

**ELECTORAL REFORM — LEGISLATIVE COUNCIL**

*Motion*

**HON MARTIN ALDRIDGE (Agricultural)** [10.08 am] — without notice: I move —

That the Legislative Council —

- (a) notes the commitment of the Premier of Western Australia who repeatedly stated that electoral reform was “not on the agenda” just days prior to the state election;
- (b) notes that immediately following the last election and with total control of the Parliament, the Minister for Electoral Affairs has commenced a flawed inquiry to provide for “electoral equality” for all citizens entitled to vote for the Legislative Council;
- (c) recognises the further disenfranchisement of regional communities that will occur by eroding their representation in the Parliament of Western Australia; and
- (d) calls on all parliamentary parties represented in the Parliament of Western Australia to allow their members to vote in accordance with their conscience and their constituents and not along party lines when considering any legislative proposal for reform.

I rise to present my argument for this very important motion before the Legislative Council today, the last sitting day of the current membership of the Legislative Council before new members are sworn in in a little over a week. I want members to cast their minds back to February 2021. At that time the Labor Party presented its pitch to Western Australians who had not voted for Labor previously. On that day Mark McGowan, the Leader of the Labor Party, posted this on his Facebook page —

Western Australians, this is my promise to you:

If you’re thinking about voting for me and WA Labor for the very first time this election, this is my message to you:

You should feel confident in that decision.

My promise is simple – I will lead a sensible, responsible, experienced Government.

We will keep our promises, and properly manage the finances.

And we will always keep WA strong.

On that same day, 21 February, my colleague Hon Darren West shared this post. He said —

If you’re considering voting WA Labor for the first time, Mark McGowan makes this commitment to you.

I’ve known Mark for over 20 years. He keeps his commitments.

He’s a great bloke, a great Premier and he’ll keep WA strong.

One of the most extraordinary exchanges of the election occurred on 8 March in Albany, where the Premier was under cross-examination by an ABC journalist by the name of Dan Mercer. I want to read into *Hansard* a transcript of an exchange between Mr Mercer and the Premier because it is pertinent to the issues at the election: commitments, integrity and trust. The transcript reads —

**Mercer:** If Labor is returned next Saturday will you pursue electoral reform in the Upper House?

**Premier:** It’s not on our agenda, I’ve answered this question many times, it’s not on our agenda, we care deeply about country WA and the issues of jobs, health, education, important infrastructure other sorts of things that we will implement.

**Mercer:** There’s a difference between something not being on the agenda and committing not to doing something as Labor did with the gold royalty increase. So will you commit, are you committing?

**Premier:** Well I’ll be clear, I’ll be clear again, it’s not on our agenda enhanced regional representation will continue and this is just another smoke screen by the Liberals and Nationals. What the Liberals have shown today with their comments is if they don’t care about regional WA. If they don’t think the Premier of the state shouldn’t go to regional WA they don’t care about regions.

**Mercer:** Do you think that Electoral Reform in the Upper House is something that parties ought to take to an election before ever trying to implement it?

**Premier:** No like I said before it’s not on our agenda.

**Mercer:** So can I take from that the Labor Party isn’t going to be doing it?

**Premier:** It’s not on our agenda we support and enhance regional representation.

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**Mercer:** To go back to the question, how significant is electoral reform in the Upper House is it a matter of such importance that a party would need to take it to the voters before trying to implement it do you think?

**Premier:** As I said it's not on our agenda we support enhanced regional representation.

**Mercer:** The question is do you think it's a matter that should be taken to voters before being implemented?

**Premier:** As I said it's not on our agenda, we support enhanced regional representation.

That short exchange occurred in Albany just five sleeps before state election day. I think the Premier said seven times that it was not on his agenda and three times that he supported enhanced regional representation. Fast forward to 30 April when the ministerial expert committee was formed—apparently it was formed on 28 April, two days prior to the media statement—to advise the government on electoral reform. It is interesting for those members who have not been able to turn their minds to this yet to note the terms of reference that have been included. The two things the government has asked that committee to examine and provide are recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council and recommendations for the distribution of preferences in the Legislative Council's proportional representation system. Obviously there is a preamble to those two limbs of the review being put. It is interesting that the Nationals are singled out in the preamble. It mentions that in the Agricultural Region, the Nationals received 22 999 votes and won two seats. Three other references are made to the Greens, the Liberal Party and the Daylight Saving Party. It is interesting that the preamble does not include a reference to the Australian Labor Party. At the last election, in the Mining and Pastoral Region, with which I am sure my good friend Hon Kyle McGinn is quite familiar, the Labor Party won four seats on a vote of 28 002. It is not mentioned in the preamble to these terms of reference that four Labor members were elected on 7 000 votes each, almost half of what it took the Nationals to get elected in the Agricultural Region. However, according to the Attorney General, that is not a matter of significance.

I want to present to the house today just how corrupted and flawed this process is and how the Premier's comments five sleeps out from the election could not be trusted. He was not truthful with the people of Western Australia in the commitments he took to the election. Surely enough, with total control of the state Parliament, Labor is doing exactly what we warned voters at the last election it would do.

I am glad the Parliamentary Secretary to the Minister for Electoral Affairs in this house still believes in preferences. He named me as his fourth-favourite National Party member in the house yesterday, so I am glad he still believes in a preferential system. On the issue of preferences, the Greens brought a bill to this house in the last Parliament called the Electoral Amendment (Ticket Voting and Associated Reforms) Bill 2019. It was to achieve a number of things, but also to deal with voting tickets; an issue that I believe needs addressing. When that legislation was brought on for debate, government members were rushing around to make sure there were enough speakers so that no vote could ever be taken and the bill could not be considered again. As members know, passing private members' bills in this place is difficult. There are limited opportunities to do so and it has been a long-held tactic of the government to simply talk them out and not let them come to a vote. It has also been usual for governments, once in their term, to introduce a bill to reform the Electoral Act. There has not been an occasion in recent history when this Labor government has not passed an amendment to the Electoral Act. It brought in amendments so late in the term to deliver on election commitments, and did not bring it on for debate after the committee reported, that time elapsed before that bill could be dealt with. Now it has bigger fish to fry as it looks at structural reform for the Legislative Council.

Along with Hon Tjorn Sibma and other members, I have pursued a number of questions in the past two weeks about that ministerial expert committee. It is clear from the answers that have been provided by the parliamentary secretary that this committee has been thrown together very quickly. The government's obfuscation in providing answers to this house is evident. Either it intends not to provide answers, which we will pursue in due course, or it does not know the answers.

It is even more concerning that the government has embarked on a ministerial expert committee without, for example, even knowing how much it will cost. It is quite extraordinary. The simple question I have asked three or four times now is: how much are each of the committee members going to be paid? The government does not know! It either does not know or it will not tell us—unless the parliamentary secretary is going to rise in a minute and provide that information. I suspect in question time today I will get a similar answer to those I have received over the last five sitting days.

