sentence based on the severity of the crime. We are saying there is a range. If a person wants to be a "Mr Big", to run around and peddle misery to people, to get rich off the misery of Western Australians—it has an impact on the whole community, including on government and non-government agencies to pick up the pieces, but in particular on the families of the addicted people—then eight years and two months' jail does not cut it. They are going to get at least 15 years. I think that is fair and reasonable.

Mr J.R. Quigley: What about the heroin?

Mr P.A. KATSAMBANIS: It is interesting the Attorney General mentions that, because I note that the bill has been crafted specifically to deal with meth.

Mr J.R. Quigley: You were there for eight years; what about the heroin?

Mr P.A. KATSAMBANIS: What about it?

Mr J.R. Quigley: I'm just asking. What about the sentencing?

Mr P.A. KATSAMBANIS: What about it? I said that on all those counts, the effective sentence was eight years and two months—the whole lot. They were given eight years and three months' jail for meth, but all the other sentences were to be served concurrently. We could say that they got seven years, six months for heroin; five years for cocaine. That is fine and good, but it is concurrent. They would be out in eight years and two months. I do not think the public of Western Australia expect that. The Attorney General can throw legal niceties at me and I can throw them back at him, but that is just playing legal niceties and letting these guys get away with.

Mr J.R. Quigley: Get away with what?

Mr P.A. KATSAMBANIS: They are getting away with misery. They are actually purveyors of death. That is what they are getting away with. Meanwhile, we quibble over a couple of words and technical legal terms. If the Attorney General wants to do that, he can do it. I do not want to do that; I want to protect the community of Western Australia. I want the law-abiding citizens of society to have the opportunity to get ahead. I want parents to send their kids to school or work. I want our young people to go off without the fear that these purveyors of death will get them addicted to meth, heroin, cocaine or any other drug. I want to see the scum off our streets. I hope the Attorney General joins me in that. I hope he shares that with me. I think that is what the public of Western Australia expect of us. That is partly why they have elected us—to protect them from bad people. I recognise that they elect us for many other things, but they bring us here so that we can protect them.

The previous government was confronted with an unprecedented epidemic of meth. The reasons for that have been partly ventilated in the media and across all sorts of things. Effectively, these insidious individuals are smart enough to work out that they are going to go to the place where they will make the highest possible profits. They do not care about anything else. They just care about making loads of money. During the boom, the peak times here in Western Australia, a whole series of shady operators from all over the world descended to make a quick

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buck. That is what happened. That is why we ended up with the problem we ended up with. However, the previous government approached this problem as best it could. It resourced police. It resourced our courts. Very importantly, it provided a comprehensive meth strategy to try to deal with this problem—providing treatment and rehabilitation.

Mr M.J. Folkard: What happened as a result of that—1.5 tonnes hit the streets of Perth!

Mr P.A. KATSAMBANIS: I will tell the member —

Mr M.J. Folkard interjected.

The ACTING SPEAKER: Thank you, member!

Mr P.A. KATSAMBANIS: The panacea would be the need for X number of rehab beds at this time. However, the previous government put together a strategy that is still working today.

The state crime commander, Pryce Scanlan, told a federal parliamentary inquiry on 3 May this year that enforcement and treatment efforts were now causing a downward trend and impacting on use in WA.

Mr M.J. Folkard: No, it isn't. It was not about the tonnage found up in China.

Mr P.A. KATSAMBANIS: Hear me out. The other thing that has happened—we do not have to take the state crime commander's word for it because they are just words—is the former government introduced water testing to find out what was going on. The early results were a wake-up call for anyone who did not know what was going on already—that meth was everywhere, and it was.

Several members interjected.

Mr P.A. KATSAMBANIS: The Minister for Police referred to that in the second reading speech.

Mr M.J. Folkard interjected.

The ACTING SPEAKER: I will start calling the member for Burns Beach if he continues to interject. Minister.

Mr P.A. KATSAMBANIS: I am not a minister; I am just a member, but thank you!

In her second reading speech, the Minister for Police referred to the results in March as one of the reasons we have such a problem. The second reading states that Western Australia is “tragically the Australian capital of methamphetamine use” and that a report from the Australian Criminal Intelligence Commission shows that Western Australia has the highest levels of methamphetamine in water in both metropolitan and regional areas. The most recent tests indicate that for the last three testing periods, meth usage is down significantly. It is down 26.6 per cent in Perth and down a staggering and very impressive 41.1 per cent in Bunbury. It is also down in Kalgoorlie. The results are heartening. Do I think that we have solved the problem? No, of course not, but it goes to show that that occurs when it is combined with enforcement. A member who interjected earlier said that there was a big bust and that they have got the drugs off the street. Hallelujah! If we get the drugs off the street, people cannot use them. If we catch the dealers and lock them up, there will not be any drugs on the streets; people will not be using them. Hallelujah! The results are promising—three consecutive periods of reduction in usage based on this testing in the water, which I am told is a good indication so that people can tell how much meth is being used. The minister used it as an example of how bad we were, but we should also highlight the fact that usage appears to have come down. That is a good thing. Sadly, the details of the testing show that they are starting to expand this testing regime beyond Perth, Bunbury and Kalgoorlie to other places. They found that every community in the Kimberley that was tested also returned an indication that methylamphetamine was being used in that community. I am told that in those instances they were not testing the percentages, but just to see whether meth was there and whether the community was using it.

Ms J. Farrer: Every community in the Kimberley is affected.

Mr P.A. KATSAMBANIS: Every community that they tested. That is what the results indicate. I am not saying that it is in every community; I sincerely hope it is not.

Ms S.F. McGurk: Josie is saying that it is.

Mr P.A. KATSAMBANIS: It is? I did not pick that up. I said earlier in my speech that this is across the whole state—in every community.

Ms J. Farrer interjected.

Mr P.A. KATSAMBANIS: It is horrible everywhere. I agree with the member that it is horrible everywhere. The testing clearly shows that the efforts to reduce usage are working. Have we solved the problem, as the member for Wanneroo suggested? No. Is it something that we should celebrate? No. It is something that we should take note of and look at what led to the reductions and say, “Perhaps we can have a bit more of that, please.” I hope the government does everything it can to increase treatment options, increase rehabilitation facilities and fund services

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that are proven to work. I hope it does that, and, as I said earlier, I will applaud it if it does. The more people we get off drugs and the more people we stop from getting on drugs, the better our society will be. My concern and the opposition's concern with the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill is that it will have little or no practical impact.

Ms S.E. Winton interjected.

Mr P.A. KATSAMBANIS: If the member does not listen to a speech and just comes in here to interject, she can do that at any time. We have made it clear that this bill represents one part of our own policy, but only one small part of a comprehensive policy. The government has jettisoned the rest—all the important stuff around mandatory minimum sentencing—and kept only the increase in the maximum sentence. That is not good enough. It is better than what we have now. Yes, I acknowledge that. We are going from a maximum of 25 years to a maximum of life. That is a good thing. We are not going to criticise that. It is just the rest. Our problem is with what is missing.

I can rattle off example after example, because there have been many of these people, but I want to highlight one recent case of two men who were convicted of trafficking methylamphetamine and who, in a panic when they were raided by the police, threw some of the meth into a spa at one of the houses they were caught in. The police recovered 2.1 kilograms of methylamphetamine or, as the report that I am reading from in *WAToday* of 16 March states, methamphetamine. It is an interchangeable term nowadays. Those 2.1 kilos included 1.7 kilos that had been thrown in the spa water. The drugs had a street value of more than \$2 million. Again, they were convicted on counts of intent to sell or supply, so they met that threshold. They were drug dealers; they were traffickers. I would expect that two people who were dealing in 2.1 kilos of meth would be right at the top of the threshold. If they could have got 25 years, I would say that the tariff would have been pretty high. If they did not get 25 years, I would think that perhaps over 20 years would have been pretty good. There would not be too many worse cases than two people trafficking 2.1 kilos of meth. One got 13 years and one got 15 years. Again, I use this example to highlight the fact that maximums are not being given by the courts. We are not seeing examples of people getting five per cent less than the maximum sentence. We are not seeing examples of people getting one or two years less than the 25-year maximum. We are seeing examples of people getting barely above half the maximum sentence.

Mr J.R. Quigley: What was the name of that one?

Mr P.A. KATSAMBANIS: This is a report in *WAToday* of 16 March. Their names are Rowson and Mather. I was reticent to use the names just in case appeal proceedings are still going on, but the Attorney General kept asking for the name. It is public; it is in the online paper, obviously.

If people deal in 2.1 kilos of meth and the maximum sentence is 25 years but they get sentenced to only 13 years, how will that change when the maximum goes from 25 years to life? The government has not explained that to us. The government has not said that the guys who got 13 years, who should have got 25 years, will now get 20 or 25 years. Its own backbench admits that these are weak sentences.

Mr B. Urban: Current sentences.

Mr P.A. KATSAMBANIS: Yes, these are the current sentences—the real sentences that we have seen.

Under the new regime, how will the sentences mysteriously go from 13 years to something that is appropriate? Yes, the maximum sentence will be increased, but these guys are not getting anywhere near the maximum. I would like the minister to tell us what sort of drug trafficker she believes ought to receive a maximum life sentence. I would like her to describe that, because if the people in some of the examples I have used today, including the guys who had 2.1 kilos of meth or MSO, who had kilos upon kilos of the quadrella or the four horsemen of death—that is, meth, heroin, cocaine and methylenedioxymethamphetamine—are not getting anywhere near the maximum sentence, who would get a life sentence under this regime that the minister is introducing in this bill? How will the sentences of all these other people change in the future? How will the equivalent people in the future be treated with an increase in the maximum sentence from 25 years to life? The government has given no indication and no example of how that will happen. I would have thought that, at the very least, the government would have done some research and come in with some details and said that it has an expectation that sentences of 13 years will move to 13 years plus X amount and sentences of 15 years will move to sentences of 15 years plus X amount. That would have provided some solace, some comfort and some satisfaction to the members of the community who are saying to us, “Do something about these dealers; do something about this scum of the earth.” Members of the community are saying a lot of things to us. They are saying, “Give us options for places that our addicted people can be put into. If people will not or cannot get off meth voluntarily, give us some involuntary options so that they will smarten up, get off their addiction and start to make better choices for themselves.” They are saying, “Keep educating young people to not use this stuff, because it is horrible stuff and it is going to kill them.” However, they are also saying, “Get the drug dealers off the streets and lock them up for as long as is humanly possible.”

Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

During the election campaign, people in the Liberal Party were being told that, people in the Labor Party were being told that, people in the National Party were being told that, and everybody else was being told that. Both parties agreed—one willingly, and one, it seems, a bit unwillingly—to take a bipartisan approach. I do not know whether it was for political expediency, or whether it was a true belief that was later jettisoned because of a lack of numbers or lack of support, or to appease some people within a very large caucus, but the government has now backed away from that. I want the Premier and the ministers of this state to live up to the promise that they made to the people of this state. That promise was that they would not play politics with the sentencing of drug dealers but would introduce laws that were genuinely tough. Those laws need to do more than just increase the maximum penalty. The maximum penalty is being ignored in practice. We could increase the maximum penalty to multiple life terms, as is done in some American states. We could have a maximum penalty of imprisonment for 100 years or 1 000 years. However, if the maximum penalty is being ignored in practice, it will continue to be ignored. Therefore, the government should not come into this place with a pretend “tough on drug dealers—tough on drug traffickers” bill. The government should come into this place with a bill that reflects what the Labor Party accepted during the election campaign as a genuine policy. During the election campaign, the Labor Party quietly allowed that policy to permeate to the public, through the media. No-one came out and said, “Oh, no, Josh Jerga is wrong. We do not support mandatory minimum jail sentences for drug traffickers.” Instead, they said, “Josh, welcome to the tent. Come on in. Here is a chair. Take it and work with us.” No-one corrected it. No-one said it was an error, or someone misspoke, or whatever the trendy word of the day is. I would have preferred to come into this place today and say, “Well done, government. Congratulations. This will not fix the problem, but it will go a long way towards fixing it, because it will get the supply off the streets and get the dealers off the streets.” That is what I would have preferred.

Several members interjected.

Mr P.A. KATSAMBANIS: The new members sitting on the back bench may well scoff and laugh. I will give them a bit of free advice. Remember this—they will realise this in four years’ time—the vast majority of the legislation that goes through this place goes through in a bipartisan manner. People will have their say on legislation, but most of the legislation that goes through this place is supported by everyone in this place. So members should not scoff and think I am talking about some sort of airy-fairy concept. That is how it actually works in practice. Members will learn that in time, so do not scoff.

I would have liked to commend the government for taking the initiative. However, unfortunately, I am placed in the invidious position of trying, even at this last minute, to convince the government to adopt what it told us only a few months ago during the election campaign was its position. We should work together to fix this horrible problem in our society. We should work together across the board in treatment, rehabilitation and sentencing. We should also work together in all communities, be they remote or regional communities or suburbs or towns. If we are divided on this issue, we can bet our bottom dollar that we will not get the best outcome. We are not getting the best outcome with this bill. We are getting at best a slightly better outcome, but it is nowhere near best. I know that some people on the other side of the house have a philosophical objection to mandatory minimum sentencing. However, they are now allowing that philosophical objection to mandatory minimum sentencing to impact on for how long we can lock away these purveyors of death and dealers in misery. I do not think that is good enough. I implore the government to support our amendments.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [5.15 pm]: I, too, rise in support of the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill. I would like to speak to some of the points that were raised by my colleague the member for Hillarys. I would also like to outline some of the key achievements and interventions that were put in place by the previous government and which have resulted in the decline in methamphetamine use that we are seeing in this state. One of those initiatives was the use of blackwater testing to try to get a snapshot of the rate of methamphetamine use in Western Australia and to provide a consistent measurement tool that we could use to compare the situation in this state with what was occurring in other states. I was ridiculed at the time for taking that initiative. However, I thought it was important at the time, and WA Police certainly related to me that it would be a useful tool to help inform its operational activities. During our eight years in government, we increased by 1 050 the number of police and auxiliary officers. Every single one of those additional police officers was needed to help in the fight against the methamphetamine trade in our state. I am very proud of the activities of WA Police, because the consequences of drug use and the crime that is associated with it are significant for our community.

I think everybody in this chamber shares the concern and anxiety of families and parents about drug use. It used to be the case that it was the parents of teenagers who were worried about their children getting into drugs. Sadly, methamphetamine is affecting people of all ages and from all walks of society. Our government pulled together a methamphetamine strategy that was designed around disrupting supply, harm minimisation and reduction, and

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education campaigns to encourage people to make better choices. During my tenure as Minister for Police, I was very pleased to see some of the big seizures of methamphetamine from our streets. As a result of police activities, 122.7 kilograms of methamphetamine were seized in 2013–14, 276.2 kilograms were seized in 2014–15, and 418 kilograms were seized between July 2015 and December 2015.

We also had a joint arrangement with the Australian Federal Police. I was very pleased to see the resources from the commonwealth come to this state. That Joint Organised Crime Task Force worked on where the drug was coming into the state and how the drug was being distributed. By sharing the databases of the Australian Crime Commission, the Australian Transaction Reports and Analysis Centre—ATRAC—the Australian Federal Police and WA Police, we were able to intercept 193 kilograms of methamphetamine through that joint task force effort. We set up and funded meth transport teams to target vehicles, trucks, trains and aircraft et cetera to look at how meth was being brought into the state and how it was being transported within the state. We set up dedicated meth teams that pulled together information from different sources in the community to ensure that the police were operating to best effect—for example, that search warrants were prosecuted at a time when drugs were likely to be present on premises so that police were likely to get a good result. We were seizing the cash profits from the methamphetamine trade. We had a meth desk so that people could ring a direct number to report any activity they thought was associated with the methamphetamine trade.

In 2011, we introduced legislation—members of this house will probably remember that debate—that significantly increased the penalties for any clandestine laboratory operation with children on the premises. That was in response to the rise of clandestine laboratories in the state, people cooking methamphetamine in their backyards and the risk and danger those households posed to the young children who were often present in those circumstances.

The importation of the drug had become a lucrative business proposition. If my memory serves me correctly, I believe a kilogram of meth purchased in Asia for around \$6 500 can be sold on the streets of Australia for \$590 000. The importation of the drug was the biggest issue, which was why we needed a joint effort with our commonwealth counterparts. The number of clan labs has certainly decreased. In 2011, 177 clan labs were broken down by police; by 2014, that was down to 84. We also introduced and increased roadside drug testing.

In 2012, at roadside we completed 9 000 tests. With funding from the road trauma trust account that we approved, we added another \$5.6 million in 2015–16 to increase the number of roadside tests to 30 000. There was an additional \$5 million in 2016–17 to continue that work. Obviously, we wanted drivers under the influence of methamphetamine to be caught and taken off the roads.

Our demand reduction strategy involved the introduction of rehabilitation and low medical withdrawal beds. I am not saying we had the right number of beds—we were coping with an incredible increase in usage of methamphetamine, as were our counterparts in other states. However, we had 360 residential and outpatient treatment beds available, and we took to the election a proposal to increase that—a proposal to increase rehab facilities that was not matched by the current government at the time. We increased community treatment options and expanded rehab services. We put an effort into a specialist methamphetamine clinic called Next Step Specialist Drug and Alcohol Services in East Perth. The people who work there have certainly become experts, if you like, in assisting addicts out of a methamphetamine addiction cycle. I am pleased to say that people can recover from usage of this drug and get their lives back on track. That needs to be the endgame of any proposal put forward by this Parliament.

