

## LAW AND ORDER

### *Motion*

**HON JIM CHOWN (Agricultural)** [11.30 am] — without notice: I move —

That the Council congratulates the state government for its strong stance on, and commitment to, enhancing law and order in Western Australia.

Of course, this government has had an extended period to address the issue of law and order in this state; it has had four and a half years because the Labor government called a snap election. It was the “unlosable” election for Labor, which it lost. Since coming to office this government has passed numerous law and order bills to enhance police powers, toughen criminal penalties and ensure community safety. This government should be commended for its strong and unyielding stance on law and order in Western Australia. This government has listened to the concerns of the Western Australian public and progressed legislation to tackle problems in the community. Anyone who works in an electorate, as all members should do, and repeatedly comes across the issue of law and order will understand that it is the number one issue that every community faces today. I read with interest the Labor Party’s policy platform. Chapter 8 of this document, headed “Law Public Administration and Community Safety”, reveals a sudden fixation with community safety and the need to ensure a police presence in the suburbs of Perth and rural and regional Western Australia. As already stated by the Attorney General, the Labor Party’s hypocrisy is immense because this is from the party that closed 13 police stations and one police post in seven and a half years in government. The former Labor government closed one police post and seven police stations in regional Western Australia. This was at a time when it had a budget surplus year after year of between \$500 million and \$1.5 billion—surpluses never seen by a government in this state and probably will never be seen again.

In his budget reply speech in the other place, the Leader of the Opposition pledged that an elected Labor government would build three new police stations. That is three down and only 10 to go to equal the number it closed while it was in government. The Leader of the Opposition also stated in his speech—once again we are seeing hypocrisy emanate from members on the other side of the house—that the Labor Party opposes the closure of suburban police stations and believes that we need more police in our suburbs. Please! That is a rich statement. It is obviously an electioneering statement that has no background and no gravitas. As the latest poll has indicated, the people of Western Australia do not believe a word from those people. According to the Labor Party policy platform, Labor’s focus includes a targeted approach to illicit drugs and alcohol as drivers of crime. Let us not forget it was the Labor Party that was happy to see the decriminalisation of cannabis in this state

**Hon Adele Farina:** That’s not true.

**Hon JIM CHOWN:** Maybe it was the member’s partners in government, the Greens, who pursued the Labor Party and forced them to that position.

**Hon Kate Doust:** Be careful how you talk about partnership.

**Hon Alison Xamon:** That’s a ridiculous statement.

**Hon JIM CHOWN:** It is not a ridiculous statement.

During its term of government in 1999 the Labor government advocated that heroin trials be conducted. If this is Labor’s targeted approach to crime, I am sure the drug users of Western Australia will be rubbing their hands with glee at the prospect of Labor returning at some stage in the far distant future.

**Hon Phil Edman:** Hear, hear!

**Hon JIM CHOWN:** Let us return to the Liberal–National Party’s record while in government and let us also remember that this is a four-and-a-half-year-term government, thanks to the Labor Party. Despite facing one of the worst global financial crises of modern times, this government has increased funding to WA Police by more than 25 per cent. Some of these figures have been stated by the Attorney General but they are worthwhile repeating because they are significant statements on law and order. Without police in the front line, we cannot address law and order in any way whatsoever.

**Hon Adele Farina:** Where are the 500 additional police officers?

**Hon JIM CHOWN:** The WA Police budget for 2012–13 is \$1.11 billion, which clearly reflects —

Several members interjected.

**Hon JIM CHOWN:** Mr Speaker, if you would not mind!

**The DEPUTY PRESIDENT (Hon Brian Ellis):** Yes; I think I have allowed plenty of interjection. You are quite correct, honourable member; you have the call.

Hon James Chown; Hon Linda Savage; Deputy President; Hon Phil Edman; Hon Simon O'Brien; Hon Kate  
Doust; Hon Michael Mischin; Hon Nick Goiran

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**Hon JIM CHOWN:** I apologise; I should have said “Mr Deputy President”.

It clearly reflects this government’s commitment to law and order in Western Australia. We have also undertaken a range of significant capital infrastructure investment projects during our time to ensure that not only would there be police on the front line but also they would be provided with decent working facilities. Instead of closing police stations and decriminalising criminal behaviour, this government has opened new facilities, including a \$93 million Perth police complex and an \$11.17 million Fitzroy Crossing Police Station. We reopened three police stations that the Labor government had closed in regional areas at Dumbleyung, Wickepin and Cranbrook. I had the privilege of representing the Minister for Police to open the Cranbrook Police Station. As we in regional Western Australia know, we sometimes get an opportunity to open a facility where there may be a handful of people. However, at Cranbrook there were about 60 people, including people who had come from Albany, who understood that policing and police stations are very important for law and order issues in their communities. The Labor government closed these regional police stations because they believed they were not doing enough work. Words to that effect were used by the minister at the time. The reality is that police do a lot more than catch criminals; their presence inhibits criminal activity. It is educational for some of our wayward youth to meet police officers and see them going about their business.

