

CHILD SUPPORT (ADOPTION OF LAWS) AMENDMENT BILL 2015

Second Reading

Resumed from 19 November.

MR J.R. QUIGLEY (Butler) [4.18 pm]: The Child Support (Adoption of Laws) Amendment Bill 2015 is an important but very short bill and illustrates in its own way much of what is wrong with the government. The bill has five clauses. The first clause deals with the short title of the bill. The second clause contains the commencement date. The third clause announces that it will amend the Child Support (Adoption of Laws) Act 1990. Then we have the two operative clauses. The first operative clause, clause 4, states —

In section 3(a) delete “1 July 2014; and” and insert:

1 July 2015;

The next operative clause states —

5. Section 4 amended

In section 4(b) delete “1 July 2014; and” and insert:

1 July 2015;

In effect, the bill provides for the change of one numeral—“4” to “5”. As the second reading speech states, last year we amended the adoption date of the Child Support (Adoption of Laws) Act 1990 by way of the Child Support (Adoption of Laws) Amendment Bill 2014, to read “1 July 2014”. All members know there have been some minor amendments around the definition of “residency” in the Income Tax Assessment Act 1936, and it is no longer found in section 9. The Child Support (Adoption of Laws) Amendment Bill 2015 will update the adoption date from 2014 to 2015; that is all it will do. The opposition agrees that should happen; it is an annual event.

The way this bill has come before the chamber has given us a window into how this government operates. Instead of a short explanation for a bill that will, do not forget, alter only one line in the original act, what did we get? A second reading speech of two and a half pages, and a nearly four-page explanatory memorandum. Is it any wonder that this government is bogged down? This matter was brought before the Legislative Council only last week, and last Thursday we were approached to ask whether we would vote for it, support it and do so quickly. Of course, we said we would because this bill offers protection to supporting mothers. It slipped through the Legislative Council in no time last week, it has been brought into this place today and of course we will support it. But guess what? We made the same promise about the legislation to amend the Dangerous Sexual Offenders Act 2006, but the government has never fronted with it. The Premier has now told us that it will not be before the Legislative Assembly in 2015—in fact, it will not be debated in Parliament in 2015! The Attorney General has had time to prepare extensive notes and a second reading speech for a bill that does one thing—changes a date from 2014 to 2015—but has completely let the public of Western Australia down with his and the Premier’s broken promise to fix the serious and dangerous sex offenders legislation.

Firstly, the government broke its promise to do it in 2014. It made that promise in March 2014 and blatantly broke it during that year, and then repeated the promise in 2015. The Premier challenged us on which way Labor would vote. The Premier should bring in the bill! We support amendments to the serious and dangerous sexual offenders legislation. We do not go as far as the honourable Minister for Police who says she wants to throw away the key. If that is what the minister representing the Attorney General brings into this Parliament—“throw away the key”—we will not vote for it because it is unconstitutional. She was on the front page of *The West Australian* saying, “I’d throw away the key.” We will vote for that legislation. We will vote for proper measures to protect families in Western Australia from serious sex offenders who are adjudged by the Supreme Court of Western Australia to present a serious danger of reoffending. Until those people no longer present as a serious danger of reoffending, they should not be in the community—full stop. No-one in the community would take issue with that, so let us see the government’s legislation.

Instead, the government fiddle-faddles around with six pages of detailed notes. I do not know whether Mr Acting Speaker (Ian Britza) has read the explanatory memorandum, but I wish to correct my earlier statement for *Hansard*: it is not four pages of explanatory memorandum, it is six closely typed pages of explanatory memorandum to explain the simple proposition that “2014” will read “2015”. There are six pages of it! No wonder the government does not get around to dealing with serious and dangerous sexual offenders legislation amendments; it is because it is too busy waffling around with nonsense! Of course we would agree to update the Child Support (Adoption of Laws) Act 1990. That is not the issue. That the government has left it until so late in the year to rush this bill through, and then fiddle-fiddle around with six pages of dense explanation, is dense, quite frankly. The Premier came into the chamber today and announced that he will be breaking the promise he made to Parliament that the serious and dangerous sexual offenders legislation would be addressed and fixed this year. He will not be doing that. It will be read in; the government is just going to table its proposals in the