We had a training program for frontline drug support nurses to assist in, obviously, emergency wards, and also emergency workers, because dealing with people under the influence of methamphetamine creates a particular suite of issues that need to be addressed by hospital staff. The specialist nurses were there to advise the other treating officials in hospitals on the best way to deal, if you like, with people under the influence of meth coming into their care. We also had a dedicated state ice helpline because families in the community at the many crime and meth forums I attended with Minister Andrea Mitchell, who was responsible for the harm-minimisation component of the meth strategy, were saying they did not know where to get help. We collated a service and pulled an ice helpline together so that people could be connected with services and get help and advice. We were proposing compulsory and voluntary rehabilitation. Indeed, a person in the grip of a meth addiction often does not want to avail themselves of rehabilitation services. Families repeatedly came to us and said that if they could just get their family members admitted to a facility and get them clean, they would be able to reason with them and get them to commit to a different lifestyle. The involuntary rehab component of our strategy was aimed at addressing that.

We also worked on prevention. Obviously, our partnership was with the not-for-profit sector. We added additional information to the Drug Aware website and the drug support line. Education activities were ramped up in schools. Through School Drug Education and Road Aware, we had the school meth awareness packs and dedicated online

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portals for any of our teachers who wanted to avail themselves of that resource to inform students. Obviously, the earlier we start that education process with our young people, the better.

We also put a significant effort into the Department of Corrective Services. We were never really given any credit for some of the programs we funded through our prison system. Obviously, a very high number of people are in our prison system as a result of methamphetamine addiction and trade. A study published in April 2015 that surveyed 719 reception prisoners—574 men and 145 women—found that 74 per cent of the women and 77 per cent of the men reported a substance use disorder, with a reference to drug use in the four weeks prior to their incarceration; 45 per cent of women and 42 per cent of men declared meth as that drug, and there was obviously cannabis, opiate use and alcohol dependence in there as well. Our program, through Corrective Services, involved the Court Assessment and Treatment Service. That provides suitability assessment reports for offenders who have applied to the Perth Drug Court. We also had the Breaking Out program that targets offenders with a history of substance abuse. We had a Pathways program, directed at adult male offenders. It was like a cognitive behaviour therapy program to help those offenders understand the links and triggers in their own behaviour patterns, and the link to then taking that step of possessing methamphetamine and getting back on the drug cycle.

We had the PAST program—there are lots of acronyms in these programs—which is about educating offenders about drug use, and there was a Drug and Alcohol Through-care Service that was a re-entry service. That looks at through-care counselling, so clients who had volunteered for the service or had an alcohol or other drug issue could be referred through this service to the DATS to help identify when they might be at risk of getting back into their addiction cycles.

There was also the brief intervention service program, which was to help offenders stay clean post release. That is really important, because the prison environment is structured in a way that means offenders have less ability to make their own choices. If when they leave prison they go back to the same environment, the same people and the same suite of problems, the likelihood is that they will get back into the same level of drug or alcohol abuse that led them to be incarcerated in the first place. We also had the Health in Prisons, Health Outta Prisons program, which was run through external not-for-profit agencies. It specifically targeted offenders to help them with the skills they need to avoid relapse post release.

A lot of work and effort went into trying to reduce methamphetamine use. I was really pleased about, and very, very proud of, the policing effort, particularly seeing the results released from the wastewater analysis project. Yes, we need to treat that data cautiously, but it shows a downward trend in methamphetamine use. That can only be because of the effort of the previous government, which funded police appropriately, put in place intervention and education programs and dealt with offenders. We did not get it 100 per cent right because it is not easy to achieve a 100 per cent result with a drug such as methamphetamine. However, the comparative results released from the WA Police media centre show that from April 2017, compared with the 2015–16 results, there was a 26.6 per cent decrease in meth usage in Perth. These figures were from the wastewater treatment analysis project. There was a 41.5 per cent decrease in Bunbury. That is a phenomenal result. These decreases are the result of a combined effort—a coordinated strategy.

We can take the drugs out of the system. I recall police telling me during my briefings as minister that sometimes they had a massive seizure of methamphetamine from the streets of Perth but they saw no corresponding decline in meth use in the wastewater treatment analysis. We have been seeing consistent declines in the wastewater treatment analysis for several months this year compared with the analysis last year. I am cautiously optimistic that if the meth teams, the Joint Organised Crime Task Force, the intervention programs, the programs in our prisons, the education programs, the rehabilitation programs and the funding of those services continues at the same rate or, indeed, get ramped up by this government compared with the previous government's effort, we should see significant reductions in meth use in our community.

Acting Assistant Commissioner Scanlan stated in a media release —

“The trend downwards in the past three test periods is obviously pleasing, but the sobering reality is WA still has a projected meth habit of 1.54 tonnes, with an estimated street value of just over \$1.5 billion,” ...

“The results from the most recent analysis in April 2017 were the lowest recorded in Perth, Bunbury and Kalgoorlie —

The member for Kalgoorlie would be pleased to know that —

since testing at those sites commenced.

Each of the test results from November 2016, February 2017 and April 2017 showed double-digit decreases in meth use in Perth, Bunbury and Kalgoorlie. When an election occurs and a government is turfed out and a new government is elected, there is a temptation to say that everything that the previous administration did was wrong.

Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

I dispute that when I look at these results. Clearly, the effort that we were putting in and the funding that we put into the policing effort around getting these drugs off our streets was working.

[Member's time extended.]

Mrs L.M. HARVEY: The media release continues —

For Perth the meth use levels were down 22.6% in November 2016, -23.4% in February 2017 and -0.8% in April 2017.

For Bunbury the meth use levels were down 26.7% in November 2016, -27.1% in February 2017 and -11.8% in April 2017.

Testing commenced in Kalgoorlie in November 2016. The test results for Kalgoorlie show a trend downwards of 17.8 per cent and then 12 per cent less in April 2017. We started the testing in Broome in November 2016, which indicated that it had the lowest levels of meth use of all the catchments tested but that is not to say that we should take the pressure off any area of our state with respect to this drug. Sometimes it takes a while for the drug to get into a community and for people to understand its devastating effects before family members and people in the community start to reconsider decisions to get involved with this drug.

I am very proud of the effort of WA Police, particularly around the meth teams and the meth transit routes. I was pleased to introduce legislation to this place around meth transit routes to enable our police officers to stop and search vehicles to look for drugs. Police came to me when I was minister and said that they know the drugs are being transported around the state, they think it is in the trucks that are moving across our major transit routes and they would like to be able to stop and search those vehicles without having to establish the reasonable suspicion test or have a search warrant et cetera if they suspect there is meth on board. That is important legislation. That legislation also allows police to go into the courier distribution centres used by DHL Express couriers and other people and run the drug detection equipment and drug detection dogs over those packages. Those courier companies came to the government and said that they thought they were inadvertently transporting methamphetamine. They thought they were part of the trade and they did not want to be. They would take a sealed parcel from an individual and deliver it to another individual. They are not allowed to open it but they reasonably suspect that it is highly likely that methamphetamine is contained within those sealed parcels. We introduced legislation to allow police to go into those distribution centres, get the dogs and the equipment out, look for positive traces of methamphetamine in those parcels and then get to work. There is a sender, a receiver, a quantity of drugs and a mechanism to seize and open parcels, which was not previously available in this state prior to that legislation being brought to Parliament last year, I think. We put in place a lot of initiatives. We were fighting, as were many of my contemporaries in other states, a massive surge in methamphetamine use. I am very pleased to see that that effort has resulted in a reduction in its use in this state.

During the election campaign, I was obviously part of delivering the methamphetamine policies and commitments of our party. While on the campaign trail, I was really pleased to release our meth strategy, which included mandatory minimum penalties linked to the quantities of these drugs that were being sold by dealers. Those mandatory minimum penalties were linked to specific thresholds for trade in the drug. We did that because obviously the larger the quantity of drugs that a dealer has in their possession to sell, the more damage they will do in the community. That dealer will probably be a bigger player in that trade and they should go to prison for longer. I was thrilled during the campaign and quite shocked to hear the now Premier commit to the mandatory minimum penalties. I noted that Josh Jerga, who was then with Channel Nine and is now a policy adviser to the Premier, tweeted —

Minimum mandatory sentences for meth dealers (Labor matched the Liberal promise on Sunday)

I was thrilled to hear that because in my heart I thought that our community needs these drug dealers to be put away for longer periods. I thought that was great and no matter what happened with the election outcome, the community would be protected because the Labor leader at the time, the now Premier, committed to the mandatory minimum penalties, which would ensure that these drug dealers are off the streets for longer and therefore not out in the community engaging in this insidious activity. I am shocked to see this legislation come to Parliament today without the inclusion of the mandatory minimum penalties. It was a clear commitment; I remember it being made. I was shocked and stunned because as minister, whenever I came to this place when we were debating mandatory minimum prison terms for any offenders, it is fair to say that members of the former opposition, who now occupy the government benches, went feral. They did not support mandatory minimum penalties. They said that they did not work and the entire justice system would collapse with their introduction. Members can imagine my surprise when I saw the Premier, Mark McGowan, commit to that during the campaign period but also my disgust to see that flippantly thrown away and not included as part of this legislation. It was no longer a commitment. The

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community of Western Australia said that that was great: Labor is matching the Liberals' tough on drugs policy around methamphetamine dealers and that means a vote for it is the same as a vote for the Liberals. It was not this time. The community of Western Australia was delivered a fraud because that commitment to match the mandatory minimum penalties in our meth policy has now been abandoned. It is a sad day for the people of Western Australia. They look to their politicians and they want to know that we will keep the promises we make during an election campaign. We listen to the community and understand the devastation that methamphetamine use causes in our community. Many members in here have personal experience of family members with that drug. Constituents and parents come in to see us and say that we need to do something about this and they want drug dealers to be put away for as long as possible. That is what we promised and that is what the Labor Party promised, but it is not delivering. That is why we brought the amendments to this place.

Our job in opposition is to hold the government to account. We hope that the policy adviser Mr Josh Jerga, sitting inside the Premier's office, advises the Premier to keep this promise. The community expects tough action on drug dealers. When we get out there and listen to people, we hear that there is no sympathy for any drug dealer. Every single person wants drug dealers to be put away for longer periods. Nobody accepts that increasing the maximum penalty for drug traffickers is enough. We have seen maximum penalties increased but we have not seen a commensurate increase in the length of the penalties being imposed by the courts. That is why we brought in mandatory minimum penalties. We need to set a threshold and put away for a mandatory minimum term the people who are dealing in more than 28 grams of this drug. That is what we promised. That is what the Labor Party promised but it is not delivering. We have brought the amendments to this place. We will try to keep the government honest about its promise to the community. We will make sure that people in the community know whether the government, which won in a landslide based on that promise to get tough on meth dealers, is going to be true to its word. We will let the community know whether the drug dealers are going to be put away for a definitive time or whether we are going to leave it up to the whims and processes of the court. Every single time a drug dealer goes through the courts—if these mandatory minimum penalties are not agreed to by the government—and is sentenced, we will remind the community of the leniency of the sentence and that if our mandatory minimum penalties were in place, they would have been put behind bars for longer, as they deserve, to honour the efforts of our police officers who day in, day out deal with these scumbags to try to keep them off the streets and keep our people safe.

Members will hear more of these contributions from members on our side. I expect also to hear contributions from members of the government who likely quite gleefully thought to themselves, "I am so glad we committed to those mandatory minimum penalties. That is great. I can tell my community that we are going to commit to that same strategy to get dealers behind bars for longer." But members opposite can face their community if they vote against these amendments, because members opposite were voted into this place as part of a government committed to these amendments.

MR J.E. McGRATH (South Perth) [5.43 pm]: I rise to make some comments on the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017 and to support the comments made by the shadow minister and the Deputy Leader of the Opposition. One thing that I will not stand for is the criticism of the work of people such as the Deputy Leader of the Opposition when she was the Minister for Police and Hon Helen Morton and Andrea Mitchell when each was the Minister for Mental Health. It is a very difficult area. Around the world, governments are trying to solve these problems with drugs and in particular meth. I congratulate the police. I read a lot and regularly I read about the Federal Police working in cooperation with the local police making some very big drug hauls. They make some big catches. But they are fighting a very tough battle and at times it has been a losing battle, but it was great to hear the Deputy Leader of the Opposition restate today that a lot of the statistics are showing that in some areas we are winning this battle against meth.

In my personal life, I have been involved with people who have succumbed to drugs. I was a sports editor at *The West Australian* and I had a very close involvement with Ben Cousins. I used to ghost his column when he was captain of the West Coast Eagles. Ben Cousins' story is one of the greatest tragedies of our society, not only because he was a famous footballer. A lot of people have suffered similar outcomes in their life, but because of his notoriety and reputation, Ben has obviously got the publicity. Ben Cousins was a decent young man who got trapped. Dealers would have been supplying the drugs to him and Ben has never agreed to give up the dealers—not many drug addicts do.

In my electorate is an organisation called Esther House.

Mrs L.M. Harvey: Fantastic.

Mr B. Urban: Absolutely.

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Mr J.E. McGRATH: A lot of members of Parliament are aware of Esther House, which has been based in South Perth for a long time. It deals mainly with young women who have had drug addictions that have really affected their lives. Our government has arranged for them to move to a facility in Kalamunda. The transition is still taking place and the new building is still being constructed. At Esther House I met a beautiful young woman called Anita. The *Southern Gazette*, the local paper, ran a story about Anita. Not many people talk about these things, but this young girl and a lot of the girls at Esther House do. Anita very bravely came out and spoke about her past with domestic violence and drug abuse. Anita went in and out of violent relationships. She lived a fast-paced life involving drugs. She had her children removed from her and her mother locked her out of the home. Through the Esther Foundation this young girl is trying to get her life back on track. I often go down to the Esther Foundation and she said to me one day, “Mr McGrath, all I want to do is get my children back.” A young mother through her use of meth and other drugs has lost her children. Anita said the addiction to meth made her life hopeless and full of anger. She thought it was a life sentence and she did not think she could ever get out of it. This was all reported in the *Southern Gazette*.

In 2015, the Esther Foundation also provided help for a young woman called Rosie. I did not meet Rosie, but she also came from a background of severe ice addiction. Rosie had an opportunity to manage the Esther Cafe in Preston Street, Como in my electorate. These girls from this background are now running a cafe next to the Grand Cygnet Cinema. This is an example of some of the work that is being done in the community to help people. But these people would not be there if it had not been for the people who supplied them the drugs in the first place.

We as a government wanted to support mandatory minimum sentences. I remember that when the issue was raised in the party room on many occasions, the Minister for Police would come up with new strategies and impress on us how difficult it is to cover all the bases to prevent these drugs from getting through in all sorts of ways. I remember when we discussed the regulation to allow police to stop trucks because it was believed that the drugs were coming in on trucks, just as we are very aware that drugs over the years had been coming in on the big ships—probably the big mineral and iron ore tankers. Who knows where the stuff is coming in?

This is a real, serious problem.

Getting back to Rosie, as a result of her ice addiction, her heart was damaged and she had to undergo open-heart surgery; her hands and feet turned black from gangrene. Her addiction also led her to live out of a car, resort to criminal activities and sell her body to support her drug habit. She said she did not care about her life anymore; all she cared about was getting another shot.

These are the people who are being provided with drugs, these deadly substances, by the lowlifes who are drug dealers. That is why the opposition is supporting this legislation, but we say to the Minister for Police and the Attorney General that we believe the legislation is not tough enough. We know Labor does not like mandatory sentencing, so we do not believe this bill will be tough enough. Although it will increase the penalty, there is no mandatory component. We say that if someone is caught with 28 grams of meth, they should get a five-year penalty. We say, “If you get caught with 28 grams, you’re going in for five years, minimum.” We will be moving an amendment, but under the legislation the government is introducing now there is no mandatory minimum component. A person who is caught with 28 grams and is deemed to be a dealer could get any sentence. All the government is saying is that it will lift the maximum, so if they are a really bad dealer and they have a lot of drugs, the penalty could be a lot higher. But there is no threshold there that is going to really act as a deterrent to someone who might be considering getting into the game of dealing drugs.

I had a call one day from a constituent whose son was a drug addict. The son was living in a flat and the father believed the flat was actually owned by his supplier. That is not a bad deal for a supplier, if they can get it. If a supplier has an addict living in his flat, he can just take the gear around, the addict pays him for the drugs and pays a bit of rent at the same time. He said, “Why can’t the government bring in some form of forced rehab?” Apparently we cannot do that. We cannot force an adult into drug rehab without their consent. We raised that in the party room and in April last year, the Liberal–National government proposed an expansion of the powers of the Mental Health Act—Hon Andrea Mitchell was very closely involved in this—to allow methamphetamine users and addicts to be detained and forced to enter rehabilitation or treatment.

That is what this father said to me: “I just want my son to get some treatment”, but under the laws of Western Australia as they stand today, he cannot be forced into treatment; he has to agree to doing rehab. The legislative changes that we brought forward would have allowed drug users who have not been convicted of a crime to be held against their will. The WA Mental Health Commission was charged with developing the scheme under Hon Andrea Mitchell, who was Minister for Mental Health at the time. The scheme would have proceeded with a trial of forced rehabilitation in a newly established rehabilitation centre. The draft legislation was released in December 2016 for public comment.

Extract from Hansard

[ASSEMBLY — Tuesday, 20 June 2017]

p1164b-1202a

Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

This draft legislation would have done a number of things. It would have forced people with severe methamphetamine or alcohol addiction to undergo rehab; it would have provided compulsory treatment and support of up to 12 months, after patients met selected criteria; and it would have included safeguards to protect individual and civil legal rights, including access to independent advocacy and review and provisions for culturally appropriate services. It also would have included a plan to provide more facilities for these people. It is no good bringing in something like forced rehabilitation if we have nowhere to take the drug addicts. Public consultation ended on 31 January 2017, but the legislation never came to Parliament because, as we know, an election took place. The former opposition is now the government—the Labor Party won the election—and that is where that stands.