As part of the 2012–13 budget, \$16.18 million was allocated to WA Police to continue major upgrades to police stations in Mirrabooka, Morley, Warwick and Scarborough as well as to begin upgrades to Narrogin, Merredin and Midland Police Stations. This government has taken a strategic approach to policing and assessing community needs and is acting accordingly. We have realigned police resources from redundant police stations to strategic deployment hubs to support an enhanced service delivery model based on a mobile and effective police response. This government has added 150 additional police officers and 120 auxiliary officers over the past four years. We are committed to recruiting a further 200 over the next two years. On that matter, I will state that during the last Labor government’s term its big issue was retaining police officers. Police officers were leaving the force in droves. This government has addressed that and increased the number of officers.

A shortage of police in regional and remote Western Australia has been a longstanding issue. This government has made some inroads in the attraction and retention of such officers in these areas. The last round of salary negotiations with the government resulted in agreement for a 12.75 per cent increase in salaries to be paid over three years under the Western Australia Police Industrial Agreement 2011. The district allowances available to police officers were overhauled in 2010 resulting in significant increases to these allowances, adjustments to the district allowance boundaries and changes in the methodology used for future adjustments. The adjustments to the district allowance boundaries have seen areas in the midwest, where the district allowance was previously unavailable, now included within the scheme. In 2008 this government announced the 400 program for the construction of 400 new dwellings for teachers, police officers and other key public service staff in regional locations. Spending on this initiative is expected to total \$256 million from this year going forward to 2016, with \$100 million committed to the 2013 budget year to the housing for workers program to deliver increased affordability and suitable housing for all key workers in Western Australia. A further \$49 million has been allocated to the regional workers’ incentive scheme to increase district allowances et cetera. Governments around Australia, and indeed the world, are facing unprecedented cost pressures. This government also faces significant budget pressures due to the dramatic declines in iron ore prices and GST revenue. This government has not lost sight of where money is best spent. Budget relief in the order of \$26 million was returned to WA Police to exempt it from any employment cap and to assist in meeting the cost of the most recent enterprise bargaining agreements and costs associated with Government Regional Officers’ Housing.

These are some of the initiatives that Western Australians have come to expect from the Barnett government with its unwavering commitment to law and order in this great state. It is a stark contrast, I might add, to what Western Australians can expect from a Labor-led government. By “led”, I mean that obviously Labor will have the Greens (WA), in this house at least, supporting them. Members opposite may argue strongly against this point, but the fact remains that the figures speak for themselves. We have increased funding to police by over 25 per cent. We have recruited 270 additional officers. The most telling figure is that reported crime in Western Australia has fallen nine per cent compared with crime reported under the previous Labor government. Accordingly, I call on members of this place to support this motion and congratulate the state government for its strong stance on and commitment to enhancing law and order in Western Australia.

As I was driving in this morning, I was listening to radio station 6PR. There was a chap on the program who seemed to be some sort of legal expert—a Tom someone.

**Hon Adele Farina:** He made a great impression!

**Hon JIM CHOWN:** Anyway, this Tom was going on about the fact —

Several members interjected.

Hon James Chown; Hon Linda Savage; Deputy President; Hon Phil Edman; Hon Simon O'Brien; Hon Kate  
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**Hon JIM CHOWN:** This supposed expert on the radio, this talking head, was going on about the pending legislation regarding police pursuits. He talked about increased penalties and said that the people who commit these sorts of crimes are impervious—I repeat his word, “impervious”—to law and order because they do not appreciate law and order. He said an increase in penalties is just a waste of time and effort. I say to the opposition and Tom whatever, that if they go to PerthNow, they will see 111 comments posted on this issue. They will find that more than 85 per cent of those comments say that the increases are not enough and that they want more. These people are saying, “We want this government to take further severe action against criminals.” Tom has just missed the point; legislation on these matters sends a message. It sends a message that the community of Western Australia and this government will not tolerate these crimes that kill innocent people on the roads. A lot of these people are young and have come out of families that obviously do not respect the law and such, and peer group pressure —

Several members interjected.

**Hon JIM CHOWN:** Peer group pressure puts them into these vehicles. If they take the consequences under the pending legislation, it will send a message to their friends and to the community that Western Australians will no longer tolerate people being killed under police pursuit on the roads of this state because the offender does not stop when they should. As a bit of background information, in 2011–12 there were 327 police pursuits, of which 282 involved adult offenders, 120 terminated in a crash of some kind, and six resulted in either serious injury or death to either the participants or innocent parties. I believe that this police minister has grasped the nettle on this issue and will pursue this legislation through the other place. The legislation will come into this place and if members opposite are not prepared to support it, I will condemn them for their actions.

**HON LINDA SAVAGE (East Metropolitan) [11.43 am]:** One of the government’s primary responsibilities is to do all it can to ensure the safety of its citizens. Despite the huffing and puffing from the other side, the statistics actually show that successive governments have presided over gradually decreasing rates of crime in a number of categories over many years. That is the reality. I am not sure that it is seemly or even correct for any government to claim credit for this. I think that it is particularly unfortunate to do so in this motion at this time, given the statistics in one particular category of crime, which I will refer to a bit later.

