

*Joint Standing Committee on the Corruption and Crime Commission —
First Report — Annual Report 2020–21 — Motion*

Resumed from 1 December on the following motion moved by Hon Dr Steve Thomas —

That the report be noted.

Hon NICK GOIRAN: What has happened since last week is very interesting. This particular report, *Annual report 2020–21*, was considered by the Committee of the Whole House last week, on 1 December, and the debate was postponed. The reason I draw this to members' attention is that this is a matter that the Standing Committee on Procedure and Privileges might want to consider in accordance with its ongoing remit to look at our standing orders and so forth. We are now operating under a new regime. Ordinarily, if a committee report has been considered for one hour, it is postponed and deferred under standing order 110(2B), which states —

An order of the day postponed under (2A) shall be listed for further consideration after the orders of the day for the consideration of committee reports listed on that day's Notice Paper and not disposed of.

This report has been subjected to that standing order. The business program states that standing orders 110(2A) and (2B) were applied on two occasions—15 September 2021, and 27 October 2021. However, it was not applied last week when the postponement occurred. The reason that did not happen is that we did not debate the motion for a full 60 minutes; we debated it for approximately 40 minutes. I therefore seek your clarification at this point, deputy chair. Does that mean that today, we are entitled to debate the first report of the Joint Standing Committee on the Corruption and Crime Commission for a further hour, or are we able to debate it for only the balance of the hour that was not taken up last week?

The DEPUTY CHAIR (Hon Jackie Jarvis): Member, my advice is that we had 15 minutes for this debate. We now have 12 minutes left for consideration of this first report, and we will then move to the second item under consideration of committee reports.

Hon NICK GOIRAN: Thank you for that clarification, deputy chair. I make the observation that it would assist members, particularly on Wednesdays, if the amount of time remaining for a motion on a particular day could be listed on the business program. The indication is that the time remaining for this motion is one hour and 15 minutes. That is, indeed, correct. However, that does not apply for today. As you have kindly drawn to our attention, deputy chair, we do not have a full hour remaining; we have only 12 minutes left to debate this annual report. I just make those observations to assist the progress of these matters on further occasions, particularly next year.

With regard to where we left consideration of this report last week, members may recall that page 2 of the *Annual report 2020–21* lists the seventeenth report of the Joint Standing Committee on the Corruption and Crime Commission and states —

Report 17, *Meaningful Reform Overdue: The Corruption, Crime and Misconduct Act 2003*, called on the government to undertake a comprehensive review the *Corruption, Crime and Misconduct Act 2003* ...

Last week, I called on the government to provide a response to that report. Nothing has transpired in the interim. As per usual with this arrogant McGowan Labor government, it has been asked a simple question, “What is your view with regard to what a committee, which consisted of two of your own members, described as overdue reform?”, and all we have had is nothing. All we have had is silence. All we have had is no action. All we have had is the standard arrogance. It is now a week later. The government has had the opportunity to provide some form of interim response and indicate that reforms are underway. Perhaps they are with parliamentary counsel. Maybe some form of consultation is being undertaken with the Corruption and Crime Commissioner or with Western Australia Police Force. Members may recall that last week, I drew to members' attention that appendix 2 of the seventeenth report lists a range of stakeholders who were asked for their views by the Joint Standing Committee on the Corruption and Crime Commission. They include WA Police Force; Sharyn O'Neill, the Public Sector Commissioner; the Ombudsman of Western Australia; and the parliamentary inspector, the now late Hon Michael Murray, who had provided a submission to the committee. In addition, a submission was provided by Civil Liberties Australia. I note that the Information Commissioner also provided quite a comprehensive submission on behalf of the Office of the Information Commissioner.

Then we had the Community and Public Sector Union–Civil Service Association of WA, the Corruption and Crime Commissioner and, of course, the Office of the Auditor General. All those entities provided some input to the Joint Standing Committee on the Corruption and Crime Commission, which ultimately led to a conclusion by that four-person committee in the fortieth Parliament to call on the government to progress these reforms, which it says are not only meaningful but overdue. Yet the McGowan Labor government has done nothing in respect of this matter, certainly not in the form of providing a response and an update on where we are with these reforms. It is no doubt inconvenient to have the consideration of committee reports on a Wednesday when these deficiencies are constantly drawn to its attention. They do not just fall away. They require a response of some sort by the senior members of government opposite, albeit this responsibility falls on the shoulders of Western Australia's Attorney General, who

is a member of the cabinet and a member of Parliament in the other place. Nevertheless, he is able to send one or more of his representative ministers and colleagues here to provide some form of response.

What is happening with regard to this matter? Will we ever see any meaningful reforms, which are said to be overdue, to the Corruption and Crime Commission? Is the government's intention to bring a package of reforms to the forty-first Parliament? We know that the Corruption and Crime Commissioner said in his submission that he thinks there should be a complete rewrite of the act. That is one approach that could be taken. Is that the approach that is being taken by the McGowan government or is it taking a different approach? Is it seeking to make incremental changes of some form? We simply do not know because the government refuses to provide this information despite the comprehensive work undertaken by this committee in its report tabled in November last year, which is more than a year ago.

As I indicated last week, the government has had more than 12 months to do something about this matter. It is evident that whatever has been done, it certainly has not manifested itself in a bill before Parliament. The only thing that the McGowan Labor government has managed to achieve with the Corruption and Crime Commission since the election has been, in an unprecedented fashion, to name an individual and force them to be appointed as the commissioner despite various well-documented concerns. That is the only thing that has been achieved. That was the top priority. When it comes to these overdue reforms in a range of areas—whether it has to do with overseeing the police, the allegations of excessive use of force by police or other areas of misconduct within the public sector—there has been absolutely nothing from the government.

I once again ask the cabinet ministers responsible: this matter has a reasonable chance of appearing next week and, if that were to happen, would it be asking too much of the government to provide some response about what it is doing about the matters contained in the seventeenth report? That would be a good way to end the year; next Wednesday when we come back for consideration of committee reports, this matter might be listed at the top of the agenda. I simply ask the government to give that some strong consideration over the course of the next week. In the usual way, I am hoping if other members want to contribute at this time, they will. Maybe we will have a miraculous response from government with an update, but in the absence of that, I will seek—I will not move it just now—to postpone the debate till next week.

The DEPUTY CHAIR (Hon Jackie Jarvis): Members, the question is that the report be noted. Hon Nick Goiran.

Hon NICK GOIRAN: In which case, I move —

That consideration of the report be postponed to the next sitting.

Question put and passed.