I think the government is going to have some similar sort of policy to do with rehab, and I think that is one of the most important things. Ben Cousins is an addict who has been mentioned many times; he is now in jail, but a lot of people have said that if Ben had only gone and done the rehab he could have avoided jail. I think he did some rehab, but it never got him back across the line. Rehab is really important because a lot of these people are really quite decent human beings, these drug addicts. They do not want to be drug addicts; it just happens that they have a predisposition and they fall into drugs.

People can be addicted to a lot of things, like cigarettes, alcohol or whatever, but this is such an insidious drug. The worst thing is that it is causing young people to lose all control over their actions when they are on it. The Speaker, the member for Albany, told me a story about one of his constituents who was involved in a melee or fight outside a pub or club. The member for Albany, who knew the family, moved in to try to sort it out and get him out of there, and he said, “He looked at me and he didn’t even know me”. On the Monday the father of the boy brought him around and the boy apologised to Peter Watson. He said, “I didn’t know who you were”, because he was in such a state. We all know that they become powerful; they become very strong and it is very difficult for the police to control them. This is something that has crept into our society and it is a real issue. That is why people are falling victim to one-punch attacks and things like that—things that did not happen 20 or 30 years ago. It is all part of the society that we now live in and a lot of it has been brought on by the rapid expansion of meth in our society by the couriers and the people who are dealing it on a daily basis. We have heard stories of people in Homeswest houses trading in meth—people who are being looked after by the state and being given cheap accommodation, and they are dealing in meth. We, as members of Parliament, all get these phone calls from constituents saying, “I think there’s something going on with the Homeswest house down the road. A lot of people are going there every night.” We pass that information on to the police and the police attend, but often by the time they get there, there is nothing they can pin on them. It is out there, and we are all aware it is out there, so we are going to support this legislation in a bipartisan way, but we make the point that we think there are a couple of levers in the legislation that could be strengthened. That is what our side of the chamber will be putting when we go into consideration in detail.

It has been a long journey. We went to the election with a policy that we thought was a good policy. The police really supported our policy and thought it was very workable, but we did not win the election, and if we did not win the election, we cannot control the legislation that comes through. But we can make a representation on behalf of our constituents and the people of Western Australia to try to make this legislation as strong as we possibly can. As the Deputy Leader of the Opposition said, there will be other cases in which a very serious offender gets a light penalty, and that is just a fact of life. There are members of federal Parliament now in a bit of trouble for querying the judiciary in Victoria; those things can happen. But as members of Parliament and as the Labor Party in government, the government can, through the powers of this place, make sure that there is a message out there: “If you want to deal in drugs, there’s a big penalty.” It is the same as when one arrives in Bali and there is sign at the airport to say that if people want to deal drugs, they will be in a lot of trouble. That is what we want to see, and that is what we will be doing as part of this debate.

Sitting suspended from 6.00 to 7.00 pm

MR K.M. O'DONNELL (Kalgoorlie) [7.00 pm]: I, too, support the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017. Meth is of great concern to us all, whether one is a member of Parliament, a nurse, a police officer, a teacher, a parent, a grandparent, a victim of crime or someone who is addicted to meth—so many of us are affected by this challenging issue through our working roles, our families or other circumstances. Meth is a big issue in the Kalgoorlie–Boulder community as well as the greater goldfields region. Kalgoorlie was recently identified as the meth capital of Western Australia; a label we are not proud of and hope to change. In 2015, the Australian Crime Commission identified methamphetamine as the illicit drug that posed the greatest risk to the Australian community. We are seeing proof of this in the demand and resulting pressure that meth is placing on our local services.

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During my police career, apprehending offenders in possession of harder drugs such as meth was once a rare occasion, with cannabis being the common drug of choice. However, these days, with the growth in the distribution and use of meth, local police are dealing with people in possession and under the influence of this drug on a regular basis. With the rise in the availability of meth in our regional towns, police are seeing its effects daily in the form of violent and criminal behaviour, drug psychosis episodes and the increasing number of possession offences for both small and large quantities. One of my duties as a police officer was the securing of all drugs seized in Kalgoorlie–Boulder. Once the matter was dealt with, I had the great honour of destroying all of those drugs. I have destroyed millions of dollars' worth of drugs in my career, and it gave me great pleasure knowing that those drugs would not be back on the street and distributed.

I have witnessed the devastating effects of these drugs many times in my career and the impact that meth has on the user's family and the community. Meth destroys lives. It is not a drug that discriminates. People and families from all walks of life are being affected, including those we would least expect. A person high on meth loses all sense of reality. They steal from their families, damage property and cannot be reasoned with, as the member for South Perth said when he spoke to a family friend. Parents are afraid to allow their meth-addicted children into their homes. They are living in fear of their own children.

To further complicate the problem, meth has the potential to worsen an existing mental health condition or trigger an underlying disorder. This is a frightening discovery for many people who have not previously been affected by a mental health condition. However, following meth use, the results can be devastating and life changing for both the user and their family. The health system is affected by the greater demand for support from the rising number of drug-related patient admissions. Kalgoorlie Hospital's mental health ward receives a significant number of drug-related admissions. This has an impact on its workload and capacity to meet the needs of individuals, such as those suffering from drug psychosis. The risk that the drug poses to those with underlying mental health conditions places further demand on the service through repeated admissions through the facility. The step up, step down facility proposed for Kalgoorlie would alleviate some of this pressure on the hospital's mental health ward by providing short-term residential support for people following their hospitalisation for mental illness or for those at risk of deteriorating mental health. We need this facility more than ever, as the rising use of meth further complicates the mental health journey of so many individuals and their families. Greater funding for our local rehabilitation centres is needed. These organisations are vital to the rehabilitation of people addicted to meth and other drugs. The work of these rehab centres also alleviates the pressure on the health system, having the potential to reduce the likelihood of repeat hospital admissions.

The use of meth in regional areas is having a devastating impact on rural communities, with my electorate being no exception. Research indicates that the use of meth in regional areas has increased over the years. With typically higher rates of health issues, including mental health, in regional areas, services are under pressure. Providing support and treatment to the widely spread residents of rural areas such as the goldfields also presents some great challenges. In the past, alcohol and cannabis were threats to Aboriginal communities and their members. However, meth is now a factor in Aboriginal communities and is having a devastating effect on Aboriginal people and their culture.

We often talk about the effects on the health of those using meth and the impact on their families. However, looking at the bigger picture, there is also a significant economic impact. The economic cost reaches far and wide and places great demand on the police, prison and criminal justice systems. The child welfare system is heavily affected by the increase in the use of the drug. Meth can destroy a person's quality of life and this leads to greater need for medical support, drug treatment and support services. This has a huge impact on the economy.

This amendment bill is a good start. I am in favour of any strategy that has the potential to result in a reduction in the amount of drugs reaching our communities. However, I am concerned that the former maximum penalty of 25 years was not applied in many cases and I question how often the new maximum penalty will be applied. These maximum penalties are not a threat if they are rarely used. I would prefer to see the government causing changes to the practices of the courts, by increasing the application of maximum sentences or imposing longer minimum sentences. This would send a far stronger message to those involved in the trafficking of drugs and other offences. We should be holding the courts accountable and asking why they are reducing the penalties. The courts should be in sync with the wishes of the government, which represents the community. I also believe that the courts need to toughen up on the leniency offered to offenders. When offenders have genuinely cooperated with police from the time of being apprehended, I can understand the use of leniency. However, there needs to be genuine cooperation. I have seen too many occasions when leniency has been applied in the case of an offender who has done very little to cooperate with police. There must be a genuine effort made by the offender to actively cooperate to be given this entitlement. There was an example in the *Kalgoorlie Miner* of Tuesday, 9 May 2017 of a male person who had been convicted of offering to supply 23.3 grams of methamphetamine and for having three

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machetes in his car. He got sentenced to two years and three months jail for offering to supply 23.3 grams of methamphetamine. Yes, that is very ordinary. We have mandatory penalties for drink-driving offences and for people who drive without a licence. If someone is picked up for driving without a driver's licence, they get a fine. The first time someone is picked up for driving under suspension, the penalty is mandatory, as it is for a second offence. From memory, for a third offence, they go to jail. We do not do that with drug offences. We do it with drink-driving offences. The magistrates and judges have criteria to follow and there are windows in which they can give penalties. We do not do that for drugs. For example, with high methamphetamine use, the courts do not seem to be using their discretion.

I believe that more can be done at the user level and in the community in the form of education and deterrent strategies, with the view to reducing meth use. Educating the children in our communities is essential. Reaching young people, ideally before they are exposed to meth, can make a difference in the decisions they make in the future if and when they are exposed to this drug. In the case of young people who have already taken methamphetamine, this education is just as important. Drug education delivery in our schools and other youth programs is highly valuable and we must ensure that we continue to support the key groups responsible for supporting teachers and other educators. It is also important to support new initiatives and alternative approaches that aim to educate those children who are hardest to reach because disadvantage, disability or other factors exist.

We need to continue to build awareness in the community of the harm of meth and other drugs, for not only the users but also the families, employers and the general community so that they know the warning signs and can intervene sooner and potentially change the outcome for many individuals who have succumbed to the drug. We must continue to try new approaches to build awareness and reach individuals in the community, including using technology to its full potential and providing user-friendly information and support tools that are easily accessible to the community as and when they are needed. Targeting at-risk groups is important and we all need to work closely with the various agencies, non-government organisations and specialised groups to reach these people. This includes targeting Aboriginal communities that are experiencing the effects of meth. It is important that we work with these communities to support them in ways that address those affected by the drugs and to educate the community, particularly children, of the dangers of meth. We must invest in strong education and awareness programs, including role model and leadership programs for Aboriginal youth that provide a positive alternative focus and form of education that keeps the learning true to their culture with education delivered by key members of their own community.

In terms of drug offences, the existing cannabis intervention requirement scheme is an example of a diversion program that places a requirement on those deemed suitable for the program to undertake drug education, which in this case is in the form of one-to-one sessions with an alcohol and drug counsellor. Participants have a maximum time frame to complete their education or they face having the matter prosecuted in the courts. This process may not change the lives of all people who are charged with possession of a drug; however, it has greater potential for changing behaviour than when only monetary fines are imposed. I believe that in the case of minor possession of methamphetamine offences we need to put in place a greater deterrent that encourages people to participate in the diversion program. I agree that use of a diversion program that places a requirement on the offender to carry out a relevant education program in a specified time frame, such as three to six months, is appropriate for these minor offences; however, I propose that the consequence for not completing the program should be a mandatory sentence because this places a greater incentive on the individual to complete the program. Fines do not change behaviour and in some cases this form of punishment places further pressure on individuals, some of whom commit crimes to access the funds that enable them to purchase their drugs. For some of these people accumulating fines and the subsequent records to their name is not a deterrent; it is a way of life.

With a large proportion of Western Australian prisoners having substance abuse problems, it is important that we continue to support the existing programs and seek out new approaches to providing drug-related education to prisoners. These programs must have a mandatory element to ensure that all men and women receive drug-related education to better understand their drug use and learn strategies to avoid relapse in the future. I strongly support the idea of providing people in prison with opportunities to better themselves. We must give these people genuine opportunities to learn and gain knowledge, skills and confidence to positively participate in and contribute to the community following their release. We know that there are some individuals who will not make the best of these opportunities or benefit from this approach; however, we also often hear stories of people who have been through the prison system and taken the educational opportunities offered to them and made a better life on their return to the community. We also hear many stories of when these people go on to use their experiences to help others. We must give these people the opportunity to better themselves—some of them will take it.

There are many areas in which we can do more in the fight against meth. I strongly believe that further work needs to be done in mandatory sentencing for noncompliance and that a stronger approach needs to be taken by courts

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to impose higher penalties as a deterrent. We must continue to support the provision of quality drug education for youth, offenders, prisoners and the greater community. Finally, the provision of a step-up, step-down facility in Kalgoorlie is essential and desperately needed in order to manage the demand currently placed on existing local services. We must strongly support our local rehabilitation centres that provide individuals with valuable support, knowledge, skills and the opportunity of recovery.

MS M.M. QUIRK (Girrawheen) [7.14 pm]: First, I would like to congratulate the Minister for Police and the McGowan government for acting very swiftly after the election to introduce the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017, which evidences that we take the impact of ice on our community extremely seriously. We understand that the focus must be on dealers and that sentences imposed on misconduct so inimical to community wellbeing must be sufficient to act as a real and meaningful deterrent. This is what is at the heart of the bill.

In the last decade, incalculable damage has been wrought on young lives and families under the grip of ice. Law enforcement and prison and health system personnel have had to bear its terrifying onslaught. According to Australian Crime Commission reports over successive years, Perth now has the dubious distinction of being the meth capital of Australia. The inaction and inertia of the previous government has led to an escalation of the problem, from home clandestine labs set up by addicts to manufacture for their own use to the involvement of organised crime from interstate and overseas, with record quantities of the drug brought into this state because of huge prices and high demand. Anyone who claims that ice was an emerging problem when the Liberal–National government assumed power in 2008 is delusional. I was quite astounded by some of the revisionism by the Deputy Leader of the Opposition and I want to explore the history of the Liberal–National government's inaction over two terms.

Methamphetamine was already in epidemic proportions, so much so that in 2007 Premier Alan Carpenter convened a summit of 160 experts in drug prevention, treatment and law enforcement to help develop a strategy to strengthen the fight against illicit drugs. The summit was chaired by Commissioner of Police Karl O'Callaghan. The summit developed 28 recommendations that focused on measures to prevent, treat and police the methamphetamine problem in Western Australia. Priorities in key areas of treatment, prevention and law enforcement identified included specialist drug and alcohol workers to cover tertiary hospital emergency departments to provide assessment, appropriate intervention, engagement and treatment; the expansion of drug and alcohol treatment services to effectively engage amphetamine users across the state; the expansion of residential treatment programs, particularly for women and children; the expansion of prevention campaigns targeting young people who may use amphetamine; in dealing with proceeds of crime, streamlining the systems between the Director of Public Prosecutions and WA Police, expanding the capacity in a multidisciplinary environment to target unexplained wealth investigations; and implementing a drug diversion system for offenders on bail and juvenile diversion—education—stream involving family support and additional bail restrictions for recidivist offenders and improved offender management. In a press release issued at that time, Commissioner O'Callaghan observed —

The recommendations provided the foundations for change ...

He is further quoted as saying —

“What's pleasing is that we've had some very interesting and forthright debate today that we believe has produced a positive and constructive way forward in tackling the amphetamine problem in WA,” ...

Later that same month, Premier Carpenter announced that the first initiative following the summit would involve targeting mothers addicted to amphetamines, including extensions at Perth's Cyrenian House, an additional \$808 000 over four years provided to assist mothers addicted to amphetamines to gain access to rehabilitation services and the employment of three additional counselling and welfare workers for Cyrenian House's Saranna program.

[Quorum formed.]

Ms M.M. QUIRK: Under this initiative, staff were to provide individual counselling, group support and assistance and would also address general welfare and other issues facing those women and their kids. As I said, not long after the summit, the first recommendation was already acted upon.

By the end of 2007, experts had met and had agreed on the way forward to combat the meth problem, and, with the concurrence of the Commissioner of Police, the first initiative had been announced and actioned. Members will be aware that there was then an election in 2008. The centrepiece of the Liberal's election policy on drugs was to repeal Labor's so-called “soft” cannabis laws and prohibit the sale of drug paraphernalia. There is little or no mention of meth and what the Liberals intended to do if elected, despite the Australian Crime Commissioner's 2008–09 report noting a 160 per cent increase in clandestine labs. Given this was the state of play when the Liberal and National Parties came to government in 2008, one could have anticipated that action on meth would ensue

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forthwith, especially when it had inherited the summit's blueprint on how to proceed. However, months literally turned into years without any action being taken or any reference in Parliament to the issue. So that I am not accused of exaggeration or hyperbole, I have taken the time to examine the *Hansard* and I can categorically assert that for the past two terms there was little or no reference to methamphetamine, and it was only in the dying days of the government that some action was said to be being taken. One can only conclude that the government was in denial or that the problem was simply beyond its capabilities to address or at least mitigate the damage.

I want to briefly mention the extent of those references, as in their entirety it starkly paints a picture of dereliction of duty and wilful blindness to a problem that the previous government was duty-bound to address. I also note that this was at a time when community members and the media were frequently mentioning the issue of meth and the extent of the problem. In May 2009, there was a passing reference to meth by the then Minister for Police in the context of drug-driving. In August 2010, the Cannabis Reform Bill 2009 was introduced, but government members made no mention of methamphetamine throughout the debate. It was mentioned only by the member for Kwinana, in fact—an opposition member.

In September 2010, under the Misuse of Drugs Amendment Bill (No. 2), the sale of ice pipes was outlawed, but there was little other action on, or reference made to, methamphetamine. In fact, it was not until August 2011, in the context of the Residential Tenancies Amendment Bill, that the then Minister for Housing, Mr Buswell, conceded that methamphetamine was a real problem.

In September 2011, laws were finally introduced, increasing the penalties for the sale of drugs to children and exposing them to the manufacture of drugs, which clearly was a huge problem in the context of the escalating number of clandestine drug labs in which this was occurring. As an aside, I note that I, as the opposition shadow at the time, called for these measures 12 months earlier, and my suggestion was peremptorily dismissed by the then Premier, who claimed that the government had already introduced these laws, when, in fact, it had not.

Also, in September 2011, the Criminal Investigation (Covert Powers) Bill was introduced, permitting cross-state covert operations. I have to say that this had been a recommendation of the Standing Committee of Attorneys-General, dating back to 2003. In 2013, a matter of public interest was raised in this place, condemning the Barnett government for its poor management of the police portfolio, including broken election promises and incompetent government leadership. In chronicling the government's achievements, the then Minister for Police, Hon Liza Harvey, raised in the following order these issues: criminal penalty infringement notices, which are notices issued in lieu of a summons; the police IT system; police cadets; police auxiliaries; the purchase of a new water police vessel; traffic management vehicles; the police helicopter; out-of-control parties; police dogs; new police stations; anti-hoon laws; the police enterprise bargaining agreement; and burglary. She conceded that there were some pressure points, but at no stage was the word "methamphetamine" ever used.