Firstly, Hon Jim Chown has made much of the role of the government’s legislation in affecting law and order in this state. I make the point that I think some of the legislation in this area that has come before us has been little more than public relations. There is no evidence that it has made a difference. In fact, if members follow events of recent years, they will find that probably one of the main things, according to the Commissioner of Police, that has affected the rate of crime, particularly the link between burglary and car theft, has been decisions made by the former Chairperson of the Prisoners Review Board, Hon Narelle Johnson. Of course, anyone who is interested in crime statistics, for example, to do with car theft, will know that the introduction of immobilisers in cars made an enormous difference. There are statistics and there are statistics. We know only about crime that is reported. Before another member gets up to huff and puff, I would like members to give some thought to the one in five children in this country who are subject to sexual abuse, the vast majority of which is never reported and never investigated. So just hold back a bit on the tough on law and order stuff with me, because I think we—this government and other governments—have failed on some of the most genuine law and order issues.

Let us talk, too, about what the police commissioner recently said are some of the major drivers of crime, and in the law and order debate —

*Point of Order*

**Hon JIM CHOWN:** The honourable member is going on about the police commissioner. My motion is about government initiatives in law and order.

Several members interjected.

**The DEPUTY PRESIDENT (Hon Brian Ellis):** Members, there is no point of order. Hon Linda Savage is still addressing the motion.

*Debate Resumed*

**Hon LINDA SAVAGE:** Dr Karl O’Callaghan, in recent reported press articles, identified youth crime and alcohol abuse as the two biggest crime issues in WA. I have not seen come through this place any legislation to address alcohol abuse. I have asked questions about what the government will do about that. When will the government stand up on issues like that? On the issue of youth crime, yesterday in this place we were talking about child and adolescent mental health and I quoted from an article by the President of the Children’s Court, Denis Reynolds. I will quote it again. In *Medical Forum WA* in August 2012, he stated —

The prevalence of mental health problems is greater for people in the justice system than it is in the general population ... many children appearing before the Court are more mentally damaged than ever before. In many cases seriously so and very young.

...

... nearly all of the children that I deal with for serious offences exhibit acute mental health problems ... hardly any of them have been previously identified nor provided with any mental health services.

Yet, the police commissioner has identified youth crime—that is, the people who are going through the Children's Court—as the issue, along with alcohol abuse.

In the time I have left, I will talk about what I would describe as a genuine law and order issue that I expect the government will not be congratulating itself about—that is, women in this state being killed by their husbands, their partners or their former partners. How is this for a statistic? I look forward to the government's response. Since November 2011, 20 women have been killed as victims of domestic violence. That is an increase of 10 deaths on the previous 12 months. The numbers have doubled in 12 months. How is that for the government congratulating itself on law and order? That doubling in the numbers of these deaths was reported in the media earlier this week in comments by Angela Hartwig, chief executive officer of the Western Australian Women's Council For Domestic and Family Violence Services. Ms Hartwig has been campaigning against domestic violence for decades now and wants to trial tracking devices for men who breach intervention orders. I have spoken in this place about the dangerous sex offenders legislation that is coming in, specifically the use of electronic monitoring—GPS—for men who are classified as dangerous sex offenders. Would this not have been an opportunity for this government, which is so resolute, so tough, and, in the words used by Hon Jim Chown, strong and unyielding on crime, to do something in this area; this genuine law and order issue? I look forward to seeing that being done promptly, if this issue is really of concern to the government. Angela Hartwig said she had seen fines for damaging property and graffiti that were greater than what we have for breaches of restraining orders. She said we need to move to using GPS devices for these cases. They have been used successfully in countries such as Spain. I have spoken before in this place about that; the devices have saved women and they have saved their children.

It happens, coincidentally, that last night in the Legislative Assembly there was debate about the bill introduced by the Labor Party, the Criminal Code Amendment (Domestic Violence) Bill 2012. That bill looked to amend the Criminal Code and was directly aimed at bringing in stronger penalties to protect women who are the victims of domestic violence. When Hon Jim Chown got up to speak, he huffed and puffed about how damn strong the government is on penalties. The bill was debated in the Legislative Assembly and even though government minister Mr Cowper, in his response, said that he agreed with comments made about the Criminal Code Amendment (Domestic Violence) Bill 2012, the government used its numbers to vote against it. That is what the government did yesterday. The government does not have a bill before the house to that effect, and yet today, of all days, we have this unseemly motion with the government congratulating itself on law and order. As I said at the beginning of my speech, it is the role of government to protect its citizens. I can only imagine what the families and children of those 20 women who have died since 2011—which is double the number of the previous year—would think if they had heard this boastful motion. That is the government's record—strong and unyielding and protecting women in this community. I do not think so.

**HON PHIL EDMAN (South Metropolitan)** [11.53 am]: I congratulate Hon Jim Chown on his motion.

**Hon Kate Doust:** He is absent, unfortunately; he is obviously not interested in his own motion.

**Hon Simon O'Brien:** On urgent parliamentary business.

**Hon PHIL EDMAN:** Maybe he had to go to the toilet, Hon Kate Doust; it does happen.

**The DEPUTY PRESIDENT:** Order! Hon Phil Edman has the call.

*Point of Order*

**Hon SIMON O'BRIEN:** There is a long-established convention that all members rely on—that is, the presumption that when a member is absent from the chamber, their absence is presumed to be because they are on urgent parliamentary business.

