

Hon Simon O'Brien; Hon Aaron Stonehouse; Hon Stephen Dawson; Acting President; Hon Alison Xamon; Hon Rick Mazza; Hon Sue Ellery; Hon Colin Tincknell; Hon Nick Goiran; Hon Charles Smith

ELECTORAL AMENDMENT BILL 2020

Second Reading

Resumed from 9 September.

[Emergency evacuation alarm system activated.]

The PRESIDENT: Members, I will leave the chair until the ringing of the bells.

Sitting suspended from 11.33 to 11.47 am

The ACTING PRESIDENT (Hon Dr Steve Thomas): Members, we are dealing with the Electoral Amendment Bill 2020. I note that Hon Simon O'Brien, whose comments were cut short considerably on Tuesday evening but who managed to get the words "Madam President" out, did not even manage to achieve that much today. Coincidence? You tell me! I am going to attempt with my best endeavour to give the call to Hon Simon O'Brien.

HON SIMON O'BRIEN (South Metropolitan) [11.48 am]: I am not sure where one keeps one's headgear. Will the minister take it? I will not table it at this stage; I will get it back a bit later on. Do not get them mixed up!

We are considering the Electoral Amendment Bill 2020. Yesterday, at the start of my introductory remarks, I was reflecting on some of the history that is pertinent to our contemplation of this bill and the approach that the ALP in government takes to these matters and why they should be viewed with certainly circumspection and, in many cases after even the most casual of examinations, some disquiet. The Electoral Amendment Bill 2020 is such a bill in that, typically, the motives that the government claims are behind the bill are not the motives that we find when we examine the bill, which we will do in detail in the committee stage if the house in its wisdom overgenerously agrees to a second reading vote. It is my view in addressing the question before the Chair to recommend very strongly that the house does not agree to second read this bill. If nothing else, not second reading the bill would certainly save a lot of time in further stages, and that is something that I am going to expand on in just a moment.

I have already questioned at some length the government's motives in bringing forward this bill and I have questioned them in every way. I am not convinced of the government's motives. They are not pure and well-intended and they do not have anything to do with the remark in the second reading speech about ensuring that the public has confidence in the accountability, transparency and integrity of elections in Western Australia. As the Labor Party in government at its worst tends to do, it has come up with an issue that no-one is particularly interested in and that does not need attention. It pretends that there is an issue, it pretends to create an issue and it pretends that it has got the answers to whatever manufactured ill it claims is out there somewhere when all the time it is getting up to its same shenanigans in spades. That is what we are going to see as we examine this bill a bit further in terms of the second reading speech, all of which goes to the question of why it should or should not be read a second time. I suggest that we could spend a great deal of time doing this.

Just now this government has elected to spend time on this bill. Recently, members received a list of bills that have to go through or the sky is going to fall—urgent bills that need to be passed before this parliamentary term is up. There are only a few weeks left if we take out the budget weeks and so on and the pre-election time. There is not much time at all. The government has dozens of bills on the notice paper that I am sure have all been the subject of press releases saying, "Aren't we wonderful, we are bringing this in?" Of course, half the time the government puts out a press release saying that it is going to bring in a bill when it has not even drafted the bill. The bills are brought in and rubberstamped in the other place before arriving here where they are rot. We are told that it is because we are holding up the legislation. Rubbish! It is because this government does not bring them on. It goes out there quite regularly and tells porkies to the public about how we are holding up the business of government, yet the same bills that Quigley or whoever it might be are grizzling about have not been brought on in this place. As Michelle Roberts —

Hon Stephen Dawson: It is Hon Michelle Roberts.

Hon SIMON O'BRIEN: I was talking about someone I went to school with, but if the minister wants to talk about his colleague, the honourable Minister for Police received an email from me recently after she let slip that members somewhere else should encourage opposition members in this place to stop holding up legislation and get on with it. Stop holding things up and get on with it! In a communication back to the Minister for Police, I said, "Please don't blame us. You need to talk to your colleagues who run"—I was using the term "run" in inverted commas, loosely—"this house and manage the order of business. It rests entirely with them. Go and have a bitch and a moan to Hon Sue Ellery and anyone else involved in mismanaging this house." I said in the email that, quite frankly, just between the minister and I, they would probably appreciate a bit of advice from the minister because, really, I do not think they could find a chocolate freckle if they were organising a lolly shop. Honestly, they are hopeless. Do not take my word for it; I am sure I will be backed up by the Leader of the Opposition, who has been Leader of the House in his day as well, so he knows what he is talking about with these matters. But we have all these bills—dozens of them. Many of them will never see the light of day. Actually, having glanced at some of them, that is probably no