I turn to the members of the committee. Hon John Quigley is the Minister for Electoral Affairs. He is our third Minister for Electoral Affairs under the Labor government. There has been a revolving door of Ministers for Electoral Affairs. We went from Minister Johnston to Minister Dawson and now we are at Minister Quigley. Of course, Minister Quigley is saying that this is a very important committee that will be led by eminent Western Australian Malcolm McCusker, AC. He is an eminent Western Australian; I agree with that. But I have asked questions over the last week about a number of the other committee members, to which I have received partial

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answers. It is very interesting that these committee members have been long-term proponents of structural reform of the Legislative Council. They have for a long time written papers about the need to reform the Legislative Council. I do not think they enter this ministerial expert committee to advise the government without bias. They have very fixed views about what ought to happen, so what is the point of having this charade—this pretend expert advisory committee to inform the government—when the Attorney General already knows what he wants to do? The Attorney General; Minister for Electoral Affairs already knows what he wants to do—the Labor Party just was not brave enough to take it to the last election.

On 20 February 2019, I received a letter—probably along with every other member of this house, if not both houses—from 10 academics, including Associate Professor Martin Drum, Professor John Phillimore and Associate Professor Sarah Murray. Funnily enough, all three of them serve on the government's ministerial expert committee. The letter addressed the need for a number of electoral reforms. The letter of 20 February 2019 presents, first and foremost, an argument that there is a need to reform the way in which members of the Legislative Council are elected. It is quite an extensive letter, over three or four pages, so I am not going to read it into *Hansard*. Does the member want me to table the letter? I seek leave to table the document.

[Leave granted. See paper [194](#).]

**Hon MARTIN ALDRIDGE:** I want to read in my response, at least in part, to this group of academics. I wrote back to say —

I refer to your correspondence of 20 February 2019 and apologise for the delay in my response. As you're aware, The Nationals WA oppose any measure that seeks to diminish regional representation in our State Parliament. It will come as little surprise that The Nationals WA reject your assertion that an equal weighting system for each region in the Legislative Council of Western Australia “fails the democratic fairness test”.

It tends to be the case when the debate of one vote one value rears its head, that there are cries of protest from predominantly city-based academics and politicians. These cries are centred on the notion of equality. Yet at the same time there is a clear inequality in dearer fuel prices for country motorists, a lack of public transport and exorbitant regional airfares. Regional people are likely to achieve a lesser education standard and die earlier than their city counterparts.

The impact of proposed electoral reform in the Upper House—such as that presented at a New Zealand conference by the President of the Legislative Council last year—is to dilute country representation.

One vote one value was achieved in the Legislative Assembly with the passage of the *Constitution and Electoral Amendment Bill 2005*. The Bill recognised the need to compensate what are considered to be large districts by a weighting mechanism known as the Large District Allowance. Your proposal provides no detail on whether you believe our electoral system ought to recognise and respond to the challenges of representing regional and remote Western Australia.

Western Australia is unique. My electorate of the Agricultural Region has a land mass comparable to Italy with nearly all of it populated. Yet my slice of country Western Australia is relatively tiny when compared to my upper house colleagues in the Mining and Pastoral Region. Spanning more than two million square kilometres, the total geographic area is more than 2656 times that of the South Metropolitan Region and includes Carnarvon, Kalgoorlie, Eucla and Wyndham.

In April 2005, then Professor Greg Craven, Executive Director of The John Curtin Institute of Public Policy and Professor of Government and Constitutional Law made a fair comment on the *One Vote One Value Bill*:

*“I would respectfully argue that, once the Lower House of the Parliament is constituted on a more or less strict One Vote One Value basis, the case for constituting the Upper House differentially as a Chamber where regional interests receive moderately enhanced representation, is strong. This follows from the necessity to ensure that the diversity of interests contained within the State are adequately reflected in Parliament.”*

In the same vein, Dr Harry Phillips, Parliamentary Fellow, Adjunct Professor, Edith Cowan University and Curtin University of Technology said in April 2005:

*“In Western Australia the interpretations of the Canadian Courts have tended to be used as support for the ‘one vote one value’ argument. However, the Canadian Courts, have given thrust to a broader concept of ‘effective representation’. The latter provides scope for deviation (sometimes substantial) from voter parity. If one sought to do so I think there would be scope to argue that in many settings, other factors (such as geography), have to be considered for effective representation to prevail.”*

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My letter continues —

It is my view that those living in regional and remote Western Australia have an expectation and a democratic right to be able to reasonably access their Members of Parliament. The proposal advanced by you is incongruent with that expectation and right and would significantly diminish and disadvantage those people from being adequately represented in the State Parliament.

As individuals with expertise in democratic practice, I invite you and your cosignatories to spend some time with my colleagues in their regional constituencies. I think having walked a few days in our shoes will give you a deeper appreciation for the challenge of representing regional and remote Western Australia in a meaningful way. To that end, my Parliamentary National Party colleagues and I invite you to join any or all of us during our electorate travels.

Thank you for considering our views and I look forward to your response. Please don't hesitate to contact my office should you wish to arrange a visit to the electorate with one of our Members of Parliament.

How many responses do members reckon I got from these 10 academic activists? None—crickets. I did not even get a response. Their response should have been, “Thank you for writing back to our letter. Sorry, we don't have time to leave the golden triangle to traipse around your electorate for a few days and meet your constituents, because they don't matter.”

*Tabling of Paper*

**Hon MATTHEW SWINBOURN:** Can the member table the response he has just read from?

**The DEPUTY PRESIDENT:** Member, could you identify the document you are quoting from, and then in due course you may be asked to table it.

**Hon MARTIN ALDRIDGE:** Mr Deputy President, I confirm that it is a letter from me to Professor John Phillimore, executive director of the John Curtin Institute of Public Policy. I seek leave to table the document.

[Leave granted. See paper [195](#).]

*Debate Resumed*

**Hon MARTIN ALDRIDGE:** I thank the house for its indulgence. I think it was important that I actually took the time—I do not know how many other members did—to respond to these academic activists and invite them to come and visit my electorate and my colleagues' electorates, but I did not get a single word back from them. They are not interested.

In question time this week I started to pursue with the parliamentary secretary who these characters are—these experts on this committee. It appears from the answers I have received that they have a bit of background with the government. They might even have a bit of background with the Labor Party, judging by the answers I have received. It would appear some of them have worked for Labor governments, ministers and Deputy Premiers. It all goes to the question: how impartial, how unbiased, is this ministerial expert committee? There is no regional representation on this ministerial expert committee. As far as I am aware, all members live in Perth and have very fixed views, which they have published routinely. The review is being led by the Minister for Electoral Affairs in chief, about whom this house has passed a motion stating it has no confidence in him. He is the one leading this review.