**The DEPUTY PRESIDENT (Hon Brian Ellis):** Members, that point of order is quite correct and the convention is that the presumption is that if a member cannot be sitting in his or her place, he or she is usually on urgent parliamentary business.

*Debate Resumed*

Hon James Chown; Hon Linda Savage; Deputy President; Hon Phil Edman; Hon Simon O'Brien; Hon Kate  
Doust; Hon Michael Mischin; Hon Nick Goiran

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**Hon PHIL EDMAN:** Once again, I congratulate Hon Jim Chown on his motion today. I will talk a bit about what is happening in the South Metropolitan Region, more exclusively in the more southern part, being the Peel area. I was quite amused last weekend when we had the member for Warnbro come to set up a bit of a stand down there. He was handing out a postcard, which I am happy to table. I quote what is on this postcard. It reads —

“We need a new police station between the Rockingham and Mandurah hubs.”

I will talk about that in a bit more detail, but I thought the issue would have been more about having more police on the beat than having a police station. The postcard continues —

**The State Government has:**

**Closed** the Rockingham Police Rail Unit Station

I catch the train a fair bit and I still see police on the trains —

**Cancelled** the Secret Harbour Police Station

I like to investigate these things, because maybe these are legitimate claims about issues in that part of the electorate when it comes to police. Before I was a member of Parliament, and just a resident of Rockingham, I lobbied and submitted a petition to the then Premier Geoff Gallop. We were trying to get more police into the Rockingham Police Station because we had a massive issue, so much so that ratepayers had to pay for their own security patrols because there was just not enough police presence back then, right through from 2002 to 2008; then, things subsequently changed. I never got a response to that petition, which was disappointing. I wrote to the superintendent of the Peel metropolitan district office, Mr Peter Halliday. I asked him what the difference in police numbers was in 2008 compared with today. That was in February this year. The good superintendent wrote back to me and I was very pleased to receive the letter, and I will quote the figures from the letter I have with me now. Prior, under the then Gallop–Carpenter government, we had one Rockingham detective and today we have 26.

**Hon Ken Baston:** Twenty-six?

**Hon PHIL EDMAN:** Twenty-six.

**Hon Ken Baston:** That is fantastic.

**Hon PHIL EDMAN:** It is; it is good news.

We have had an increase over the whole Peel police district; I was pretty well blown away. The superintendent said that there had been an increase of 157 officers since 2008. It is okay for the member for Warnbro to go out and lobby for a police station that he feels is necessary for his electorate, but I would not think a person would have to be a rocket scientist to work out that police in cars patrolling the areas and being on the beat would be more important than a building.

Several members interjected.

**Hon PHIL EDMAN:** They are being humble.

Hon Linda Savage over there had something to say about domestic violence. I have said in this house previously, and I will say it again now, that in my electorate we do have a problem with domestic violence. I will not sit on my high horse and say we are all wonderful and fantastic; there is work to be done. I have never said that our government is perfect; it would be pretty arrogant to say that we are. There is always room for improvement, and that is the right attitude to have.

Getting back to the superintendent's letter, he says there has also been a noticeable decline in the number of reported cases of graffiti. He says that in February 2008 there were 52 reported matters and for the same period this year there have only been 29 reports. I will not go on, because members are probably sick of me talking about the Right to Write program and the Weld to Life program. They are working very well at our local police and citizens youth club.

**Hon Adele Farina:** You're lucky have got a police officer there to deliver those services.

**Hon PHIL EDMAN:** I am glad Hon Adele Farina brought that up. Let us just come back to this postcard from the member for Warnbro and on to his next point on his fabulous card, which states —

**The State Government has:**

...

**Removed** police from our Police and Citizens Youth Club

I panicked when I read that; I thought, “Oh my God, they haven't, have they?” I quickly rushed down to the local PCYC after hearing this tragic news from the member for Warnbro. I rushed into the PCYC to see Senior

Hon James Chown; Hon Linda Savage; Deputy President; Hon Phil Edman; Hon Simon O'Brien; Hon Kate  
Doust; Hon Michael Mischin; Hon Nick Goiran

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Constable Tim Ellis there with the offenders doing the Right to Write and the Weld for Life programs. They were being supervised by the policeman. He has not moved on and the programs are still running well. I do not know where the member for Warnbro gets off, spreading this around and saying that he has been —

**Hon Jim Chown:** What's his name?

**Hon PHIL EDMAN:** I think we all know who he is. I know he is electioneering and these things come out, but if the member is going to do that, can he make sure that it is accurate, because it makes my job a lot harder when I have to go running around and finding out whether these things are fact or fiction? This is definitely fiction, so members opposite may want to mention something to the member for Warnbro when they see him.

