

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS**No. 188****FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT**

TUESDAY, 1 APRIL 2008**1. Meeting of Assembly**

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Distinguished Visitor

The Speaker noted the presence in the Speaker's Gallery of Shahid Esau, Member of the Western Cape Provincial Legislature.

3. Brief Ministerial Statements

The following Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the 2008 Australian Surf Life Saving Championships and the 20th UNIMA Congress and World Puppetry Festival being held in Perth.

The Minister for Planning and Infrastructure on the signing of a Memorandum of Understanding between the Government of Western Australia and the Government of the Democratic Republic of East Timor (Timor-Leste) .

4. Questions

Questions without notice were taken.

Questions on notice Nos 3233 to 3272 were asked.

Questions on notice Nos 2968, 2979, 2982, 2987, 2993, 2997, 3000, 3002, 3019, 3030, 3031, 3036 to 3042, 3049 to 3051, 3053, 3055, 3066, 3070, 3077, 3081, 3110, 3118, 3125, 3133, 3135, 3138, 3140 to 3142, 3149, 3154 and 3159 were answered.

Papers tabled by the Minister for Education and Training –

Question on Notice No. 2982 – Table showing amount of full time equivalent Psychologists employed in each Education District from 2001 to 2007 (3735).

Question on Notice No. 3000 – Tables showing data relating to the Flexible Learning in Schools Project (3736).

Paper tabled by Minister for Police and Emergency Services –

Question on Notice No. 2993 – Overview of Infringements issued under *Road Traffic Code 2000* from 2001 to 2007 (3734).

Paper tabled by Minister for Water Resources –

Question on Notice No. 3110 – Map Showing Sewerage Reticulation Construction Areas in Collie, by the Water Corporation (3737).

Papers tabled by Minister for Health –

Question on Notice No. 3133 – Table showing number of beds available and in use at Kaleeya Hospital from 7 April to 31 December 2007 (3738).

Question on Notice No. 3135 – Table showing attendances at Western Australian Hospital Emergency Departments from January 2007 to January 2008 (3739).

Question on Notice No. 3159 – Western Australian Operational Plan 2007-2008 – Target Completion Dates for Performance Indicator Items 2.1 to 2.4 and 2.7 for the period 1 July 2007 to 30 June 2008 (3740).

5. Speaker's Statement - Joint Standing Committee on Corruption and Crime Commission Membership

The Speaker advised members that on 20 March 2008 he had received the resignation of the member for Darling Range from the Joint Standing Committee on the Corruption and Crime Commission. In accordance with Standing Order 249(3), and after consultation with the Leader of the Opposition, the Speaker had appointed the member for Kalgoorlie to fill the vacancy until it can be confirmed by the Legislative Assembly.

6. Additional Information under Standing Order No. 82A

In accordance with Standing Order No. 82A, the Minister for Corrective Services provided additional information relating to a question on notice from Dr E. Constable.

7. Petition

Off-Road Motorbikes – Mr P. Papalia presented a petition from 39 persons requesting that all motorbikes and quad-bikes be required to be registered either for road use or off-road use and provide for offences for not registering the motorbikes (P. 296).

8. Papers

The following papers were presented and ordered to lie upon the Table of the House –

By the Clerk –

ANZAC Day Trust – Annual Report 2007 (3718).

C.Y. O'Connor TAFE – Annual Report 2007 (3719).

Central TAFE – Annual Report 2007 (3720).

Central West TAFE – Annual Report 2007 (3721).

Challenger TAFE – Annual Report 2007 (3722).

Community Development and Justice Standing Committee – Minutes, 21 February to 11 April 2007 (3723).

Curtin University of Technology – Annual Report 2007 (3724).

Edith Cowan University – Annual Report 2007 (3725).

Great Southern TAFE – Annual Report 2007 (3726).

Kimberley TAFE – Annual Report 2007 (3727).

Murdoch University – Annual Report 2007 (3728).

Pilbara TAFE – Annual Report 2007 (3729).

South West Regional College of TAFE – Annual Report 2007 (3730).

Swan TAFE – Annual Report 2007 (3731).

University of Western Australia, The – Annual Report 2007 (3732).

West Coast TAFE – Annual Report 2007 (3733).

9. Notice of Motion

10. Notice of Motion Lapsed

The Deputy Speaker advised that Private Members' Notice of Motion Nos 7 and 8 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

11. Orders of the Day Lapsed under Standing Order No. 144A

The Deputy Speaker advised members that in accordance with Standing Order 144A, Private Members' Business Order of the Day for the *Daylight Saving Amendment Bill (No. 2) 2007*, which appeared in the last Notice Paper as Private Members' Business Orders of the Day No. 1, has not been debated for more than twelve calendar months and has been removed from the Notice Paper.

The Deputy Speaker advised members that a Bill removed under this Standing Order may be restored by motion to the point it reached prior to its removal.

12. Suspension of Standing Orders

Mr B.J. Grylls, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House calls on the Minister for Health to reassure country people that they are not endangered by the parlous state of country health services, which have been publicly described (The West Australian, March 26) by Christine O'Farrell, the former chief executive of the WA Country Health Service, as "blatantly bloody unsafe" and suffering "ongoing relentless chronic neglect" due to "metrocentric attitudes".