Another limb of my motion is to ask parliamentary parties in this house to be allowed to vote in accordance with their conscience and in the interest of their constituents when considering any legislative proposal for reform. We all know that is not possible in the Labor Party. They are all like lemmings. The Labor lemmings all march to the cliff and jump off, and I doubt anything is going to change any time soon.

**Hon Kyle McGinn** interjected.

**Hon MARTIN ALDRIDGE:** Hon Kyle McGinn has been promoted to keep him in line!

**The DEPUTY PRESIDENT:** Order! Members, there will be an opportunity for members to contribute.

**HON TJORN SIBMA (North Metropolitan)** [10.30 am]: I rise on behalf of the Parliamentary Liberal Party to speak in favour of this motion for a number of reasons. First of all, as Hon Martin Aldridge recounted to the chamber, the Premier on repeated occasions exclaimed that electoral reform was not on the government's agenda. I recall that on the night of the televised debate, journalist Peter Law also put that question to him and was probably left with an unsatisfactory response. Nevertheless, history being what it is, the Labor Party won the election quite comprehensively and moved swiftly to implement electoral reform, as it advised.

I will focus on the terms of reference of the ministerial expert panel's inquiry. If there are three words that should send a chill through the blood, it is the phrase “ministerial expert panel”. Hand-picked people will deliver an outcome that is, to some degree, predetermined. But there is a problem of logic with the reform proposed because

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the government is conflating two very different issues as one. The first is the perversion of outcomes that emanate from group voting tickets. It should come as no surprise to the government that a member who was voted in on 98 votes will be sworn into this place in a couple of weeks. It should come as no surprise to members, because this almost occurred at the last election when a Fluoride Free WA candidate for the East Metropolitan Region potentially got very close on about 1 100 or 1 200 primary votes. The perversions of group voting tickets and preference harvesting and preference whispering were never on the agenda of this government during its previous term, and I often wondered why that would be. I suspect that it is because the centre-right parties, particularly the Liberal Party, fragment. We have people who run under the monikers of Liberals for Climate and Liberal Democrats. If a party were perhaps set up and called itself “Labor for Roe 8” or “Labor for the Retention of Jobs at Fremantle port”, Labor probably would have dealt with the perversion of group voting tickets earlier in the piece, but I am a cynic and I am paid to be a cynic to some degree. There is very obviously a conflation here between the amount of regional representation and the kinds of perverse outcomes that emanate as a consequence of preference harvesting, preference whispering and group voting tickets.

With respect to the latter, we have been on the record as saying that we would support reform in that area—quite explicitly so. I cite an op-ed from 13 June 2019 from my friend the Deputy President, titled “Put voters back in charge on poll day”. I will table this article after I read out a few quotes. I think this should seize the mind. I think we could get this done pretty quickly if members focus on this dimension. Hon Simon O'Brien wrote —

It's time to give electors a direct say and put an end to registered preference tickets for the WA Legislative Council.

...

We should put the “preference harvesters” and backroom deal-makers out of business.

I do not now hear howls of derision or outrage about these concepts. I think this is what the new Minister for Electoral Affairs wants to accomplish too, if I am to take him at his word. But two years ago Hon Simon O'Brien said —

The McGowan Government should not stand in their way but instead embrace what should be an essential, bipartisan reform.

That is, dispensing with group voting tickets. If Labor brought a bill to this place and read it in next week, we would pass it, but instead it wants to be clever—a little bit too clever by half. We have absolutely nothing but respect for the credentials and the expertise of the members of this panel; I want to be explicit about that. One can admire somebody's academic pedigree, their expertise and commitment to their craft and the integrity of their personal character, but that does not mean that these people come into this process without any preconceived notions or biases. They quite obviously do. The tabling of the letter from 20 February 2019, co-authored by 10 academics who cite four areas of electoral reform, is a clear indication that there is not so much a degree of open mindedness about the outcome of regional reform.

I am also concerned about another aspect of this issue and it is the co-option and perversion of words such as “equality”, “one vote, one value” and “malapportionment”. These are not objective definitions. They are loaded definitions. I think there is a lack of understanding about equity, and equality as it applies to Western Australians who live outside the metropolitan area, for the reasons Hon Martin Aldridge has indicated. We do not know what the final complexion of what Labor is proposing will be, because I hear all kinds of interesting tales about the models Labor is contemplating. I have heard there will potentially be eight-member metropolitan districts with two regional districts of six apiece—sort of an eight, eight, eight and 12 model. I do not know whether that is on the agenda. I have heard concepts of a unified statewide model. I think that would be quite dangerous because if we are trying to stop micro-parties with very, very narrow interests being voted in, that is the way to vote them in. I think we can see that happen in New South Wales.

We should say that there should be no diminution or reduction in regional representation in this chamber. Labor has not made that case. Certainly, we should not see an expansion in the number of metropolitan members in this chamber. The state Parliament of Western Australia does not need more metropolitan members in the upper house. Absolutely we need to be explicit about that. There is a compelling element in the motion as put, and it is at paragraph (c). If members are serious about equality, particularly equality of opportunity and representation, I think paragraph (c) of this motion should seize their mind. If members do not think that regional communities are already disenfranchised as it is, I think they need to spend more time in those communities. I am not here to lecture regional members either, Hon Kyle McGinn. I know that Hon Kyle McGinn is a genuine person, but I think that this is where Labor is taking us—blindly. Paragraph (d) of this motion is very interesting. I doubt that it will ever be granted, but I think we should do it just out of morbid curiosity because I would like to see how many of the incoming turkeys vote for Christmas!

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**HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary)** [10.38 am]: I thank the member for bringing the important issue of voting equality to the floor of this chamber. I have heard some nonsense today, and I am sure we will hear a bit more, about how people in the city or Perth, or however we want to describe it, somehow lack any kind of appreciation or understanding about what happens outside the metropolitan region scheme. My electorate of East Metropolitan Region includes areas such as Jarrahdale, Keysbrook, Bullsbrook and other such places. They are not exactly inner-city, latte-sipping parts of the world. They face a number of the same sorts of issues that other people talk about.

When we talk about the issue of disadvantage, there is absolutely no question that remoteness is a disadvantage, but there are other disadvantages in our society, and, believe it or not, they are held by people living within the metropolitan region. I have heard no-one on the other side mention Aboriginal people, people whose language is other than English, people with disability, aged people or young people. They are all disadvantaged as well, but do any of the opposition propose giving any amount of weighting to their vote?

**Hon Tjorn Sibma:** Do you?

**Hon MATTHEW SWINBOURN:** Let me finish my argument, member.

**Hon Dr Steve Thomas** interjected.

**The DEPUTY PRESIDENT:** Order! Members, I am listening to the parliamentary secretary and so should you.

**Hon MATTHEW SWINBOURN:** The question is: should we give weight to all disadvantage or should we give it to none? We cannot give weight to all disadvantage. We have had a privileged system in this state for a particular element of the population. Let's get to that point. We talk about regional representation as though there is some sense of equality in the system that currently exists. Members will not be surprised that the government is not supporting the motion today.