**Hon Jim Chown:** They make it up.

**Hon PHIL EDMAN:** I think they must do.

**Hon Nick Goiran:** The shadow minister for fantasy, is he?

**Hon PHIL EDMAN:** It must be something like that.

I remember when I was lobbying for more police down that way prior to being a member of Parliament; I was quite amazed. The police were recruiting some 250 officers a year, but basically in the same year they were also losing about 250 officers. I know that we had that first resources boom, and I am not too sure where all that money went. Obviously, there was an issue there. As Hon Jim Chown has —

Several members interjected.

**Hon PHIL EDMAN:** I must have touched a nerve there. My God; listen to that!

I listened to Hon Jim Chown. Our government has put some measures in place so that there is a better deal for our police officers.

There is always room for improvement. No government is ever perfect. However, we are really making a big difference when it comes to law and order. I think we have done really well, but there is still a lot more room for improvement. There will always be things that happen in our community that we have to develop policies to overcome. It is a never-ending battle. However, I cannot say that we have not done anything, and I cannot say, in the term that I have been a member of Parliament, that the government has sat on its hands, done nothing and let things walk by. I am not only proud of being a member of the Legislative Council of Western Australia, but also very, very proud of being a member of the Liberal Party, and I am very pleased with the government's response to law and order issues in not only helping the victims and making our streets safer, but, most of all, making Western Australia a much safer place in which to live.

**HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition)** [12.02 pm]: I rise to make a few comments on this motion moved by Hon Jim Chown. When I initially read it, I looked at the words "enhancing law and order", and I thought: "Well, it's all about a bit of window-dressing." What we have seen over the last four years is that this government has pushed through this place a raft of bills focusing on a range of aspects of law and order. A number had arisen due to populist outcry in the community. We all acknowledge that some serious issues in and around various parts of our state and our community need to be addressed. However, this government has not necessarily looked at the causes, nor has it poured in the supports to address the causes of these issues; it has tended to focus on the penalties. I must say to Hon Jim Chown that the fellow he quoted on the radio today, Mr Tom Percy, was talking about this. He said that the government really needs to think about not putting up penalties but looking at the causes of the problems, and that is something that I have talked about on a number of occasions when we have been in this chamber dealing with each of those bills. We have seen about three hoon bills; we have seen a couple of graffiti bills; and we have seen the prohibited behaviour orders legislation. What else have we seen? We have had misuse of drugs bills about three or four times now; I have lost count of how many times. Even in today's newspaper, I think there is an article saying that there is still an increase in the number of people being arrested in relation to that.

I picked up on the comments of Hon Phil Edman about how we all want to feel safe on our streets and in our communities. Yes, we do, but we have to find ways of dealing with the issue at the source. We have to educate people that if they make the wrong choice, there will be a problem. I look at what is happening in some of our suburban areas, and it comes back to an earlier debate about where our priorities are and focus is. If we are talking about encouraging young people to not make bad choices, we need to look at how we can engage them in other ways. I look at suburbs such as Southern River and some of the others around that area, which are relatively new. Once children are over the age of six years, there is not a lot for them to do. They cannot really go and play in the playground. There needs to be enough infrastructure and activity so that people will engage with those things and with their neighbours and learn how to behave themselves in a more appropriate way. I do not know whether the government has addressed those issues. The government has responded by bringing in

Hon James Chown; Hon Linda Savage; Deputy President; Hon Phil Edman; Hon Simon O'Brien; Hon Kate  
Doust; Hon Michael Mischin; Hon Nick Goiran

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bills. Rather than the government sitting down and asking, “How can we do this properly in one go?”, we have had bite-sized chunks of how to do it in one go. I say to Hon Jim Chown that we acknowledge there are problems out there and we want to have a safe community, but perhaps there needs to be a better way of managing that. I appreciate that, as a government backbencher, he wants to get up and sing the praises of the government, particularly in the lead-up to an election, but I encourage him to look at some of the statistics. They are quite disturbing stats, so no matter how many legislative changes this government has brought in in the hope that they might resolve these issues, we are still seeing quite a dramatic increase in the types of crimes occurring in our community.

We can draw a comparison between 2010–11 and 2011–12, and this comparison is taken from an article in *The West Australian* of 5 October this year. If we go to crimes such as domestic assault, we see that there has been a 10.5 per cent increase. I noted the comments of Hon Linda Savage, and I agree with her that this is, unfortunately, a growing and dreadful issue that we have to come to terms with and work out better ways to manage. We have seen a 35.1 per cent increase in robberies relating to business; we have seen an increase of 2.8 per cent in burglaries at dwellings. I must say that I have had three home break-ins in the past five years, and it is not pleasant. For every person who has to deal with that, there is the added burden of all the costs associated with trying to make their home even safer or to deter people, or trying to work out why they are constantly being picked on for those things. I think I am one of those stats in each of those years, quite frankly. There has been an increase of 2.7 per cent in non-dwelling burglaries. There has been an increase of 12.7 per cent in motor vehicle thefts. For theft, general, there has been an increase of 9.5 per cent. For total offences against property, there has been an increase of 5.1 per cent. Let us look at some other issues. For drug possession, there has been an increase of 11.2 per cent; for receiving and illegal use, an increase of 10.2 per cent; for total detected offences, an increase of 9.1 per cent. For fraud, which is an interesting one that we have made some references to recently, there has been an increase of 69.3 per cent. I do not know whether we have had any legislation about that in this place. I do not know whether the government has actually talked about that type of law and order issue. White-collar crime tends to be put to one side as opposed to the more usual problems that people come across, such as assaults, drugs and alcohol-related crime. For breach of restraint order, there has been an increase of 3.1 per cent. For total crime in WA, the increase between 2010–11 and 2011–12 is 5.2 per cent. That is, we would all agree, a significant problem.

