

**Extract from Hansard**

[ASSEMBLY — Tuesday, 10 November 2015]

p7953f-7965a

Speaker; Mr John Quigley; Mrs Michelle Roberts; Dr Tony Buti; Mrs Liza Harvey; Mr Jan Norberger; Mr Paul Miles; Mr Chris Hatton; Mr Nathan Morton; Mr Colin Barnett; Mr Mark McGowan

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**MINISTER FOR POLICE — COMMUNITY SAFETY**

*Matter of Public Interest*

**THE SPEAKER (Mr M.W. Sutherland)** informed the Assembly that he was in receipt within the prescribed time of a letter from the member for Midland seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

*Point of Order*

**Mr J.R. QUIGLEY:** Could *Hansard* just note that during the reading of this very serious motion, the Minister for Police was laughing at it?

**The SPEAKER:** Member for Butler, we all know that that is not a point of order.

*Debate Resumed*

**MRS M.H. ROBERTS (Midland)** [3.16 pm]: I move —

That this house notes that the incompetence of the Minister for Police is putting community safety at risk in Western Australia. In particular we note that she —

- has introduced a new policing model that has resulted in massive increases in crime, including double-digit increases in crime in each of the last three months;
- has failed to protect women and children as domestic violence rates have escalated;
- has failed to deal with systemic problems in the investigation of major crimes as detailed by the Crime and Corruption Commission in October;
- has failed to protect women and children as dangerous sex offenders are released into residential areas without promised law reforms;
- has no plan to deal with rising rates of methamphetamine abuse in WA resulting in wrecked lives and more crime and violence in our community; and
- continues to sit on \$80 million in the RTTA while WA has one of the worst road safety results in recent years of any state in Australia.

The Legislative Assembly therefore calls upon the Premier to immediately sack his police minister and appoint someone more capable to the position.

This is a most serious motion. Indeed, it is not one to be laughed at. It seems that the Premier is already engaging in a bit of a flippant response to it with his police minister. I remind the Premier that his government has a very poor record in community safety in this state. In fact, he acknowledged that some three years ago when he sacked his last police minister, who, I might add, is positively stellar compared with the person the Premier has replaced him with. We at least knew he had a genuine commitment to road safety and was prepared to call the Commissioner of Police and senior officers to account when it was necessary. We have not seen that from this minister. What we have seen with this minister is the appointment—the Premier’s appointment—of someone totally inexperienced and incompetent who has been an uncritical mouthpiece for the police force in this state and who just taps her toe whenever anything goes wrong and says, “I’ll raise this with the police commissioner and I’ll find you an answer” or “I’ll send a text to my chief of staff and see what I need to read out in Parliament.”

It would almost be comical if it were not so serious, Premier, because the safety of the community of Western Australia is being put in jeopardy by the incompetence of this minister on not just one front, but a whole range of fronts. How can members opposite go back to their constituencies with their heads held high and say, “We’ve presided over double-digit increases in crime for each of the last three months”? It is unprecedented. There have never been such massive increases in crime. Sometimes there will be a little spike in some crimes that have a narrow base or that occur in small numbers, such as murder, kidnapping and arson. However, we do not generally see these spikes from month to month in the volume crimes, as they are referred to, such as home burglary, theft, car theft and assault. We are seeing dramatic and concerning increases that must be halted. There have been double-digit increases. I will highlight one—domestic assault. From August 2014 to August 2015 there was a 34 per cent increase, and from September 2014 to September 2015 there was a 34 per cent increase. There have been increases in the order of 20 per cent or more from one month compared with the same month last year for burglary, other theft and motor vehicle theft. The figures for the metropolitan area are much worse. Members might ask why the figures are worsening so dramatically in the metropolitan area

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than they are in the country area, because a lot of the crime rate in the country is a lot more static. There is one key difference: the rollout of the new policing model that this minister has presided over in the metropolitan area. It is simply not working. The minister has asked us to give it time and she has cobbled together Operation Sweep, but it is still not working. These are massive increases in crime. For the metropolitan region, total offences against the person from July to July went up 21 per cent; against property, 28 per cent; and the total verified offences, July to July, went up 27 per cent. It was a similar story in August in the metropolitan area. There was a 27 per cent increase in total selected verified offences from August to August in the metro area, and in September it was still at 22 per cent—a massive increase in crime. That is what this minister is presiding over. There is no end in sight because we have an incompetent minister who is not delivering for the community of Western Australia.

But it does not end there. The minister has been a failure on domestic violence. She tried to cobble something together today to try to correct the mistruths that she put to this Parliament when last we sat. The members for Armadale and Girrawheen well know, as does anyone familiar with the area, that the minister has simply misled the house, and the best spin we could possibly put on it is that she simply does not know what is going on; that she just reads a few lines out from the department but she does not actually really know what is happening in the police force or how it gets its definitions. The minister either accidentally or deliberately misled the house; either way, she has to go. The minister got rid of the specialist domestic violence teams in each area, but I will let one of my colleagues speak more on that issue.

I turn to the area of major crime. We have seen some disturbing things in recent times, and the minister has failed to call the police service to account for any one of them. We have called for an independent inquiry into what has happened with Macro; that is a real area of concern because the Claremont murders have still not been solved. We have called for some fresh eyes and fresh expertise there—an independent look at how WA Police investigated those crimes. But, no, the inquiry is being held under the umbrella of WA Police—another internal inquiry in which Caesar judges Caesar. I say it is too serious to be dealt with in that way. I say that if the government wants to reassure the public, it has to have an independent inquiry that is independent of current serving Western Australian police officers. We need only look back at the Mallard case and a few other examples to note that there have been concerns in the past. In every instance in the past individual officers have been singled out and had misconduct charges laid against them or been dealt with by being moved out of the squads and so forth.