I now turn to some of the irrefutable facts in the voting for candidates and parties in the Legislative Council at the 2021 election. A vote in Kalgoorlie, which is about 600 kilometres from Perth, is worth 1.4 times more than a vote in Esperance, which is about 700 kilometres from Perth. I hope that when the Nationals WA make a submission to the committee, it addresses that. How do we fix up the inequality that exists between Esperance and Kalgoorlie? Kalgoorlie has a train service that runs to and from Perth. Esperance has no such service, but we do not hear members opposite talk about that.

**Hon Diane Evers:** Yes, we need more trains!

**Hon MATTHEW SWINBOURN:** Exactly; member, I agree with you.

The vote of an elector in Kalgoorlie, again about 600 kilometres from Perth, is worth 3.48 times more than the vote of an elector in Albany. The opposition's argument about Albany, when the Premier was there, did not even take into account —

**Hon Colin Holt** interjected.

**The DEPUTY PRESIDENT:** Order, let us not have constant interjection.

**Hon MATTHEW SWINBOURN:** The argument did not even take into account that two people between Kalgoorlie —

**Hon Colin Holt** interjected.

**The DEPUTY PRESIDENT:** Order!

**Hon MATTHEW SWINBOURN:** I am not taking interjections.

**The DEPUTY PRESIDENT:** Honourable member, I do not know what I am going to do with you. Perhaps you did not hear me when I asked you to desist from constant interjections.

**Hon Colin Holt:** I have been here too long.

**The DEPUTY PRESIDENT:** Particularly on me. Parliamentary secretary, please, resume—in silence.

**Hon MATTHEW SWINBOURN:** Perhaps members do not want to hear these irrefutable facts about the current electoral system for the Legislative Council, hence their constant interruptions. However, I shall continue.

Hon Martin Aldridge referred to an interview that happened in Albany, but he did not refer to the fact that the vote of an Albany voter is almost four times less than that of a vote in Kalgoorlie. They are not interested in those anomalies or anything that will fix up that sort of thing.

I will give an example in my electorate of East Metropolitan Region. Wooroloo, where there was a bushfire not that long ago, is what most people would describe as a country town. It is part of the East Metropolitan Region because it falls within the metropolitan region scheme. A vote in Wooroloo is worth a staggering four times less than a vote in Wundowie, which is 8.9 kilometres down the road. What is the justification for that? There is no justification for that. How do I go to the electors of Wooroloo and say, "I am sorry; the vote of a person in Wundowie

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is worth four times your vote, but that's okay, because it suits the National Party and Liberal Party agenda"? A vote in Bindoon is 4.2 times more than a vote in Two Rocks. Let us think about that. Two Rocks is not that much further away from the city. I acknowledge that there is a little difference, but why should a vote there be four times less in vote weighting? I note that Hon Martin Aldridge's electorate office is in Bindoon.

**Hon Martin Aldridge:** You should visit.

**Hon MATTHEW SWINBOURN:** My family used to own property in Bindoon, so I am quite familiar with Bindoon and that area. I guess, because the member is labouring under the burden of disadvantage of having his office in Bindoon, that he needs a vote worth four times that of the people in Two Rocks.

Last night, I did a little google search and wondered how long it would take to drive from Parliament House to Bindoon. It was 52 minutes. I then did the same search for one of my towns—I think it was Jarrahdale—and it was about 50 or 56 minutes. The result for Keysbrook was almost the same. But it seems the voters in Bindoon need four times as much say as my electors in Jarrahdale! A vote in Madora Bay is worth 1.84 times more than a vote in Singleton, suburbs that are 4.8 kilometres apart. A vote in Kalbarri is 1.48 times more than a vote in Geraldton. A vote in Northam is 4.34 times more than a vote in Rockingham. We could go on and talk about all the problems within this system and the ridiculous results that it throws up in terms of representation in here. I do not know what other people's definition of "representative democracy" is, but my view is that this house should reflect the will of the people. That should be a basic tenet of the principles of what we do in here; that is, we should reflect the will of the people as accurately as possible. For many years, members opposite have had the advantage of a system that has not reflected the will of the people.

**Hon Martin Aldridge** interjected.

**The DEPUTY PRESIDENT:** Order! The member is addressing the chair.

**Hon MATTHEW SWINBOURN:** Thank you, Deputy President. In 2017, we had an anomalous result in which the Greens, for example, had four representatives and the National Party had four representatives. In that case, the Greens vote was twice that of the National Party, but that was okay! There are Greens voters across the state whose vote is worth less, according to the National Party, than the voters for the National Party. But members of Pauline Hanson's One Nation should be outraged. Its vote was higher than the Greens' vote and the Nationals' vote and it got three representatives—later two, of course, but those circumstances are beyond the electoral system's control.

It is not and should not be a controversial statement that people in this state should be equal before the law and equal when they go to the ballot box. That should be not a controversial statement, but it very much has been.

**Hon Pierre Yang** interjected.

**The DEPUTY PRESIDENT:** Order!

Several members interjected.

**The DEPUTY PRESIDENT:** Hon Pierre Yang, look at what you have started. Members will come to order and listen to the parliamentary secretary.

**Hon MATTHEW SWINBOURN:** Of course, we could debate this matter at great length. Unfortunately, the debate is time limited, so I will have to cut short pointing out the anomalies of a system that obviously undermines the legitimacy of what happens in this house.

It is correct that electoral reform was not on the government's agenda. I do not think anyone could deny that, but there is no plausible way the government could have predicted that the Daylight Saving Party candidate in the Mining and Pastoral Region would be elected on 98 votes. Nobody was predicting that.

Again, the results of this last election have shown that the system, in many respects, is broken. It is not democratic. Who would have expected a candidate to be elected on such a low number of first preference votes when others, such as Hon Alison Xamon received 27 000 votes? Does it not concern opposition members that 27 000 people who supported Hon Alison Xamon in the North Metropolitan Region do not get a representative, but that 98 votes is okay?

The existing group voting ticket system for distribution of preferences, coupled with malapportionment—I am not sure which university Hon Tjorn Sibma went to, but when I studied political science, malapportionment, voting equality and those sorts of things were actually —

**Hon Tjorn Sibma:** Political science is not a real science.

**The DEPUTY PRESIDENT:** The parliamentary secretary.

**Hon MATTHEW SWINBOURN:** Thank you, Deputy President. When I was at university being taught by esteemed academics like Campbell Sharman, we talked about things like malapportionment in a politically scientific way, and it certainly was not an issue that was loaded in the way that it has been talked about in here. It is loaded

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only in the sense that it is something that has existed and persisted in our electoral system in Western Australia. We acknowledge there are issues with group ticket voting and we will ask the panel to look at it. Glenn Druery is not exactly the kind of person we want involved in our electoral system.