I pick up on the point that Hon Phil Edman made earlier about how we would rather have more police out on the streets, driving in their cars, than monuments. Yes, we do need to have police stations. Most of my constituents would like them to be open later than four o'clock in the afternoon—in some cases, such as in Mundaring, I think they close at midday on some days so that the police can do other work. I would like to see more police on the streets. I would like to see the Liberal government deliver on its election commitments and employ more police.

**Hon Michael Mischin:** We have.

**Hon KATE DOUST:** According to the budget estimates, the government has employed only an extra 68 in the last 12 months, and it has employed only an extra 34 auxiliary officers in the last eight months. They are the estimates of Hon Rob Johnson, as reported in the *Hansard* of the estimates hearings in the other place earlier this year.

We need to look at another issue. It is not just about having legislation in place; we have to make it work. This government has not ensured that the police have enough resources, dollars or bodies. Again, we find that the police have been asked to tighten their belts. The Commissioner of Police has to find other ways to cut back. Although the government might have a range of legislation in place to hopefully set parameters and deter people, or scare them off with penalties, there are not enough police on the beat. If members talk to most people in the community and in the suburbs, they would say that they want to see police and that they want to be able to call them and get them out quickly. There are not enough police officers to do that. This government has failed on its commitment to deliver more police in the community in not only some areas, but also across the board. If I were to ask anyone at all, I would be told that people want to see more police. Hon Phil Edman wants to see more police. I encourage him to take that up with his leader and to tell him that it is a vital issue in the southern corridor—we know it is. Let us face it, if more police roamed the streets in cars or on foot, bikes or horses, some individuals might be deterred from making the wrong choice. This government has introduced a raft of bills; and, before any member gets to his or her feet and says that we have opposed them, the opposition has opposed a couple of bills, but has supported the majority. We may have been diligent in trying to highlight our concerns about them and how they would work in a practical sense, but we have supported most of them. We look forward to seeing what the government puts on the table with the party bill and the high-speed chase bill, the details of which I do not know. I look forward to seeing what comes this way. They are all important issues, and they are issues of concern to our community that we must address appropriately. The government cannot come

Hon James Chown; Hon Linda Savage; Deputy President; Hon Phil Edman; Hon Simon O'Brien; Hon Kate  
Doust; Hon Michael Mischin; Hon Nick Goiran

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in here and sing songs of praise without looking at the outcomes. As I have articulated, there are still significant problems in Western Australia in that various laws are still being broken. Another area of concern is that when those laws are broken and people are caught, there is, according to Western Australia Police, a low rate of sanction for a number of those crimes. Although an offender may get caught, he or she is not necessarily receiving the appropriate penalty. This will be an ongoing issue. It is an ongoing challenge for every government, and it is an ongoing challenge for the community to better educate people. This government must ensure that it delivers to the police resources, bodies and funding so that they can better serve the community.

**HON MICHAEL MISCHIN (North Metropolitan — Attorney General)** [12.12 pm]: I thank Hon Jim Chown for having raised this very important issue in this place. It is just a shame that we do not have sufficient time to debate it in appropriate and sufficient detail. It is not an area of government responsibility that is amenable to simple slogans, which seems to be the approach taken by the opposition to some of the matters that are of considerable importance to the Western Australian public. Before I go into some of what the government has achieved over the past four years, Hon Kate Doust said that the immediate reaction of this government to any law and order issue has been to come in with legislation to increase maximum penalties.

**Hon Kate Doust:** I did not say that.

**Hon MICHAEL MISCHIN:** “There tends to be a focus on penalties”, I have her quoted as saying—not causes. I will digress for a moment to look at what the Labor Party proposes. I turn to its policy to eliminate knife crime. Anyone carrying a prohibited knife will, under a Labor administration, face a maximum of six years’ imprisonment or a fine of \$72 000. Well, that will stop people from carrying knives, will it not? That will do it. Labor said that it would buy 1 000 metal detectors for all operational police cars to help police better identify knife offenders, even though it was against a stop-and-search law that would have allowed police to use those metal detectors. We recently had the most serious problem of domestic violence. The Labor Party’s solution was to increase the penalty under section 281 of the Criminal Code by doubling the penalties. That will solve domestic violence, will it? And, indeed, in a most untargeted way. This government does not respond to law and order issues with the simple reaction of increasing penalties as the solution to a difficult social problem. I went into some detail on a standing committee report about section 281 of the Criminal Code to explain some of the intricacies of that section. It is an offence that on its face is one of strict liability. It involves a death that results from an assault that the prosecution cannot prove was not caused by an accident. Yet the solution to domestic violence is to bump up the penalty to 20 years’ imprisonment—what an absurdity! I am not suggesting that an increase in penalties is not warranted for those sorts of offences. But it ought to be done in a principled way. I have already indicated that before jumping in and simply tinkering with the law or naming laws after victims to gain popular support, I will look at the options available to make a meaningful difference to this very difficult area. I suggest that areas of domestic violence, and deaths as a result of domestic violence, are not the product of simply this government’s term of office. It is a surprise that Hon Linda Savage has suddenly noticed the seriousness of this and that she did not agitate for something more under the previous government if the solution is so simple. I am prepared to listen to any concrete solutions that Hon Linda Savage might come up with—I am open to that—yet I have heard nothing other than “the government needs to do something”.