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bad thing. I know I have criticised the bill now before us as being without merit, but it is not the only one the government has in its inventory. Even when the government culls it down to a totally unrealistic 19 bills that have to go through, where are its priorities? Now that the COVID omnibus fiasco has been and gone earlier this sitting week—that is one whole day gone—top of the wazza is, of course, the Electoral Amendment Bill 2020. I have a list of bills that was circulated. Here is where we are; that is the government's first priority. The second priority is the Work Health and Safety Bill 2019, cognate with the Safety Levies Amendment Bill 2019, so that is actually slipping an extra, twentieth, bill in there.

Hon Alannah MacTiernan: Member, this is not relevant.

Hon SIMON O'BRIEN: It is highly relevant. This is the bill that introduces industrial manslaughter as an offence. This is the bill on which Hon Dr Sally Talbot and I and several other members spent weeks. We produced a report, which is now available to the house. Many witnesses and others contributed to that report. After all the work and heartache that has gone into that bill, that is second fiddle to this electoral bill. Then there is a bill about wheel clamping. The Environmental Protection Amendment Bill comes next on the list. That is a major, major bill that a lot of people are waiting on. Again, that is further down the list, and so it goes on. The Criminal Law (Unlawful Consorting) Bill 2020. The Children and Community Services Amendment Bill 2019. Again, with our chair, Hon Dr Sally Talbot, and other members, I recently spent weeks and weeks on this bill, inquiring into it. It involves a number of very important matters, not least the circumstances in which Indigenous children, in particular, may or may not be separated from their family or family groups. It is not often I get a lump in my throat when I am hearing witnesses in committee hearings about legislation, but that is the sort of matter that is dealt with in that bill. That ranks number seven; this rubbish today ranks number one. On and on it goes. There are a whole lot of things. The Agricultural Produce Commission Amendment Bill 2019: again, that is the subject of another inquiry. The Standing Committee on Legislation also had the benefit of the advice of Hon Dr Steve Thomas in its consideration of that. I know that the minister on my left is concerned about that bill. I do not know how much hope she has, but it might be that her work in putting that bill together and all the work the Standing Committee on Legislation has done recently will come to nought because the minister's bill is fifteenth on the list. They are the government's priorities.

Hon Alannah MacTiernan: For every bill we debate, we spend an hour or two talking about other bills that we could have debated. If we cut that hour out of every discussion, we would actually get more bills done.

Hon SIMON O'BRIEN: I do not think that is a legitimate point at all. That is disappointing. The point is that this is the government's number one priority when it has precious little time left. Those important matters, together with a lot of other dross, are waiting in the wings and may not be called upon and dealt with at all because this government's priority is the Electoral Amendment Bill 2020. Why is this bill so goddamn important? It is important to the Australian Labor Party for political reasons. It is not important to the people of Western Australia and it is not important to those who are waiting on matters related to children and community services, to work health and safety or to NDIS worker screening—another bill waiting in the wings.

Hon Stephen Dawson: Honourable member, the NDIS bill went through committee yesterday.

Hon SIMON O'BRIEN: The minister is quite right. When do we anticipate that it will come back?

Hon Stephen Dawson interjected.

Hon SIMON O'BRIEN: The minister is quite right. Nonetheless, I will be interested to see where that fits into the priorities that we have been given. It concerns me that this bill is number one. I thought that the Labor Party was all over this election gig. After March 2017, I thought that the Labor Party thought it had it well and truly sussed. Let me remind members of some of the things that the Labor Party has been trying to do. The bill provides for a number of measures. I will not go through them in any great detail now, but by gee when we get to the committee stage, I will have a very close look at some of these matters in particular. The bill talks about all the things that will add confidence to the accountability and integrity and what have you to the electoral system. We will see about that. It talks about the return of gifts and income received by a political party. As we have already noted, that is about introducing a new layer of bureaucracy, possibly only to provide some gotcha moments in the future. I am not really sure what is behind that, but I do not see how it adds any value to the activity that we are talking about.