Before I refer to the Warneke inquiry conducted by the Corruption and Crime Commission, I will refer to the recent Lloyd Rayney issues and the murder of Corryn Rayney—an issue the minister has said she will raise with the police service so that it will do an internal inquiry and to see what it comes up with. Again, we have been calling for some fresh eyes on this; some outside, independent expertise, independent of WA Police, to, at the very least, reassure the public. It may be that there is no issue with those inquiries and they could stand up to independent scrutiny. But I think the public of Western Australia deserves to know that WA Police has the capacity to be able to investigate major crimes in this state competently. We do not know that, and this minister will not let us have that kind of independent investigation.

The report tabled last week by the Corruption and Crime Commission is the most damning reflection yet. Unlike the rest of us, it actually has the capacity to conduct some form of competent, independent inquiry into what went on in the instance of Joshua Warneke. This little window does not make for pretty reading. This is one of the most damning reports into a police service that I have ever read. It basically outlines the major failings within the major crime squad. The final reflection of the CCC is —

The Commission has chosen to take a cautious approach in forming opinions on misconduct because in many cases the errors of individual officers reflect a deeper malaise and systemic weakness which permeates criminal investigations in this State. The lessons have been a clarion call for improvement.

There are systemic weaknesses. Individual officers will not be called out. If members read the detail of the report, they will see that the officers being criticised had not had proper training. Page 51 reads —

The MCS is supposed to be an elite squad. It is certainly important to public safety as it is charged with the responsibility of investigating serious crimes. It should function at the highest level with officers of proven competence.

But under this minister's watch that is not what happened. This is not about an individual case; this is about dozens of cases in this state, and dozens of criminal investigations into the most serious of crimes. The minister has failed people on the volume crimes—the car burglaries, the home burglaries, the assaults and theft—and she has failed to deal with domestic violence. She has failed to do anything at all about the methamphetamine crisis in this state—one of things the Commissioner of Police has admitted is a driver of crime—and she is failing to run a competent major crime squad in this state. In the time available to me today I cannot detail everything, but

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I draw members' attention to the section of the report on interviews—something that members would think is pretty basic. Page 29 of the report is headed "Failures in Interviews are not Confined to this Matter" and states —

- [147] The conduct of interviews described in this case study are an illustration of a wider issue both as to breaches of the CI Act and involuntary confessions.
- [148] In a series of cases over many years Judges of the Supreme and District courts have dealt with evidence obtained in breach of the CI Act or involuntary confessions. The 15 examples footnoted below are likely to be an under-reporting because not every ruling at a pre-trial hearing is later published as a judgment. There are occasions when an EROI is challenged and held to be voluntary and admissible. There are other occasions when an EROI is taken in breach of the CI Act but a judge exercises powers under the CI Act s.155 to admit evidence even though unlawfully obtained. Still, the extent of breaches of the CI Act is disturbing.

Officers of the major crime squad are breaching the Criminal Investigation Act. If members read through the report, they will find that there are officers who do not appear to be fully conversant with it. The corporate knowledge database houses the police manual; again, it was found that the officers involved had not been properly trained, were not conversant with it, and that the system was difficult to navigate. They are major problems. If a minister presides over the kind of debacle that is occurring here, that kind of thing is a sackable offence. The major crime squad has been in crisis not since this report; it has been in crisis for months. I might just add as an aside that the minister has also presided over the debacle of the Carlisle shooting and what happened with internal affairs there. We are told, "Trust this minister to somehow sort it out." She does nothing; she knows nothing.

Let us have a quick look at road safety in this state. The minister received a report in March 2014 from Peter Browne, the government's handpicked person. After sitting on her hands for a year, this report was eventually handed down. The damning piece in the report highlights that in 2013 the rate of road fatalities in this state had fallen from mid-ranking to the second worst to Tasmania. I quote from page 11 of the report as follows —

... if WA had matched the Victorian fatality rate of 4.24 in 2013, then approximately 50 lives could have been saved in this State.

This minister went on TV and said, "Everyone needs to lift their game; everyone needs to drive more safely; just don't drink and drive; don't do the wrong thing." Governments in other states have put in place laws, regulations and police activities that drive down the road toll. The fact of the matter is that the 2014 figures indicate that Western Australia's figures are now the worst in Australia. WA's rate has gone from 6.40 to 7.15 lives lost per 100 000.

**Mr W.J. Johnston:** It's gone up.

**Mrs M.H. ROBERTS:** The rate of lives lost went up significantly between 2013 and 2014, so while the minister sat on this report, the rate went up dramatically. To compare WA's figures with Victoria's figures now, if we had reached the Victorian rate based on its 2014 figures, we could have saved 70 lives on our roads, not the 50 Peter Browne claimed when he wrote this report. We might ask: what could this minister have done in terms of road safety? There is a lot. For one, in the last couple of years she has sat on over \$80 million in the road trauma trust account. WA is the only state in Australia that does not have alcohol interlocks and she sat on the issue of point-to-point cameras for years. She has been asleep at the wheel on road safety, on major crime and on those bread and butter crimes that affect everyone in the community—methamphetamine and domestic violence. She has been a hopeless experiment and the Premier should have removed her long ago.

**DR A.D. BUTI (Armadale)** [3.32 pm]: Put very simply, when it comes to domestic and family violence this Minister of Police has failed the women of Western Australia; she has been and continues to be missing in action; and she is a repeat offender in misleading this Parliament. There was a fiasco today of her trying to correct the record without saying that she had made a mistake. Let us go through that record. If a rule of three strikes and you are out applied, this minister would have been out a long time ago. It is up to the Premier to remove her at least from this part of her portfolio because she has let down everyone. No-one has confidence in her ability because she keeps misquoting the facts and saying that she has been given the wrong advice. If she has the wrong advice, she should prove that she has the wrong advice. When she stands up to respond to this motion, she should tell us that she has the wrong advice. Today, in her response to the member for Belmont, she showed how she is not treating this portfolio as it should be treated. She is letting down the women of Western Australia.

