



## LEGISLATIVE COUNCIL

**WEDNESDAY, 11 MAY 2022**

**1.00pm**

### 1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

### 2. Statement by President — Legislative Council Staff Rotations

The President made the following Statement —

A number of positions within the Department of the Legislative Council are subject to a requirement that they be rotated with another position from time to time for staff development purposes.

I wish to advise the House of the most recent rotation of roles by a number of senior staff. Following the recent appointment of the new Clerk, Christine Kain has been rotated into the Clerk Assistant (House) role.

Shoshanna McNerney has been appointed to the Clerk Assistant (Committees) role on an acting basis until the end of the year. Many Members will be familiar with Shoshanna from her time as an Advisory Officer with the Standing Committee on Uniform Legislation and Statutes Review, the Joint Standing Committee on Delegated Legislation and the Standing Committee on Public Administration. Shoshanna has a background as a legal practitioner.

I also advise that Grant Hitchcock will reprise the role of Usher of the Black Rod.

The Department is fortunate to have a deep pool of talented staff to fulfil these important roles and I wish these senior officers all the best as they work with the Clerk to deliver the Department's high level of service to Members and the broader community.

### 3. Petition

Hon Sandra Carr presented a petition from 234 petitioners requesting the Legislative Council to recommend to the Government that funding be included in the State Budget to remediate the Jurien Bay Marina. (Tabled Paper 1264).

#### 4. Papers

The following Papers were laid on the Table by —

##### **President**

*Reports —*

Corruption and Crime Commission — A report on the deployment of police dogs  
(11 May 2022).....1259

##### **Leader of the House**

*Response to Reports —*

Commissioner for Children and Young People — Independent Review into the  
Department of Communities' policies and practices in the placement of  
children with harmful sexual behaviours in residential care settings  
(May 2022).....1260

##### **Minister for Emergency Services**

*Annual Reports —*

Corruption and Crime Commission — Criminal Investigation (Covert Powers)  
Act 2012 — Western Australia Police Force (2020-21)  
(Date received 10/05/2022).....1261

##### **Parliamentary Secretary to the Attorney General**

*Regulations —*

Electricity Generation and Retail Corporation — Compliance with Electricity  
Corporations (Electricity Generation and Retail Corporation)  
Regulations 2013 — Independent Auditors Report (2021).....1262

#### 5. Homelessness in Western Australia

Hon Sophia Moermond: To move on the next day of sitting —

That this House recognises that homelessness in Western Australia has reached alarming levels with around nine thousand people considered homeless on any given night of the week, and the McGowan Labor Government must do more to tackle the problem by —

- (a) urgently having independent analysis done on the changing scale and nature of homelessness across Western Australia taking into account the many social, economic and policy factors that impact on homelessness;
- (b) identifying policies and practices from all levels of government that have a bearing on delivering services to the homeless; and
- (c) drastically increasing financial aid to those organisations that work with the homeless so as they can expand their operations to help more Western Australian citizens.

#### 6. Aged Care Sector

Motion No. 20 having been called, Hon Dan Caddy, pursuant to notice, moved —

That this House condemns the Morrison Government for its failure to provide any support for the aged care sector in the recent federal budget.

Debate ensued.

Hon Dr Steve Thomas moved, without notice —

To delete “condemns the Morrison Government for its failure to provide any support for the aged care sector in the recent federal budget” and insert:

recognises the importance of aged care reform and acknowledges the Morrison Government’s record investment in response to the *Royal Commission into Aged Care Quality and Safety*

Debate ensued.

Amendment — put.

The Council divided.

