

ANZAC DAY AMENDMENT BILL 2015
ANZAC DAY AMENDMENT BILL (NO. 2) 2015

Second Reading — Cognate Debate

Resumed from an earlier stage of the sitting.

MR P.C. TINLEY (Willagee) [2.47 pm]: I will continue the remarks I was making on the Anzac Day Amendment Bill 2015 and the Anzac Day Amendment Bill (No. 2) 2015 before the luncheon suspension and question time. I was saying that the advent of the commemoration of Anzac Day in Western Australia, as in the rest of Australia, went through quite a lull after the Vietnam War. From probably 1975 onwards, it was considered that it had a relationship with all that was bad about the Vietnam War, not least of which the national service that was implemented. The citizens of Western Australia, like others right across the country, did not commemorate Anzac Day in the numbers that they do now; in fact, in 1979 I was a member of the 16th Battalion Royal Western Australian Regiment as an Army reservist, and I recall marching up St Georges Terrace. It was a very lonely march. There was barely anybody on the footpaths, where people gathered on those days, but today they are 10 people deep. As the Minister for Veterans, or it might have been the member for Churchlands, said, there is now in the order of 100 000 people at the dawn service, let alone those who turn out for the march. Anzac Day is very much back on the agenda and in the front of mind of the public of Australia and Western Australia.

Corresponding with that and the Anzac tradition, sport, particularly Australian Rules football, has formed a very large part of the commemoration of Anzac Day. During the First World War and in subsequent wars, soldiers would commemorate Anzac Day by playing some sort of sport. In Afghanistan and Iraq, sport is always part of the Anzac Day commemorations following the normal service in the morning. There is always some form of sport, be it cricket, footy or probably both, played in the dust in the afternoon to make sure there is a fulsome celebration and commemoration, if you like, of all that is good about Anzac Day and the sacrifice made by those in previous wars. Of course, the modern-day tradition of Anzac Day matches started with the sport played by the soldiers all those years ago and evolved into what we now see as the Anzac Day game. The modern-day tradition began in, I believe, 1995 when Collingwood and Essendon played each other at the Melbourne Cricket Ground, and there are no prizes for guessing what the common result was from that, year in, year out, for the Essendon Football Club. In 2013, St Kilda and Sydney played an Anzac Day game in Wellington, New Zealand, which was the first Australian Football League game ever played outside Australia for actual competition points; it was not a demonstration game. Sport has long been a part of Anzac Day activities. Rugby League is played in Sydney. The first Anzac Day Cup match between the Sydney Roosters and the St George Illawarra Dragons was played in 2002, but the first Anzac Day Rugby League game was played in 1927. The match was not played during the Second World War. Now that the Rugby League franchise involves New Zealand, the New Zealand Warriors from Auckland take part in Anzac Day matches that have significant importance in the sporting calendar for New Zealand and Australia.

The commemoration of Anzac Day has waxed and waned over the years, but it is now on a tremendous high. The purpose of the original Anzac Day Bill 1960 was to formalise something that had been happening in an ad hoc way—in some ways an illegal way. It was also a response to an internal vote of the Returned and Services League of Australia in which its members were polled about a variation to the way Anzac Day was commemorated. Traditionally, the entire day had been a commemoration day and pubs would not open, but the movement was for the commemoration to commence at dawn and conclude at 1.00 pm so that pubs could open, footy games could be played and race meetings could be held. Sir David Brand brought the bill into the house quite late at night, at about 7.45 pm according to *Hansard*, and noted —

... members are no doubt familiar with the result of the poll that was conducted by the R.S.L. Of the league's 15,521 financial members, 6,587 voted. The voting resulted in 4,855 members favouring commemoration until 1 p.m. ...

That bill was a response to the wishes of the veterans, expressed through Legacy and the RSL. One could be less than generous and say there were vested interests, particularly on behalf of holders of liquor licences who were seeking to make a profit out of Anzac Day. That is something we should always be wary of. The government of the day made sure, by the imposition of the 60 per cent impost on net proceeds, that the money raised would be paid into a fund. Even in those days, that was a pretty hefty weighting to impose on going to a footy match. I am sure the West Australian Football League was a very well-attended competition in the 1960s and 1970s; the footy games, along with the races, were probably the most attended events in those days, so a significant amount of money would have been collected. I did not have time to research—I probably would not know where to begin to research—how much money was collected at that time but I imagine it would have been significant.

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That original act has now lapsed, and I congratulate the current minister on picking up where the Premier of the day in the 1960s left off. Referring to the RSL poll, Premier Brand said —

In the limited time available since the holding of the poll, the Government has not been able to give this matter all the consideration it desired. Accordingly, I have given an undertaking to the House to introduce amending legislation following the experience that will be gained in the coming year.

It is a little bit later than expected, but here we are! We are in this place to amend the bill to make its impact more contemporary. This side of the house is conscious that the Anzac Day Amendment Bill 2015 needs to get out of this place before 4.00 pm to be laid on the table in the other place. I had particular concerns about the detail of this bill, and I thank the minister for the briefing note on previous disbursements of the trust. Those disbursements show a fair spread of last year's trust money, because it is a fairly well-known fact that the RSL and Legacy were pretty much the principal beneficiaries. I have nothing against those very erstwhile organisations—I am a member of one of them—but it is really important that we support veterans. That was the purpose of the original bill, and that has continued in the amendment bill. The purpose of the original bill was for the benefit of the veterans. In this day and age, as the member for Churchlands identified, a significant number of veterans present with mental health disorders, particularly post-traumatic stress disorder, and that needs to be attended to via the provision of a range of services. I will not go into how the unique circumstances of veterans require a slightly different approach to find a remedy, but the work of organisations such as Walking Wounded and Soldier On that exert a significant amount of energy to make a difference are worthy contenders of support from trusts such as this.