Then, on 22 April 2015, the then Premier responded to a question about why the Bigger Picture advertising moneys could not be used for an ice education awareness campaign. The Premier stated —

With respect to the ice issue, yes, the Leader of the Opposition is right, it is a scourge and more people are using those drugs with devastating effects and demands on the mental health system and the like. Did the Leader of the Opposition not notice that at the Council of Australian Governments' meeting last week, the Prime Minister, every state Premier and every Chief Minister agreed to a coordinated national campaign on exactly that, and, like every other state and territory, Western Australia will be contributing to that campaign. Did he not even read the newspapers?

In response to the same question, Hon Terry Redman, then Leader of the National Party, had a more direct response when he conceded that there is no doubt that the epidemic around drugs in Western Australia is a challenge.

Finally, in response to a government parliamentary question, or dorothy dixer, as they are known in the vernacular, from an increasingly nervous backbench, the police minister finally mentioned the "M" word. She noted this in her response —

Quite some time ago, I raised this issue of methamphetamine use in the Western Australian community with the WA Commissioner of Police. I asked the police commissioner to work up a strategy to address the supply end of the methamphetamine issue in our community. I am happy to say that we are in the final stages of the development of that strategy. A very positive approach has been taken by Western Australia Police. It is indeed a multiagency approach that has involved other commonwealth jurisdictions. Western Australia Police report to me that it has the best ever working relationship it has had with our federal counterparts. That is being driven largely in part by the federal Minister for Justice, Hon Michael Keenan. We have arrived at a coordinated approach involving the federal agencies of Customs, the Australian Crime Commission, the Australian Federal Police and WA Police working

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together side by side to look at ways to address hardening up our borders, looking at our distribution channels both within Western Australia and across Australia, and also of course at local manufacturing.

The then minister states further on —

It is important that members understand the complexity of the methamphetamine issue across Australia. We will come up with different solutions and a different strategy to address those people in regional and remote communities. I know that will be of concern to the member for Kimberley. We will also have strategies across the metropolitan area and broader strategies across Australia, and I intend to update the house when that strategy is finalised. It is important for members to be aware that this is a complex problem; it needs a coordinated strategic approach, and it will not be resolved by some fizzle or thought bubble such as that suggested by the Leader of the Opposition yesterday.

Members, I repeat that those comments were made in June 2015, so for seven years the government of the day did virtually nothing. In August 2015, the government unveiled its meth enforcement plan. It states —

- WA Police continue to target methamphetamine supply with new enforcement action plan
- Creation of dedicated Meth Transport Teams targeting interstate trafficking
- Establish dedicated Meth Teams within Organised Crime

As part of that, Mrs Harvey said in her press release that she would create an intelligence meth desk to support the meth teams. I remember saying at the time that I hoped someone was sitting behind that meth desk. She stated —

- further strengthen multi-agency partnerships targeting road, rail, air and post
- establish joint agency teams specifically targeting methamphetamine money trails
- explore legislation to strengthen meth enforcement

The WA Police meth enforcement action plan is the overarching strategy that all our methamphetamine operations will stem from.

I must admit that I was underwhelmed at the time. Some members will know that for 10 years in the late 1990s I worked with the National Crime Authority investigating organised crime and none of these techniques were novel. In fact they had been deployed by many law enforcement agencies for many years, and I was surprised that WA Police was not currently doing the very things I had assumed it had been doing all that time.

It was not until May 2016 that the government announced its “Western Australian Meth Strategy”. Members have already heard from the member for Scarborough about some of the things in that strategy. But as I stressed, that was developed some eight years after assuming government. The strategy was two-pronged. It was aimed at disrupting the supply chain and reducing demand. In the 2016–17 state budget, \$14.9 million over two years was allocated to the Mental Health Commission to expand alcohol and other drug services.

[Member’s time extended.]

Ms M.M. QUIRK: Some initiatives that it was progressing were public education; school-based programs; a specialist methamphetamine clinic; community alcohol and drug services; expansion of low medical withdrawal beds by eight beds and residential rehabilitation beds by 52 beds across the state, scheduled to be opened in January 2017; expansion of training support for frontline workers; a state meth helpline commencing in September 2016; and the development of compulsory treatment options.

That was all in the so-called meth strategy that we had been waiting eight years for. It was last year in this place when the government really understood that the issue of ice was a political liability and it had failed to act in a decisive and comprehensive manner when a succession of government members asked parliamentary questions. Members will not be surprised to know that they were the members for Forrestfield, Joondalup, Perth, Southern River and Balcatta. We have to say that, electorally, the Liberal and National Parties were punished for lack of action on methamphetamines. These local members all understood that they were getting feedback from their communities and constituents that meth was a real problem and they were unable to see what the government had done to impact on the problem.

Just before concluding I want to mention a couple of other matters. As members have heard me say, successive Australian Crime Commission reports indicated that WA had the dubious record of being the meth capital of Australia and there was a much higher usage of methamphetamine in this state than in any other state. The federal government seemed also to be a bit slow off the mark. I am particularly disappointed because the relevant Minister for Justice, Hon Michael Keenan, the member for Stirling, is a Western Australian. He should have been acutely aware of the situation here. In the time he has presided in the job, I think the Australian Federal Police numbers

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have reduced as have the Australian Crime Commission personnel. I am trying to get the numbers in Western Australia, but, certainly, it is only in recent times that the federal government has once again announced an injection of funds into the Australian Federal Police. I think the federal government also has been derelict in its duty, although it announced in May 2016 \$20 million for rehabilitation services to tackle the use of ice in Western Australia. That is \$20 million out of a total \$300 million Australia-wide. That funding was to go to primary health alliances but, effectively, 31 services were to get this funding Australia-wide, two of which were in Western Australia. One has to say, given that the problem was identified as being acute in Western Australia, the fact that only two primary health networks here received funding and that Western Australia received \$20 million out of \$300 million is certainly insufficient. I ask members—they might want to circulate this to interested constituents—when it comes to the federal election, to be mindful of the federal government's lack of interest in helping Western Australia to beat the scourge of methamphetamines.

Mr J.E. McGrath: Do you want our members to do that or just your members?

Ms M.M. QUIRK: You can too, of course, member for South Perth.

The final thing I want to talk about is really interesting because we were told that the government was unaware of the level of the problem and that it is an emerging issue. I think I have given enough evidence to the house to show that all the signs were there when the Liberals and Nationals assumed government—that decisive, comprehensive and concerted efforts needed to be made to beat methamphetamine. In my research, I came across a report entitled “‘Ice’ Age”, which was on the website of Hon Colin Barnett, MLA, the former Premier. It is dated November 2006 and commences by saying —

The use of illicit drugs in our community is more widespread than many of us are aware.

It refers to cannabis and methamphetamines, in particular, crystal methamphetamine and ice; the effects of ice; violence and ice; addiction and dependence related to ice; the long-term effects; who uses ice; amphetamines and the nexus with crime. The paper concludes —

It should be of real concern to all of us that Western Australians are the highest users of amphetamines in this country. Particularly alarming is the increase in popularity and use of ‘ice’. Readily available, cheap and flippantly referred to by many as ‘recreational’, there is a great risk that the use of this highly addictive and dangerous drug could become normalised, especially among young people.

I urge all parents to be aware of the availability of ‘ice’ and the symptoms of its use, and to talk to their children about its appalling physical and mental health effects. I say to young people: do not risk your lives experimenting with this drug, which could have you addicted from the very first try or, worse, kill you.

When the former Premier assumed office in 2006 he had the legacy —

Mr J.E. McGrath: It was 2008.

Ms M.M. QUIRK: In 2008, sorry, he had the legacy of the findings and recommendations of the Drug Summit, so he had the blueprint and the way forward. In 2006 he also had the prescience of warning about the impact of ice and how we needed to be mindful of its effects and take action, but clearly nothing was done.

I conclude by saying hello to the former member for Balcatta and Minister for Police, John Kobelke, who is in the gallery this evening. No-one was more vigilant and committed to ridding our community of ice. He really was a great asset to the Gallop–Carpenter government and the fight against crime. I am very pleased to see him here this evening. I am not pleased that we are now playing catch-up because of the negligence and dereliction of the Barnett government.

MR A. KRSTICEVIC (Carine) [7.41 pm]: I, too, would like to say a few words about the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017 and offer my support to it. Drugs are obviously the scourge of our society, as no doubt every single member here will agree. The impact drugs are having on the citizens of Western Australia on a daily basis is very disappointing. It is also sad when we try to politicise this issue and pretend that people have not been doing their best to try to deal with it and that they have been asleep at the wheel. As I think the member for Girrawheen just stated, she was aware of this issue back in 2007. Over the past eight and a half years members have brought on private members' bills on issues they have considered to be serious to this Parliament and nothing would have stopped someone who is not a member of the government bringing a private member's bill in to try to progress things if they did not think they were going as well as they could have been. During the course of the election period the opposition stated that it would increase penalties to life imprisonment for drug traffickers and dealers who had more than 28 grams of drugs. During the course of the election campaign a statement was also made that the leader of the Labor Party, the now Premier, would support

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the Liberal Party position on minimum mandatory sentences for drug traffickers, and I thought that was a great statement and an acknowledgement of the seriousness of this issue. I believe that the community is very supportive of minimum mandatory sentences. If members explain to the community how this bill works, what it does and what the consequences on this issue will be, the community will be dismayed that the bill will really not do a lot. As much as I think that drug traffickers should have the book thrown at them and be locked away for a long time, this bill will not make a difference to any significant degree, as we have heard speakers say on many occasions, and I will go through some examples. The member for Hillarys has already been through some examples of sentences given today that were very, very sad indeed. The maximum penalty is 25 years and no-one gets close to 25 years, so increasing the maximum penalty to life may ultimately make a marginal difference on the sentences passed by the courts. I hope that as judges read through the second reading contributions they will understand that this is a very serious issue taken very seriously by this Parliament. Even though the government has now changed its mind and effectively broken an election promise, this is an issue on which I hoped it would not break its promises because it is obviously very important and policies need to be implemented as a matter of priority. Irrespective of that broken promise, I hope that judges listen to the debate in this Parliament and understand that the sentences they are currently giving do not meet the requirements of this Parliament. They do not meet the requirements of the people of Western Australia and we expect judges to be much harsher on drug traffickers in the future, if not as a result of this debate, then definitely once this bill has reached royal assent. Then, we will expect a lot more.

I am obviously a supporter of minimum mandatory sentences in a lot of respects because, generally speaking, we are too generous when it comes to certain crimes. Drug trafficking and dealing are very serious. Drugs destroy the lives of many people in our society—our children, grandchildren, mothers, fathers and grandparents. Everybody is affected. All too often we find that the children of drug-addicted people are looked after if not by the state, then by their grandparents. This is a growing trend in so many ways and it is putting so much pressure on every facet of our community. Not only that, it is driving crimes such as burglary, with people trying to pay for these habits they have got into. We find that drug dealers give free samples to young children, not charging them, just to get them addicted to drugs. I hope that that is not happening in schools, but it is hard to say, because drugs have infiltrated every part of our society. Obviously, once dealers get people addicted to drugs, those people are obviously forced to steal from family, friends, their neighbours and other people in their community to feed that habit. It is really a disease, a cancer, but it is not just eating up this state and this country; it is affecting the whole world. I do not think anybody has managed to implement an approach that will solve this problem overnight or even in the long term. We really need to step up to the mark. We need to make some serious changes to try to impact this particular disease. Do I think that this bill will make that difference? Is this the magic bullet? I do not think so—unfortunately not.

This Parliament will not sit long this year. There are 16 parliamentary sitting weeks in the first 12 months of the McGowan government, and at least four of them will be chewed up by the budget and/or maiden speeches, so really there will be only 12 parliamentary sitting weeks. The legislative agenda and bills that we bring into this Parliament are important. As the member for Hillarys said to new members, in a lot of cases there is bipartisan support for legislation that goes through this Parliament; however, we can always do better. If members opposite think that this bill will solve the drug problem, that it will scare the drug traffickers, they are dreaming. Increasing the maximum penalty from 25 years' imprisonment to life will not make one iota of difference when in actual fact sentences do not even get close to that.

I want to look at an example —

Mr J.R. Quigley interjected.

Mr A. KRSTICEVIC: I am sorry, I only have a limited amount of time and I need to go through this example.

I have an article from ABC online news dated 31 August 2016, entitled “Perth brothers jailed for more than 12 years for drug dealing business”. It states —

Two Perth brothers who operated what has been described as a “significant” and “well-managed” drug dealing business have been sentenced to lengthy jail terms for supplying methylamphetamine.

...

Judge Christopher Stevenson said the men's involvement in drug dealing was not isolated to the two charges they faced, but rather, were part of a “criminal enterprise” which “actively sought to distribute drugs into the community”.

“You operated a drug dealing business on a very significant scale ... [and] you reaped significant financial rewards,” Judge Stevenson said.

...

Extract from Hansard

[ASSEMBLY — Tuesday, 20 June 2017]

p1164b-1202a

Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

Judge Stevenson described the men as being “close to, or near the top of the chain of hierarchical distribution” of the drugs which he said they were able to source “with immediate availability”.

Judge Stevenson also said the men had not shown any remorse, insight or contrition for what they had done.

However, he said he took into account the hardship their wives and families will suffer as a result of them serving long jail terms.

He took into account the hardship that these drug dealers’ wives and families would suffer as a result of the drug dealers serving long jail terms, so what did he give these two? He gave them 12 and a half years and 13 years behind bars. In the judge’s own words, these were significant individuals at the top of the tree running a sophisticated business—a business making millions of dollars—and the maximum sentence is 25 years. The words of the judge would make people think that these were the number one people in the whole of Australia in the drug dealing business. They got 12 and a half years and 13 years behind bars when the maximum is 25 years in prison.

Mr P.A. Katsambanis: Half the maximum.

Mr A. KRSTICEVIC: That is half the maximum. Can the government tell me how increasing the maximum penalty from 25 years in prison to life in prison will make a difference? Seriously, if the government wants to increase the maximum sentence to life in prison, that is fair enough. We should be saying that the minimum sentence should be 25 years and the maximum can be life.

Mr J.R. Quigley: You’re not saying that, are you?

Mr A. KRSTICEVIC: No, I am not. I am supporting our amendments. I am saying that I would be more supportive and the bill would be more effective if that were the case rather than what has been proposed. In this example of a sophisticated business —

Mr J.R. Quigley: You’re going to vote for it.

Mr A. KRSTICEVIC: Of course I am going to vote for it. However, we are investing time in this Parliament to put through a bill that is designed to help our children, our grandchildren and the people of Western Australia. That is what this bill is designed to do but it will not do that. This will not scare the drug traffickers or tell the judges, “Listen, mate, 25 years is the maximum. These are the top-of-the-tree people who you are supposedly saying we have before the courts and you have given them 12 and a half years and 13 years.” Seriously, can members really go back to their communities and say, “Look at the wonderful work we’ve done in Parliament this week. Look at the legislation that we’ve passed and how much safer we have made you in your homes. Look at how much have we protected you, your children and your grandchildren”? What will we really have done to make a difference this week? We will have invested a lot of time in this Parliament and we will not have gotten the results that we need.

People talk about sewage testing and meth levels. I will not say that I am an expert at understanding how it is measured or how it is determined where the meth has come from, whether it has come out of the body of an individual through the system or whether clandestine laboratories are using the systems to flush drug waste products through them.

Mr P.J. Rundle: That’s not the case.

Mr A. KRSTICEVIC: I am not an expert. I can say that I am heartened by an article in *The West Australian* of 12 June 2017, “Sewage testing reveals fall in meth use”, which states —

“The trend downwards in the past three ... periods is obviously pleasing, but the sobering reality is WA still has a projected annual meth habit of 1.54 tonnes, with an estimated street value of just over \$1.5 billion,” State Crime Acting Assistant Commissioner Pryce Scanlan said.

...

Mr Scanlan said WA Police had made unprecedented efforts to target meth dealers in the past two years, —

He said they were unprecedented efforts, but the member for Girrawheen said that we had done nothing —

setting up dedicated “meth teams” within the organised crime squad which had helped seize almost 900kg of the drug.

“From a policing perspective we have had considerable success, in tandem with our Federal partners, in interrupting supply, ...

Further on, Minister for Police Michelle Roberts said —

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We have laws before Parliament which give life ... sentences for meth traffickers ...

They will not be given life sentences; that is not true. We have a law that might be used if a judge comes from I do not know where. There may be that opportunity, but I cannot see any cases in history of this state which even come close to 25-year sentences, let alone life sentences.

Mr J.R. Quigley: What about 23 years?

Mr A. KRSTICEVIC: I think 23 years would be good. That would be a good case. Why are there not more of them?

It is disappointing and I do not want to go through many more examples because we can all give lots of examples. The member for Hillarys gave lots of examples that shocked every single one of us as they were read out in this Parliament. We could not believe the sentences that have been given out for hundreds of kilograms —

Mr J.R. Quigley: He never read out any of hundreds of kilograms.

Mr A. KRSTICEVIC: Yes, he did.

Mr J.R. Quigley: Which case did the member for Hillarys refer to?

Mr A. KRSTICEVIC: I am sorry. It was not hundreds of kilograms; it was grams.

There is one here. There is the MSO case, about which the Attorney General had a debate with the member for Hillarys about who it was and why it was suppressed. That is an example. There were 10.5 kilograms of meth, 2.6 kilograms of heroin, 599 grams —

Mr J.R. Quigley: That's half a kilogram, nearly.