He is behind some shady dealings. None of us have any real understanding of the way that he works, how he goes about it or the way that he plays groups off against each other. The money he leverages out of these groups to supposedly give them an advantage is something that we should get rid of from our system. I think that will occur over the coming four years. I know that Hon Tjorn Sibma wants us to rush to do that, but that will happen in due course. The next election is not until four years' time, so we will see how that plays out through the expert panel.

To be kind to some of the members opposite who have spoken, they have skirted very close to the line in the way in which they have described the members of the ministerial expert panel. There is no question that they are esteemed members in their fields. Their reputations are unimpeachable. The fact that they have been involved in the Western Australian political system in the past is favourable, because they have experience.

**Hon Martin Aldridge** interjected.

**Hon MATTHEW SWINBOURN:** I think that if I come back to the letter that was referred to —

Several members interjected.

**The DEPUTY PRESIDENT:** Members on both sides will cease interjecting.

**Hon MATTHEW SWINBOURN:** I received the same letter that Hon Martin Aldridge referred to from which he quoted Professor Harry Phillips. What the member did not mention was that Professor Harry Phillips was a signatory to the letter that was sent to all of us. Harry Phillips agrees—he put his name to this—that there needs to be the kind of reform of the Legislative Council that the signatories described. Let us talk about who these experts are who signed this letter. They are: Associate Professor Martin Drum, University of Notre Dame; Professor Ben Reilly, University of Western Australia; Professor Quentin Beresford, Edith Cowan University; Associate Professor Sarah Murray, University of Western Australia; Honorary Professor Harry Phillips, AM, Edith Cowan University; Dr Ian Cook, Murdoch University; Professor John Phillimore, Curtin University; Professor Kanishka Jayasuriya, Murdoch University; Professor Alan Fenna, Curtin University; Professor Mark Benson, University of Western Australia; Emeritus Professor David Black, AM, Curtin University; and Dr Janice Dudley, Murdoch University.

The problem members opposite have is they say those signatories have a biased view. It is not a biased view to look at how we can improve our democratic institutions and put forward those arguments. It is biased only if members opposite think that they will lose out. The Nationals WA certainly did not lose out after the 2005 reforms. In fact, after 2005, the National Party held the balance of power. It had more members in here than it had ever had. What about now? Currently, the Nationals WA is the official opposition. It is like Chicken Little. The National Party is running around saying that the sky is going to fall in because of electoral reform. Do members know what it will actually do? It will make National Party members get off their butts and do some work in their electorates and make them speak to their members and put forward an agenda that can be supported by the people of Western Australia. Congratulations! We will help them out at the next election by giving them a reason to get out there and better represent their people.

I might end my comments on the man whom the National Party has put number one on the Mining and Pastoral Region ticket. I do not know how the National Party vets its candidates, but when the National Party puts a candidate up for the upper house, given how important National Party members say it is, the National Party might want to get the candidate's views on what the candidate thinks about the upper house in the first place. On Monday, 3 May, Nick "Big Nick" Fardell was asked on ABC Goldfields–Esperance radio about the review into electoral reform. "Big Nick" said that the review does not go far enough because it has ruled out abolishing the Legislative Council.

Several members interjected.

**Hon MATTHEW SWINBOURN:** The National Party's number one candidate for the Mining and Pastoral Region wants this place abolished—18 regional members wiped off the map—and members opposite have the temerity to come in here and make accusations about how we deal with regional Western Australia. We have the best Minister for Regional Development there has ever been—the best agriculture minister there has ever been.

Several members interjected.

**Hon MATTHEW SWINBOURN:** We have fantastic regional members.

**The DEPUTY PRESIDENT:** Order, members! One at a time.

**Hon MATTHEW SWINBOURN:** I might leave it on that note and say that I will welcome our new regional representatives when they come here. The Labor Party will continue to be the best representatives of regional Western Australians that they have ever had.



Hon Martin Aldridge; Hon Matthew Swinbourn; Hon Tjorn Sibma; Hon Peter Collier; Hon Alannah MacTiernan; Hon Dr Steve Thomas; Hon Colin Tincknell; Hon Simon O'Brien

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**HON PETER COLLIER (North Metropolitan)** [10.54 am]: Can I just say that after the last election, the Labor Party, without a shadow of doubt, can stand in front of a camera and say, “We’ve got a mandate.” Unlike any government before, it can say that it has a mandate for pretty much everything except electoral reform. You guys have got absolutely zero credibility on electoral reform—no credibility whatsoever. The Premier went out ad infinitum talking about there being no changes to electoral reform. He said constantly and unambiguously throughout the length and breadth of the state that it was not on his agenda. Members opposite cannot deny that. However, before the ink had even dried on the ministerial documents, the then Attorney General, now also the Minister for Electoral Affairs, wrote an opinion piece less than a month later talking about electoral reform. He wrote —

As WA’s Minister for Electoral Affairs, I last week appointed an expert committee to advise me on how to reform voting for the Council, which is sometimes known as the Upper House, or House of Review.

There are no plans to change the system of voting in the Legislative Assembly, or Lower House, where each member represents a district and those in regional areas are given a weighting so that large electorates can be well served by their MP.

He conveniently forgot about that opinion piece when he was on the radio the other day talking about Esperance and Kalgoorlie. Members opposite have the convenient habit of forgetting about things when it suits them. Look at the extraordinary Corruption and Crime Commission report that was handed down today. The Labor Party did not get its own way with the head of the CCC and so it wants to change the rules. It has now got its own way on representation in regional Western Australia, yet it still wants to change it even further. Why? I say to the parliamentary secretary, for whom I have great respect, that we are not talking about quotas for Aboriginal people et cetera. That is not on the government’s agenda, which the parliamentary secretary mentioned in his response. We are not talking about quotas for Aboriginal people or a certain cohort of the population; we are talking about reforming the Legislative Council to ensure, yet again, that more representatives will be taken out of regional Western Australia. That is what the parliamentary secretary is talking about. Let us not forget that members opposite created the system that we exist under. They created it—no-one else.

Several members interjected.

**Hon PETER COLLIER:** They carry on and take the high moral ground that somehow they are Ghandi and Mother Teresa sitting over there and that there are no problems with ambiguity or of the Labor Party contradicting its views. The Labor Party said that it would not do anything about reforming the electoral system. The Minister for Electoral Affairs said one thing and the parliamentary secretary said another. I wish you guys would talk to each other. I do not know what the Minister for Electoral Affairs said to the parliamentary secretary or to the Premier, but, for goodness sake, talk about forks in the road! You guys look like Legoland—you’re all over the place.