On 5 December 2013 the minister said that the police had narrowed the definition of family relationship regarding domestic violence. If that is the case, why then did she say a few weeks ago that she had expanded the

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definition of familial relationship? A few weeks ago she said that distant cousins, sisters and brothers will come within a familial relationship in reporting family and domestic violence. She knows that is wrong, because she corrected it today but she did not say today, “I’ve got it wrong; I misled Parliament either intentionally or —

**The SPEAKER:** You must not impugn someone by saying they are intentionally misleading —

**Dr A.D. BUTI:** I said “either”.

**The SPEAKER:** All right, but do not impugn someone by saying they are intentionally misleading Parliament.

**Dr A.D. BUTI:** Mr Speaker, this minister probably would not have intentionally misled Parliament in this area because she does not even understand it. In 2013 in answer to a question on notice she said that the relationship category had been narrowed. A few weeks ago she said it had been expanded. Today she said it has been narrowed. Which one is it? When she stands up today she should admit that she got it wrong. Where else did the minister get it wrong? She got it wrong because a few weeks ago she said that domestic violence specialists are available 24 hours, seven days a week. As we know, assistant police commissioner Gary Dreibergs said that was wrong. She got that wrong because she has halved the number of domestic violence specialists. How dare she halve the number of domestic violence specialists when the number of domestic assaults has increased by over 1 300 a year.

She also said last year or the year before that the new Frontline 2020 model was not working and she would change it until she drove down the number of domestic assaults. But she has driven up the number. Where are the changes? The only change she has made is the decrease in the number of specialists. Where has that proved to be successful? It has not been successful. The minister continues to mislead this Parliament on domestic violence. She does not know her brief and she has shown no commitment to domestic violence. In response to a question from the member for Fremantle she said the issue of domestic violence was not in her portfolio. As the Minister for Police, in her response to this motion, she has an obligation to stand up and tell us when she received the advice that led her to say that the definition of relationships for reporting domestic violence had been expanded and from where she received the advice that domestic violence specialists are available 24/7. If she cannot tell us that, she must admit on the record that she has misled this Parliament. The minister stands condemned. The Premier must remove her from this portfolio because the public, especially the women, of Western Australia have no confidence in her ability to deal with family and domestic violence.

**MRS L.M. HARVEY (Scarborough — Minister for Police)** [3.36 pm]: I will not speak for long on this motion because some of my colleagues would like to contribute to the debate on this matter of public interest. In response to the unprecedented rise in crime that the member for Midland referred to, WA Police initiated Operation Sweep and members have heard me talk about that operation in this place previously. As the member for Midland well knows, the assertion that I have been cobbling and pulling together all these operations is incorrect. I am not responsible for operational matters in WA Police; the Commissioner of Police is. That is why it is important that I have a good relationship —

**Mrs M.H. Roberts** interjected.

**The SPEAKER:** Members!

**Mrs L.M. HARVEY:** That is why it is important that I have a good relationship with the Commissioner of Police and that I resource him appropriately. We have committed to our growth program so that the commissioner can respond to unprecedented spikes in crime with initiatives and operations such as Operation Sweep. Let us look at the responses to, and the results from, Operation Sweep. Community satisfaction with Western Australia Police is currently running at 84 per cent. Confidence in Western Australia Police is currently running at pretty much a record high.

**Ms M.M. Quirk** interjected.

**The SPEAKER:** Member for Girrawheen, you are now on two calls.

**Mrs L.M. HARVEY:** The community’s confidence in WA Police is running at 89 per cent. Since the commencement of Operation Sweep the number of arrests and summonses issued by WA Police is up 9.5 per cent and prosecutions are up 13 per cent. During Operation Sweep, which ran from mid-August through to 1 November, 20 000 charges were preferred by either arrest or summons. That compares with 18 270 for the same period in 2014. The accusation of members opposite that somehow the Frontline 2020 model is responsible for the spike in crime is a ridiculous assertion. When we look at what Frontline 2020 has achieved, we know that we have freed up more vehicles and officers to respond to calls for assistance, we know, statistically —

**Mrs M.H. Roberts** interjected.

**The SPEAKER:** Member for Midland!

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**Mrs L.M. HARVEY:** Since Frontline 2020 has been in operation, we have freed up between 18 and 22 per cent more police officers in vehicles to respond to incidents on Friday and Saturday nights when it is very busy. Despite the assertion of those opposite that officers are not coping and are struggling with fatigue, since the commencement of Frontline 2020, sick leave taken by WA Police officers is down 33 per cent. That is hardly indicative of a fatigued and overworked police force. We were not tracking very well at midyear with priority 2 incidents. Our key performance indicator is that police need to respond to 80 per cent of priority 2 incidents within 12 minutes.

Several members interjected.

**The SPEAKER:** Member for Girrawheen, I call you to order for the third time. Member for Midland, I do not want to hear from you.

**Mrs L.M. HARVEY:** We have experienced a 17 per cent increase in the tasking demands of WA Police, including a 35 per cent increase in calls for assistance for domestic violence incidents, which tie up lot of police time and effort because we require police officers to do a more detailed response and spend more time with those domestic violence victims as a result of our strategy. Despite a 35 per cent increase in domestic violence incidents and a 17 per cent increase in the demand for tasking, we have seen an eight per cent increase in our performance in the response time to priority 2 incidents. That is a significant increase. We have come from 67 per cent to 75 per cent, and we need to achieve 80 per cent. We are confident that we will achieve our KPI this year because of the way the police executive is driving our police officers and because of the performance we are now getting out of our response team and our local policing teams.