I remind the house that since 1999, 49 soldiers, airmen or sailors have been killed in action, but 239 ex-services personnel across the country have died by their own hand; I do not know the Western Australian statistics. From research and a large body of evidence, we know the number of deaths will continue to rise almost exponentially as those people separate from the services, because things such as PTSD might not present for as long as 10 years-plus after separation from the services. Initiatives such as this are fundamentally important because they provide flexibility, through the board and minister's support, to support organisations that arise for only a short period or for a specific purpose to assist a specific need. With that, I commend the bill to the house.

MR P. PAPALIA (Warnbro) [2.57 pm]: I rise to make a contribution to the Anzac Day Amendment Bill 2015 and support the bill.

At the outset, I will reflect briefly on the contribution of the Leader of the Opposition on the lack of recognition of the Battle of Pozières, and its place in Australian military history and Australian history generally. I endorse the suggestion of the Leader of the Opposition that the federal government should contribute to an appropriate memorial in that location. It is extraordinary that it has not been properly commemorated and is not in the forefront of Australians' minds, particularly now that we are 100 years on from that event. That aside, I will address most of my contribution to the content of the bill.

I commend the minister for his actions in bringing this amendment bill to this place. I also appreciate the briefing note and background information he provided. I make the observation that it is clear that I do not think that the Australian Football League, which has made a considerable amount of money out of having events on Anzac Day, has contributed anywhere near appropriately to Western Australian ex-service personnel via this trust. I am glad the minister has sought to address that situation. Clearly, if all the AFL contributed last year—this is not necessarily a negative reflection on the Fremantle Dockers—from that huge event was \$15 000, that is completely inadequate. I acknowledge the contention the AFL would make that there are costs associated with conducting the event and that contributions are made to the AFL, but all that aside I cannot believe that the AFL would think that was an appropriate amount of money to contribute, having been given the opportunity to conduct such an event on Anzac Day. It is just extraordinary. I am glad the minister is rectifying it. It looks good. I note the intention to monitor what happens to see whether the formula that has been arrived at works to ensure that we get a boost in the amount of money contributed. I look forward to seeing how that goes. As much as we can anticipate, it looks as though it will work. Also, being more specific about the nature of events that attract this obligation is good. Five thousand in attendance with a professional sporting organisation excludes all the smaller organisations and sporting associations that might have events on the day, and it would not be appropriate that we impose on them.

I also commend the other organisations and associations around the state that have voluntarily made contributions to this trust in recent times, despite the relatively small capacity to do so. I note that other people have mentioned the Warnbro Bowling Club. It is extraordinary that a little club—it is not actually that little; it is a reasonably sized club—such as the Warnbro Bowling Club can contribute \$300 to this trust while an enormous organisation that is the AFL contributes only \$15 000. The other groups listed in the minister's briefing note include Burracoppin Football Club, Kwinana Golf Club, and Greyhounds WA, which made a commendable

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contribution of \$9 496. Kwinana Golf Club contributed more than \$1 100, which is a significant contribution, and Kalamunda Eastern Suns Basketball Club contributed \$110. All those small organisations demonstrate a greater responsibility to the concept and aspirations of the Anzac Day Trust than do the much bigger organisations, which have not really been making a fair contribution.

I also join the member for Willagee in commending the expansion of the list of organisations that can be recipients of funding. In recent times I have often and increasingly said when I am giving my address at the Port Kennedy dawn service on Anzac Day to the crowd of some thousands that grows every year, that we should place our focus as much as possible, notwithstanding what I said about Pozières, into the living veterans, as opposed to commemorating people who have gone. As much as it is sad and a tragedy, there are no Anzacs left; they have all gone. The sons and daughters of the Anzacs are leaving us rapidly, but, as the member for Willagee indicated, we have tens of thousands of living veterans today who need our assistance.

In looking at the list, I endorse and welcome the increase in the number of organisations that will receive funding, but I encourage the minister, if at all possible, to focus in the coming year on those that deliver real services and have a demonstrated capacity to deliver services in as professional a manner as possible. Like me, the minister has received numerous approaches from all manner of well-meaning people who are intending to provide services to ex-service personnel suffering from post-traumatic stress disorder. Nevertheless, many of them do not really have the capacity, and I fear that a lot of them may be exposing themselves to any amount of potential litigation or accusations of failure just through their naivety. This is not a criticism of their motivation. They are all well motivated, but I have met people who are damaged themselves trying to establish organisations to replicate services already being provided by much more capable organisations. I know that the minister has encountered and experienced this as well. In our position, we get approaches from many people who recognise the need but may be exposing themselves unnecessarily to a lot of angst and, perhaps, negative consequences that they have not foreseen. It may also result in a dilution of the ability to provide the service. I love all these organisations, but the more there are, the more diluted is the ability of government and bureaucracies to manage and deal with them, and the less likely they are to be able to deliver a valuable service.

Mr J.E. McGrath: Are you saying that the Department of Veterans' Affairs does not have the resources to look after all these vets who are suffering from post-traumatic stress as a result of serving in the armed forces? I have a friend in the eastern states who fought in Vietnam, and he gets a lot of services from the Department of Veterans' Affairs. He has regular medical checks and assistance, and he goes to psychologists, and it is all funded. Are you saying that the commonwealth government does not put enough funds into supporting these veterans who have served our country?