At clause 15, the government proposes to introduce caps on electoral expenditure. That is very interesting, because, again, we ask ourselves: why? I get blank looks when I ask that question of the authors of this bill. Expert advisers are unable to tell me, and they look over towards the political advisers who will not tell me. I reckon that the minister dealing with this bill, when he is asked what this is for and to rationalise and explain it, will not be able to tell us either, yet the government wants us to agree to these provisions becoming law. What are these provisions? In general terms, the government is proposing some systems to impose caps in a few ways. Firstly, there will be a cap on how much a political party or candidate can spend in their electorate. It is \$125 000. I do not know why it is that figure and no-one can tell me why or even why we need a cap, for starters. Someone wanting to run for a seat in

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Parliament somewhere might have a whole lot of people in the community who want to get behind the candidate and support them. Why should they not raise money to go to a good cause? Who on earth does anyone think they are to say that people are not allowed to spend money on their election campaign? They have never been told that until now. Why, in 2020, is it necessary to do this? I do not have an answer to that. It is not up to me to provide an answer, but the government certainly does not have one. I will challenge the minister to tell us in his second reading reply, in due course, why a cap is needed at all.

When we discuss why a cap is needed, the government points out some other bizarre elements that it is introducing. The government will say that in the case of the Liberal Party, the cap is \$125 000 per seat or region and, guess what? That can be aggregated. Parties can offset or cross-subsidise one against the other. That means that if a political party runs candidates in all 59 seats in six regions, that gives the party about \$8.125 million, so what is our problem? The Liberal Party is not being capped at all. However, an Independent candidate who is running in just one seat—not all the seats—is artificially restricted to a cap of \$125 000. That may or may not be more or less than what is needed and what the community and supporters are prepared to put in, but for some reason that is what it has to be. The government tells us, “Don’t worry about that. You didn’t spend anything like that at the last election, so you’re well within your comfort zone.” Are we, indeed? If occurs to me that that is right, at least. The Liberal Party is unlikely to have a war chest of \$8 million at the next election. I do not know what the other parties’ positions are as they approach the next election, but I reckon there are two parties that might possibly have a war chest of that size. They are the two protagonists that I reintroduced members to yesterday when I referred to a newspaper article of 15 February 2020 that tells us there are some political laws coming forward later this year—this bill—because Mark McGowan is worried that he might be targeted by Clive Palmer after the Premier threatened Clive Palmer over a state agreement back in February. That is where this bill comes from. Which are the two parties that will definitely have war chests of \$8.125 million or more—sorry, they are not allowed to have more! The two entities are Clive Palmer and the state Labor Party. Has that got anything to do with where the cap was set? We shall see whether we can tease that out.

The bill proposes expenditure caps for groups in various ways, but I will not go through all that, and offences are created for people who cannot keep up with the bureaucracy. The bureaucrats will be at some central location but they will not understand the reality of having candidates all over the place with varying degrees of experience and professionalism or with dealing with all the candidates’ enthusiastic helpers. An early reporting regime is proposed to be brought in setting out the caps and offences. That is all, no doubt, intended to provide gotcha moments for some political halfwit to use in the future while all the time claiming the government is all about accountability, transparency and integrity. I think members in this place have seen enough of politics to know when a political party is up to no good and is trying to set up matters that suit themselves. By gee, you are looking at it right now.

The expenditure caps are a bit different if someone is not a candidate. Someone else running a campaign, even though they are not a candidate or running candidates, has a limit of \$2 million that they can spend. Again, I will ask why. What is the point? If someone wants to spend money commenting on an election or running some campaign—they might be some mining sector that wants to do over Brendon Grylls—why should they not spend millions and millions of dollars doing that? If the government wants to stop people doing that, \$2 million gives them a fair bit to do it with. How is an individual candidate restricted to a total of \$125 000—bear in mind that a lot of very worthwhile Independents get elected when they have spent a heck of a lot less than \$125 000—going to go if they are confronted with someone spending millions against them? How on earth does that improve the accountability or integrity of our electoral system? Of course, it is a nonsense. I am always asking these things as rhetorical questions, because even as I recount them, members around the chamber can see the silliness contained in this policy. If the government is going to have limits on what people can spend on their concurrent campaigns while they are not in the election but trying to influence it, gosh, it sounds awfully Palmer–McGowan-esque, does it not? If the government is trying to do that, why set the amount at \$2 million? Why should it not be \$1 million? Why not \$1.375 million? Why not \$50 million? I do not know. Why not zero? Again, I am going to ask the government to tell us, and I am going to tell the house that the government so far has not been able to provide an explanation or any rationale at all, and I do not think it has one now. If the government is about to produce one now, why has it not produced it before? The government is good at producing things at the eleventh hour in the legislative process, so it might do that. We will see. I am sure other speakers will tease that out.