**Ayes (7)**

Hon Martin Aldridge  
Hon Peter Collier  
Hon Donna Faragher  
Hon Nick Goiran

Hon James Hayward  
Hon Dr Steve Thomas  
Hon Colin de Grussa (*Teller*)

**Noes (17)**

Hon Klara Andric  
Hon Dan Caddy  
Hon Sandra Carr  
Hon Stephen Dawson  
Hon Kate Doust  
Hon Sue Ellery  
Hon Peter Foster  
Hon Jackie Jarvis  
Hon Ayor Makur Chuot

Hon Kyle McGinn  
Hon Shelley Payne  
Hon Dr Brad Pettitt  
Hon Stephen Pratt  
Hon Martin Pritchard  
Hon Matthew Swinbourn  
Hon Darren West  
Hon Pierre Yang (*Teller*)

Amendment thus negated.

Debate resumed.

Motion — put.

The Council divided.

**Ayes (18)**

Hon Klara Andric  
Hon Dan Caddy  
Hon Sandra Carr  
Hon Stephen Dawson  
Hon Kate Doust  
Hon Sue Ellery  
Hon Peter Foster  
Hon Jackie Jarvis  
Hon Ayor Makur Chuot

Hon Kyle McGinn  
Hon Shelley Payne  
Hon Dr Brad Pettitt  
Hon Stephen Pratt  
Hon Martin Pritchard  
Hon Matthew Swinbourn  
Hon Dr Brian Walker  
Hon Darren West  
Hon Pierre Yang (*Teller*)

**Noes (7)**

Hon Peter Collier  
 Hon Donna Faragher  
 Hon Nick Goiran  
 Hon James Hayward

Hon Tjorn Sibma  
 Hon Dr Steve Thomas  
 Hon Colin de Grussa (*Teller*)

Motion thus passed.

**7. Consideration of Committee Reports**

Pursuant to order for the consideration of Committee Reports.

—————  
**In Committee**

(Hon Peter Foster in the Chair)

**Joint Standing Committee on the Commissioner for Children and Young People — Report No. 1 — Annual Report 2020–2021**

Debate resumed on the motion of Hon Neil Thomson, That the Report be noted.

Debate postponed pursuant to SO 110(2A) and (2B).

**Joint Standing Committee on the Corruption and Crime Commission — Report No. 1 — Annual Report 2020–21**

Debate resumed on the motion of Hon Dr Steve Thomas, That the Report be noted.

Question — put and passed.

**Joint Standing Committee on the Corruption and Crime Commission — Report No. 2 — If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force**

Debate resumed on the motion of Hon Dr Steve Thomas, That the Report be noted.

*Interruption pursuant to order.*

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The Acting President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Joint Standing Committee on the Commissioner for Children and Young People — Report 1 — *Annual Report 2020-2021*, made progress, and postponed consideration to the next sitting.
- (2) Joint Standing Committee on the Corruption and Crime Commission — Report 1 — *Annual Report 2020-21* and had noted same.
- (3) Joint Standing Committee on the Corruption and Crime Commission — Report 2 — *If not the CCC ... then where? An examination of the Corruption and Crime Commission's oversight of excessive use of force allegations against members of the WA Police Force*, made progress, and seeks to sit again.

Report adopted.

**8. Order of Business**

Ordered — That Orders of the Day Nos 1, *City of Vincent Local Government Property Local Law 2021 — Disallowance*, and 2, *Shire of Broome Waste Local Law 2021* be taken after Order of the Day No. 4, *Transfer of Land Amendment Bill 2021*. (Leader of the House).

## 9. Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill 2021

The Order of the Day for the further consideration of this Bill, in Committee of the Whole House, having been read.

The Acting President left the Chair.

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### In Committee

(Hon Jackie Jarvis in the Chair)

Clause 4.

Debate resumed.

## 10. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Health, by leave, incorporated into *Hansard* a table of registered, enrolled and graduate health workers employed in the Western Australian Public Health system between 1 December 2021 and 1 May 2022, in response to a question without notice asked by Hon Steve Martin.

The Leader of the House representing the Minister for Health, by leave, incorporated into *Hansard* a table of registered, enrolled and graduate health worker resignations in the Western Australian Public Health system between 1 December 2021 and 1 May 2022, in response to a question without notice asked by Hon Steve Martin.