Mr P. PAPALIA: I would not frame it in that way. The DVA has at times in the past certainly been under-resourced and incapable of providing some services. It may not have had the focus that it has now. It is much more focused on the provision of services. The reality is that the extent of the challenge is so great that no matter how well-meaning the DVA is, and even no matter how many resources it is allocated, it may not be able to deliver some services that can be provided only by a lot of these other organisations. For instance, I am absolutely certain that some of the unit organisations or associations have a much greater capability to reach into the community of ex-service personnel, and encounter them on a more regular basis and at an earlier time than perhaps DVA ever will because it is a bureaucracy. They should not be duplicating what the DVA does, but they can fill a gap between the bureaucracy and government activity, and the people on the ground who may not want or be able to call for assistance, or may not even recognise that they need it. Those organisations and associations have a role to play. Their role is not a government role; these unit organisations and associations are communities of people. It is just another community, but it comprises people who in many respects have the ability to engage and communicate with those people who need the assistance far better than any bureaucrats. I would not advocate that these organisations try to do what the DVA does, because there is no way they could ever match its funding or capacity. There are many people out there who do not make it to the DVA, do not know how to navigate their way through the DVA processes or may need assistance with that, and a lot of these associations can provide help with that. Some of these organisations provide services on a not-for-profit contracted basis to the DVA. They accrue the capacity to counsel, and provide things like respite services, which the DVA then does not have to provide, but it can get these organisations to provide it. These organisations do it on a not-for-profit basis. Those are the ones that I think we should focus on.

As we are in the four years of the 100th anniversary of the First World War, a lot of organisations are seeking funding for commemorative purposes. Increasingly, we should try to focus on service delivery. I will not continue much further. As I said, the opposition supports the Anzac Day Amendment Bill 2015 and the Anzac Day Amendment Bill (No. 2) Bill 2015, and I support the Minister for Veterans' initiative. It is great to see that the Anzac Day Trust is coming under the authority of a dedicated minister and it is also really good to see that the trustees of the trust will be from outside the organisations that might be recipients of funding, which

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is not to make any insinuation or inference that people have not acted appropriately in the past. That is just good management and governance.

I will add one final observation. It is wonderful to see the WA branch of The Partners of Veterans Association of Australia Inc receive funding because, as the minister knows and as many members in this place have learnt in recent times, that is a small group of very dedicated partners of veterans who have moved into actually making a difference. It is one of the groups that I commend, because its members did not want to just sit around looking at each other; they wanted to actually assist younger veterans. These are people who are the partners of, predominantly, Vietnam veterans, and even beyond that. They have lived their lives now and they are not really going to benefit too much from this initiative, but they have dedicated themselves to trying to help younger partners of veterans, younger veterans, and their families, and they are worthy of commendation. It is wonderful to see that they have a decent chunk of funding there. They may not have to do so many lamington sales! That is reflective of the types of organisations we are talking about. Everyone has heard of Soldier On, and many other organisations are also very capable. I cannot see the RAN Clearance Divers Association there or, for that matter, the Navy Clearance Diver Trust, but I will be talking to the trustees of that trust and suggesting they approach the minister for the next round!

Mr J.M. Francis: I'll make sure they're on the mailing list!

Mr P. PAPALIA: Yes. The Navy Clearance Diver Trust is a new trust and I am proud to say I was associated with its establishment.

This is good to see, minister. Congratulations and well done, and I look forward to seeing the success of this amending legislation.

MR T.K. WALDRON (Wagin) [3.12 pm]: I rise to make a brief contribution and start by saying that I support these bills. I think they are really good and fair bills with flexibility in them, and I think the minister has done a good job with them. The main thing for me is that they actually clarify this situation. A lot of people previously did not quite know what applied, how it applied and when it applied, and I think this clarifies things for everyone. Events, including sporting events, on Anzac Day are a really good thing, but we needed this clarification, and I think the minister has struck a pretty good balance. The 5 000 threshold attendance figure is a fair level. We are capturing the professional and the bigger, more elite sports and other events, and it is important is that they contribute to our veterans' groups, because we all know the importance of what our veterans have done over our history in Australia. It is a proud history in that area.

At the same time, of course, it does not affect the smaller sporting groups, which is a good thing, because a lot of those smaller sporting groups make donations and contributions in other ways, and I will talk about that briefly in a moment. I also mention being able to apply flexibility in a different system, and it will be interesting to see what comes up, but having that flexibility in there is a smart move.

I want to talk a little bit about the contribution of sport. I take the point made by the member for Warnbro when he suggested that bigger sporting bodies like the Australian Football League should be paying more. Although I acknowledge that, I also think we should remember that sport has really been a huge part of Anzac Day, particularly the resurgence of Anzac Day, and getting our young people involved. The AFL has played a huge role in that. Something about Australians is that we have respected our diggers and all our servicemen and women over the years, and there is nothing more amazing than to have nearly 100 000 people at a venue observe the one minute's silence, with not one person making a sound, although every now and then one little crazy yells out at the end. That complete silence is a great example Australia-wide. It is not just the AFL; many other sporting codes and organisations also do that sort of thing. We must acknowledge that the AFL, WAFL and other sporting bodies have elected to play a pretty key role there. I congratulate the Dockers' Len Hall Tribute Game, which has become a really significant fixture. People go to the Len Hall game to be part of the celebration of Anzac Day. When Len Hall was still alive, that obviously added to it. He has now passed on, but that tradition continues. We should be careful about having a swipe and saying, "Well, they've got lots of money, they should be paying more." We have to remember that the AFL has done a heck of a lot.