I should point out, before I go into the legislative program of the past several years, that in the first year of this government’s office—while I was parliamentary secretary to the then Attorney General and the Minister for Corrective Services—it was revealed to estimates committees that there had been more rehabilitative programs in our prisons than there had been under any previous administration. Indeed, many of those programs were revived programs that had been cut back by the previous Carpenter government. Those programs are in operation. And there have been concerted efforts to ensure that prisoners who emerge from the system have some skills that might steer them away from law breaking—yet there has been silence on that. That is part of a law and order package and it is one of the great successes of this government.

That crime rates have increased over the past 12 months is something that needs looking at. But what Hon Kate Doust did not reveal is that there has been an overall decrease since 2008, so we must be doing something right. I note the Commissioner of Police’s comments the other day that somehow the increase related to a recent change in the chairmanship of the Prisoners Review Board which, frankly, is wrong. I have already asked him to clarify his comments in that regard, because the statistics do not bear that out. What the problem might be is a very interesting one, and one on which I am seeking the Commissioner of Police’s input so that I can address those sorts of issues.

Turning to what we have achieved, I have already touched on some of this during debate on the previous motion. Over the past four years, contrary to what Hon Kate Doust thinks, we recruited 270 additional police and auxiliary officers. No, we have not met the target we set ourselves; but we are on the way to doing that. Reported crime has fallen by nine per cent overall since the previous government was in office; not just one year’s worth, but overall even taking that into account, it has fallen by an overall nine per cent. We have increased funding to

Western Australia Police by 25 per cent. We have continued to commit funds to assist police in tackling the forms of offending that matter most to the public, including public disorder, taking hooners off the roads and assisting local governments to fight graffiti and antisocial behaviour. We have undertaken a concerted effort to refurbish, upgrade and replace our ageing police stations and ensure that police are properly resourced and equipped. We have faced budgetary stringency; nevertheless, we have returned more than \$26 million in budgetary relief to the police to ensure they continue to undertake their recruiting programs this financial year. Quite apart from that, we have had a legislative program that I agree will not solve all the problems that face society, but there is a limit to what laws can do. That comes as no surprise to anyone. We have scrapped the mandatory discount that courts had to take into account by dropping penalties by a notional one-third to satisfy the need for a reduction in the prison population, which had been the main focus of the previous Labor government. Never mind about punishing criminals appropriately and keeping them off the streets, which does reduce crime—no, a notional one-third discount had to be applied. We have introduced mandatory sentences to offenders for assaulting public officers who suffer bodily harm or grievous bodily harm. That has resulted in a reduction in assaults on police officers. That provision was opposed by Labor opposition members of this place, although curiously now they seem to be supportive of extending that protection to juvenile custody officers who were not originally included in the ambit of that protection. In the first five months of 2011 compared with the same period in 2010, there has been a 13 per cent decrease in assaults on and harm to police officers. We have dealt with restraining order reform, which is central to protecting the victims of not only domestic violence, but also other forms. We have increased the penalty for arson to life imprisonment. We have dealt with the rock-throwing problem. I can remember, very shortly after I appeared in this place as a member, Hon Ken Travers making an awful play about how we had not done anything about that. I pointed out that back in 2003 the problem was endemic and the Labor government had done nothing in its term of office to address it. It was this government that did something, and the incidence of rock-throwing seems to have disappeared or has at least been reduced substantially, to the benefit of public transport drivers as well as motorists on our freeway.

Prohibited behaviour orders are starting to come through and will address the sorts of antisocial issues that do not ordinarily result in imprisonment and the like. We have introduced manslaughter law reform. We have introduced in the Supreme Court the penalty of life imprisonment for manslaughter. Manslaughter is one offence that is committed mostly in a domestic violence case that results in homicide. Also the offence of dangerous driving causing death has been removed from the Magistrates Court and put into the District Court, where, in my submission, it should have been in the first place. We have dealt with identity-crime offences, graffiti matters and enhanced fines enforcement measures. This government has achieved a raft of things, and I wish I had more time to talk about them.

**HON NICK GOIRAN (South Metropolitan)** [12.22 pm]: I am pleased to rise this afternoon to support the motion of my good friend and hardworking colleague Hon Jim Chown, which reads —

That the Council congratulates the state government for its strong stance on, and commitment to, enhancing law and order in Western Australia.