With respect to that spike in crime, from examining and doing debriefing sessions with people who find themselves in our lockups, we know that 62 per cent of people who come into contact with police are there because they are stealing and committing other crime to feed their drug habits. Police is not the only part of government that needs to respond to that. If 62 per cent of offenders offend to feed and pay for their drug habits, obviously we need more support services to drive down the demand of those users of those drugs, which will then drive down crime. That is where I work in partnership with Minister Helen Morton.

**Dr A.D. Buti** interjected.

**The SPEAKER:** Member for Armadale, you have been called three times, so if you want to have a rest, just carry on.

**Mrs L.M. HARVEY:** We know that the spike in crime has come predominantly from theft from motor vehicles of cash and cards, and people using the payWave function on credit cards to go on massive spending sprees, collecting vouchers et cetera. We know that those cars are being entered in driveways and people are leaving their belongings on display. This is the interrogation that police have done on the increase in crime.

**Mrs M.H. Roberts** interjected.

**The SPEAKER:** Member for Midland!

**Mrs L.M. HARVEY:** We know that many of these thefts occur from unlocked vehicles parked in people's driveways and at shopping centres.

**Mr P.B. Watson** interjected.

**The SPEAKER:** Member for Albany.

**Mrs L.M. HARVEY:** WA Police has been running an education campaign with community groups to help make members of the community more aware of how they can better target-harden their vehicles in response to that.

We are examining every aspect of the Corruption and Crime Commission report.

**Mrs M.H. Roberts** interjected.

**The SPEAKER:** Member for Midland, I call you to order for the first time. You have been given a chance; you were heard in silence. Give the minister a chance.

**Mrs L.M. HARVEY:** A range of issues were raised in the CCC report. I will not go into each in detail because we will obviously provide a more detailed response. Police have already commenced a review of the indexing and search capacity of the corporate knowledge databases with a view to improving them. We are currently in the process of trying to find interpreters to assist us with people, particularly in remote Aboriginal communities, who —

**Ms M.M. Quirk** interjected.

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**The SPEAKER:** Do you want to have a rest, member for Girrawheen? That is three and half calls now.

*Point of Order*

**Mrs M.H. ROBERTS:** The minister keeps using the royal “we”—as in, “We are trying to find interpreters”, and “We are trying to do other things.” Can she please clarify for the house whether she is talking about the government or whether she is talking about the police force in an operational sense?

**The SPEAKER:** I want to tell you, member for Midland, that we take points of order that are points of order. That is not a point of order. If you want to take spurious points of order, I will call you to order.

*Debate Resumed*

**Mrs L.M. HARVEY:** For the member for Midland’s satisfaction, “we” means me as the police minister, the Commissioner of Police and his executive team, the WA police force, and the state government. We are working together to drive down crime and improve community safety; that is what we do.

With respect to the CCC report, the police are commencing a training program and a refresher course program for all of our police officers about their requirements under the Criminal Investigation Act 2006 in dealing with witnesses and suspects. The police are looking at a range of improvements in the way they deal with offenders and vulnerable witnesses such as people with English as a second language. It has been identified that police officers generally do not get a lot of experience in dealing with vulnerable witnesses around serious crime, so we are now looking at initiating a practice to treat vulnerable adult offenders and witnesses in the same way as child witnesses to offences and child victims. For example, they might be Aboriginal people, people with mental health conditions, people who might suffer foetal alcohol spectrum disorder or people with autism. Police are developing and initiating a vulnerable person specialist who will be called in, and we hope to roll this out early next year. We will require officers to identify whether they are interacting with a vulnerable person and they will then need to bring in a vulnerable person specialist to supervise those interviews to ensure that those witnesses or offenders have their rights respected and that they are afforded all the protections they are entitled to under the provisions of the Criminal Investigation Act 2006. I think extending that child interview model to vulnerable witnesses will see a significant improvement in the way police officers deal with those vulnerable people in our community when police come into contact with them as a result of their involvement or suspected involvement in crime.

A lot of things are happening. As I said, I do not want to take up a lot of time, because I know there are a lot of members on this side of the house who are very interested in policing in Western Australia. They take issue with the member for Midland’s attack on our police force and they want to take it up with her by responding to this matter of public interest.

**MR J. NORBERGER (Joondalup)** [3.48 pm]: Mr Speaker —

**Mrs M.H. Roberts** interjected.

**The SPEAKER:** Member for Midland!

**Mr J. NORBERGER:** I have heard of an omnibus bill before, but we have an omnibus matter of public interest! What we have is a whole bunch of politically motivated assertions to attack our police minister and the only conclusion I can come to is that members of the opposition are envious that we have a police minister who is respected by not only the police force, but also the community.

**Mr P.B. Watson** interjected.

**The SPEAKER:** Member for Albany!

**Mr J. NORBERGER:** The bottom line is that the opposition does not like it. The opposition does not like the fact that our community has great confidence in our police minister and that the police force itself is grateful for the representation it has from the police minister. The real problem also with this MPI is that in this vain attempt to attack the minister, the opposition is really attacking the professional and hardworking members of the police force. The opposition is throwing assertions about spikes in the crime rate and it is trying to blame the minister. The bottom line is that the opposition is really saying it has no confidence in our police force.

**Mrs M.H. Roberts** interjected.

**The SPEAKER:** Member for Midland!

**Mr J. NORBERGER:** I tell the opposition what: we have confidence in our police force and we support our police force. The opposition may not, and that is its prerogative, but we certainly do. The opposition has made a number of frivolous claims; let me address some of them. The road trauma trust account was mentioned. Let us

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have a look at that. The fact is that in 2015–16 there is a record amount of spend from the road trauma trust account. In 2015–16, \$110 million is being spent.