There is another red herring in this whole bill. The government thought it had better try to wedge us a little bit, so it put in a clause that gifts are not to be received from foreign donors. Hell, who would not agree with that? I asked the government, saying, “Great, what evidence is there that there have been foreign donations influencing elections in Western Australia? Is there any evidence at all?” The government came up with nothing. That is all right, is it not, Mr Acting President? The colony has got by for the last nearly 200 years without this provision in law. It will not hurt to put it in, will it? Saying it will not hurt to have it is a pretty dumb reason to have a law. If the government cannot identify a reason that it is now suddenly needed, why would it do it? In any case, who disagrees with the notion that we should not have foreign donors seeking to influence the outcomes of our elections? I would not.

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I will tell members now formally that the Liberal Party certainly does not hold any view to the contrary. We do not want to see foreign donations being used—just to make that absolutely clear. I am sure the public of Western Australia almost universally, probably even more than 91 per cent dare I say, would agree with that view as well. Nonetheless, if the government must have it, it must have it. But what is the reason if there is no need for it, if everyone is in furious agreement, if everyone is on the lookout for it? I can tell members that as a political professional if I found anyone's campaign being funded from a foreign source, geez, I would have them on toast. I would.

Hon Alison Xamon interjected.

Hon SIMON O'BRIEN: We would, would we not, if we discovered that in the midst of an election campaign, we would go, "My opponent is using —

Several members interjected.

Hon SIMON O'BRIEN: Have there been any examples of that? The minister has some examples, apparently. The minister, apparently, by interjection is suggesting that he has some answers.

Hon Alannah MacTiernan interjected.

The ACTING PRESIDENT: Members, Hon Simon O'Brien is addressing the Chair.

Hon SIMON O'BRIEN: We look forward to the answers to those questions. I tell members where the provision would be handy. It would be handy for an ALP government trying to bring forward another agenda. It needs something to virtue signal, to distract people and to possibly try to wedge its political opponents, whoever they may be, so why not throw in a good old chestnut like banning foreign donations? As we will see, very sadly, when we get to contemplation of clause 13, it is a completely useless provision that the government has come up with. We will have a good reflection on ineptitude and what have you when we come to that, if we come to it. It is a good distraction, it is a good headline and it is a good thing to try to wedge us. I find it a bit annoying, because rather than dealing with matters that might need to be dealt with, what does the government do? The government basically says—the spin doctors who come up with these ideas—that it thinks we are all stupid. That is pretty insulting. I know my Liberal Party colleagues are not stupid. They do not like being treated as though they are stupid. I wonder what the Nationals WA members think. I know them all very well. They are not stupid, but they are being treated as though they are stupid. What about our other crossbenchers? What about our colleagues from the Greens?

Hon Alison Xamon: We are most certainly not stupid.

Hon SIMON O'BRIEN: There we have it: we are unanimous on this. Of all the opposition and crossbenchers, nobody is stupid. The only people not agreeing with that—it is a common theme, is it not; these six parties against that one?—are the Labor Party members who think we are stupid. We will see what members think about that when they come to contemplate clause 13, if we ever get there. But the ALP does not have to worry about any of this. These are provisions for other people to worry about. These are provisions to maybe trip up political opponents, to say, "Here's a gotcha moment. Let's distract during the course of a campaign by saying someone is blowing their margin or they are going over some cap or other." What a tremendous distraction it will be, rather than dealing with the matters at issue—the matters that are actually important.

Do not worry, because the Labor Party will have plenty of money, will it not? I wonder how much money the ALP will have at the next election. Let us cobble it all together. I already mentioned that it has showed its hand early by targeting the 500 Club. At various times over the years I have gone along to the 500 Club. I am a member of the 500 Club, and I have been for years and years, because it has like-minded people. Heck, as a minister I have been there to do policy breakfasts and all those things we do.