During my time in sport, particularly when I was managing the WA Country Football League, I recognised that something that goes unnoticed about the contribution of sport is that there are hundreds of sporting clubs across Western Australia that donate, locally, to RSLs and that support functions and events in remembrance of our service men and women. It might often be only a few hundred dollars; some I have quoted before, but I really thank them because whether we like it or not—I am sure we all like it!—sport has a huge influence on our society. It can have a bad influence in some things, but generally it has a fantastic influence on our mental and physical health, our social wellbeing, our fun and enjoyment and on the Australian way. It has also provided great support to Anzac Day. Minister, well done. This needed to be clarified, and I think the minister has struck

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a pretty good balance, and I congratulate him on that. I know Australians will continue to support Anzac Day and sporting events held on that day.

I will finish by saying that a person challenged me and said, “Well, you shouldn’t even be playing sport on Anzac Day.” I honestly think that our past service men and women fought for this country and its freedom, and I am sure that they would want to see people out engaging in not just sporting events but also picnics in the park and all those sorts of things, and remembering them on that day. They would like to know that they fought and gave up their lives or part of their lives to make sure we are able to do that and that people can go out and enjoy themselves. I think we do that well and I think the respect we show has grown. Well done, minister.

MR J.E. McGRATH (South Perth — Parliamentary Secretary) [3.17 pm]: I was very interested to hear the former Minister for Sport and Recreation’s contribution there. I am sure that the member for Wagin, as a former footballer and cricketer, would probably like to see sport played every day of the year! He would have no objection to that!

As a sportswriter in a former life, I just want to say I support everything the minister has done with this legislation. It modernises what happened a long time ago. I remember talking about this to a former chairman of the Western Australian Turf Club. At the time the Anzac Day Trust was first formed and the legislation went through Parliament, Diggers’ Cup Day was a big day at Ascot Racecourse and Belmont Park. This former chairman of the club said to me that on the Monday morning someone from the Anzac Day Trust would get in his old car and drive out to the racecourse and they would go through the books of the day and count the numbers of people who had gone through the gates and the betting receipts and all that sort of thing so they could work out what the actual contribution was that went to the Anzac Day Trust. That was a long time ago and times have changed.

Like the member for Wagin, I also want to make a point about football’s contribution. I would hate to see the public take the view that football has just cashed in on Anzac Day. I do not think that is the case. The Fremantle Football Club would get just as many people to any game, and I go back to the first Len Hall game. It started in Victoria with the famous Anzac Day match between Essendon and Collingwood at the MCG, and the Fremantle Football Club said, “We should get involved and we should recognise the people who have served our country in the various forces.” Fremantle recognised an old digger called Len Hall; the Dockers could have just put on a game and called it the Anzac Day Game, and still would have made the same amount of money, but the club put a lot of effort into making sure that it was a proper tribute to those men and women who have served our country in the past. Anyone who has been to a Len Hall game will know that it is a fantastic experience. It is of course not as big as the traditional game at the MCG in Melbourne, where they get 80 000 or 90 000 people, but I agree with the member for Wagin: it is a fairly spine-tingling experience to have that one minute’s silence before the game in recognition of people who have served our country and in many cases have lost their lives fighting for our country.

Minister, well done; you have the support of both sides of the house on this one. I will also be interested to see where the funds go. This minister is a very responsible person who has a background in the forces. It is very important that the funds from this day are distributed in the most worthwhile manner to support the veterans of the Australian forces.

MS M.M. QUIRK (Girrawheen) [3.20 pm]: We all should be indebted to the Leader of the Opposition for reminding us that although the big Gallipoli commemorations were held last year, this year we will remember a number of significant battles on the Somme. In particular, we will be commemorating the 100th anniversary of the battle at Fromelles on 19 July, and, on 23 July, the battle at Pozières. My grandfather actually fought and was wounded at Pozières, so I certainly concur with much of what the Leader of the Opposition said. I hope that this year more students of Australia’s war history will become familiar with the battles in the Somme and particularly those at Pozières. I have said in the past that I believe the Australian government has not invested sufficiently in commemorating the battle there. I unfortunately have not been there, but hope to go there relatively soon. As the Leader of the Opposition has described, unlike other centres in northern France and Belgium, there is not a major commemorative centre or memorial there and it has been left to private individuals to raise funds to commemorate that event. I think that is a problem. When we talk about the Somme, I always like to remember a story that has a local touch and relates to soldiers who fought at Fromelles. Many members know that many of the diggers who fought in that battle were completely lost for many years. Their graves were nothing more than anonymous holes in the churned mud of northern France. Thankfully, however, thanks to modern archaeological technology, the mass grave of 250 British and Australian soldiers was recently discovered. Amongst the objects found during that archaeological dig was a railway ticket from Fremantle to Perth. It was a return ticket and, of course, the return part was unused. We do not know the name of the soldier to whom it belonged, but we do know how precious it was to him because he kept it in the safest, driest place he could think of—the waterproof

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section of his gas mask. We remember, with that simple discovery of a return railway ticket, that that soldier was like all others: he wanted to return home at the end of the conflict.