The Parliamentary Secretary representing the Minister for Water, by leave, incorporated into *Hansard* a comparative table of households with restricted water flow or seeking assistance between 1 July 2021 and May 2022, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Education and Training, by leave, incorporated into *Hansard* a table of funding allocated to community kindergartens in 2022, in response to a question without notice asked by Hon Donna Faragher.

The Leader of the House representing the Premier tabled documents in relation to the Department of Health's daily release of COVID-19 statistics, in response to question on notice 625 asked by Hon Martin Aldridge. (Tabled Paper 1266).

The Leader of the House representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 572 asked by Hon Tjorn Sibma will be provided by 19 May 2022.

The Leader of the House representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 656 asked by Hon Martin Aldridge will be provided by 19 May 2022.

The Leader of the House representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 581 asked by Hon Wilson Tucker will be provided by 19 May 2022.

The Leader of the House representing the Minister for Health, in accordance with Standing Order 108(2), advised that an answer to question on notice 693 asked by Hon Neil Thomson will be provided by 19 May 2022.

The Minister for Emergency Services tabled documents in relation to reviews conducted following a significant emergency response, in response to question on notice 658 asked by Hon Martin Aldridge. (Tabled Paper 1267).

The Minister for Emergency Services representing the Minister for Environment tabled documents in relation to prescribed burning within the three South West forest regions in 2020-21, in response to question on notice 655 asked by Hon Dr Brad Pettitt. (Tabled Paper 1268).

The Minister for Emergency Services representing the Minister for Environment, in accordance with Standing Order 108(2), advised that an answer to question on notice 697 asked by Hon Dr Brad Pettitt will be provided by 17 May 2022.

The Parliamentary Secretary to the Attorney General, by leave, incorporated into *Hansard* information in relation to self-harm, suicide attempts and assaults on staff at Banksia Hill Detention Centre, in response to question without notice 363 asked by Hon Peter Collier.

The Parliamentary Secretary to the Attorney General, by leave, incorporated into *Hansard* information in relation to energy and power supply disconnections and Hardship Utility Grants Scheme applications in April 2022, in response to question without notice 367 asked by Hon Dr Steve Thomas.

The Parliamentary Secretary to the Minister for Energy tabled documents in relation to customers of the South West Interconnected System that were affected by a power outage between 24 and 28 December 2021, in response to question on notice 645 asked by Hon Martin Aldridge. (Tabled Paper 1269).

#### **11. Statement by President — Legalise Cannabis WA Party — Endorsement of Parliamentary Leader**

The President made the following Statement —

To be inserted from *Hansard*.

Dear President

Pursuant to our party's internal processes, we write to inform you that Dr Brian Walker has been endorsed by the State Executive of the Legalise Cannabis WA Party as its parliamentary leader.

Yours sincerely

Hon Dr Brian Walker

Hon Sophia Moermond

#### **12. Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill 2021**

Resumption of consideration of this Bill in Committee of the Whole House (*see item 9 above*).

The President left the Chair.

#### **In Committee**

(Hon Dr Brian Walker in the Chair)

Clause 4.

Debate resumed.

Clause agreed to.

Clauses 5 to 7 agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9.

Debate ensued.

Clause agreed to.

Clause 10.

Debate ensued.

*Interruption pursuant to order.*

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The President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

### **13. Members' Statements**

Statements were taken.

### **14. Adjournment**

The Council adjourned at 6.47pm until Thursday, 12 May 2022 at 10.00am.

#### **Members present during the day's proceedings**

Attendance: Present all Members except Hon Lorna Harper, Hon Alannah MacTiernan, Hon Samantha Rowe, Hon Rosetta Sahanna, Hon Neil Thomson and Hon Wilson Tucker.

**SAM HASTINGS**

Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council