Hon Alannah MacTiernan: How many people are in the 500 Club?

Hon SIMON O'BRIEN: I do not know.

In any case, the ALP seems to be fixated about it. I am even getting interjections here from someone who is fixated. Does Hon Alannah MacTiernan want to join the 500 Club?

Hon Alannah MacTiernan interjected.

The ACTING PRESIDENT (Hon Robin Chapple): Members! I ask Hon Simon O'Brien not to encourage interjection.

Hon Alannah MacTiernan interjected.

The ACTING PRESIDENT: I ask members not to interject, if possible.

Hon SIMON O'BRIEN: It will be interesting, will it not? It seems that people have to toe this government's line if they want to do business in this town—it certainly helps.

I again refer back to the bad old Burke days, which I first observed when I was involved in a serious way in politics in the 1980s. I see a whole lot of indicators that tell me that the same rules of operation apply now. I have heard that

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the current Premier has a bit of time for the way Burke went about doing business. He does not like to be reminded of that. He does not want to be tarred with any of that sort of brush. But the similarities that I am seeing between then and now are spooky. They are chilling.

I wonder how much it costs to do business in this town. From the little that we know already, we wonder, “Boy! Is another royal commission brewing here?” It is probably early days to call that one. How do those people contribute to the ALP to show, “Yes, we love you; yes, help us with our development; yes, we want to do business in this town”? Where does their money go to? Does it go to any other associated entities? Let us ask the Minister for Electoral Affairs about that, because he seems to be an expert on these matters, and he has his ministerial colleague, who is also an expert on these matters, and, indeed, everything —

Hon Alannah MacTiernan interjected.

Hon SIMON O'BRIEN: I mean that sincerely, too. The minister knows that I do. Perhaps those ministers can tell us what methods are used by the Australian Labor Party and its supporters to launder funds that go to their benefit. That would be about accountability, would it not? That would be about transparency. That would be about ensuring that the public can have confidence in the integrity of the electoral process. I predict that there will be a bit of pushback from this government about any such inquiry, as well there might be.

What about this cap? I reckon that with all the people who want to do business in this town and pay their five-figure sum, or possibly more, to get an entree to government ministers and so on, the Labor Party might go close to the cap. But it does not matter, really, because the Labor Party will have plenty of money anyway.

One of the things the Labor Party has available to it is the public purse. The funny thing is that the Labor Party had that available to it even in opposition. It came to be known as the local projects, local jobs program. That goes back a few years now. Basically, it was a slush fund, which had no basis in the budget initially, coordinated through Labor headquarters, to enable Labor candidates to promise public money to buy their way into their seats.

Hon Stephen Dawson: It was election commitments. Haven't you read the report of the committee? It was election commitments. You've been in opposition. You've made election commitments, and sometimes you've delivered and sometimes you haven't.

The ACTING PRESIDENT: Members!

Hon SIMON O'BRIEN: I am sorry. I am addressing you, Mr Acting President.

The ACTING PRESIDENT: Interjections from both sides are not particularly welcome in this debate.

Hon SIMON O'BRIEN: I just had to let that one run its course, Mr Acting President, because it assists me greatly.

On the one hand, the minister in charge of the bill has raised his voice, to make sure it is heard, to say, “Yes, this is the way we go about business; and, what is more, it is a legitimate way of going about business.”

Hon Stephen Dawson: Election commitments!

Hon SIMON O'BRIEN: Yes.

Hon Stephen Dawson: Election commitments! For goodness sake!

The ACTING PRESIDENT: Members! I do not want any further interjection, and I would ask the honourable member on his feet to not encourage interjection.

Hon SIMON O'BRIEN: Absolutely, Mr Acting President.

I note again that the minister, who will get a second reading reply, of course, wanted to encourage me by insisting that what I am saying is true—that a program that came to be branded as local content, local jobs, because that is what the committee to which the minister is referring has found, as the minister himself now confirms —

Hon Stephen Dawson: Local projects, local jobs.

Hon SIMON O'BRIEN: Yes, local projects, local jobs.

Hon Stephen Dawson: You said local content.