Mr A. KRSTICEVIC: The police have seized —

Mr J.R. Quigley: You were saying hundreds of kilograms.

Mr A. KRSTICEVIC: That is right. There are hundreds of kilograms. Acting Assistant Commissioner Pryce Scanlan said that police have collected 900 kilograms of drugs. That is probably just a fraction of what is out there—1.5 tonnes. I do not think we need to be arguing over the semantics of how many hundreds of kilograms or how many tonnes —

Mr J.R. Quigley: It's not semantics. You were talking about sentences for hundreds of kilograms.

Mr A. KRSTICEVIC: That is right. Hundreds of kilograms have been intercepted. The assistant commissioner said that 900 kilograms out of the 1.5 tonnes that he estimates is out there at the moment —

Mr J.R. Quigley: That's their total seizure, member. That's not someone possessing 900 kilograms.

Mr A. KRSTICEVIC: Hopefully someone will go to court for that 900 kilograms.

This is the sad part about it. We all admit that drugs are a serious problem and the Attorney General is arguing about the number of kilograms—that it was not 100 kilograms, that it was 90 kilograms or 50 kilograms. This is the sad part; this is what parliamentary debate can descend to. People try to pick members up on how many kilograms of drugs are out there. We know that there are tonnes of drugs out there and they are flooding in. That is only what we think we know of. Who knows what is out there that we do not know of? It is quite sad when debate descends to this level and it is not a good reflection for the people of Western Australia when this is what we do. I implore members opposite to look at the case law, look at what is going on in our courts and in their own streets and to ask themselves whether it is good enough and whether judges will increase the penalties given because we have asked for an increase from 25 years to life. Do members think that judges will do that? I do not think that they will.

Mr J.R. Quigley: I know what's going on in my street; you doorknocked my street. It's very disturbing. It disturbs me and it disturbs my neighbours when you come doorknocking in my street.

Mr A. KRSTICEVIC: I thank the Attorney General very much for noticing that I doorknock. It is greatly appreciated!

I get a very strong response from people in my electorate. They are very supportive and I know that the Attorney General knows they are very supportive and think very highly of me, but it is not about me, so let us change the subject back to what it is really about—the problem in our community that we are trying to resolve. It is a small step in the right direction, but it is nowhere near significant enough. We need to be more serious about this.

Can I ask for a short extension, please?

Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

I want to touch base and quickly focus on an article titled “Grandcarers to the Rescue” in *The Sunday Times*. Thousands of grandparents out there look after their grandchildren.

Can I ask for an extension?

The ACTING SPEAKER: Extension granted.

[Member’s time extended.]

Mr A. KRSTICEVIC: Thank you very much. The Deputy Clerk was not forthcoming with my 10 minutes. Thank you very much for that. He was obviously deep in thought about my presentation.

Grandcarers are a very important part of society, but it is very sad that so much is being invested in this area because of the methamphetamine problem. I want to acknowledge Penny and Clive Rowden. Clive is 71 years old and Penny is 69 years old and they live in my electorate of Carine. They are the president and secretary of Grandparents Raising Grandchildren WA. It is a very sad state of affairs that, because of drug issues, many grandparents are out there rearing their grandchildren. As I said, this touches every generation of our society. These people have reached their retirement years. They have earned the right to enjoy their retirement but, unfortunately, drug traffickers and drug dealers have touched their families and impacted on them in a significant way. It is interesting that the article states —

In WA, kinship carers, who include grandparents, outnumber foster carers. Department of Child Protection figures show 1198 family members were formal carers of children, compared with 873 foster carers.

It just goes to show that this problem grows every day and impacts every single person in our society, not to mention the costs to our health system and police and that people fear their homes could be burgled. Not long ago, I watched a news report on TV in which someone on methamphetamine king-hit a person for no reason. I am sure members all saw the footage in which the person was king-hit. The offender then laid their boots in with both feet and jumped in the air. The footage stopped there as the person who had king-hit him was about to land on his head and crush it. This is what methamphetamine does to people. They are not normal; they lose control and cause damage in our society. We really need to step up to the mark. The Liberal–National government had a meth plan and, over the last eight and a half years, we did lots of things and we were looking to do more for the involuntary hospitalisation of people with these issues. We really need to help make sure that we cover every single facet of this problem, from both the point of view of care and rehabilitation, and also dealing with drug dealers to make sure that they understand this is unacceptable. It is unacceptable to destroy our futures; it is unacceptable to destroy our children; it is unacceptable for light sentences to be given in these instances. I implore members opposite to hold to their election commitment. They made a serious election commitment. They went into their communities and said, “This is what we committed to during the election” and now, for the sake of it, they have changed their minds and do not think that drug dealers need to be locked up at a mandatory level. “We think the judges are doing a great job! We think the sentences being given are fantastic and we are wholly supportive of them!” I see the member for Darling Range disagreeing with me.

Mr B. Urban interjected.

Mr A. KRSTICEVIC: More needs to be done. I cannot imagine that anybody here does not believe that more needs to be done and that we need to step up to the mark in a bipartisan way and deal with this issue.

I implore members to seriously look at these amendments and not treat them as just politics—Labor versus Liberal, and let us say that we are better and the government is worse. The National Party as well, of course; I am sure the National Party will support these amendments. Let us step up to the mark and do what is right for the community. Let us do what is right for our children and let us show people that we are above politics.

DR M.D. NAHAN (Riverton — Leader of the Opposition) [8.05 pm]: The member for Hillarys was our main speaker on the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017. I want to say a few things and also note that we are, in some ways, disappointed with this legislation. We will support it because it will probably not do any harm but it will not solve anything either, from the evidence, and more should be done because this is a scourge.

In my lifetime, there have been many drug scourges. They vary and go in waves—heroin, crack, cocaine, speed—but methylamphetamine appears to be the worst from the evidence that we have seen. Other people have laid that out in detail. It is very addictive and very quickly addictive. It is physically debilitating. People have gone into periods of picking off their skin and other things. Their teeth rot out. It leads to extremely aggressive behaviour, which the member for Carine pointed out, and which I have seen numerous times. All members have to do is go and talk to the people at Crown Perth casino who deal with drug-addicted people on a daily basis. They deal with drug-addicted people being very aggressive. It does long-term, systemic social and economic damage to both the

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addicted person and their families and loved ones. Rehabilitation is possible but it is very difficult because of the breadth of the issues that have to be dealt with. Meth is worse than heroin, crack and cocaine, and a comprehensive approach needs to be taken.

As the member for Scarborough pointed out, one of the key things is that there is about a 100-fold differential between the cost of buying the drug out of the factories in Asia and selling it here. That is a huge incentive for people to sell it here, particularly since it is highly addictive. Australia—it is coming from all around Australia—has a great, large coastline that is sparsely populated so a few kilograms of drugs can be snuck in and sold for a huge profit. It is really hard to stop that from happening. Another issue is that, in the past, drugs had to be developed. They were often grown agriculturally in less developed countries like Afghanistan or in South America. It required a long feed chain organised through large numbers of people along the marketing chain. This drug is basically, as I understand it, built in both small factories here and in large factories in Asia. It is a factory-produced drug. It is different from heroin and cocaine. To some extent, it is similar to crack cocaine, but crack cocaine came from cocaine. It is an industrial-scale drug. It is very difficult to deal with and it gets through the border with large mark-ups.

With all these drug scourges, governments are slow to respond. Our government was not slow to respond, but it was slow to identify it as a new scourge. I remember back in the mid-1990s, in Perth and in Victoria where I lived, each year they compiled a list of people who died in car accidents and from heroin overdoses and, in some years, the deaths from heroin overdoses exceeded deaths by car crashes. I believe it was largely due to impurities in the heroin.

Mr J.R. Quigley: That was under a Liberal government, wasn't it?

Dr M.D. NAHAN: It was actually both; Labor and Liberal, mate.

Several members interjected.

Dr M.D. NAHAN: This is one of the problems. The Attorney General is thinking that drugs are only Liberal factors. It is just ridiculous!

Mr J.R. Quigley: I was just putting it into historical context.

Dr M.D. NAHAN: The Attorney General was not. He is in the gutter now—useless—and he is the Attorney General, dealing with this issue. God help us! We have had, particularly with the commonwealth government that has to take the lead, a crackdown on the importation of these drugs. There were some successes and mounting investments in an accelerated manner and, as the member for Carine said, some 900 kilograms were found—that is a large drug find, and it will keep coming in.

We had a number of programs, as the member for Scarborough indicated, costing \$14 million over two years. There were quite comprehensive disruptions. There was further investment in mental health beds, the training of staff and guidelines. We also started mandatory treatment for drug addiction, particularly with the support of loved ones, and treatment in jails. Importantly, our biggest contribution was investment in mental health itself. We were the first government to set up a Mental Health Commission, identifying and separating mental health from being imbedded and lost in the health system. The largest driver of our mental health spend was in fact these drugs and the mental illness they cause. It was a large investment. Indeed, the government announced an inquiry into the health system. It said that health spending is growing very rapidly. The fastest growing aspect of that health spend is mental health. It is largely the scourge of the drug, ice. We responded. We can always do more, we have to do more, and we have to continue to do it. The evidence is that the scourge is particularly strong in Western Australia; particularly during the boom. There are some signs of success, but they are signs of peaking, not deterioration, and there is a lot of work to do yet. My concern is that if this is the effort of the government, its interest is in getting headlines in *The Sunday Times* rather than solving the problem of drugs on our streets and in our homes. From all the evidence, increasing maximum sentences from 25 years to life will impact nobody because judges never give a 25-year sentence. It is a tokenistic gesture. It does not harm anything, I suppose, but it does not really help either.

The Attorney General ran this issue during the election campaign. In opposition, he spoke long and loud in this chamber against minimum mandatory sentences. He does not agree with them. He thinks judges should have the say and that is why he has constructed the bill in this way. During the campaign, the Leader of the Opposition, now the Premier, overrode him and said he would match the Liberals' minimum and maximum sentences. He agreed to it and got credit for it.

Mr J.R. Quigley: That's your take on it.

Dr M.D. NAHAN: No, it is clearly enunciated in black and white. There is no debate about this. The Attorney General can debate about nonsense, but the reality is that he committed to it because it was the right thing

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to commit to. And he matched us—fair enough. It was his policy as well as ours, once he matched us. The Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017 breaks that commitment. Instead, it goes with the maximum sentence which will have, on the evidence, no impact. It excludes minimum mandatory sentences. The Attorney General has overridden the Premier, after the election of course. He would not have been able to do that during the election. If this is all the government can do to address one of the greatest scourges in our community—something that it railed against and claimed, quite rightly, that we had to do more—it is vacuous. All it is interested in is getting a picture in *The Sunday Times*. That is hopeless, because this is real. This is serious. This requires substantial and elevated effort. The member for Girrawheen has been championing this issue for a long time. Of course she is very partisan, but I take her expertise and commitment to the issue. She should be embarrassed that this is the first action of the McGowan government on this issue. It has backed out of what will count in this legislation—minimum mandatory sentencing—and continues with the maximum sentence, which will have no impact whatsoever.

Another major approach, besides border patrols, clampdowns and locking up dealers, is the treatment of the addicted. The major area of expenditure on people addicted to ice is in the Mental Health Act. Today the government announced a long-ranging inquiry into health. It was not very clear; indeed, that inquiry has no terms of reference. All we got is a bit of infotainment activity. It was the most vacuous statement about an inquiry into a major issue. I welcome the inquiry. The former government did exactly the same thing two years ago with the former Victorian director general of health. It went through, but this government can do it again. It is fair enough. I do not really mind, except it will take a year before we get anything done. Does it include mental health and will the government pull money back for the mental health program, particularly for drug and alcohol-addicted people? That is the big question; we do not know. If it does, not only will this bill do nothing, but also it will undermine the most important aspect of the war on drugs—the rehabilitation of the addicted. We do not know what the government is going to do, but the inquiry clearly indicates that it will stall or hold back expenditure. If mental health expenditure is held back, it will also hold back expenditure on the drug addicted, which would be a retrograde step in this case.

The Liberal Party will support the bill. It does not do any harm; it does not do any good. We will seek an amendment to make it useful. To the public of Western Australia: put aside *The Sunday Times* and look at what the government is actually doing. It is only a tokenistic gesture, which is characteristic of the Attorney General. He is one of the shallowest Attorney Generals we have ever had. He is more focused on his own profile—again in *The Sunday Times*—than in solving problems and implementing the laws of this state.

MR S.A. MILLMAN (Mount Lawley) [8.16 pm]: Until a few minutes ago it was fair to say that there had been a chorus of consensus across the chamber on a number of matters that pertain to the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017. I was optimistic that I would be able to address you, Madam Acting Speaker, on the issues that it is clear there is a broader consensus on. Unfortunately, it would appear as though the opposition has caught itself in a conundrum. On the one hand it wants to say, “Look at how much work we did in our time in government in order to address this issue”, notwithstanding the excellent history that was provided by the member for Girrawheen. “Look at how much work we did in our time in government to address this issue.” The member for Scarborough took some time to articulate, from her perspective, why the efforts the previous government embarked upon were yielding some results. As we continue to build on the previous government’s work, opposition members also want to say, “No; even though we were good at what we did, we now realise that perhaps we should have done more.” Highlighted in that little capsule is just how paradoxical the position is. All those paradoxes have been beautifully captured by the Leader of the Opposition. I will not dwell on that for too long because I want to talk about those areas that have obvious agreement between the government and the opposition.

I commend the member for South Perth for the impassioned way that he delivered his address. He referenced Ben Cousins and took into account an individual’s particular circumstances. He spoke with compassion and empathy. I want to highlight that now and I will come back to it shortly. I commend the member for Kalgoorlie, a former policeman. I look forward to the contribution that will be made in this debate by the member for Burns Beach and the member for Darling Range, both former policemen. There are a number of constituent parts to this discussion and debate. The contributions made by former police officers are very important. I want to put on the record the relevance of the comments that were made by the member for Kalgoorlie. The member for Carine called drug addiction a disease and a cancer. His rhetoric was soaring and his hyperbole was wonderful. Of course it paled in comparison to the hyperbole and the rhetoric of the member for Hillarys, with the four horsemen of death and the terrible work of those highly paid, sneaky lawyers! Again, what this belies is —

Mr A. Krsticevic: What’s your profession?

Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

Mr S.A. MILLMAN: I thank the member for Carine, I will take the interjection. I am a lawyer, and what I will come to shortly is the absolute respect we on this side have for the rule of law and the doctrine of the separation of powers. I will come to that shortly, but I thank the member for the interjection. I am a lawyer, as is the Attorney General. Unfortunately, although he has wonderful rhetoric, the member for Hillarys—the member representing the shadow Attorney General in this place—does not seem to have the same degree of respect for the legal profession. That is an unfortunate characteristic of the way in which he presented his —

Mr P.A. Katsambanis: You're verballing me!

Mr S.A. MILLMAN: I think the member's words were "highly paid, sneaky lawyers".

Several members interjected.

Mr S.A. MILLMAN: I will return to the member for Hillarys' disdain for the legal profession and the rule of law shortly. I want to get on to the areas in which there is consensus. Before I depart from this point, though, I will highlight something about which we have a great deal of concern. The member for Scarborough said that the previous government had properly resourced the police and the courts to deal with these issues. Unfortunately, that is not the case. As any legal practitioner could tell members, as a result of the chronic underinvestment by the previous Attorney General in both the Supreme Court and the District Court, matters are waiting weeks, months, and sometimes even years, before they get to trial. That means that we have rapacious drug dealers being released out on bail into the community because the former Attorney General refused to heed the advice of the Chief Justice of the Supreme Court and allocate the resources necessary to expedite these cases and tackle this issue properly.

Mr A. Krsticevic: Are you able to fix that up?

Mr S.A. MILLMAN: We would love to and we are going to, because we have identified that it is a problem.

I want to go back to the things that we have in common, but before I do that, let me say this: the concern recently articulated by the member for Carine is that there is a very short parliamentary sitting period this year and we have only a certain number of days. The fact that this government takes this issue so seriously is clearly cast into stark relief by how quickly we have brought this legislation before the Parliament. The previous government waited eight and a half years before it got off its hands and started acting on this issue. We had not been here even eight sitting days before we brought this legislation before the Parliament.

Several members interjected.

Mr S.A. MILLMAN: Sorry, member for Carine; I did not quite catch the interjection from the member for Dawesville. He is taking up all our time and all the time of the great people at the Director of Public Prosecutions in asking silly questions about pens and pencils.

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine!

Mr S.A. MILLMAN: When tackling the problem of meth, people need to start with some basic comprehension of the problem. The first is, as the member for Carine said, that meth is a scourge on our society. It is a psychoactive drug that results in psychosis, breakdown of skeletal muscle, seizures, bleeding on the brain, rapid mood swings, delusions, violent behaviour and neurological damage. All these symptoms have corollary effects on jobs, health and community safety. This means we need a comprehensive, thorough plan in order to address the problem.

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine!

Mr S.A. MILLMAN: Unfortunately, the member for Carine is on the opposition benches. The opposition's plan is redundant. We also have a meth action plan, and part of our action plan is the introduction of this legislation to increase sentences.

Several members interjected.

The ACTING SPEAKER (Ms S.E. Winton): Members! Member for Mount Lawley, if you address your remarks to me, it will help the member for Carine to please stop interjecting and let the member continue.

Mr S.A. MILLMAN: A comprehensive plan will deal with a number of facets. It will reduce demand, it will reduce supply and it will encourage people to get off this drug and back into meaningful participation in society.

Mr A. Krsticevic: Not an easy problem to solve.

Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

Mr S.A. MILLMAN: Absolutely; it is not an easy problem to solve.

We are introducing this legislation to honour our election commitment to tackle the scourge of meth, and we are getting on with the job very quickly.

Mr A. Krsticevic interjected.