Legislative Council next week, after this place has risen and after the business of the Legislative Assembly for 2015 has concluded, so it will not be able to be debated in this or the other place this year. That is another broken promise, while the government stands by and generates eight and a half pages of waffle to update an act to refer to “2015” instead of “2014”. What a joke! What a miserable performance! The government has been before this Parliament and said, “We’ve had this report on serious and dangerous sex offenders since 30 June 2014, but we will still not have it before this Parliament in 2015, other than to lay it on the table of the Legislative Council and then abandon it there for the rest of 2015 with nothing to happen.” We will say more about that publicly soon, obviously. The opposition supports the amendments contained in the Child Support (Adoption of Laws) Amendment Bill 2015.

In passing, I want to talk about something that really rankles me to do with child support: the support offered by the state to grandparents raising their children’s children. Under the foster care scheme, if someone has a child fostered to them, they get about \$490 a fortnight for a child aged over 13 years. Sometimes, however, grandparents step into the breach, take the weight away from the state and start looking after their grandchildren. That is not always because the parents of those children are drug-addled. There has been a tragic case in my electorate in which two families went away for a get-away-from-the-children weekend, leaving seven children with their grandparents. The parents were involved in a multiple-car accident that killed most of the parents and disabled the rest. As a result, two sets of grandparents now raise those children because there was a tragic traffic accident and their parents were wiped out. Those grandparents never planned for that or had asset reserves to do it. They have been left with the burden—although I say “burden”, it is a burden of love—of looking after their grandchildren. They do not want to see their grandchildren taken over by the state. It galls me that if someone is looking after a stranger’s child through a foster care arrangement, they get nearly \$250 a week, plus respite, plus pocket money allowance to pay to the foster child, but a grandparent looking after a grandchild gets a small pension increase and is subject to means testing, which, of course, foster parents are not.

I am very, very humbled and happy that in my electorate we have such a wonderful group of grandparents called Grandparents of the North. They meet at my office once a fortnight to discuss with my parliamentary officer Lisa Wallis the concerns and difficulties they have had during the previous several weeks and come together to offer each other support. These people are of advanced years and they have young grandchildren at the knee. They try to organise conjoint functions with other children present for their grandchildren, because their friends have adult children but do not have children aged five, six, 10 years or whatever. I am very, very proud of what these people are doing in the latter years of their life when they have not got the economic resources and asset backing—they only had just enough to retire—and now they are going back to the first spool of the movie raising primary school children, having the long haul ahead. They do not get the sort of child support that they deserve and, more importantly, that those grandchildren deserve. I am of the view that those grandparents should be given the same rate from the state as a foster carer, because they have stepped in. If the grandparents did not step in, these children would be a responsibility of the state of Western Australia. These elderly people are delivering so much more than the state could ever deliver—family love. They did not ask for it, seek it, or take these children off their own children—they got stuck in a situation in which they either look after their grandchildren with love for the rest of their lives or the children become a burden on the state. Some of the grandparents who attend my office are burdened with arthritic knees, hips and the like, and of modest incomes. When I go to their Christmas party and watch these elderly people chasing these young kids around and trying to instil a bit of order, as we all have to do with primary school children from time to time, I think what a wonderful thing they are doing. The state should recognise this love by properly supporting them and giving them the full foster care allowance.

That is my contribution this afternoon. We are not going into consideration in detail to work out why we are going from 2014 to 2015. We all know it and it has all been said and Labor will support the Child Support (Adoption of Laws) Amendment Bill 2015.

MRS L.M. HARVEY (Scarborough — Minister for Police) [4.33 pm] — in reply: I thank the member for Butler for his contribution to the debate and I commend the bill to the house.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Mrs L.M. Harvey (Minister for Police)**, and passed.