Hon SIMON O'BRIEN: It is the government's program, not mine. The minister is being a great help. It is a branding exercise. No local jobs were created. But let us not worry about that right now. The point I make, for about the third or fourth time, is that the minister, by interjection, insists again and again that that is how the ALP goes about running elections. That is how it did it at the last election, and presumably that is how it will do it again. Furthermore, apparently nothing is wrong with that. It is all quite normal. It is all how it should be. Wrong. The minister is dead wrong. It is not normal to do that, and it never has been. It is about buying votes. What will we see next? Does the minister want the opposition to say, “Righto, let's outspend the government party at the next election in our promises to individual groups or voters in individual electorates. If it bids \$100 000, we'll bid \$200 000”?

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Hon Stephen Dawson: I am sure you will.

Hon SIMON O'BRIEN: That is clearly a ridiculous state of affairs, but that is what the Labor Party is proposing. That is unsustainable, and it is fundamentally wrong.

An opposition member: Irresponsible pork-barrelling.

Hon SIMON O'BRIEN: It is all of that.

We have seen some examples of how that can be ruthlessly used. For effect, I was going to show some pictures to members in the chamber, but the wretched minister has just proved my point for me. Shame on you! I will show the pictures anyway, just to remind members of how this lot opposite go about their game. We have all seen these pictures. Hansard cannot record these sorts of pictures, but I will just do a general display around the chamber of some pictures of various Labor candidates and members holding up enormous presentation cheques standing in their name. Here is one from Robyn Clarke. Where does she come from, I wonder?

Several members interjected.

The ACTING PRESIDENT: Members! That is enough.

Hon SIMON O'BRIEN: The caption on this picture says that she is very happy to fulfil an election commitment—they are very careful with their language—of \$50 000 and that it was a personal pledge. Yet the cheque is not signed "Government of Western Australia", for legitimate government expenditure—here is our cheque. No. It is in the name of Robyn Clarke, MLA, as though it is her money. The Labor Party, which is now in government, has said to its candidates and members, "Here is a bucketful of money, and it is at your discretion and disposal, subject only to you putting a program through the ALP campaign headquarters." There are many examples of that. Here is another one. We now all know who Robyn Clarke is. Who is this bloke here? We have not seen him for a while. It is a chap called Barry Urban, MLA, presenting a cheque. Members of the government are getting their money's worth here! I hope the cheque did not bounce. I do not know. Who else do we have? Stephen Price is in this picture, and here is a lovely picture of a former member of this place, who is now the member for Morley, Amber-Jade Sanderson. The caption under the picture says "Amber J. Sanderson"—I think that is a misprint—"dropped by" the centre where the photo was taken. She was just passing and she "dropped by", as one does, with a presentation cheque for \$50 000.

Hon Darren West: Why shouldn't they be funded?

Hon SIMON O'BRIEN: But it is in her name. It is a state taxpayer-funded cheque. Even the cheque would have been paid for by the taxpayer. It is in her name—it is not from the government—and we know this is problematic. The Labor Party does not think that is wrong; it thinks it is okay to do that and has reaffirmed that it thinks it is okay to do that.

What was the value of the Local Projects, Local Jobs program?

Hon Peter Collier: It was \$39 million.

Hon SIMON O'BRIEN: It was \$39 million—wow! That is one hell of a lot of slush funds, even if it is divided by the 57 electorates, and money was not spent in all electorates. I do not think the poor old candidates in Cottesloe, Nedlands, Bateman and South Perth got a look in, but if they were in a Labor or a marginal seat, by gee, there was \$39 million. This mob says it has a bill to stop people buying or improperly influencing elections by throwing money around and that will limit good, solid independent candidates to \$125 000. It does not matter that a candidate's supporters want to raise \$500 000, or that their opponent wants to spend vastly more because they are a member of a big party that can shuffle the money around from one bucket to the next, or that someone out there does not like the candidate and is prepared to spend \$2 million against their \$125 000. This shower on the government bench reckons it has a bill that will improve integrity in government when it runs \$39 million slush funds, and the minister has just told us by interjection that he has no doubt it will happen again in the future.

Seriously, are members going to give this bill a second reading? This is only the tip of a very rotten iceberg. How rotten? The Standing Committee on Estimates and Financial Operations examined this program. The committee made heaven knows how many findings—a lot of findings. It made 23 recommendations and I think 46 findings. Finding 2 states —

The 2017–18 State Budget provided an allocation of funding against a program entitled Local Projects Local Jobs that appeared to give effect to the similarly entitled WA Labor election commitment contained in the WA Labor Financial Management Plan.