Anzac commemorations are about commemorating those soldiers who did not make it home or who might not have made it home, but, as the member for Warnbro coherently expressed, we also need to remember the living. Certainly, the administration of this fund is about remembering the living. Graham Edwards, the WA president of the RSL, was interviewed by *The Sunday Times* in 2014. As we know, he was injured in Vietnam. In that article he called upon the community to recognise the service of those who have served in modern wars such as Iraq and Afghanistan. He believes that those returned veterans need to feel appreciated for risking their lives in the name of peace —

... because the reverse of that is to do what we did to Vietnam veterans, and ostracise them and ignore them, and create an environment where they had to put a lid on any emotions they felt as a result of their war service.

“Those emotions can only be contained for so long and will spill over.

The words of the Vietnam Veterans Association of Australia are cogent in this context: we must honour the dead but fight like hell for the living. The fund gives us the opportunity to do just that through funding various endeavours to assist veterans who are suffering from post-traumatic stress disorder. The member for South Perth asked the member for Warnbro how big an issue this is. I heard a report on the ABC a few days ago about the number of homeless veterans who are suffering from PTSD. I am afraid I could not find that particular report; however, I did find one from 5 November 2014 headed “Australian diggers at risk of homelessness, expert warns; some veterans and families ‘sleeping in cars’”. The reporter was Ashley Hall. Her report on ABC news stated —

A veteran of the war in Afghanistan has warned that returning Australian diggers are suffering from epidemic rates of homelessness, with some being forced to sleep in cars.

For the past five months, Geoff Evans has been working as RSL LifeCare’s younger veterans adviser providing accommodation and services to returning servicemen and women.

During that time he has placed 21 returned soldiers at an accommodation site at Narrabeen on Sydney’s Northern Beaches, but he has warned the need is much greater.

“I think the scale of the problem out there is really quite drastic” ...

“In 2008, when the last report into veterans who were potentially homeless was published, there was over 3,000 veterans living on the street on any given night,” he said.

“So since then if you look at the tempo of operations of the ADF you could reasonably expect that to be much higher. We’ve put 40,000 or 50,000 troops through Iraq, Afghanistan and other conflict zones.”

...

“I really think I’m sitting on the tip of the iceberg,” ...

“We’re not just talking about veterans, we’re talking about families of veterans, so we’ve got women and children sleeping in cars.”

...

“There’s a lot of parallels we can draw here with the Vietnam generation because everyone in Australia knows what happened to Vietnam veterans,” ...

“If you look at mental health, suicide and alcoholism—including in their families—well we’re seeing that play out again in my generation.”

Mr Evans went on to call for early intervention —

He said the Department of Veterans’ Affairs offered a world class repatriation service but when it comes to addressing homelessness, it lets soldiers down.

“We were already doing the housing first,” ...

“It was just a matter of expanding the program to start trying to bring in a more comprehensive rehabilitation focus.

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“If you fall over completely the system will put you back together again. But we wait until that person falls over completely and then it’s a long build for them again if they’re ever going to get back on their feet.

“We need to be intervening earlier and we need to have a particular focus on homelessness.”

I have not researched in great detail the criteria for allocating funds from the trust. Although it is 100 years since veterans fought on the Somme, there is certainly an ongoing need to continue to support our veterans because of our recent activities, particularly in the Middle East. Obviously the funds from this trust fund are important.

As we have heard, this bill has bipartisan support. I do not want to sound like a wowsler or a whinger, but I make the point that it is ironic that changes are being made to Homeswest tenancy arrangements such that those veterans who are on total and permanent disability pensions or a special veterans benefit that are not even assessable by the tax department now face those benefits being counted as income for the purposes of assessing the amount of Homeswest rental that is payable. Those individuals have complex needs, and I have referred to an article that sets out some of those issues. We are wrapping ourselves in the flag with this legislation, but we need to be mindful that at the same time we are kicking veterans in the teeth by taxing their total and permanent disability pensions which previously had been immune from calculation for Homeswest rent and not accessible as taxable income. I remind members that we can all enjoy this warm inner glow, but when the rubber hits the road we may well be driving more veterans to homelessness.

MR C.J. TALLENTIRE (Gosnells) [3.30 pm]: I rise to support the Anzac Day Amendment Bill 2015 and the Anzac Day Amendment Bill (No. 2) 2015. I begin by saying how significant it is for members of the Gosnells Returned and Services League of Australia and the many veterans around the state to be discussing and commemorating past events on the battlefield, and that this legislation recognises that. This legislation will amend the funding formula so that money is better channelled to support returned service people and so that the funding arrangements are equitable and well-managed and that various worthy organisations benefit.

Before reflecting on that further, I want to mention the significance of Anzac Day in my electorate and how, for many in the community, it is an opportunity to come together to reflect on an important piece of our history—the tragedy and futility of war. It is an opportunity for us to bond and reflect collectively with the utmost dignity and respect. What we are looking at here is talking about what occurs later on in the day, after that solemn occasion—that is, after an event at a suburban war memorial—when we perhaps proceed to various sporting grounds. I know currently there is great enthusiasm about going to major football matches on Anzac Day. I put forward a word of caution here. I am not as convinced as a lot of people that the mass enthusiasm for attending a major sporting event, where we pay large amounts of money to watch elite professional athletes, is a phenomenon that will continue. I think there is an emerging trend for people to participate and not spectate, and I think that is a good thing. I wonder whether we will need to revisit this in the future because the funding arrangements and formula may change; however, that could be done sometime down the track when there will be other factors at play and the trend of people watching events online or via TV occurs as well.

I note that other members have talked about their support for the commemoration of the Battle of the Somme, particularly at Pozières, where I think some 5 000 Australian lives were lost. I know that that is a worthy thing to contribute to. I recall reading in a letter I received from the people who were asking for donations the suggestion that they had not been overwhelmed by financial contributions from parliamentarians around the nation, but I am sure that there will be a surge of funds from members in this place going forward, and so they might be pleasantly surprised.