Debate ensued.

Question put.

The Assembly divided.

Ayes (25)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr J.J.M. Bowler
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper
Mr J.H.D. Day

Mr B.J. Grylls
Dr K.D. Hames
Ms K. Hodson-Thomas
Mr R.F. Johnson
Mr J.E. McGrath
Mr P.D. Omodei
Mr D.T. Redman
Mr A.J. Simpson
Mr G. Snook

Dr S.C. Thomas
Mr M.W. Trenorden
Mr T.K. Waldron
Ms S.E. Walker
Mr G.A. Woodhams
Dr J.M. Woollard
Dr G.G. Jacobs (*Teller*)

Noes (27)

Mr P.W. Andrews
Mr A.J. Carpenter
Dr J.M. Edwards
Ms D.J. Guise
Mrs J. Hughes
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Mr F.M. Logan

Ms A.J.G. MacTiernan
Mr J.A. McGinty
Mr M. McGowan
Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia

Mr J.R. Quigley
Ms M.M. Quirk
Mr E.S. Ripper
Mrs M.H. Roberts
Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Mr S.R. Hill (*Teller*)

Question thus negatived.

13. Children and Community Services Amendment (Reporting Sexual Abuse of Children) Bill 2007

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clause 1.

Mr C.C. Porter moved,

Page 2, line 3 – To delete the word “*Sexual*”.

Page 2, line 3 – To insert after “*Abuse*” –

“ *and Neglect* ”.

Amendments put.

Question put.

The Assembly divided.

Ayes (21)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable
Mr M.J. Cowper

Mr B.J. Grylls
Dr K.D. Hames
Dr G.G. Jacobs
Mr R.F. Johnson
Mr J.E. McGrath
Mr P.D. Omodei
Mr C.C. Porter

Mr D.T. Redman
Dr S.C. Thomas
Mr T.K. Waldron
Ms S.E. Walker
Mr G.A. Woodhams
Dr J.M. Woollard
Mr A.J. Simpson (*Teller*)

Noes (28)

Mr P.W. Andrews
 Mr J.J.M. Bowler
 Mr A.J. Carpenter
 Dr J.M. Edwards
 Ms D.J. Guise
 Mr J.N. Hyde
 Mr J.C. Kobelke
 Mr R.C. Kucera
 Mr F.M. Logan
 Ms A.J.G. MacTiernan

Mr J.A. McGinty
 Mr M. McGowan
 Ms S.M. McHale
 Mr A.D. McRae
 Mrs C.A. Martin
 Mr M.P. Murray
 Mr A.P. O’Gorman
 Mr P. Papalia
 Mr J.R. Quigley
 Ms M.M. Quirk

Mr E.S. Ripper
 Mrs M.H. Roberts
 Mr T.G. Stephens
 Mr D.A. Templeman
 Mr P.B. Watson
 Mr M.P. Whitely
 Mr B.S. Wyatt
 Mr S.R. Hill (*Teller*)

Amendments thus negatived.

Clause agreed to.

Clauses 2 to 4 agreed to.

Clause 5.

Mr C.C. Porter moved,

Page 2, line 24 – To delete the word “**sexual**”.

Page 2, line 24 – To insert after “**abuse**” –

“ **and neglect** ”.

Page 3, line 28 – To insert after “sexual abuse” –

“ , physical abuse, psychological abuse or neglect ”.

Page 5, line 5 – To insert after the words “sexual abuse” –

“ , **physical abuse, psychological abuse or neglect** ”.

Page 5, line 11 – To delete the word “sexual”.

Page 5, line 11 – To insert after “abuse” –

“ or neglect ”.

Page 5, line 14 – To delete the word “sexual”.

Page 5, line 14 – To insert after “abuse” –

“ or neglect ”.

Page 7, line 8 – To insert after “sexual abuse” –

“ , physical abuse, psychological abuse or neglect ”.

Page 7, line 9 – To insert after “sexual abuse” –

“ , physical abuse, psychological abuse or neglect ”.

Page 8, line 13 – To insert after “sexual abuse” –

“ , physical abuse, psychological abuse or neglect ”.

Amendments put and negatived.

Clause agreed to.

The Attorney General moved, That the debate be adjourned.

Question put and passed.

14. Notice of Motion after the Time Prescribed

Dr G.G. Jacobs was granted leave to present a late notice of motion.

15. Message from the Governor

Message No. 8, dated 31 March 2008, from His Excellency the Governor was reported assenting to the following bills –

Acts Amendment (Justice) Bill 2007, Act No. 5 of 2008.

Bail Amendment Bill 2007, Act No. 6 of 2008.

Cross-border Justice Bill 2007, Act No. 7 of 2008.

Police Amendment Bill 2006, Act No. 8 of 2008.

Public Trustee and Trustee Companies Legislation Amendment Bill 2006, Act No. 9 of 2008.

16. Adjournment

The Leader of the House moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 10.12 p.m. until Wednesday, 2 April 2008 at 12 noon.

Members present during any part of the day's proceedings – All the members except Ms J.A. Radisich.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. FRED RIEBELING

Speaker of the Legislative Assembly