What I will say about electoral systems is that we are unique in Australia. We have in Australia a diverse system in this great nation of ours. When the founding fathers created the Constitution in 1901, in their wisdom, they created a bicameral system with the House of Representatives, the lower house—the people’s house—and the upper house, which is known as the Senate. Why do we have the Senate? It is to keep a check and balance on the lower house. Why? It is because the golden triangle of Sydney and Melbourne would otherwise have completely dominated all legislation. The founding fathers said that we would have an upper house with equal representation, so each state was allocated six senators each. The Constitution also has a nexus section so that every time there is an increase in representation in the lower house, there is a corresponding increase in the Senate. Therefore, we now have 12 senators per state. We have 12 senators in Tasmania for half a million people, 12 senators in New South Wales for eight million people and 12 senators in Victoria for almost seven million people. Is that terrible? Of course it is not. Do members know why? It is because it protects the smaller states. The only way the Australian Constitution can be changed is through three processes: it has to pass through both houses of Parliament; it has to get a majority of votes; and it has to get a majority of votes in a majority of the states. Even if the big boys in the golden triangle on the east coast gang up and want something changed, it cannot happen if the smaller states vote against it—and that has happened on numerous occasions. We have had 44 opportunities to change the Constitution in this great nation of ours, and it has changed only eight times. Of course, the referendum to recognise Aboriginal people in the Constitution was a no-brainer. We have also had a referendum to determine the retiring age of judges and those sorts of things. We have referendums about significant issues and when the big boys try to gang up on the smaller states, South Australia, Tasmania, Queensland and Western Australia say, “Thanks, guys, but no thanks.”

We have pretty much the same system here in WA with the upper house so that everything is not focused on the city. We have a system in which regional representation has equal representation. How unfair is that? If it is good enough for the Senate, which it is, why are you guys not bleating about the Senate? I have not seen the Labor Party come out recently and say that it wants to reform the Senate or get rid of the Senate. Do members know why? It is because the Senate ensures that the smaller states are represented. The Senate is there for a very real purpose and it has served us well. It ensures that one party does not have a majority of both houses—that happens very rarely in the Senate—because when one party does get a majority in both houses, they get ahead of themselves. Ask John Howard.

Hon Martin Aldridge; Hon Matthew Swinbourn; Hon Tjorn Sibma; Hon Peter Collier; Hon Alannah MacTiernan; Hon Dr Steve Thomas; Hon Colin Tincknell; Hon Simon O'Brien

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He had a thumping majority in 2004 but was wiped out in 2007. When you guys get control of both houses and start bulldozing things through for which you do not have a mandate, such as electoral reform, you should remember that. I would love to know what would have happened at the last election in regional Western Australia if the Premier had said when he was on ABC radio down in Albany, "Oh no, we're going to get rid of this. You guys can't have more representation than the city. We're going to get rid of that." How many people who voted for you guys in the regions would have done so if they knew that you guys were going to take away their representation? I would love to know what would have happened.

Several members interjected.

**The ACTING PRESIDENT (Hon Robin Chapple):** I am listening to Hon Peter Collier.

**Hon Matthew Swinbourn** interjected.

**Hon PETER COLLIER:** I did not open my mouth once when Hon Matthew Swinbourn was on his feet.

All I am asking is why the Labor Party was not honest with the people of Western Australia. Why was it not honest with regional Western Australia, because it was not? We have a system in Western Australia that offers checks and balances —

**Hon Kyle McGinn** interjected.

**Hon PETER COLLIER:** Do you mind, Hon Kyle McGinn?

Our system provides checks and balances. We have a bicameral system. We are unique. I was a minister for almost nine years and I spent an enormous amount of time up in the Pilbara, the Kimberley, the midwest, the south west, the great southern and the eastern goldfields, which is my home town —

**Hon Matthew Swinbourn** interjected.

**Hon PETER COLLIER:** Do you mind, Hon Matthew Swinbourn?

I saw the unique challenges that those regions have. Let us ask one of the representatives from the Mining and Pastoral Region, the Agricultural Region or the South West Region if they have it, dare I say it, as easy as say someone like me as a member for North Metropolitan. Goodness gracious, on a bad day it might take me an hour to get from one end of my electorate to the other! Is that not terrible, members for Mining and Pastoral? Fancy it taking me an hour; one would not get from Esperance to Kalgoorlie in that time. What I am saying to you guys is that we have a unique system. If there is a necessity for reform to the electoral system, so be it. I was electoral affairs minister for almost five years. Changes to the electoral system have usually been done, by convention, by consensus with the parties to form some sort of view and bring the public along on the issue. That is not the case with you guys; yet again you have changed the goalposts. Because the government now has a thumping majority in both houses, it does not matter that it went out and told the public of Western Australia, particularly in the regions, "We are basically going to napalm your representation." All that matters now is that the government is saying, "It is our way or the highway", which is exactly what it has done with the Corruption and Crime Commission issue. I say to you guys: you do not have a mandate for this. If you want to look at legitimate reform, please do so, but do not say, "We've created a committee and the committee will provide evidence." I have great respect for Malcolm McCusker as well; indeed, I regard him as a friend. What I am saying is that the government already knows what it is going to do. This committee is tokenism. The government already knows what it is going to do and that is why it has given people only a month to comment. If it did not know what it was going to do, it would have given people six months to comment and it would have spoken to members of the opposite parties and the community. As I said when I started, the Labor government now has a thumping majority but it does not have any mandate whatsoever for electoral reform.

**Hon Simon O'Brien** interjected.

**Hon Alannah MacTiernan** interjected.

**The ACTING PRESIDENT:** This is getting complicated. I am going to give the call to the minister. I understand the disappointment on members' faces but I give the call to the minister to put her response.

**HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development)** [11.04 am]: Thank you, Mr Acting President.

*Point of Order*

**Hon Dr STEVE THOMAS:** Mr Acting President, I make the point that the parliamentary secretary has already given the government's response; you may have been absent on urgent parliamentary business when that happened. The official government response has already been given and I thought you might want to take that into consideration.