When it comes to how to commemorate these battles, there is a way to do it. I have visited the site where the Armistice was signed on 11 November 1918—that point in time on the eleventh hour of the eleventh day of the eleventh month in 1918. People are able to see the railway carriage that was used for the signing of the Armistice at a place called Compiègne in the Picardy region of France. The Australian flag is there, which is interesting given that there are other battle sites—it might be the case at Pozières and is certainly the case for Second World War sites—where we cannot see the Australian flag or any acknowledgment of the Australian contribution. I know there is a flag that flies at Pozières, but I think the call is for something more significant than the flying of a flag as a commemoration. However, there is great symbolism in that railway wagon and the photos of the various generals who put their signatures to the paper that led to the Paris Peace Conference and the Treaty of Versailles. Then there were the issues around the humiliation of Germany at the time. I also believe that in 1940 Hitler insisted that the same railway carriage be wheeled out at the signing of the so-called Armistice for France. It is sometimes almost too difficult to comprehend the symbolism of these things, and the obsession of people about that particular railway carriage escapes me. Nevertheless, it is important to commemorate these points in time and momentous occasions, so I applaud those members who will be chipping in to support the campaign to ensure that the events at Pozières are properly commemorated.

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I note that with the passage of these bills a more generous funding arrangement will be set up and that funding will go to good works and programs for people suffering post-traumatic stress disorder and will be dedicated to meeting the needs of living returned service people who in some cases are struggling from what they have lived through. It is very important indeed that funding be available to help those people in their time of need and to recognise that even many years after a particular traumatic event.

I support the legislation and I hope that the formula we have arrived at will endure, but I note that there may come a time when the funding formula may need to be revisited.

MR J.M. FRANCIS (Jandakot — Minister for Veterans) [3.38 pm] — in reply: Can I start by thanking members on both sides for their support of the Anzac Day Amendment Bill 2015 and the Anzac Day Amendment Bill (No. 2) 2015. I assure members that a lot of angst, consideration and consultation has gone into arriving at where we are today. It was exceptionally important to come up with something that to a large degree will be futureproofed. I am also aware of the time and that ideally we would like this legislation to pass this house as soon as possible so it can get to the other place and be implemented, hopefully, for this Anzac Day. I am exceptionally aware that the clock is ticking.

I want to start by commenting on what happened on 24 November 1960, 10 years before I was born and eight years before my father served in Vietnam, who left on the same ship, HMAS *Hobart*, on a second deployment with “Digger” Cleak. It is a very small world and, believe it or not, I have known Digger, once the president of the Albany Returned and Services League of Australia Sub-Branch before he came to Cockburn, for a long time. My father and Digger knew each other as far back as 1968. I am talking about eight years before 1968, and the generation of Parliamentarians in 1960 had their views about what they thought Anzac Day should be, how it should be commemorated and what should and should not be allowed. In getting where we are today I hope that we have kept alive—although they also had some differences of opinion—their original intent, but also acknowledged that even back in 1960, no matter how wise they may have been, there were some things that they could not foresee, which is why we are back here today. I know that the member for Willagee mentioned one of the contributions made back on 24 November 1960, so I thought I would just quickly go through some of them, rather than me trying to interpret the words from 1960. Mr Hawke, the member for Northam said —

There has been a growing opinion, year after year, in favour of Anzac Day being observed on at least a semi-sacred basis in the morning; and, for the rest of the day, to be treated as a normal holiday afternoon.

One of the more amazing contributions came from Mr Mann, the member for Avon Valley, who said —

I would like to say a few words on this measure as one veteran who in the early part of the first World War landed with the Tenth Light Horse on Gallipoli.

Mr Mann obviously came back from Gallipoli and became a member of this place for the seat of Avon Valley. He said —

I am afraid it will not be long before the significance of Anzac Day will be completely forgotten.

With all due respect to Mr Mann, a 10th Light Horseman, hopefully, we are still doing our bit now to ensure that that legacy is continued. I would like to think that Mr Mann would be happy that we have somehow proven him wrong. Mr Lewis, the member for Moore, said —

As one who has had something to do in the past with the organising of local sports, I can state that there is not very much profit to be gained from local sports. They entail quite a lot of voluntary work on the part of many people, and the net result is often most disappointing financially.

I would suggest that Mr Lewis never foresaw, like nobody else did back in 1960, the rise of the massive financial organisation and business that became the Australian Football League. The other speech worth noting just quickly was made by Mr May, the member for Collie, who said —

As I said before, we cannot expect the rising generation to appreciate the true significance of Anzac Day.

He went on to say —

This Bill has come before the House because of the changed thinking of people today. Their views are different from those which existed when Anzac Day was first inaugurated ... but I still say this: We should not try to make Anzac Day one of finance for certain bodies at the expense of the men and women who died as a result of their service overseas during the first War. We should respect them ... It is the day which made Australia a nation. There is no question about that. It is a day which has been responsible for Australia being recognised as a nation by the world.

Extract from Hansard

[ASSEMBLY — Thursday, 25 February 2016]

p919c-930a

Mr Peter Tinley; Mr Paul Papalia; Mr Terry Waldron; Mr John McGrath; Ms Margaret Quirk; Mr Chris Tallentire; Mr Joe Francis

I would thoroughly recommend to any member that whenever we amend any legislation and they have an interest in it, to go back and look at the original debates. Sometimes they go as far back as this one to 1960. It is a fascinating insight into the minds of men and women who were members of this house at that time.