**Mrs M.H. Roberts** interjected.

**The SPEAKER:** Member for Midland!

**Mr J. NORBERGER:** That is a \$5 million increase from last year. To put that into perspective —

**Mr R.F. Johnson** interjected.

**The SPEAKER:** Member for Hillarys, thank you. Your chance is coming if you want to speak.

**Mr J. NORBERGER:** That is off the back of projected revenue of \$116 million. We are projecting to have \$116 million of revenue coming in and we are spending a record \$110 million on road safety, making roads, roadsides and vehicles safer. We are investing money into research, and community and school education, and \$12 million will go into the flashing light school zone project. I am yet to come across a single school or parent who tells me, “Gee, we wish you wouldn’t spend money on flashing school zones.” This government is making that money available.

We have heard about the issues around methamphetamine. It is a serious issue and this government has never shirked away from the fact that methamphetamine is a real scourge on our society. To try to make out that it is all the Minister for Police’s fault that methamphetamine is an issue in our society is just a joke. Western Australia, like the rest of the country, is battling meth. Let us be clear: it is a drug unlike any we have seen before. However, this police minister, with her police force, is putting into place a number of dedicated and innovative strategies. We are targeting supply rates and looking at the entry points into our state that smugglers and drug traffickers are using. We are looking at key passage hubs and we are putting dedicated police resources into tackling that. We have dedicated methamphetamine teams. We have dedicated teams within the organised crime squad.

A very important aspect in dealing with meth is that the government cannot go it alone; we are working with other law enforcement partners. We are working with the Australian Federal Police, the Australian Department of Immigration and Border Protection, the Australian Crime Commission and the Australian Transaction Reports and Analysis Centre. Together they form a joint organised crime task force. We have just to look at last week. The Western Australian police force together with the Australian Federal Police seized 20 kilograms of methamphetamine, leading to two arrests. These are actual results happening on the ground under our police minister’s leadership and through the hard work of the professional police force that we on this side of the house support, and we thank and treasure them.

We even analyse wastewater. Talk about innovation—I did not see that one coming out of left field! We are even analysing wastewater to see whether we can identify hubs, areas or spikes where methamphetamine use is higher. I just need to look back to the past Sunday when the police minister was in Joondalup, announcing additional funding for the closed-circuit television network. The sum of \$5 million in grants was made available for our local governments to install or upgrade CCTV cameras. That will allow them to combat crime and antisocial behaviour, and to respond to emergencies. Moreover, we are pioneering an integrated CCTV network that will allow WA Police and emergency services to remotely access any compliant camera. The reality is that this government and this police minister are implementing strategies left, right and centre. We are not resting on our laurels; we are working hard with the police force and the community. The community and the police appreciate it. The only people who do not appreciate it are those on the other side.

**MR J.R. QUIGLEY (Butler)** [3.53 pm]: I have only a few minutes so I will speak with economy. Being a learned man of the law such as you are, Mr Speaker, I know that I can refer to the Latin phrase —

**The SPEAKER:** Thanks for the compliment, member for Butler.

**Mr J.R. QUIGLEY:** —res ipsa loquitur, first coined by Cicero during the trial of Milo for the murder of Pulcher in 52BC. Of course, Milo was convicted because, as Cicero pointed out, res ipsa loquitur—the thing speaks for itself.

**Ms M.M. Quirk** interjected.

**The SPEAKER:** Member for Girrawheen! We are at three and a half.

**Mr J.R. QUIGLEY:** If one looks at the motion and the six charges in it, and then looks at the crime figures year to year, one can appropriately borrow from Cicero res ipsa loquitur—the thing speaks for itself. The member for Joondalup did not address the explosion of crime in Perth; we are in the middle of a crime wave. We all support our local police; they work hard. That is not what this motion is directed at. This motion is directed at the great deficiencies in the police force at the highest level—not the hardworking officers in Clarkson or Joondalup, but

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what is happening down at police headquarters under the direct eye and nose of this negligent police minister. That is what this motion is directed at. *Res ipsa loquitur*—the thing speaks for itself that this minister has to go. It has gone too far. I stand here with all gravitas, not to speak on behalf of Labor —

Several members interjected.

**Mr J.R. QUIGLEY:** Listen to them laughing.

Several members interjected.

**The SPEAKER:** Members!

**Mr J.R. QUIGLEY:** The Premier is laughing at the photo of Ms Ingrid Bishop; the Premier is laughing when I hold up the photo of the grieving —

Several members interjected.

**The SPEAKER:** Just carry on now with the speech and let us have some silence.

**Mr J.R. QUIGLEY:** When I hold up the photo of the grieving Ingrid Bishop, I have to extend on behalf of the Labor Party our deepest and sincerest condolences at both the loss of her son, Mr Warneke, by the act of murder in Broome, and then her grief compounded over and over again by the repeated bungles of the police at the most senior levels. The grieving Ms Bishop said that dealing with the murder of her son should have been pain enough, but what mother who had lost her son to murder would not be grieving for the rest of her life? As Ms Bishop said, she has had to revisit that pain time and again with every misstep and bungle by WA Police in the last five and a half years—a grief that she shares with Mr Peter Lawrence, who lost his wife to murder back in 1995. This was investigated during the time of a former Liberal administration, and it led to one of the greatest injustices in Western Australian criminal history when that investigation was led by the former detective sergeant and then former Assistant Commissioner of Police, Dave Caporn. Mr Peter Lawrence understands Ms Ingrid Bishop's grief and the repeated pain caused by these repeated bungles that are never addressed by the police. He understands that with the poignancy that Ms Bishop does.