Mr S.A. MILLMAN: One of the advantages I have as a former legal practitioner is that I am aware of the operation of the Sentencing Act 1995. All members opposite have complained about the fact that this will not have any effect. Their allegation in respect of this legislation is that the amendment to the legislation to increase the maximum sentences will not have any effect. I refer members to the Sentencing Act, and in particular to section 6. When determining what sentence ought to be imposed, a judge or a court is required to take into account the seriousness of the offence, having regard to the statutory penalty for the offence. This legislation achieves a fundamental amendment to that provision by increasing the statutory penalty for the offence.

Members opposite all say that this legislation is not going to have any effect. That sadly belies a fundamental —
Several members interjected.

The ACTING SPEAKER: Member for Carine!

Mr S.A. MILLMAN: That unfortunately belies any basic understanding of how the law operates. This legislation is specifically directed to this provision to increase the maximum sentence. The Sentencing Act says that the courts must have regard to the statutory penalty for the offence. Once the statutory penalty for the offence is increased, so accordingly will the sentences imposed by the judges. It is incredibly difficult—in fact, almost impossible—for us to comment on hypothetical situations. Members opposite all sing out and ask, “What difference is it going to make? Who’s going to get what?” The trouble we have is that we on this side of Parliament actually respect the judiciary; we understand that it has an important role to play and we understand that there is a separation of powers. That is one of the fundamental principles of liberal democracy—tenets that have been present for hundreds of years. This is bizarre for me, because I am lecturing the opposition on what are really conservative principles, and I am astounded —

Mr A. Krsticevic interjected.

Mr S.A. MILLMAN: The trouble is this, member for Carine: when criminals receive sentences that are insufficient, our DPP—when it is not wasting time answering ridiculous questions that have been posed on notice—is appealing those decisions in the Court of Appeal, which can impose more appropriate sentences.

Mr A. Krsticevic interjected.

Mr S.A. MILLMAN: If we were asking those questions, member for Carine, why could not the previous government have done something more about it? The opposition only woke up —

Several members interjected.

The ACTING SPEAKER: Members! Member for Butler, I am on my feet, thank you. Member for Butler and member for Carine, could you not engage in your private conversation so that I can hear more clearly from the member for Mount Lawley.

Mr S.A. MILLMAN: The fact of the matter is this: it is unfortunately indisputable that this drug represents a scourge on our society. The trouble is that it has taken members opposite a great many years to arrive at that conclusion. We are gratified that they have arrived at that conclusion. We have a plan that respects the rule of law and responds to community concerns. We say that by changing the maximum sentence, we are sending a clear message to the courts that they are free to impose greater sentences all the way up to life imprisonment.

Mr A. Krsticevic interjected.

Mr S.A. MILLMAN: Secondly, this is part of a comprehensive —

Mr A. Krsticevic interjected.

The ACTING SPEAKER: Member for Carine, I think that is probably enough. Member for Perth, work it out, thank you.

Mr S.A. MILLMAN: Thank you, Madam Acting Speaker.

This is part of a comprehensive plan that we have adopted to bring to this Parliament, including our meth action plan and this new sentencing regime, to tackle this problem that has now elevated itself to this level as a result of the inaction by members opposite. I am glad that the member for Carine is so passionate about this, but the question

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is: where was he for the last eight and a half years? Why has he only just woken up now? Why has he done nothing about it until now?

Mr A. Krsticevic: We have done lots of things, but there is always more you can do. The judges, as far as this particular bill goes, can already give 25 years. They can jail a single drug trafficker for 25 years; that would be great.

Several members interjected.

The ACTING SPEAKER: Member for Mount Lawley, perhaps if you could keep your speech to the matter at hand and not reference the member across the chamber, we might not get so many interjections. Thank you.

Mr S.A. MILLMAN: Certainly, Madam Acting Speaker.

The fact of the matter is this: this legislation deals directly with sentences that may be imposed by the courts. This legislation increases sentences that may be imposed by the courts, and sends a clear message to the judiciary that it now has the imprimatur of this Parliament to deal appropriately with these drug dealers. This legislation is only one part of a comprehensive plan that the McGowan Labor government is taking forward to deal with the legacy that we have been left.

Mr A. Krsticevic interjected.

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

Mr S.A. MILLMAN: This legislation deals with the problem that has been bequeathed to us by the inaction of the previous government. We are confident that this is the right response to deal with this problem.

Mr S.K. L'Estrange: How do you know?

Mr S.A. MILLMAN: How do we know? This is the way to tackle it. It has elements of education, rehabilitation and sentencing. It combines all the things that the member for Scarborough was saying formed such an important part of the previous government's plan. When I started my speech this evening, I said there was a great deal about which there was significant agreement. We will not criticise the judiciary or undermine the rule of law or the separation of powers. We will empower the judiciary with the tools it needs to impose sentences that reflect community expectations. That is what this legislation does. We know this is a priority, which is precisely why we have brought it before the Parliament so early in this parliamentary sitting. This is the most effective and reasoned response to a problem that has been left to this government by the inaction of the previous government.

Finally, this government is committed to acting on promises made to the electorate. The passage of this legislation discharges our obligation to the community. The implementation of this policy will provide us with an opportunity to deliver on the election commitment that we made to the community of Western Australia to tackle a problem that had festered and grown as a result of the inaction of the previous government, as has been highlighted by the comments members opposite have made in the course of this debate.

MR M.J. FOLKARD (Burns Beach) [8.34 pm]: I come to this chamber as a very recent serving police officer. I have heard the debate in this chamber from both sides on the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017. I have heard the passionate words from the member for Carine and the member for Hillarys, and I note that no-one is saying they are not against this scourge. I hear everyone talking about methamphetamine. In my experience over the years, I have seen the scourge that this drug has brought upon the community. I speak as a police officer, not a sneaky lawyer, as was portrayed earlier on. I reflect that in my 27 years as a copper I never lost a single case in court, and I went up against plenty of those sneaky lawyers. They do have their day, and often we do, and our coppers have achieved a lot of success over the years.

This is all about the Misuse of Drugs Act. I heard someone mention earlier on about young children being supplied with drugs. In the trade, at street level, that is referred to as a "lick"—giving the kids a lick and a taste of it. In my time on the streets in the northern suburbs of Perth, we came across a little bit of that, but not a lot, thank God. I will speak more about this, because the Misuse of Drugs Act is one of the primary tools that coppers have to target this scourge. When we are out there patrolling, we often used to refer to section 6(2), which is the simple possession of prohibited drugs. The Misuse of Drugs Act gave us plenty of powers to search vehicles, and we would come across small deal bags. I saw them as small as 10c pieces and as large as A4 bags, all zip-locked and sealed. I cast my mind back to my first seizure of ice. I think it was about 25 years ago. I was out working the streets of Girraween—there is a good member there—and I remember going down Girraween Avenue and coming across a young kid.

Ms M.M. Quirk: I think that was before I got there.

Mr M.J. FOLKARD: Yes, I think so.

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I remember going down Girraween Avenue and coming across this young fellow, getting him out of his car and getting him to empty his pockets, as good coppers do. I remember going through his wallet and finding this little clip seal bag. I saw in there something I had not seen before. It was the first time I had come across crystal meth, which we now know as ice. We have called it a few other things over the years, but that was the first time I came across it. Being the diligent constable I was, I had a quiet chat with this young fellow. I had only found a small amount, but through my creative conversation with him, he gave up the address of the house where he had bought the stuff. So I thought, we are going to go. I went back to the office, drew up a Misuse of Drugs Act warrant and went round to the justice of the peace to convince him we were going to do the door, so he signed the warrant, and around we went. Bang! In went the door. We went in and started searching and all that sort of stuff, as you do. I found my first reasonable seizure of the drug, about the size and weight of a 50c piece. In our diligence, we kept kicking the doors and searching the house. I remember going to the kick plate underneath the stove in the kitchen and decided to have a bit of a check underneath. I gave it a tap with my boot and thought, hang on, I will have a look under here. I thought I would make another great seizure of the stuff, but I found a stick of power joy—be bugged! Right beside it we found another bag of the stuff and another couple of pounds of green. In the trade, cannabis is referred to as green. We went back to the station and weighed it all up. We looked at section 7A of the Misuse of Drugs Act referring to selling and supplying—it is all beautiful. We took them to court and got a conviction—happy days.

On our way we went, and when we found more of this stuff, we started looking at the presumption under section 11(a) of the Misuse of Drugs Act. Often when we caught our crooks they would be very smart—they had learned the ways that we used to trip them up—and getting them to make admissions that they were supplying to a third person was very difficult. We would go to the schedule and look at the weights. We would often catch them out on the presumptions. Later, section 32A was introduced to the Misuse of Drugs Act. It is the trafficking part. Our coppers being diligent, as we were, would find stuff everywhere and refer to the schedule in the Misuse of Drugs Act. We used to look at the schedule and ask, “What have we got here?” We would weigh up the stuff and see whether we had a sell and supply presumption. If we had a decent seizure, we would say, “Hang on, we have a trafficking here.” It was happy days for us. When I would weigh the stuff up, I often reflected on how much 28 grams was. I do not see a single member in this house who does not have a mobile phone. Guess what? Twenty-eight grams is roughly the same weight as a mobile phone. We would see white power that looked a couple of fingers deep at the bottom of a clip-seal bag.

Over the years, it has changed; we used to get meth and then we went into ice. A lot of meth was home baked. I remember that we used to have seizures or stumble across a meth lab every other week. I can assure members that those artisans—I call them that because they could do a cook and make a hit of gear in the time it takes me to have this conversation before this house—created absolute carnage through our community; it is unbelievable. As the scourge has grown, the sources are in different places. Now, the main source of our amphetamine scourge is China. Some members would say—there are members in the house who have worked for our intelligence agencies and Federal Police et cetera—that sometimes the drugs seized come through eastern Africa. I can tell members that the actual source of those drugs is China. That is where it is being manufactured and where the serious weight of this stuff is being done. It is where our serious seizures are taking place. We have had some successes through here—absolutely, make no mistake about that.

Testing is often the sewage test. A couple of members have talked about that today. When methamphetamine breaks down in the body it produces a couple of tracer chemicals—that is what they test for. They look at the quantities found in the water in those tests and they do the maths and they come up with a solution. Last year, they say that we had 1.5 tonnes of the stuff. If 28 grams is the same weight as a mobile telephone, imagine what 1.5 tonnes looks like.

Mr J.E. McGrath: That’s a lot of telephones.

Mr M.J. FOLKARD: A lot of telephones—too true.

That testing is pretty hard to relate to street-level use and it does not mean much. I will simplify it a bit because I am not a sneaky lawyer; I am quite a simpleton, for want of a better way of putting it. I like language that is simple. Let us put this back onto my wavelength. For every 1 000 members of our community, 59 people have used amphetamine. That is still a bit of a hard fact to get your head around. Let me give members another example. Up until recently, I was working as a local policing team sergeant out of Morley Police Station looking after Tuart Hill, Yokine and some of the surrounding suburbs. I received a bit of information that we were getting touched up with a few burglaries in that area and I thought we would go down and have a look and see what we could find. We were working on one of the streets in plain clothes, as all diligent, good police officers do. Not all of us run around in uniforms. Not all of us have big flash cars. We go out on our feet walking the beat. We stumbled across a house that we thought looked interesting. After a couple of hours looking at it, I said, “Bang, got enough to get

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a warrant.” Off I went, straight in, dragged out my Misuse of Drugs Act, signed it up and went straight around to the justice of the peace, got a bit of ink on the paper and happy days. I lined up the troops and said, “Righto boys, let’s go.” We went around to the door—bang—in goes the door! We get into the house and sure enough it is being used for drugs—great. We toss the house, but can we find a bit of lick in small quantities? We did find 800 unused needles still in the box in the house, but we have a problem. We could not seize the damn things because the Misuse of Drugs Act does not give us that power. We did find a line of inquiry to the next house. Guess what? Off I go, I rack around to get the Misuse of Drugs Act and then to my JP to sign it up and then, bang, in goes the next door. Knock, knock.

Mr S.K. L’Estrange: Who’s there?

Mr M.J. FOLKARD: That is right.

In goes the door and it is the same deal again. We toss the house. What do we find? A bit more lick—a little trace here and a used pipe here—and another 300 unused needles. We think: hang on, there is a bit of a trend here. We do our inquiries again, and, happy days, we have another line of inquiry. Guess what? I go around to the JP again, and, beautiful—bang, in goes the next door. Three houses in 24 hours to 48 hours and another 200 clean needles. We think: what is going on here? We pick up all the powers to be and give them a heads up that we have found a bucketload of clean needles. The good thing about the Misuse of Drugs Act is that it allows us to go back into the house as many times as we need to over 30 days—happy days! We wait a couple more days, and back in go the doors—bang! In goes the first door of the house where we be found 800 needles. Guess what? Every bloody needle was gone. We found the residue from when the needles had been taken out of their boxes and broken up et cetera and broken down. I suggest, if I do the maths, I was probably looking at 28 grams, or probably more, that had gone through that house in 24 hours or 48 hours. We went around to have a look at the second house and it was the same find—the needles were gone.

Mr Z.R.F. Kirkup: Bang!

Mr M.J. FOLKARD: We went around to the third house—the member has it —

Mr A. Krsticevic: Bang!

Mr M.J. FOLKARD: — in goes the door! Guess what? There are no needles, no residue—no nothing. The frustration of my young dedicated police officers was there to be seen. I can tell members that the amount of bloody gear that had to be moved to get rid of those needles makes 58 grams look like nothing—it is out there; it is a scourge.

In this chamber we have talked about 28 grams as being the trigger for trafficking in the legislation. I am a simple bloke, but I have heard everyone talk tonight. That means that when a case goes to the District Court the bottom rung of the minimum bracket in which sentencing occurs will be lifted—it takes it up. Instead of people getting the sooky sentences that the opposition has brought to our attention, we will get some serious sentencing coming out of the courts. It is not mandatory sentencing, because that give judges the opportunity to make decisions based on what they see.

I was on the street when that meth summit happened. Guess what? Nothing happened. I did not see one thing come out of that summit that actually made my life as a street copper easier. There are a couple of other members of this house who have had the same experience.

If we intend going down the road of mandatory sentencing, we will be making a mistake. If we have to apply mandatory sentencing to achieve some sort of solution, we have missed the boat. We have to go from the other end. If we can stop a kid from getting on methamphetamine in the first place, that is the target we need to work towards. I can assure members that we can have the best written rules in the world, but at three o’clock in the morning when I have been chasing an offender through traffic lights at 200 kilometres an hour, the kid does not give a stuff about our statutes. They do not care. As far as I am concerned, mandatory sentencing does not work. What works are good prevention methods and, more important, good rehabilitation services. I suffered frustration, particularly over the last years of my time in the job, because I could not find beds in rehabilitation services for those who had hit rock bottom. As a police sergeant, I could open doors but when I could not find those services, my frustration grew and that is why I am here.

Those are my thoughts. I will not take any more time but those are my thoughts. This is a good amendment. Raising the base level of penalties and giving judges options is the way forward; that is what counts and the way we should progress.

MR D.T. PUNCH (Bunbury) [8.50 pm]: The member for Kalgoorlie and I share something rather unfortunate—namely, my electorate was once referred to as the capital of methamphetamine use and it has now been transferred

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to the City of Kalgoorlie. What a tragedy it is when the sort of issues we are debating become encapsulated by a title such as the “capital for methamphetamine use”. It disguises the immense human tragedy in regional WA and what we know is going on here in Perth. In March 2017, the Australian Criminal Intelligence Commission, with its wastewater drug monitoring program, reported that Australia ranked second of 18 countries in the consumption of methamphetamine. We have to ask: what is fundamentally happening in our community to give us that ranking? The report found that WA has the highest levels of methamphetamine consumption, with city and regional sites far exceeding national averages. The Institute of Criminology’s Drug Use Monitoring in Australia program, which examines drug use and offending patterns among police detainees, has shown that in 2014–15, 54 per cent of detainees self-reported methamphetamine use in the 12 months prior to arrest. It is not only a direct issue of methamphetamine use but also how it appears in all the other statistics around social and crime problems in our community.

Over the past 12 months I have met a lot of people touched by meth addiction—users, family members, police officers, hospital workers, ambulance drivers—and, yes, a few of those people are asking for tougher penalties. But a lot more of them were questioning why we fundamentally have this problem and, as the member for Burns Beach asked: where are the rehabilitation beds, the treatment services and the counselling services? I knocked on the door of one young mum while I was doorknocking during the election campaign. She lived in a fairly isolated area of the electorate with her partner and a child, who was just about to attend his first year at school. After spending a bit of time with her, she ended up bursting into tears; she was in a family that had been touched by meth addiction. She had lost a close family friend a couple of years earlier as a consequence of meth addiction and was still coming to terms with the grief. Yet where could I refer that young lady to for appropriate support and counselling? Very little was available. I am pretty positive that when people in similar circumstances go into the electorate offices of members of this house, members struggle to find appropriate services to link those people to. This is a tragedy in our society. The people of Bunbury were incredibly concerned about this issue. Where was the previous government concerning services? I can tell members that in 2016, it was certainly missing in action in Bunbury. Services we could refer people to were not available. There were a lot of focus groups, community meetings and beating of the chests, but practical, forward-thinking steps to support people in need were lacking.

Meth is about demand and supply—poor life choices by users on the one hand and at the other end greed and profit, particularly at the big end of town. It is a continuum of human behaviour that is complex and full of tragedy. There is not a simple demarcation between an addict and a dealer in a business that often exploits addictive behaviour as a means of supporting distribution. It is far too easy for the political debate to reduce the management of this complex problem and complex human behaviour to a bidding war on sentences and who is tougher in the public eye. The real outcome we are collectively after in this house is a reduction or elimination of meth usage and of drug usage generally as much as we possibly can.