I will fast forward to a couple of years ago. I and a number of other people started to look at what was happening around Anzac Day. When I was elected in 2008, I did not even know that the Anzac Day Act existed. I did not know that the Anzac Day Trust existed. We did a little bit of research and found out that the government, as the government of members opposite did before 2008, put a significant contribution into this fund, but essentially it was done by Treasury and there was probably not a minister necessarily who took too much interest in it. I am not having a go; I think that is just the way it has been for generations almost. Rather than mince my words, I might just quote myself. I drafted an op-ed for *The West Australian* in 2014 about this. This is not about me, but it is just easier for me to read this out. I wrote —

As we approach the climax of the football season, I have had cause to reflect on the relationship between the Australian Football League and Anzac Day.

The Anzac Day AFL matches are now recognised as a meaningful part of the day, though occasionally football coaches and TV presenters foolishly conflate war with sport.

Sport is a game, war is not. Our favourite footballers are not warriors showing the “Anzac spirit”, it is not “do-or-die” football.

And as stressful as a game of footy can be, there are no improvised explosive devices on the field and everyone gets to go home again.

Fortunately, the AFL approaches the day in a dignified and respectful way. However, it does raise the question of using Anzac Day to make a profit.

In 1960, the WA Parliament passed the Anzac Day Act and the Hansard record makes interesting reading.

As I have alluded to. It continues —

Many of the MPs were returned servicemen with a deep and intimate connection to Anzac Day.

Parliament recognised the way Anzac Day was commemorated was changing, therefore, after lunchtime, the rest of the day should be open for other “holiday activities”, including public sporting events.

The Act established the Anzac Day Trust and stipulated that for any sporting event played on Anzac Day after 1pm, 60 per cent of the net proceeds would be paid to the trust, which in turn would be allocated to ex-service charities.

The principle was clear. By all means hold sporting events, but a significant portion of the proceeds will go to the ex-service community.

It would be about 37 years before the AFL played a match on Anzac Day in WA. Since 2008, the AFL has contributed \$15,000 to the trust for each AFL game played on Anzac Day and recently the trust received \$15,000 for the game at Subiaco this year.

We should be grateful to the AFL for its contribution. But, the method for calculating this contribution is unclear and we don’t know if the trust is getting its fair share.

Let us be clear about Anzac Day matches. The AFL, however respectful, uses the legacy of Anzac Day to both promote the game and invest it with something special, and in turn makes a profit.

As we begin the Centenary of Anzac, —

Obviously, we are a few years into it now —

many Australians will naturally direct their thoughts to the service of their great-grandfathers and grandfathers.

But, we should not forget that among us are the veterans of more recent conflicts: Somalia, Rwanda, East Timor, Iraq and Afghanistan.

There are obviously members in this house who are veterans of those conflicts —

They are the custodians and heirs of the Anzac tradition.

I recently read about former soldier Matt Tonkin who was found dead in parents’ home in Subiaco.

Extract from Hansard

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p919c-930a

Mr Peter Tinley; Mr Paul Papalia; Mr Terry Waldron; Mr John McGrath; Ms Margaret Quirk; Mr Chris Tallentire; Mr Joe Francis

He served in Afghanistan where he witnessed an explosive device tear the legs off a fellow soldier and the next day he found his mate's boot with a severed foot still in it.

Barely a week later, Mr Tonkin's close friend Pte Robert Poate was killed in an insider attack.

Mr Tonkin left the army after his deployment and returned to Perth. Diagnosed with post traumatic stress disorder and in pain from an injury in Afghanistan, he was having issues dealing with the Commonwealth Department of Veterans' Affairs.

He was taking too many painkillers for his back and then one day he didn't wake up.

There are others like Matt Tonkin in WA. The community, through the trust, can give them and their families some additional help through charities such as the RSL or SoldierOn—someone to help navigate the process with DVA and someone to say they aren't alone.

We need to look closely at how the Anzac Day Trust is funded. It may be that 60 per cent of the net proceeds is too onerous a burden for some sporting organisations, even the AFL.

But, the trust must secure a fair share for our veterans.

I will now move on two years. In the last two years, I have to say, it has been an absolute privilege to be the first state Minister for Veterans in what is predominantly a commonwealth domain. There are things we can do and the member for Willagee pointed out that it is the responsibility of not only the commonwealth but also everyone in the community to do our bit, including the state government. Even if it is in a small way like just giving Soldier On \$20 000 to help it deal with its mates who have post-traumatic stress disorder. If it saves just one life from suicide, what we are doing here right now is worth every single second of time in this Parliament and every single bit of the hate I got when I pencilled that op-ed two years ago. We have come up with something that I hope is futureproofed, fair and balanced. I acknowledge the good intent and the will of the AFL, just as I acknowledge all the other smaller contributors to this fund, such as that from the Warnbro Bowling Club, Greyhounds WA—the dogs put in nearly \$10 000 when the AFL put in \$15 000—and the little organisations that did not even have to lift a penny, such as the Kwinana Golf Club, but still contribute to the trust. I have written to thank all of them this year. It is probably the first time they have got anything from anyone thanking them for their contribution. Those organisations can rest assured that the contribution their members are making through that trust will now go to making a real difference to the lives of some of our ex-service veterans who are obviously struggling for whatever reason through either mental health issues or physically from something that resulted from the conditions of their service.