**The ACTING PRESIDENT (Hon Robin Chapple):** I have given the call and I am sticking by it.

*Debate Resumed*

Hon Martin Aldridge; Hon Matthew Swinbourn; Hon Tjorn Sibma; Hon Peter Collier; Hon Alannah MacTiernan; Hon Dr Steve Thomas; Hon Colin Tincknell; Hon Simon O'Brien

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**Hon ALANNAH MacTIERNAN:** I am glad to see that members are so enthusiastic to hear my presentation on this motion. I start by saying that the clear undertaking that the Premier gave during the election was that enhanced regional representation will remain. Of course, it is very clear from all that has been said that there is no proposal to change the system in the Legislative Assembly. As members know, there are provisions that allow for very large lower house electorates to apply imputed voters, which enables those electorates to have fewer actual voters. We know that the Nationals WA is a particular beneficiary of that because there are only 11 000 voters in North West Central compared with the 28 000 voters or more in a metropolitan electorate. The Premier was very clear: whatever happens, there will be enhanced regional representation. He has made that very clear. Indeed, by making the commitment that we are not seeking to change the system in the Legislative Assembly, he has honoured that commitment. Members opposite have quoted what the Premier said and I am saying that he is delivering on that. It is true that what he said about the issue more broadly was that electoral reform was not on his agenda. At no point did he say that we are not going to proceed with electoral reform. As has been stated by the parliamentary secretary, some very anomalous results emerged after the election, which means, of course, that there has to be some reform of voting in the upper house; certainly, there has to be reform to deal with preference harvesting. In that context, we decided to look more generally at how this house, the house of review, can reflect the will of the people more closely. Labor Party members in this house are already very proud because the Labor Party already had the greatest regional representation. That will be even more so when the new members come into this chamber on 25 May. I think we will have 10 regional members in this place; indeed, we will have the same number of regional members that the other side has in its total number of members. We are not a party that represents just the wheatbelt; we represent the whole state.

Several members interjected.

**The ACTING PRESIDENT (Hon Robin Chapple):** Order! This is my last turn in this chair. I do not like shouting across the chamber. I ask members to listen to the member on her feet with some degree of silence. There will obviously be some degree of interjection, but I do not like shouting across the chamber.

**Hon Martin Aldridge:** Where are the regional members?

**Hon ALANNAH MacTIERNAN:** They are certainly not all the ones who live in Como and Wembley or have popped an office on the edge of the metropolitan area. They are not the “MetroNats”! They are people who have had generations in the Kimberley —

Several members interjected.

**The ACTING PRESIDENT:** I do not know whether you heard what I just said. This is my last time in the chair and I would like to be able to get out of here with a bit of decorum.

**Hon ALANNAH MacTIERNAN:** I know that Hon Martin Aldridge is a particular fan of “Big Nick”. I am sure he would have been right behind Big Nick, the perennial candidate. Having lost on several occasions now, Big Nick is finally saying, “A pox on all of you; let’s go.”

The parliamentary secretary made a very important point; perhaps it was made on a level of sophistication that some members were unable to grasp. Hon Matthew Swinbourn was saying that there are many forms of disadvantage in our community. Some of those disadvantages are regional, although I am always very concerned about the way some parties have a business model to talk down life in the regions, even though there are some absolutely glorious things about life in the regions—that sense of community and connection with the land; those things are demeaned when people go out and tell the story that this is a bad life. The point that the parliamentary secretary made, which is quite a powerful point, is that there are all sorts of disadvantage within our community. There are socio-economic and geographic disadvantages, and issues relating to race and historic disadvantage. We cannot deal with all those levels of disadvantage in this place. I think the case has to be made about why, with all those different advantages, we want to focus on one element of disadvantage and make that the focus within this place.

There are some interesting discussions and debates to be had. That is genuinely why we have created an expert committee to advise. This is not an assured outcome. It is clear that the government has a desire to ensure that this house better reflects its community. We do not know at this point, and we certainly do not have a pre-determined view about exactly what that should look like. That is why we have this expert committee.

Members on the other side of the house are pontificating. There used to be a property qualification for people seeking to be voted in as members of this place right up until the late 1960s. It was defended solidly —

**Hon Donna Faragher:** In the 1960s? Half of us weren’t even born then!

**Hon ALANNAH MacTIERNAN:** This is really instructive for the high-calibre members of the Liberal Party. History only commenced when they were born. Let us forget the rest of it! But not, of course, Hon Peter Collier, because he was reflecting on the Senate. He said let us just be like the Senate. He is on urgent parliamentary business. There was a coming together of the states. There was a referendum in each colony. They were not states; they were colonies—separate self-governing entities. They voted on whether they were prepared to go into the commonwealth.

Hon Martin Aldridge; Hon Matthew Swinbourn; Hon Tjorn Sibma; Hon Peter Collier; Hon Alannah MacTiernan; Hon Dr Steve Thomas; Hon Colin Tincknell; Hon Simon O'Brien

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This has never happened. We have never had a vote in the Mining and Pastoral Region, the agricultural sector, the South West Region or the metropolitan area, saying that we are prepared to come together! We have a completely and utterly different set of circumstances within this state. Those of us who see the role of this place as a house of review want to make sure that we can do our job fairly and properly and represent the people of this state.

**HON COLIN TINCKNELL (South West)** [11.15 am]: I rise only briefly so that other members have a chance to speak. I wanted to mention, on behalf of One Nation, that we have had this discussion in the past. We say to the government of the day that it should be very, very careful in looking at any changes to our system. If we look at how Western Australia has performed over many years, the system of this government—both the lower house and the upper house combined—has made WA an exceptional state in Australia, and a part of the Federation. Although I am not happy with Mr Glenn Druery's system, we have to be very careful about making changes. We noticed that prior to the last federal election, changes were made to try to stop that situation. That change seemed to have worked very well, but the jury is still out on that. We need to look at that and see how it works. We must be careful. Where the Labor Party is today is not where it will be in maybe 12 or 20 years' time. If it makes changes based on what is good for it now politically, that will be one of the nightmares that it will face in the future.

I am a leader of a small party that has real trouble getting lower house members elected. That is something that may happen in time, but it is not a reasonable expectation for us to get lower house members elected. Regional members were elected to represent our party and the people of Western Australia; we should remember that 180 000 people voted for One Nation at the election before the last one. We are in different circumstances. We all know the reasons why; I will not go on about that. I congratulate the government for its win. The big thing is that government members must be very careful before they change things.

Members' representation and the way the system is worked out is because of the size of our state. It is a massive state—bigger than most countries in the world. It has particular issues and problems, and consultation needs to occur right around the state. We need upper house members, like the honourable member sitting next to me, doing the miles and representing another view, not just one view, because democracy is not just about numbers.

Several members interjected.

**The ACTING PRESIDENT:** Honourable members!

**Hon COLIN TINCKNELL:** I listened to members opposite. The government has already had two goes. This is my go. Please give me the respect that I deserve.

Our system worked so well for all those years because it is designed for our state; it is particular for our state. As I said, we need different voices around the table. When we do not have different voices around the table and in this Parliament, we do not know what mistakes we are making because no-one is challenging us and pointing out that a great number of people have a different view from our view; no-one is in here representing them in Parliament. Yes, I am standing up for small parties. I have talked to the Greens on this issue. In many ways, they agree that although change is needed—but as with most things, as I always say—they also say be very careful. This is a very important issue. Why would the Premier not try to highlight this coming into an election? We know the reason why; he did not want it to become an issue because he knows that people would probably not have voted for him if he had come out and said that he was definitely making changes. Those are the facts. That is why he acted the way he acted—we all know that! We can talk about it forever, but that is the truth and if someone has been around long enough, common sense tells them that. As a party, we believe that the system we have now for the upper house, although it is not perfect, gives people throughout this state a chance for their voices to be heard. It gives parties like ours, who make up a substantial number of people in this state, a chance. We do not talk to Glenn Druery to ask his advice to get elected. We actually go about it in the democratic way and we work as hard as we can to earn our stripes. I say to government members: you have the power now; be very careful how you wield that power.