In my view the primary task of government is to secure the peace, order and good governance of the community it governs. The majority of Western Australians, in my view, go about their daily business, raising their families and working in jobs that contribute to the development of our community, as well as earning money and engaging in a variety of recreational pursuits and community activities, without the need for any punitive law to restrain them. However, there are and always will be in our community men and women who are willing to inflict harm on others to obtain their own advantage without regard for the welfare of the community. We would therefore all agree that we need laws that effectively deter such behaviour by appropriately convicting and punishing offenders. For those reasons, I support the motion moved by Hon Jim Chown, as law and order is a very important issue in this state. I note the useful comments of my learned friend Hon Michael Mischin, particularly on the various reforms achieved under his stewardship as both a parliamentary secretary and now as the Attorney General. In particular I noted his comments on the somewhat controversial issue of mandatory sentencing. He made some very good comments on mandatory sentencing for assaults on police. I am sure Hon Kate Doust, who was pleased earlier to make notes and much ado about statistics, would have also been pleased to hear Hon Michael Mischin's contribution, particularly on statistics and the almost 40 per cent reduction in such assaults during the first 18 months of the operation of those provisions.

It is fair to say that I have not been the biggest fan of mandatory sentencing as a general principle, but I think it has a place in certain circumstances. I do note that this government has introduced the penalty for the third breach of a violence restraining order that now results in mandatory jail time. For those people who fervently opposed mandatory sentencing in all circumstances, I suggest to them that if a person has breached a violence restraining order for the third time, it might well be quite appropriate for this Parliament to tell the courts that

they need to put the person in jail. There are certain circumstances therefore when mandatory sentencing is appropriate, but it does need to be dealt with judiciously.

I want to spend some time in the very limited opportunity I have to touch on something about which I do not think most members would be aware. When we talk about the issue of law and order, we have to consider the issue of resourcing. There has been some discussion this morning and in the early part of this afternoon around the issue of police resourcing, and I have to say that a lot of myths have been thrown out there. Why therefore do we not get to some of the facts? I will point to two reports that I think you, Mr Deputy President (Hon Matt Benson-Lidholm), will find particularly interesting. They are the twenty-second and twenty-third reports of the Joint Standing Committee on the Corruption and Crime Commission. This hardworking committee submitted those two reports in February and March this year. Some of the findings in the twenty-second report include the following —

In carrying out the security operation during the 2011 Commonwealth Heads of Government Meeting, the WA Police made one request for the assistance of the Corruption and Crime Commission, and this request was granted.

It goes on —

The assistance provided by the Corruption and Crime Commission to the WA Police during the 2011 Commonwealth Heads of Government Meeting was made possible by the provisions of the *Commonwealth Heads of Government (Special Powers) Act 2011*.

Guess who was in government and pushed that legislation through Parliament? It was the Liberal–National government headed by Hon Colin Barnett. A bit of scaremongering went on at the time about what would happen at CHOGM; that the Corruption and Crime Commission would be involved; and that WA Police would be able to stop and search people and so on and so forth. Of course time now tells us that that scaremongering was unfounded, and that the opportunity taken up by this government to push that legislation through was done quite professionally and to the benefit of all Western Australians.

In the time remaining I also want to point out that the twenty-third report by that same standing committee made a finding as follows —

As a direct legacy of CHOGM, the technological capability of the WA Police is now at least equal to that of their interstate and Federal counterparts across Australia.

When opposition members and other people therefore make a big deal about resourcing police, I suggest to them that two Labor members of Parliament signed off on this report. It is a unanimous report of this committee, which found that there is a legacy from CHOGM in that WA Police is now at least at the same level as its interstate counterparts. That is because it was not like that beforehand. I have to say that it is quite appropriate for Hon Jim Chown to bring this motion to our attention to congratulate the government on law and order. Law and order is not just about legislation, as some people have mentioned; it is about resourcing. This is the truth on resourcing: WA Police is now at least the equivalent of its interstate counterparts because of the direct engagement of this government at the time of CHOGM. Of course the then Minister for Police, Hon Rob Johnson, should be congratulated for that. And of course his successor, Hon Liza Harvey, is also doing a very good job.

I do not have much time left, but there is one final thing I want to touch on, and that is the issue of the drug laws. Quite in contrast to the previous Labor government's soft-on-drugs policy, this Liberal–National government has repealed Labor's weak cannabis laws, which virtually tolerated the backyard cultivation of cannabis, and has made all cultivation of cannabis a criminal offence. That was not the case when the former Labor Attorney General was in charge of these law reforms. It took the Liberal government to come in and conservative ministers to be in this place to sort out this problem with cannabis and the soft Labor policy on drug laws. I fully support the initiatives of the government in this regard. I support Hon Jim Chown for bringing this to our attention. Despite the rhetoric by members opposite—we heard unhelpful comments, not for the first time in the past three or four years—I note that the Greens (WA) have been silent on this issue this morning. That is unfortunate because I am sure they would have made a useful contribution on law and order given that they have been strong supporters of every piece of legislation on this matter that this government has brought in.

Motion lapsed, pursuant to standing orders.