I want to touch quickly on a couple of little things, member for Albany, and then hopefully I will be able to answer any questions while I am on my feet. One of our aims in bringing forward this bill is to have the flexibility to negotiate. Under this bill, if Anzac Day falls on a Sunday, it will not be exempt but will be counted. This year, I think Anzac Day falls on a Monday. That means that the match will take place on the Sunday, and, technically, the match would be exempt. Now that we will have the ability to negotiate, if the Australian Football League were to make a contribution this year, I would consider that very warmly when it comes to making an arrangement for the following year. I suspect that the Dockers and the AFL will be good corporate citizens.

Mr P.B. Watson: With the Monday being the Anzac Day holiday, would they not be better off having the game on the Monday?

Mr J.M. FRANCIS: I have not seen the schedule. I am not sure whether the match is scheduled for the Monday or the Sunday. I am talking about if Anzac Day falls on a Monday, a Tuesday or a Wednesday, for example. As I have said, it has only been since 2008 that this has even existed. I expect that regardless of whether they hold the match on the weekend, or whenever Anzac Day falls, if it is an Anzac Day weekend round, rather than say they do not need to contribute, they will want to do the right thing anyway. The formula is currently 60 per cent. We have asked the Auditor General in the past to look at this and see who makes money out of the game. All I know is that 40 000-odd people turn up to a football game. That is probably \$1 million in ticket sales, onsite advertising, broadcast rights and catering, and all the things that go along with it. This is not a not-for-profit event. Someone somewhere is making some serious money out of it.

Mr P.B. Watson interjected.

Mr J.M. FRANCIS: That is right, and I do not want to penalise the Dockers. It is about finding a balance. It is also about future-proofing it. It is five per cent of the prescribed general admission price—I think that is the terminology. The reason it is prescribed is that we do not want to have a situation in which an organisation has 10 000 tickets, and a general admission ticket costs \$10 and a premium admission ticket costs \$90, and it puts out only 100 general admission tickets. If someone tried to play silly buggers in that way—I am not suggesting anyone would—the minister of the day can say, “No; that is not on. I will prescribe what I think is the equivalent

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general admission price.” Look at what happens in an AFL game. There are corporate boxes, VIP suites, and some very expensive tickets, and there are cheaper general admission tickets. We will look at different formulas. The point is that this bill will give us the flexibility to negotiate if that happens.

I come now to the directors of the Anzac Day Trust. As the member for Warnbro has said, no-one is suggesting that any member of the trust has done anything improper at all. There are some very distinguished people on the trust. A very good friend of mine, Brigadier Duncan Warren, is one of the members of the trust. Once this bill is enacted, the current members of the trust will be replaced. We have not given this matter absolute consideration yet, so I cannot suggest any names to the member, but it would need to be a person who is not associated with an ex-service organisation.

Mr P.B. Watson: What areas will you looking at to get these people?

Mr J.M. FRANCIS: A former Governor or a benefactor of the ex-service community who is not a member of an ex-service organisation. It will not be in any way politicised. In fact, I will probably even consult with the member for Albany, as I consulted on the drafting of this bill with not only the member for Albany but also the members for Willagee and Warnbro. I am sure we will find eminent Western Australians who have an interest in this and will be able to put the right checks and balances in place.

I want to go back to what the Leader of the Opposition said. I genuinely like listening to his commentary and speeches on military history. Yes, we should commemorate Pozières and all those other events in this centenary year, and as a government we will do a few other things outside of this bill to do that. However, that was 100 years ago. I am not trying to be disrespectful in any way. I am exceptionally respectful. I come from a long line of generations in my family who have served in the Australian Defence Force—every single one of us. However, I care about the living, and this is about the living. I appreciate that there is a great need to educate people about what happened 100 years ago on the Western Front. However, I care about the living. Even while a member of Parliament, I have spent time at sea as an officer on patrol boats. I do not know anyone who has served in the Royal Australian Navy on patrol boats off the north west coast of Australia in the last 10 years who has not been impacted and affected in some way by what they have seen on border protection operations. That is not to mention people who have come back from Afghanistan or Iraq, or have been involved in humanitarian operations in countries to the north of Australia. There are many members of the current generation who have mental health issues and physical issues. Although memorials are important and history is important, we have an obligation first and foremost, as the member for Warnbro has said, to look after those who are still with us. That is exactly what we are doing with this bill. The member for Albany will notice that all the organisations that have been recipients of money from the fund this year represent people who are still with us. That was absolutely intentional.

There was a great deal of consultation to get to this point. We wrote to every single ex-service organisation we could find and asked for their input. We have tried to get some kind of compromise that, hopefully, everyone can accept as a way forward and a balanced equation, and to put all the checks in place to ensure that this fund is not politicised. We wrote to every single applicant for a grant and said here are the guidelines and this is what the grant needs to be used for. The time for making applications then closed, and the applications were assessed. Until this legislation passes, I am the prescribed minister on behalf of the Treasurer. There was one application that I knocked back—I am happy to discuss it with the member—because there was an issue. That was just a bit of a check from the executive point of government to ensure that the money is spent correctly. Did the member have any other questions?

Mr P.B. Watson: No; I am happy with that.

Mr J.M. FRANCIS: Can I once again say thank you very much to the opposition for their support for this bill. This is a bill that transcends party politics. Hopefully, this is futureproofed, and when the new stadium is built with an extra 20 000 seats we will not need to come back here to amend the act. Thank you, member for Albany; thank you, opposition members; and thank you, government members. I commend the bills to the house.

Question put and passed.

Bill (Anzac Day Amendment Bill 2015) read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Mr J.M. Francis (Minister for Veterans)** and transmitted to the Council.