This debate is about this government’s decision to increase penalties for dealing without setting mandatory minimum sentences. It is about providing a clear signal of community expectation to the judiciary but leaving it to the judiciary to assess the circumstances of behaviour and to deal with it having regard to all the circumstances. Simply linking the argument to the core issues of minimum terms is about taking the decision-making away from the judiciary and expediting sentencing in an attempt to ensure uniformity. The member for South Perth raised mandatory sentencing as a deterrent. A common view is that if we increase penalties, we deter people from committing an offence. But it assumes that people make rational choices based on consequences outweighing the benefits of dealing. The member for South Perth drew attention to the Bali situation. Yes, Bali has some pretty tough penalties but how often has that not deterred people from taking the risk? The evidence suggests that behaviour is more likely to be influenced by the risk of getting caught rather than the severity of punishment. People I have met involved in meth in the Bunbury electorate are not aware of, or even considering, the consequences of their behaviour. The fact they may get caught has an impact but they are not thinking about the consequences of it when they engage in this sort of behaviour. What happens when people end up in jail under the previous government’s arrangements? In 2013–14, 60 per cent of offenders with a sentence greater than six months but less than 12 months, although we are talking about bigger sentences, did not receive their assessed rehabilitation plan. The issue around locking up people is simply about locking them up, throwing away the key and thinking the problem has been fixed for 10, 15 or 20 years. But someone else will step up to take that person’s place. We know that because our prisons are overcrowded, people are still offending and there are potential candidates for a jail sentence.

There is no doubt in my mind that the control of supply by intercepting drugs, disrupting the organisation of distribution and removing serious dealers is an important part of this equation. The member for Burns Beach talked about that in relation to the extent of organised crime, principally involving overseas countries such as China. It highlights the importance of this government’s commitment to effective border control management of the inflow

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of drugs. Dealing with supply is not simply picking off the low-level offenders and exposing them to a mandatory minimum sentence; it is also about cutting off supply and dealing with the big end of town.

The issue also involves rehabilitation and harm reduction—the demand side—because it takes one group of people to take advantage of supply and it takes another group of people to demand the product and pull it through. There has been an absence of effective rehabilitation and harm reduction programs, and there has been an absence of really effective education programs to demonstrate the impact of meth usage in the community. The people of Bunbury took the issue into their own hands. In 2016, when they found an absence of services to refer people to, community organisations sprang up and started taking the issue of service provision on for themselves. I refer principally here to Doors Wide Open, which has done an enormous amount of work both in raising the profile of meth use in Bunbury and in the state, but also putting on the agenda the importance of supporting families and addicts to deal with it in an effective way. It is very much about peer-to-peer support. At the same time that Doors Wide Open was operating and supporting families, the Breakaway Aboriginal Corporation formed to principally look at rehabilitation, especially rehabilitation of addicts coming out of the prison system. That organisation has teamed up with the Palmerston Association and it is now looking at developing the first local rehabilitation service in the northern part of our region. I contrast that with the circumstances of previous rehabilitation programs that saw 19 beds funded in a private clinic in Nannup, a long way from the principal area of Bunbury, the so-called drug capital of methamphetamine use.

It is interesting to look at the balance of resource allocation between law enforcement, treatment and prevention. An analysis from 2009–10 indicated that \$1.7 billion was spent across state and federal governments in Australia as a direct response to this drug use. Of that, \$1.12 billion went into law enforcement, so around 66 per cent—that is great. An amount of \$361 million went to treatment programs—around 21 per cent. An amount of \$157 million went into prevention—around nine per cent of the funds. If we are getting into law enforcement and treatment, the horse has already bolted. We should be looking at how we can engage community, families and young people in meaningful conversation about illicit drug use and the impact of meth. Our approach under the McGowan Labor government starts to bring balance to that equation. We are tough on the supply side, but we are structured, logical and rational on the treatment side.

The biggest frustration I heard from members of the judiciary when I spoke to them was their inability to deal with offenders who are addicts with an appropriate response in the absence of rehabilitation programs or community-based treatment services. I know that many police officers and magistrates have agonised over the circumstances presented to them in trying to look for an effective option that will lead to meaningful change. They are certainly not raising with me a need for mandatory minimum sentencing. This government's approach will deal with appropriate treatment inside the prison system, improving potential outcomes for rehabilitation. Part of our commitment is the development of rehabilitation prisons within the prison system that are focused on dealing with addiction, and as part of that process having effective triage systems in courts to make sure that low-level offenders are dealt with so they can access appropriate services and that appropriate advice about the availability of services is provided to the judiciary. We will invest in treatment facilities to provide early intervention, we will look at the development of specialised rehabilitation services in the south west and the Kimberley and we will support drug and alcohol education agencies. Importantly, and this is something I know the police have long called for, we will adopt whole-of-government coordination overseen by the proposed methamphetamine task force. This is about housing, child protection, community services, police, health and the Mental Health Commission working collectively to address this problem.

In Bunbury, and I am sure it is the same for the member for Kalgoorlie in his electorate, meth addiction is having a huge impact on people's lives. We are seeing it expressed in violence in the home, violence in the streets, harassment and antisocial behaviour, problems with housing, mental health impacts, crime impacts and the need to protect children. I have been really impressed and excited by the way that the Bunbury community has responded over the past 12 months, given the lack of action over the last eight and a half years, to make sure we have a balanced approach to the supply and demand side of methamphetamine. It is a complex issue that requires a coordinated whole-of-government response. It needs to include the community and the non-government sector, and it needs to act on supply and deal with demand, but in my reading of the literature I have found no evidence anywhere to suggest that mandatory minimum sentencing has any impact other than to fill prisons with people who are pretty damaged by the history of addiction that they may have had. There is certainly a place in prison for people at the big end of town who are the organisers, but how often are we really able to track them down because of the veneer of distribution that embraces people who have significant problems and are making poor life choices? Simple mandatory minimum sentencing is not a solution. An appropriate signal to the judiciary about the range of sentencing options coupled with effective in-prison rehabilitation systems and in-community treatment services provide the best pathway forward to a rational, just and reasonable approach to this problem.

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MR B. URBAN (Darling Range) [9.06 pm]: I rise to speak on the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017. As most people know, I come to this chamber as an ex-police officer in the United Kingdom and here, and I spent the last three years in youth justice where I dealt with this scourge of society. I, like most people here, member for Hillarys and Premier, have not heckled once. I might have tried to put a few points across, but this is quite a serious topic and we have to look at it as such and take the politics out of it. This is not about politics; it is about communities and people's lives. It is about not just the people who are addicted to this scourge—I will call it a scourge just like everybody else has, because it is a scourge on our society—but also how their families are affected, and I will talk about that in a little while, and how this goes into our communities. This is absolutely killing our communities.

I want to start by talking about methamphetamine on the police side. As is quite well documented, I was a major contributor to detecting these types of offences for many years—from the late 1980s right the way through to the late 1990s in the UK. I went through a number of fads, so to speak. Initially, there was LSD. Then ecstasy came out around the late 1980s to early 1990s, when it was huge in the nightclubs, particularly in the UK where there were the rave parties. There are effects on those people to this day—they have schizophrenia, paranoia and lots of other illnesses, in particular with their bones. It is just disgraceful. Then there was home-baked heroin for a short time prior to me leaving the UK and heading off here. When I came here, again home-baked heroin was just starting to come on the scene. I was running out of Armadale detectives, with Dave Bryson, and Cannington detectives. Then I was looking at the drug squad stuff, running at clandestine methamphetamine laboratories in homes. I want to talk about that now. People think that clandestine laboratories are surgical places. They are not. They are often in really bad homes on estates. They are normally in a little corner in a room. Contrary to what the Leader of the Opposition said, they are not large-scale operations. There are two parts to the process—I will not go into the Nazi method. One is to make a sort of subtle sediment to extract the drug and the other is to then put gases into it to make crystals. The latter part of the process is quite dangerous. It is not funny. The process using gas, particularly ammonium nitrate, can quite seriously injure or kill people. This stuff is being made around kids. Kids are in these houses when these drugs are being made. Do not get me wrong; I will not say that these people are the scum of society because I do not think that gives them much justice, but they put no logical thought into how they will make the drugs, take a hit or make money. It is a bit of a joke that “Mr Big” makes all the money. When it comes down to street clan labs, Mr Big is not making any money. A few guys or girls are making it for their own use. They are quite happy to inject themselves in front of kids. They are quite happy to make meth. It is a well-known fact that in the South Metropolitan Region, there was a *My Kitchen Rules* bake-off in a house in Huntingdale. It is all on video as they videoed each other to see who made the best methamphetamine. That is disgraceful. It is happening in our suburbs. My introduction to China is coming a little bit later but that happened in our community. It is happening in our suburbs. Houses are literally exploding because roofs are popping off. Then idiots like me go there with a chemist from the ChemCentre to investigate with a clan team.

The sort of banter in here is quite disturbing. It is not funny; it is not a funny part of policing. It is not funny for us to ridicule it and try to get some political gain out of it because it is not about political gain. After I left the police, it is ironic that I went into dealing with youth justice. I went from spending most of 24 years putting people away for various offences—drug offences were a great deal of them—to trying to keep kids out of Banksia Hill Detention Centre particularly. Do not get me wrong; they were not Mr Bigs making home-baked heroin or methamphetamine in the back garden, which was rubbish. They were there because of many things including homelessness, having no food in the house or they may have been under peer pressure. The top and bottom of it all is that they are all kids. We forget that when we deal with young offenders. There are serious bits but most of the kids who we deal with in the judicial system are just kids under the Young Offenders Act. They thrive on the need to have somebody care for them, first of all, and that is forgotten about. It is quite sad that we try to make some political gain out of this, but I will not go into that.

An article from 15 February 2017 states that Western Australia is the ice capital of Australia. That is nothing to be really proud about. It is said that we have the worst rate of methamphetamine use in the country. I will talk about the previous government's 2016 “Western Australian Meth Strategy”. It is quite sad that this state has almost double the national average of methamphetamine use. Going back to my youth justice hat now, people think that kids of 17 or 18 years old are using methamphetamines. Kids in the Peel region, which is where I spent most of my time as a youth justice officer, are taking methamphetamine as young as 11 years old. They are just kids. It does not matter what their family circumstances are or anything else. They are aged 11 or upwards. Their drug of choice is methamphetamine. Other drugs have come up, like alpha-PVP, which I spoke about in my inaugural speech. That is also a scourge, particularly down in the Peel region, Mandurah and Dawesville. I will mention Dawesville because there is such a huge demand for methamphetamine from kids aged 13 to 17 years old. Methamphetamine is cheaper than a bag of weed these days. The dealers “angel dust” the weed, dipping it with

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methamphetamine. The kids get on cannabis and then, all of a sudden, they need to have methamphetamine. That happens daily on our streets and in schools, and daily going to and from school.

The Peel region teen suicides were well documented. There were five funerals in 2016 for kids who took their lives in the Peel region. Most of them were from Halls Head, which is quite sad. The answer to that was to have a seminar and make a drug action plan. All these people were invited and a lot of them had nothing to do with youth in the Peel region. People were brought in just to be given a pat on the back but they did not deal with the issues. These people did not deal with issues that the kids have. They wanted to just pat each other on the back and it was then left to people like me to counsel these kids and take them to drug rehabilitation on a daily and weekly basis. An article states —

“The PYMS Health Hub ... provide a suite of services for 12–24 year olds dealing with drug and alcohol issues, mental health issues, family dysfunction and homelessness,”...

That was said by Mr Andrew Hastie, the member for Canning.

Other services in the Peel region have been working closely with kids, and not for political gain. There is the Peel Youth Services. I worked with Peel Youth Services for a number of years with Be Westbrook and we also have the Palmerston Association. I will talk about Palmerston in a moment but these services were put in the Peel region to assist these kids. It is not just the kids who are drug addicts; their family members and parents are drug addicts as well. That is the nature of the beast that these kids find themselves in. I raised this in my inaugural speech. There are five reasons why at-risk kids find themselves in the position they are in, including drugs, dysfunctional families and homelessness. Huge amounts of work have been done in the Peel region. A number of people spend time with these kids. It is ironic that I spent most of my adult life putting people like them behind bars because that is what should happen to them. Whether it was in the UK or here, that is what I did. It is a fact. It is well documented. Members can look at my briefcase. If they want to go through the system, they will find that quite a lot of the cases were drug offences and not just supplying or trafficking. That is just where I was. I have spent the last three years trying to keep these kids out of prison. I will keep repeating that because we should not have kids in this system. The shock meth stats for Mandurah are deplorable. Palmerston is a wonderful service that runs out of Sutton Street that has dealt with these issues and has provided counselling services to kids and adults for a number of years.

Western Australia has the worst meth statistics in Australia, especially in regional centres. In some towns one in eight residents frequently uses methamphetamine. At this time, Mandurah is the big drug concern. The people who go to Palmerston range from 14-year-olds to seniors. Of those, 31 per cent of the clients are users of methamphetamine, 27 per cent are users of alcohol and 26 per cent are users of cannabis. We have spent most of our time talking about making a meth action plan and saying, “let’s do this and let’s do that”. It is time that we stop talking about it and start doing it. The Needle and Syringe Exchange Program that services the Peel region—I am not picking on just Mandurah or Dawesville—is well used. Needle exchange programs stop people from catching HIV, hepatitis C and other blood-borne viruses. Those are things that are inevitable when people use methamphetamine. I am sad that the member for Cottesloe is not here. I want to read his message from the Western Australian Meth Strategy 2016. It states —

I’ve heard stories of parents too scared to allow their sons or daughters into their homes for fear of their abusive behaviour while high on meth, mothers too frightened to let their children near their father and siblings too afraid to help their brother or sister for fear of being physically hurt.

That is reality. The number of domestic violence situations in the Peel region in particular in which the offender is the child and the victims are the parents are second to none; the stats are there. Be Westbrook has been working on this issue with her team at the Peel Youth Service. We have to stop that violence. I listened to the member for Scarborough discuss the action plan that they made. I want to mention a couple more things. The Department of Education section of that plan states —

Most young people do not smoke, use cannabis or ... illicit drugs.

Codswallop! That is an absolute load of rubbish. Kids are using them; that is a fact. If members were to go to the Drug and Alcohol Youth Service in East Perth, they would see the number of people who are using that service. Whether those people are on a community-based order under which they have to attend or as part of a supervised release order, they are there.

Is this bill a good bill? It is a great bill and I will tell members why. It is the start of the much larger a suite of bills that the minister will be bringing here. This is a great bill because we need to start taking action on these things for our communities. I would like to thank the minister and WA Labor. I thank the opposition to my front and my right for supporting this bill. This is not about politics; it is about our community. We all care about our community and we want the best for it.

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MR R.S. LOVE (Moore) [9.25 pm]: I would like to make a contribution to this debate on the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017. I concur with most of what we have heard in the house tonight. We know that meth is a scourge that has greatly affected Western Australia. My understanding is that meth use in Western Australia is higher than meth use in the rest of the country. Figures I saw back in 2015 showed that 3.8 per cent of the population in WA had used meth as opposed to roughly 2 per cent nationally. The problem in the state is almost double that of some other areas of Australia. I have heard discussion of Kalgoorlie being worse than Bunbury, which is worse than somewhere else based on the analysis of black water. A number of places in Western Australia do not have that analysis because they may not be on that sort of system, but I am sure that other communities are suffering just as much as towns like Bunbury or Kalgoorlie, including in my own electorate, which is populated by very small communities. The largest community is Dongara, which has only about 3 000 people—not that any of my towns are particularly large. I know that methamphetamine use in those communities is a severe problem. I remember going to one of the coastal towns not that long ago—a year or two—for a Cancer Council Australia's Biggest Morning Tea and talking to the staff there. It was pretty obvious that some of the parents who were attending that event were under the influence of some fairly dodgy substances. I talked to the principal, who outlined to me that the children were in a safe environment at least when they were in school. That is a very sad state of affairs in country Western Australia.

Back in October 2015, I organised a drug use forum in the town of Jurien Bay in my own electorate with a lady called Jade Lewis, who is a campaigner against drug use, and pretty well every other agency that is working in that area. We had the Mental Health Commissioner, the WA Police superintendent for the area and a number of other service providers such as Holyoake, Rural in Reach and Perth Home Care Services et cetera. One of the things that came out of that for me was that there seemed to be quite a lack of coordination between those disparate groups. They also had very different approaches. Some suggested that we tolerate the use of the drug and allow it to be used in a safe environment. Other groups were very much of the opinion that the drug was a no-no and that it could not be used at all. That range of points of view is found within the non-government organisations that provide services so, in my view, it is quite a confusing landscape for people who are looking for help. In fact, Jade did a couple of seminars down at Jurien Bay District High School. One of the saddest things I learnt out of that whole episode was that when she was talking to the year 5 students and asked for those who had heard of ice to put up their hands, probably two-thirds of the class put their hand up. She asked one of the little ones there, "How do you know about this substance?" The answer was, "We know what mum does when she goes inside and locks the door." That is a very serious thing. I often hear people say that this is affecting the kids in the community. In my experience, certainly in my electorate, it is not so much kids as people of working age—30-year-olds, often with families—who are using this substance. That is why it is such a worrying thing because it eats families up. When a father or mother or both are using this substance, it is the reverse of what people think; the classic thing is a 14-year-old kid who is using ice and how bad that is, but most of the time I have come across this substance in my electorate, it is not kids, it is actually the parents who are using it, and that is really, really worrying.

It is not just in Jurien Bay, of course. I have done a fair bit of work in Moora and other communities where they are also worried about the influence of ice, so it is not confined to one particular type of community. It is not a coastal thing; it is right across the spectrum—in rural areas, very small towns and quite remote communities—where this substance has touched people's lives.