What happened in the police administration after the Mallard case and after the Corruption and Crime Commission inquiry was concluded and findings were handed down as this government came to office? I will tell members what happened. This government made no criticism of the police at all. Yet the CCC revealed illegal and unlawful conduct, and disobeying of the law. What did the Commissioner of Police do during this whole inquiry? He protected those officers by giving them a special office in Belmont on full pay. There was no bringing to account at all. Some of these officers, such as Mr Caporn and Mr Shervill, were allowed to leave the force in good order and some of the others were promoted.

Now we come to the latest CCC report, which starts with these depressing words —

Western Australian Police officers have often failed to comply with the *Criminal Investigation Act 2006* ... and their own Police Manual when interviewing suspects.

That is exactly the same as they did during the Mallard matter. The report continues —

As a result, miscarriages of justice may have occurred either when the wrong person is convicted or material that might be crucial to conviction is excluded because it was obtained illegally.

That is, senior police acting contrary to the law of Western Australia. When it comes to the conclusion of the report—I will not mention these officers by name—the Corruption and Crime Commissioner said that he was not going to name and pillory these officers in particular because it was the department at the highest level that had failed. The other half of the “we” that this hopeless minister refers to—“we” being, as she identified, “myself and the commissioner”—is what has failed. *Res ipsa loquitur*.

**MR P.T. MILES (Wanneroo — Parliamentary Secretary)** [4.00 pm]: I rise to add a couple of comments from my point of view and to support the Minister for Police. The minister has been a very good minister for me in my electorate and also in the northern corridor. The minister has been very good to the people of Wanneroo. She has been out to a briefing with the community. We had the Commissioner of Police out there as well. A lot of people in the outer farming areas of Wanneroo were very grateful because they do not always get the opportunity to go to some of these types of meetings and briefings that we have further inside the CBD area. One of their biggest issues, as always, is with people using their roads as racetracks, not necessarily for skidding wheels and stuff like that but more for excessive speeding. One of the great things that came out of those briefings that the minister took on board, which has now been put in place and been trialled by the WA Police department, is the covert camera project. Covert cameras have been very successful, especially around some of the rural areas and the Barbagallo Raceway, in catching quite a few people driving while unlicensed, driving in a manner unbecoming to road use, and driving dangerously on the roads so that other road users have to veer off

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the roads. I am talking especially about market gardeners taking their produce to market who are quite often on the roads very early in the morning when some of this behaviour is happening.

I support this minister very well and I support what she has been able to achieve with the commissioner with whom she has a very good relationship. When there is an issue, she takes it up with him and always reports back to me and to our party room. It is clear that members opposite are not interested in their matter of public interest motion, because they have failed to bring forward to this chamber any actual accusation. There is no accusation. This minister is one of our best ministers. As the police minister, she has performed extremely well and is probably outdoing all the previous minister's work.

**MR C.D. HATTON (Balcatta)** [4.02 pm]: I would like to stand in this place to support the good work of the Minister for Police.

**Mr D.J. Kelly:** But you can't!

**Mr C.D. HATTON:** I can very easily, because I have worked alongside the Minister for Police for nearly three years now and I have seen the good work of the Minister for Police since 2008. There is no doubt that the constituents of my electorate commend the Minister for Police for all that she is doing. I have a very strong relationship —

Several members interjected.

**The SPEAKER:** Right. I cannot even hear what is going on anymore.

**Mr C.D. HATTON:** The member just referred to a parents and citizens association in Tuart Hill and to the release of a dangerous sex offender. I visited the principal at Tuart Hill yesterday and spent an hour in the office. I have phoned the schools there and been out to meet members of my community. I can say that they are satisfied that we are handling this particular case quite well. Yes, I do have a very good relationship with the community and I hear very good reports about policing in my area. However, fundamentally the fabric of our society is about civics and citizenship. When we wish to settle somewhere, to live somewhere and to find a place to live in a suburb, we have a look around and see what is happening. We look at the schools, the shops, the leisure amenities and the public conveniences. We also look at what is happening around —

Several members interjected.

**The SPEAKER:** Members! First of all, a number of meetings are going on in here. Can they please stop.

*Point of Order*

**Dr A.D. BUTI:** My point of order is on a matter of relevance. The motion is quite clear. It is a motion in regard to the police minister's responsibility in the exercise of her portfolio. The member for Balcatta is going on about where one chooses to live and citizenship. I really do not see any linkage to the motion.

**The SPEAKER:** I think the member for Balcatta is just gilding the lily before he gets to the point.

**Dr A.D. BUTI:** He is certainly gilding the lily all right!

*Debate Resumed*

**Mr C.D. HATTON:** Thank you, Mr Speaker. I am getting to a very important point. I was saying that civics and citizenship is the fabric of society. Policing actually embraces civics and citizenship. If we do not have the right systems in place, we have a problem. Look at what we have been doing since 2008. Look at what we have been doing since I have been a member of this Parliament. Look at what we have been doing for assaults on police officers. We have been bringing in strong legislation. Look at what we have been doing for hooning, look at what we have been doing for home burglary and look at what we have been doing recently for graffiti. We have been bringing in strong legislation.

Several members interjected.

**Mr C.D. HATTON:** The opposition might be going on about what graffiti has to do with real law and order and good policing. It has very much to do with that.

Several members interjected.

**The SPEAKER:** Member for Midland, I call you to order for the second time.

**Mr C.D. HATTON:** People move into a suburb and look at what is around them. If they see graffiti, they probably assume there is crime. I can say that in the last three or more years I have not seen graffiti. In early 2013 I did. I do not see as much crime. I do see front-line police going out there. The graffiti law establishes good responsibility for civics and citizenship.