**HON SIMON O'BRIEN (South Metropolitan)** [11.20 am]: Much more will be said about this motion on electoral reform, I am sure. There will be wailing and gnashing of teeth, and we have had a preview of that already. Who knows? There might even be pious windbagery in the course of this debate. I want to offer a few observations that might help guide members.

In respect of the panel that has been set up under the chair of the very capable Malcolm McCusker, I do not offer any disrespect and I am sure the panel will look at a multifaceted policy situation in a genuine manner. Given the shortness of time, I will not be putting in a written submission to that panel beyond this submission, which will be that I would like to constructively engage with the panel members. If they would like the benefit of any observations that I may have to make, based on being in the trenches for a heck of a long time, I should be delighted to discuss them, and that might provide some dimensions that might assist the panel members in their deliberations. Over to them if they want take up any of that.

Hon Martin Aldridge; Hon Matthew Swinbourn; Hon Tjorn Sibma; Hon Peter Collier; Hon Alannah MacTiernan; Hon Dr Steve Thomas; Hon Colin Tincknell; Hon Simon O'Brien

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Let me remind members here of the old cliché: there are lies, damned lies and statistics! Let me throw a few around. The other day I gave my farewell speech, which was, alas, for some of you, not the last speech. Did members hear that? It was a farewell speech, but I did not say that it was going to be my last speech! Now, I can get away with that, but I do not think members will let the government get away with that sort of verbal gymnastics in due course. Oh, you are going to enjoy listening to the debate, parliamentary secretary Hon Matthew Swinbourn, and congratulations on your appointment, too, sir. I mentioned in my farewell speech that in 1993—or whenever it was—we received 45 per cent of the vote in the South Metropolitan Region. The Greens received five per cent of the vote. It was nine to one and the Greens got one member and we got two members. I had no complaints then and I have no complaints now. This is the system that we have to work with. There have been sundry anomalies that people can point to over a period of time. We had a Liberal Democrat—bless him, dear fellow—run successfully in the South Metropolitan Region. That could have taken the vote off the Liberal Party, and it did, but he actually won a seat off the Greens, whereas Labor won our third seat. He actually stopped the Greens from getting in—something for which we are eternally grateful, of course, Hon Aaron Stonehouse.

**The ACTING PRESIDENT (Hon Robin Chapple):** Please direct your remarks to the chair.

**Hon SIMON O'BRIEN:** I will do, sir.

I want to put a couple of the figures and so-called facts into context. During these last four years when I was the Liberal spokesman on electoral matters it has been suggested to me that it is not a disgrace that it takes seven times the number of votes to get me elected as it does for someone in the Mining and Pastoral Region. That is terrible. But I said that I am not complaining about it because the truth of the matter is under the system set up by Labor in 1986 in this place and tweaked by it in tumultuous circumstances that I witnessed as a member in 2003, it was determined that there shall be representation from all regions in Western Australia and it shall be a system of proportional representation to make sure that there is sufficient scope for minor parties to gain representation. Those were the goals that were set out whether we liked it or not. That brings me to the point and my response to the complaints of “there’s seven votes for me and isn’t that terrible and don’t you feel hard done by?” No; I do not! It takes 14.28 per cent of the voters in South Metro to elect me and it takes 14.28 per cent of the voters in Mining and Pastoral to return eminent members such as Hon Kyle McGinn.

**Hon Darren West:** It only takes 98 in Mining and Pastoral.

**Hon SIMON O'BRIEN:** It takes 14.28 per cent. Now, please try to understand!

The number of people who are concerned about this who have written to me over the years offering that same view I could count easily on the fingers of one hand. It is not a pressing issue. People in South Metro do not come up to me and say, “Oh, it takes seven of our votes to elect you. It’s a disgrace!” They do not do that! Have a look over the years at the representation in this place. Have a look at the percentage of the statewide vote that the Greens get. I could point out in several Parliaments that it received eight per cent of the vote and about nine per cent of the seats. It is the same for us. It is the same for the Labor Party. It is funny how overall it does tend to work. This issue becomes conflated and confused by those who want to point out that they do not need any change in the Assembly.

In the Assembly in the last Parliament, the Labor Party received about 47 per cent of the primary vote and it received 68 per cent of the seats. There were no complaints from us! That is the system! It is possible if the votes were spread evenly across all demographics, a party could get 50.1 per cent in every one of those seats and that one party could get 100 per cent of the seats. It is technically quite possible. In the recent election, we saw something approaching that. I do not know what the percentage of seats the Labor Party has—it must be getting up around the 90 per cent mark. It certainly received a very big vote, but it did not get 90 per cent of the vote. Do members see what I mean? We can cut equality of representation in a number of ways. We are not grizzling about what happened in the Assembly. It is what it is. The Liberal Party in particular needs to pull its blinking socks up and work out what it stands for! We know that. We members in the upper house believe we know what it stands for, but it is up to the party at large to demonstrate that to the public and then the party will start winning more seats again. It is as simple as that. But to suggest that there is equality in that place of the pure type that some, dare I say it, academics or people for whom the argument is convenient is a nonsense! Does it take the same number of people to elect me—back in the day—as the number of people in the East Metropolitan Region or the North Metropolitan Region? No! There are 15 Assembly districts in South Metro and 14 districts in theirs. Are we complaining? No, because by and large it works itself out.

What I do know is that we have a metropolitan area and there are problems about power being concentrated in the metro area, which is what happens by default because of the way our population is spread with that concentration around the Perth metropolitan area, and it has ever been so. I think all members comprehend the inequities that political expediency visits on that sort of scenario. But it was determined in the past that we needed regional representation and that the place where it should be done is in the upper house where the Mining and Pastoral Region does have a community of interest—ditto for the Agricultural Region and South West Region.

We can have a community of interest and needs and limitations that perhaps does not exist elsewhere. That certainly is not the case in the Legislative Assembly. What I would put to members, again when we are cutting these figures every which way—I have given a number of glaring examples that show that some of the arguments being advanced are a nonsense—is that at the moment the Mining and Pastoral Region, to use that as an example, has six members returned from that vast part of Western Australia. Six! The metropolitan region has 18. Seriously, do we need further imbalance? Those are the sorts of questions members here will have to grapple with, and I wish them luck in doing it.

Motion lapsed, pursuant to standing orders.