

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 160

THURSDAY, 24 OCTOBER 2019

1. Meeting of Council

The Council assembled at 10.00am pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Standing Committee on Legislation — Inquiry into the Criminal Procedure Amendment (Trial by Judge Alone) Bill 2017 — Substitution of Member

The President made the following Statement —

I have received the following letter —

Dear Madam President

Substitution of Committee Member

I am writing to you in relation to the Committee's inquiry into the *Criminal Procedure Amendment (Trial by Judge Alone) Bill 2017*, referred to the Committee on 26 September 2019.

The Committee met on 21 October 2019 and, pursuant to Standing Order 163, resolved to order the substitution, with immediate effect, of Hon Aaron Stonehouse MLC in place of Hon Simon O'Brien MLC as a Member of the Committee for the duration of this inquiry.

Yours sincerely

Hon Dr Sally Talbot MLC

3. Statement by President — Joint Standing Committee on the Corruption and Crime Commission — Inquiry into the Western Australian Corruption and Crime Commission's Oversight of Police Misconduct Investigations, Particularly Allegations of Excessive Use of Force — Terms of Reference

The President made the following Statement —

I have received the following letter —

Dear Madam President

Joint Standing Committee on the Corruption and Crime Commission Terms of Reference

The Joint Standing Committee on the Corruption and Crime Commission has resolved to conduct an inquiry with the following terms of reference:

An inquiry into the Western Australian Corruption and Crime Commission's oversight of police misconduct investigations, particularly allegations of excessive use of force, with an examination of:

1. *The nature and prevalence of allegations of excessive use of force by WA police officers.*
2. *Circumstances in which allegations of excessive use of force are investigated internally by WA Police.*
3. *Circumstances in which allegations of excessive use of force are investigated and/or oversighted by the Corruption and Crime Commission.*
4. *The Corruption and Crime Commission's 'active oversight' policy and its adequacy in dealing with allegations of excessive use of force.*
5. *The nature of sanctions for excessive use of force allegations which are substantiated.*

The Committee will report by 25 June 2020.

Yours sincerely
Margaret Quirk, MLA

4. Papers

The following Papers were laid on the Table by —

President

Reports —

Corruption and Crime Commission — Review of recommendations made to the Department of Transport arising from three reports (October 2019).....	3313
Corruption and Crime Commission — The implementation of recommendations arising from the Commission's investigation into Operation Aviemore — A Final Report (October 2019)	3314

Leader of the House

Annual Reports —

Museum Western Australia (2018–19) (Date received 23/10/2019).....	3315
--	------

Minister for Environment

Proposals —

Conservation and Land Management Act 1984 — Proposal of excision from State Forest No. 14 and State Forest No. 15 to rationalise the tenure of Dix and Medway Roads.....	3316
--	------

5. Joint Standing Committee on the Corruption and Crime Commission — Report 12 — An Unreasonable Suspicion — Parliamentary Inspector's Report

Hon Jim Chown presented Report 12 of the Joint Standing Committee on the Corruption and Crime Commission, *An Unreasonable Suspicion — Parliamentary Inspector's Report*. (Tabled Paper 3317).

6. Government Business Management

Hon Michael Mischin: To move on the next day of sitting —

That this House expresses its concern about the Government's legislative and other priorities, given the time available to the 40th Parliament.

7. Effect of Government Policies

Non-Government Business No. 1 having been called, Hon Peter Collier moved, without notice —

That this House acknowledges that many Western Australians are worse off since the election of the McGowan Government as a direct result of its policies.

Debate ensued.

Motion lapsed.

8. Order of Business

Ordered — That Orders of the Day Nos 1, *Transport Regulations Amendment (Road Passenger Services) Regulations (No. 2) 2019 — Disallowance*, and 3, *Public Health Amendment Regulations 2019 — Disallowance*, be taken after Order of the Day No. 20, *High Risk Offenders Bill 2019*. (Leader of the House).

9. City of Bunbury — Fees Notice 2019 — Disallowance — Discharge from Notice Paper

The Order of the Day having been called, Hon Robin Chapple moved, without notice —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, Order of the Day No. 2, *City of Bunbury - Fees Notice 2019*, be discharged from the Notice Paper.

Question — put and passed.

10. Standing Committee on Estimates and Financial Operations — Report 79 — The Local Projects Local Jobs Program and the establishment of a Parliamentary Budget Office — Extension of Time

The Order of the Day having been read for the adjourned debate on the motion of Hon Tjorn Sibma, as follows —

That the reporting date for the Standing Committee on Estimates and Financial Operations inquiry into the Government's Local Projects Local Jobs Program be extended from 19 November 2019 to 21 May 2020.

Question — put and passed.

11. Voluntary Assisted Dying Bill 2019

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

The President left the Chair.

In Committee

(Hon Dr Steve Thomas in the Chair)

Clause 1.

Debate resumed.

The Minister for Environment tabled a letter from the Attorney General, Hon J.R. Quigley to the Attorney General for Australia, Hon Christian Porter, dated 28 August 2019. (Tabled Paper 3318).

Debate resumed.

12. Questions Without Notice

Questions without notice were taken.

The Minister for Environment representing the Minister for Transport tabled the Public Transport Authority code of conduct, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 3319).

The Leader of the House representing the Minister for Volunteering tabled, and by leave incorporated into *Hansard*, documents in relation to Volunteer Resource Centres, in response to a question without notice asked by Hon Colin Holt. (Tabled Paper 3320).

The Minister for the Environment representing the Minister for Police tabled the *Development of a Regional and Remote Road Safety Action Plan for WA 2018–2020*, in response to question on notice 2497 asked by Hon Martin Aldridge. (Tabled Paper 3321).

The Minister for Environment representing the Minister for Housing tabled Department of Communities, Maintenance requests lodged in 2016–17, 2017–18 and 2018–19 for the Towns of Carnarvon, Karratha, Newman, Port Hedland and Tom Price, in response to question on notice 2498 asked by Hon Jacqui Boydell. (Tabled Paper 3322).

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to data provided by the Department of Health, in response to question without notice 1195 asked by Hon Jacqui Boydell.

The Parliamentary Secretary to the Minister for Health tabled data for Regional Developments from 1 September 2018 to 31 August 2019, in response to question on notice 2474 asked by Hon Martin Aldridge. (Tabled Paper 3323).

The Parliamentary Secretary to the Minister for Regional Development representing the Minister for Tourism tabled a list of events that received funding and amounts of funding for 2017–18, 2018–19 and 2019–20 from Tourism WA Event Sponsorship, in response to question on notice 2499 asked by Hon Colin Holt. (Tabled Paper 3324).

13. Voluntary Assisted Dying Bill 2019

Resumption of consideration of this Bill in Committee of the Whole House (*see item 11 above*).

The President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate resumed.

Interruption pursuant to order.

14. Members' Statements

Statements were taken.

15. Adjournment

The Council adjourned at 5.33pm until Tuesday, 29 October 2019 at 2.00pm.

Members present during the day's proceedings

Attendance: Present all Members.

NIGEL PRATT
Clerk of the Legislative Council

HON KATE DOUST MLC
President of the Legislative Council