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

**The SPEAKER:** Member for Cockburn!

**Mr C.D. HATTON:** I am proud that this minister actually attends to a whole spectrum of legislation, and the graffiti legislation is as strong and as necessary as hoon legislation, burglary legislation and even dangerous sex offender legislation. That is because small-level crime can lead to greater crime—the opposition needs to be aware of that. What has the opposition done to help this?

Several members interjected.

**The SPEAKER:** The Whip and member for Mandurah, can we just have a little bit less noise because I am battling to hear. I am getting old!

**Mr C.D. HATTON:** I will not speak for very long, because the opposition does not like to hear about good things happening in law and order. However, it is very obvious that this government is strong on legislation.

**Mr J.R. Quigley** interjected.

**The SPEAKER:** Member for Butler!

**Mr C.D. HATTON:** We will move forward with this strong legislation because that is what society expects. As I heard from debate in the last 12 months, members on the other side do not know about public expectation; they need to get out to their communities. They do not embrace the trialling of front-line policing out at Armadale; all they do is have a crack at the police commissioner.

**Dr A.D. Buti** interjected.

**The SPEAKER:** I just want to tell you, member for Armadale, that you are on three calls. It does not matter if the member for Balcatta mentions the word “Armadale”; that does not give you licence to shout out.

**Mr C.D. HATTON:** I will end by saying that strong legislation is very important, community expectation is very important, but the opposition on the other side of the house just does not quite get it.

**MR N.W. MORTON (Forrestfield)** [4.08 pm]: I rise to make a very brief contribution to this ridiculous motion before the house today. I want to focus specifically on the part of the motion that reads —

... the Minister for Police is putting community safety at risk in Western Australia.

I draw your attention, Mr Speaker, to this fantastic little article that was printed in *The Esperance Express*. I am sure if the member for Eyre were in the chamber, he would talk about the great publication it is. The headline reads, “Thin blue line remains stretched”. The article was printed on 16 February 2006 when the member for Midland was the Minister for Police. In referring to the Labor state government, it states —

The State Government’s pledge to put additional numbers of police on our streets has been hit hard by the departure of 292 Western Australian police officers ...

**Mr J. Norberger:** How many?

**Mr N.W. MORTON:** It was 292, member for Joondalup. In referring to the Labor police minister, it goes on —

“In November last year Michelle Roberts conceded during Question Time that Labor faced a tough task fulfilling its election promise.

“It is obvious that not enough has been done to recruit and retain police officers under this Labor Government.

I would say that that is a fail, and that is, case in point, putting the community at risk under the minister’s watch. It is a very rich argument for Labor members to come into this place, wave their arms around and say that this government and this minister are failing the community.

Let me draw your attention, Mr Speaker, to the home burglary legislation that we passed recently in this place, although it has been on for debate for some time. I will not use the word “support” and say that the Labor Party supported the legislation; I will just say that it did not oppose it. We spent about 20 hours debating it in this place.

I could see that at the time the member for Butler was very uncomfortable when he was giving his contribution in this place talking about mandatory sentencing. I saw on his social media that he was out in the community referring to mandatory sentencing as BS. I am sure we are all smart enough to work out what that stands for.

In my contribution, I talked about some information that I obtained through FOI.

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**Ms M.M. Quirk** interjected.

*Suspension of Member*

**The SPEAKER:** Member for Girrawheen, I have called you to order five times. Please leave the chamber under the terms of standing order 48.

[The member for Girrawheen left the chamber.]

*Motion Resumed*

**Mr N.W. MORTON:** During my contribution on 24 February 2015, I referred to a document I obtained through FOI from the then Labor cabinet. It referred to Labor's tough stance on law and order and how it wanted to reduce the prison population and some of the ways it did it, extending the use of the royal prerogative of mercy, which in this cabinet document referred to releasing prisoners who had been sentenced for between 30 days and three months. I would not call that tough on law and order; I would certainly say that that puts the community at increased risk. In fact, in its own risk document —

**Mr P. Papalia** interjected.

**The SPEAKER:** Member for Warnbro, I call you to order now for the third time.

**Mr N.W. MORTON:** The Labor Party's own risk statement states —

Government could be criticised for using the Royal Prerogative of Mercy in the way proposed since it is usually only applied to the early release of prisoners in exceptional circumstances on compassionate grounds.

That is not holus-bolus like members opposite want it to. It goes on to state —

Some released prisoners could re-offend, perhaps seriously.

In my mind, that is enough of a warning bell but apparently for a Labor government, that is okay. The statement goes on to outline a raft of different proposals to exit prisoners from our prisons into the community and the heightened risks that that would create in our community. Yet members opposite have the gumption and the gall to come into this chamber, move this ridiculous motion, waste our time, waste the money of the taxpayers of Western Australia and all the stuff that goes on in this chamber with this ridiculous motion. Members of the Labor Party should be ashamed of themselves.

Several members interjected.

**The SPEAKER:** Members for Mandurah and Albany!

**MR C.J. BARNETT (Cottesloe — Premier)** [4.13 pm]: We have over 6 000 policemen and women in this state. Amongst those 6 000, some will make mistakes and some are dishonest. But what divides this house today is that we on this side of the house support our policemen and women. There is no doubt about that. We support them. They do the jobs that the rest of us are not willing, able or brave enough to do. They are out there protecting men, women and children and providing order in our community. What we saw today was speaker after speaker from the Labor Party attack the Western Australia Police. One after another they attacked our policemen and women. That is the one distinction between both sides of politics.

I will just make a couple of comments. I think we have a very fine Minister for Police who gets out there amongst the community and deals with the issues that the community is concerned about. We heard from the member for Midland, a former police minister. She had a most undistinguished career as a police minister. I will leave it at that. She was on radio recently making comments about how dangerous sex offenders should really be in jail indefinitely. Fair enough. She may well believe that. I will quote the member for Midland, the former minister, in an interview on radio 6PR. She said —

So we actually put legislation in place in 2006 that would mean you could keep people in jail indefinitely if they still posed a risk to the community.