I have seen that concerted action by the police, working with health authorities, can actually bring about some positive change. I have seen the work that the Moora police have done in bringing about some control of the substance in their local community, which I think is fantastic. I have also seen in other towns that gateway actions on main roads have yielded some large returns in terms of substances, and that has had a positive effect in those towns.

We have a situation in which this insidious drug cannot be completely controlled just by police action or tougher sentencing, but they are certainly part of it. We hear talk about dealers and Mr Bigs, but what I see is that most of the dealers are actually users who are paying for their habit. It is not always someone who is cynically profiting from this stuff; it is often someone who is as much caught up in the whole mess as the people they are selling the drug to. If putting them in jail helps, well, good; but I also think we need to have a very strong health program based on trying to get people off this drug more than anything else.

Just the other weekend, again in Jurien Bay—I do not want to pick on poor old Jurien Bay!—the community organised a seminar with a fellow from Shalom House, Peter Lyndon-James. I sat through a couple of hours of a very interesting discussion from him about his views about the treatment of drugs, and there was a fair crowd of people there. That is unusual, because often people do not like to come out and be identified as being worried about this issue. There were parents of people in attendance; we are talking about people probably in their 50s and 60s with adult children. It is mainly adult children we are talking about here, and also people of grandparent age

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who were worried about the kids in their families. They came along to discuss it and to understand what they could do to break the cycle.

As I have said, dealers often get involved because they want to make some money to pay for their habit and get hold of this stuff. It is basically a giant pyramid scheme; it is a perfect example of a shocking Ponzi scheme that is actually destroying our communities. From my point of view and the National Party's point of view, we certainly support the thrust of this legislation to provide stronger deterrents to people who are involved in this area. I have heard members of the Liberal Party talking about the need for minimum sentences and I understand we will probably support that as well. But I caution that I do not think this is all about putting people in jail. I think some other measures need to be taken to curb this substance. If we look at what the previous government put in place in 2016, there was recognition that it is a situation that cannot be cured through law and order alone, but also needs to involve other aspects, such as mental health and other health services, to try to get people away from the need for this drug. But interrupting the flow of the drug into the state and the communities is certainly a good thing, and we will support whatever needs to be done to achieve that.

MRS J.M.C. STOJKOVSKI (Kingsley) [9.36 pm]: I rise today to contribute to the debate on the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017. I would firstly like to commend my colleagues who have experience in law enforcement or the legal fraternity for their perspectives. I hope today to contribute a different perspective, one of being a mum, and how this drug impacts on children in the community.

If members will indulge me for a few minutes, it is often said in the media and in this place that drug abuse affects everybody; everybody knows somebody who has been affected, and I am indeed one of those people. Prior to my now brother moving in with us when I was a child, we had a foster sister, Stacy, who came to live with us. She lived with us for two years because she was put into state care by her mum, who could not handle Stacy's diabetes or get it under control. Once all that was under control, her mum requested that she move back with her, so that happened, and we pretty much lost contact with her for a number of years.

Out of the blue one day, my parents received a phone call from Stacy, who was very distraught and very upset because she had found herself with a young child in an abusive relationship. My parents went to help her out and to see what they could do for her. The whole time they were there talking to her and going through all the problems she was having, she just kept saying, "I need money, I need money, I need money." My parents eventually distilled the problem, asking, "What do you need money for?" She said, "I need money to buy food for my child." They said, "That's fine", and they took her to the shopping centre and bought her a full pantry and a full fridge of food, but she was still saying, "I need money, I need money." In the end, it turned out that she wanted the money for her next hit. She was prepared to sacrifice buying milk, formula and nappies for her child so that she could get her next hit. At that time the drug was not methamphetamine, but it was a drug issue, so I stand here as a mum. Anyone who talks to me will know that I am a proud mum and it is one of my defining factors, and I would like to talk about how methamphetamine impacts on our children in society.

Meth poses two types of impacts on children. There is exposure through prenatal use and exposure via parents or family members using methamphetamine. There is no doubt, in today's society, that illicit drugs taken during pregnancy can cross the placenta and reach the foetus. This results in low birth weights, birth defects, increased rates of premature delivery and abnormal infant behaviour. This is visited on a child who has no say and no recourse for addressing the issue. The effects vary from child to child, but as they grow they include learning disabilities, intestinal problems, sleep disturbances, sensory integration problems, and skeletal and spinal abnormalities. An American study of meth use in pregnancy found that children as young as the age of three had an increased risk of emotional reactivity and anxiety–depression. By age five, children prenatally exposed to methamphetamine were at higher risk of attention deficit hyperactivity disorder. It is unacceptable in today's society that we could allow this to happen.

Anecdotal evidence from around the state, and in the electorate of Kingsley from school principals and teachers, points to a rise in anxiety in students. They are increasingly dealing with non-education-related issues in schools. Some of these schools and teachers have pointed out that this may be a result of the increase in methamphetamine use in their communities. Younger and younger students are presenting with symptoms of anxiety and depression and an inability to control these symptoms. They have no way of addressing them, and they do not know what to do because they have nobody at home who can teach them. Instability at home results, as one of my principals put it, in the child's brain freezing, and subsequently they have an inability to learn or they act out in the classroom. They are unable to function as students in a classroom because of the instability they are experiencing at home. I quote from the Australian Crime Commission report —

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Children present in the homes of methamphetamine users or manufacturers are particularly at risk of ingesting associated chemicals. Additionally, many methamphetamine users are likely to neglect parenting responsibilities and expose children to additional illegal activities.

I will speak briefly on this, if I may. While there is currently no evidence that breathing in second-hand meth smoke can produce a high or have other detrimental health effects, studies prove that people can test positive for meth after exposure to second-hand smoke. Studies conducted in New Zealand showed that 73 per cent of children removed from clandestine laboratories following police intervention tested positive for meth via hair samples taken after their removal. This research also accounted for external contamination, such as substances falling on the children's heads, and found that in most cases this was low, indicating that the children are exposed to methamphetamine and are incorporating it into the hair through the blood stream.

Methamphetamine, as many members here today have stated, is a highly addictive stimulant that produces an intensely euphoric high, followed by a "crash". I would like to talk about this crash now. It presents serious neglect risks for children who live either in home-based methamphetamine labs or with parents or family members who use methamphetamine. They are exposed to not only their parents' chaotic and drug-focused lifestyles, but also the highly psychoactive stimulant and the toxic precursor chemicals associated with methamphetamine production. In fact, approximately 55 per cent of children removed from home-based methamphetamine labs test positive for toxic levels of chemicals in their bodies.

When parents use or make meth, their children often do not have necessities such as food, water and shelter. They frequently lack adequate supervision and medical care, including proper immunisation and dental care. In addition, the cycle of meth abuse has a built-in phase when parents usually crash, and then the children are not the primary concern of the parents. As a parent, I find this disturbing. Children are exposed to abuse, and child safety is put in danger. Parents and family members often exhibit poor judgement, confusion, irritability, paranoia and increased violence. This increased violence is impacting on our hospitals. A Department of Health report of 2015 indicates that the rate of mental health admissions was higher in the northern suburbs than state and national averages. Emergency department attendances were highest in the Perth CBD and were increasing at the Joondalup Health Campus.

The McGowan Labor government has recognised this as a substantial issue for the northern suburbs and has committed to increasing the number of acute mental health beds at the Joondalup Health Campus. It can definitely be argued that the increase in substance abuse and methamphetamine use directly correlates with the increase in mental health issues in our communities. The number of drug treatment episodes following methamphetamine use by WA residents doubled between 2010 and 2013, from 2 466 to 4 958, under the former Liberal government. Only three weeks ago, Joondalup Health Campus recognised that this was a problem and implemented a new filter in the emergency department information system, which is the patient administration system used to capture information. It is a big issue for us in the northern suburbs, and the health campus has realised that it needs to capture this information to be able to report on it.

I would like to address the calls from the opposition, including the member for South Perth and the Leader of the Opposition, for mandatory sentencing. I do not agree that mandatory sentencing is the silver bullet for this problem, which the opposition seems to be championing. The Federation of Community Legal Centres in Victoria claims that mandatory sentencing leads to harsh and unfair sentences and does not reduce crime. It claims that overwhelming evidence from Australia and overseas demonstrates that mandatory sentencing fails to reduce the crime rate, leads to harsh and unfair sentences, and disproportionately affects Indigenous and other marginalised groups. If we look at the monitoring of the wastewater sites that everyone has been referring to this evening, the four monitoring sites in Western Australia include regional sites, which were also above the respective national averages. The political reality of mandatory sentencing is that it has been used for political gain and has had a profoundly discriminatory impact, especially on Indigenous youth. The national wastewater testing showed that not only is Perth the meth capital of Australia, but also regional Western Australia has the highest regional usage. Mandatory sentencing would disproportionately impact Aboriginal people living in remote regional WA communities.

The one thing that is clear about methamphetamine is that it is a scourge on our society. All members of this chamber can agree on that. The McGowan Labor government has brought in this bill because it is part of a multipronged approach to addressing the meth problem in Western Australia, to address sentencing, trafficking and the rehabilitation of community members affected by this issue. The McGowan government will create two dedicated drug and alcohol rehabilitation prisons, one for men and one for women, to break the cycle of drug-related crime in our community. In the northern suburbs, as I mentioned, there will be an increase in the number of acute mental health beds at Joondalup Health Campus. We will also adequately resource

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Western Australia Police to increase roadside drug testing. In addition, we will bring in the meth border force to have an impact on the supply of meth to Western Australia.

MS J.M. FREEMAN (Mirrabooka) [9.49 pm]: I, too, rise to speak on the Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017. I understand that the bill will increase the maximum sentence of imprisonment from 25 years and/or a \$100 000 fine to life imprisonment and/or unlimited fines for trafficking 28 grams or more of methamphetamine, and ensure life imprisonment cases for methamphetamine trafficking can continue to be heard in the Western Australia District Court rather than the Supreme Court. That should make it easier, or less complex perhaps, to get convictions, but I will rely on my parliamentary colleagues with law qualifications on that.

Noting the time, I will not keep the house too long in my contribution to this debate, but I do want to talk about one of the big impacts of meth and drug use in the community that I represent in Mirrabooka. It seems to me that part of the issue we face in the communities around us is that it is about not simply the meth labs, individual users or recreational users but also the syndicated drug cartels that have established themselves as businesses in our suburbs to make money. What I am told by people in the know is that part of this method of business is to set up a safe house, a production house and a distribution house, which can be very close to each other. If there is some indication that the police are going to come into one of the distribution houses or production houses—the labs—they move to the safe house, and that places them in a better situation as the safe house has no paraphernalia. The distribution houses have limited paraphernalia and the production houses are more like warehouses now, because the drugs are being imported. In one particular area of the communities that I represent—the Koondoola shops—a couple of businesses have been associated with a capacity to purchase illicit drugs, and meth in particular. A person just has to go in. It is always entertaining for me to go into one of these shops to get my bananas, fruit and stuff like that and to see the shopkeepers looking a little worried. It is well known. I have spoken to the police on numerous occasions about this particular shop that is well known as a connection point to gain illicit drugs in the community. The police have attempted to close down this trade but it is quite difficult, because it is used as a connection point. This is the aspect of trafficking that is not simple. So often it is the case that someone who has done a lesser crime is caught, but the major criminal does not come to justice.

What rings true to me is this aspect of it involving major syndicates. As we all know, there has been a quite significant amount of media around this issue. An article in PerthNow of 27 May 2016 states —

WA Police Deputy Commissioner Gary Dreiberger said it was evident the seizure was “part of a well-funded, highly organised, sophisticated, overseas criminal organisation”.

The article goes on to quote him as saying —

“It will be alleged in court that the people charged today were part of an organised criminal syndicate that facilitated the transport of the drugs from the fishing boat to Western Australia via small watercraft.

What we know from this and from what the Commissioner of Police is also telling us is that part of the blame for this problem is our soft borders. According to an article in *The West Australian* of Friday, 24 February —

Police Commissioner Karl O’Callaghan believes WA’s “soft” borders are contributing to the State’s methamphetamine crisis, claiming Federal agencies needed to do more to help stop the drug reaching Australia.

That seems to be somewhat reflected in the community I represent in terms of the organised crime around the illicit drug trade, and in particular meth. We know that Western Australia has the nation’s highest rate of amphetamine use. Some studies talk about the link between that and our fly in, fly out workers. I have put on the record in this house previously my belief from talking to FIFO workers and people in the industry—it is not necessarily backed up by any studies that I have read—that the complex situation of going into work sites as fly in, fly out workers and the drug testing regimes around those workers has led to the use of a drug that is harder to detect and that comes out of one’s system. That has led to a growing market in that area. We know that methamphetamine use in Australia has kept pretty steady. I do not disagree that the use of methamphetamine in Western Australia is very high, but it has dropped a couple of percentage points now. The 2016 National Drug Strategy Household Survey showed that there had been a slight reduction. The problem now seems to be that the usage has changed. The majority of users used to favour powder or pills—speed—and a smaller number of users injected or smoked the crystalline form. The 2013 survey findings had shifted from the 2010 findings in that half the people were now using the much more potent and highly concentrated form of methamphetamine. The impact of that was that it had moved away from recreational drug use to more serious drug use in terms of the long-term

Extract from Hansard

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Mr Peter Katsambanis; Mrs Liza Harvey; Mr John McGrath; Mr Kyran O'Donnell; Ms Margaret Quirk; Mr Tony Krsticevic; Dr Mike Nahan; Mr Simon Millman; Mr Mark Folkard; Mr Donald Punch; Mr Barry Urban; Mr Shane Love; Mrs Jessica Stojkovski; Ms Janine Freeman

implications on people's personal health, relationships and social interactions, and the impact on our medical practitioners and hospitals and all of the aggro that goes with that.

I have been talking to one of my constituents who has been trying to deal with a meth house in the area. He said it has become blatant. Despite the fact that they had contacted the police on a number of occasions, nothing seemed to happen. This had been going on for some time. It got so blatant that this house, which was only some metres from a school, had people injecting meth near school grounds where children were playing. He contacted me and I said that that was very serious, so I contacted the police. The police indicated that the house was known to them, but that it was under surveillance. You think to yourself, "How can that be?" It is to do with the whole aspect of people being able to move quickly, so there are sophisticated crime aspects in terms of the surveillance. Meanwhile, people in the community feel like they are being exposed to something that is completely unacceptable.

One of the most important aspects of this for me is that we stop the importing of this drug into Australia. How do we stop the drugs getting in? There has been some success by the specialist police team, which the previous government introduced, in cracking down on meth trafficking. In 2015 the police busted a shipment of over 300 kilograms of drugs and in 2016 they intercepted another 200 kilos in one shipment. Both of these were by boat landing undetected through small Western Australian ports—Geraldton and Port Hedland—and police only intercepted the shipments in Perth.

I applaud the Western Australian government and the Labor Party in opposition for its strong stance on establishing a methamphetamine border force. The government wants to disrupt the networks and work closely with its federal counterparts, but this really is a role for the federal government. Protecting our borders from meth is and absolutely should be the role of the Department of Immigration and Border Protection. Knowing this, I looked at the Department of Immigration and Border Protection annual reports. What do we know? In a time when we have increased importation, for want of a better word, and the introduction of meth in this community, we have had a reduction in surveillance by the Department of Immigration and Border Protection. I want to take members through some quite extensive numbers and, given the time, then I will probably sit down. It is really important to put these numbers on record, because this is about the federal government's failure to protect our borders from the scourge of drugs and drug syndicates. From 2014–15 to 2015–16, the Department of Immigration and Border Protection has reduced the number of shipping containers inspected from 101 273 containers to 96 637 containers; reduced the number of shipping containers examined from 15 581 containers to 12 738 containers; reduced the number of air cargo consignments examined from 2.2 million consignments to 1.96 million consignments; reduced the number of air cargo consignments inspected from 86 396 consignments to 79 966 consignments; reduced the number of mail items examined from 248 933 mail items to 211 744 mail items; and reduced aerial surveillance from 149 million nautical square miles to 108.5 million nautical square miles. It also no longer has commercial contract satellite surveillance, which is down from 9.7 million nautical square miles. The department has reduced the number of sea patrols conducted from 7 798 patrols to 4 737 patrols; reduced the percentage of high-risk vessels on which targeted operational responses were performed from 100 per cent of high-risk vessels to 81.4 per cent; reduced the volume of illicit drugs detected from 7 309 kilograms to 5 070 kilograms; and reduced the number of high-priority cases accepted for formal investigation from 100 per cent of high-priority cases to 84.8 per cent.

No state-specific data is available but it is clear, given what is going on in our community, that Western Australia has suffered heavily from the drop in the number of sea patrols, shipping container inspections and examinations, and aerial and satellite surveillance. Clearly, in order to fight this we can bring to this the very good work that we are doing tonight with this legislation, but to fight this well we also need our federal colleagues to care about Western Australia and to defend Western Australia to ensure that the syndicates we are seeing bringing these hideous illicit drugs into our community are stopped.

The Victorian government brought down a report on crystal methamphetamine—ice—as has the federal government. A report from the Victorian Alcohol and Drug Association refers to the link between fly in, fly out workers and methamphetamine and states that there needs to be more research into the impact of drug use, particularly methamphetamine, in culturally and linguistically diverse and multicultural communities. From speaking with many of the peak members of my community I know that they are devastated by the impact that access to drugs in our community has had on their young people. Enabling them to get the tools and capacity to work with alcohol and drug agencies to assist them to deal with what is a scourge in our community is very important. Let us not forget that we have to go to the federal government and lay blame squarely with it because it is letting these drugs in. The federal government has reduced protection and services to ensure that these drugs

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do not come across our borders. We need to call on the federal government to do more in addition to the good work that this government is doing.

Debate adjourned, on motion by **Mr D.A. Templeman (Leader of the House)**.

House adjourned at 10.05 pm