I will show members opposite a copy of their Labor manifesto, its policy for 2015. This is what the Labor Party candidates—federal and state—have to sign up to. It states —

WA Labor unequivocally opposes:

...

d. indeterminate periods in custody;

Has the Labor Party signed up for that? I bet it has not.

**Extract from Hansard**

[ASSEMBLY — Tuesday, 10 November 2015]

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This government has put two policies in place. The first was by the former police minister, the member for Hillarys. If someone assaults a police officer, causing a serious injury, that person will go to jail. Assaults on police officers have dropped significantly. The present police minister has a policy such that if a person breaks into someone's house and causes serious injury, they will go to jail. Does the Labor Party support that? No, it does not. I will tell its members what its little manifesto says. It states —

WA Labor unequivocally opposes:

...

e. mandatory sentencing;

That is its policy and it has to sign up to it. Who does it have to answer to? Does it have to answer to the secretary of the ALP? The Leader of the Opposition is the wannabe Premier but he will not be able to make a decision on that unless the secretary of the ALP says he can. What a useless, weak bunch those opposite are.

The shrill contribution from the member for Armadale and the erratic contribution from the member for Butler, all about hatred and disrespect for policemen, is not good enough in protecting our society. All they can do is attack the police minister, borne out of jealousy, embarrassment and a lack of respect for policemen and women in this state.

**MR M. MCGOWAN (Rockingham — Leader of the Opposition)** [4.16 pm]: Mr Speaker, I will tell you what divides us. The other side supports a hapless, hopeless police minister and this side condemns her performance. That is what divides us. I listened to the contributions from the government. The member for Forrestfield quoted *The Esperance Express* from 2006 as part of his defence. The member for Balcatta said that graffiti is on a par with dangerous sex offender legislation. That is exactly what he said. The hapless and hopeless Minister for Police —

Several members interjected.

**The SPEAKER:** Premier and Minister for Corrective Services, I call you both to order for the first time.

**Mr M. McGOWAN:** The Minister for Police is hapless and hopeless but she will like this—there is a minister worse than her. I have before me a copy of a letter to the editor written by the Minister for Mental Health, Hon Helen Morton, on 4 November this year. She wrote it to regional papers. She said something about methamphetamines, which I want to talk about. It states —

In response to your article (McGowan vows to crack down on ice, 14/10), I would like to bring Mr McGowan and your readers up to date on the Government's current strategies with regards ice usage in WA and provide some more accurate statistics.

...

Mr McGowan is quick to say WA's rate of usage is about 4 per cent (3.8 per cent is the actual figure) but is less forthcoming in letting readers know that during the term of the last Labor government, in 1998, 6 per cent of the WA population was using ice.

In 1998, the member for Kalamunda was the police minister—up until July 1998. Who was the police minister? The Leader of the House was. The other hopeless minister's defence is that during its last term in government, it was worse. Methamphetamines have run rife in Western Australia over the last seven years. The minister has only just discovered it and she has done nothing about it over that period. That is strike one.

Strike two: this Corruption and Crime Commission report is damning. Is it any wonder the minister delayed so long in appointing a permanent commissioner to the CCC? Is it any wonder she delayed so long in appointing someone to run it because as soon as she got someone to run it, he called her out. This report is damning. The last paragraph refers to a deeper malaise and systemic weakness which permeates criminal investigations in this state.

How much more damning can we get? It happened on the minister's watch. We saw it in the case of Mr Warneke and his poor mother. We see it in other investigations around this state. The minister has failed to deal with those things. Under the Westminster system, she is the one who takes responsibility. When we criticise, we are criticising her and her Premier for the last seven years for failing to address the important law and order issues in this state. There are six points to this motion. Every one of them is verified as serious and the minister did not address one of them.

*Division*

Question put and a division taken, the Acting Speaker (Ms J.M. Freeman) casting her vote with the ayes, with the following result —

**Extract from *Hansard***  
[ASSEMBLY — Tuesday, 10 November 2015]  
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Ayes (18)

Dr A.D. Buti  
Mr R.H. Cook  
Ms J.M. Freeman  
Mr W.J. Johnston  
Mr D.J. Kelly

Mr F.M. Logan  
Mr M. McGowan  
Ms S.F. McGurk  
Mr M.P. Murray  
Mr P. Papalia

Mr J.R. Quigley  
Mrs M.H. Roberts  
Ms R. Saffioti  
Mr C.J. Tallentire  
Mr P.C. Tinley

Mr P.B. Watson  
Mr B.S. Wyatt  
Mr D.A. Templeman (*Teller*)

Noes (33)

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr G.M. Castrilli  
Mr V.A. Catania  
Mr M.J. Cowper  
Ms M.J. Davies

Mr J.H.D. Day  
Ms W.M. Duncan  
Mr J.M. Francis  
Mrs G.J. Godfrey  
Dr K.D. Hames  
Mrs L.M. Harvey  
Mr C.D. Hatton  
Mr A.P. Jacob  
Dr G.G. Jacobs

Mr S.K. L'Estrange  
Mr R.S. Love  
Mr W.R. Marmion  
Mr J.E. McGrath  
Ms L. Mettam  
Mr P.T. Miles  
Ms A.R. Mitchell  
Mr N.W. Morton  
Dr M.D. Nahan

Mr D.C. Nalder  
Mr J. Norberger  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr A. Krsticevic (*Teller*)

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Pairs

Ms L.L. Baker  
Ms J. Farrer

Mr D.T. Redman  
Ms E. Evangel

Question thus negatived.