Is that a coincidence? I think not. This is the party of transparency and integrity! Finding 3 states —

WA Labor did not retain information or records relating to the development of the individual local project commitments packaged within the Local Projects Local Jobs program.

That was a finding of our standing committee. Finding 4 states —

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The Local Projects Local Jobs program originated from local electorate commitments made by individual WA Labor candidates between 2016 and 2017. The estimated total of these local commitments was published under the title “Local Jobs, Local Projects” in the WA Labor Financial Management Plan prior to the election.

All the time, the Labor Party was thinking that when it got into office it would plunder the public purse; it would not even be buying votes with its own money. That is a question we could put to this government, too: is it okay to buy votes with a person’s own money or do they have to use the same taxpayers’ money? It is an interesting question, but I digress. The committee’s finding 11 states —

The Committee could not confirm the actual selection process for all commitments that became funded projects under the Local Projects Local Jobs program.

I bet it could not. Finding 12 states —

The Committee could not determine the evaluation process for the commitments that became funded projects under the Local Projects Local Jobs program.

I bet it could not. I betcha all the evidence, whatever that may have been, is long gone, because it was about individual candidates being invited by the Australian Labor Party organisation to put in their slush fund requests here, so that they could be politically coordinated.

We have touched on this already; finding 20 states —

The jobs aspect of the Local Projects Local Jobs program title is attributed to a branding exercise.

What does that mean? It means that at the time the program was conceived, someone had done a survey and found that jobs were an issue in the election, so they said, “Let’s whack ‘jobs’ into the title.” There were no jobs created by this Local Projects, Local Jobs program. Again, it is just smoke and mirrors. It was an exercise in deceit. Finding 22 states —

The Local Projects Local Jobs program created an expectation that new, sustainable and on-going employment would be created as a result of the implementation of the program.

Did that happen? No, of course it did not. In any case, it does not matter because that was not the purpose. The purpose was for the Labor Party to use public money to buy, or to contribute to buying, its way into office. I could highlight other findings, but I think the point has been made that the Labor Party is sponsoring a bill, as I allege, and have presented evidence, that is intended to advantage it and disadvantage its opponents for the most base of reasons. It has a lot of form in doing this, and it has no scruples whatsoever in plundering the public purse. It will keep doing it. All of the talk in this chamber about the integrity, transparency and accountability in this bill is just so much eyewash. Members contemplating the second reading debate on this bill should treat it with the contempt that it deserves.

As an aside, Mr Acting President, before I go to my concluding remarks, I have a couple of other thoughts. The committee’s finding 28 states —

The Local Projects Local Jobs program reduced the funds otherwise available to other potential grants under the Royalties for Regions scheme to the extent that those \$9 million in funds were repurposed by the Government to the Local Projects Local Jobs program.

I ask all members, but particularly those who represent regional areas, and those who represent regional areas only, why they would contemplate jumping into bed with a government that brings forward this sort of bill. How on earth can members possibly trust it? Are the government’s spin doctors managing to convince members that it is a populist move that they need to support? I know that members have more brains than that, even though the government wants to take us all for fools. Members should also contemplate what the committee pointed out at finding 25, which states —

Community, education, arts and sporting groups within the State were not afforded an equal opportunity to access funding from the program.

What is right about that? If one lives in Amber-Jade’s or Robyn’s seat, apparently it is all right for those candidates to splash around public money at their whim on matters that in many cases do not have any merit. But none of the other worthy programs can get a look in. I look at it this way: what could the government provide by way of public housing and by way of assistance to people with a disability with the \$39 million that it is prepared to splash around in such a cavalier way? Those are the standards that this government brings to this place in support of its holier-than-thou Electoral Amendment Bill 2020.

In summary, the government that comes to us with a bill and says, “Trust us, it’ll all be all right”, should not be trusted. Has that not been recently demonstrated time and again as we have dealt with COVID bills in this place?

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We have found all sorts of unholy nasties buried inside bills that may have nothing to do with COVID responses but for which the government has already tricked us as a house into acquiescing to have time-limited debates so that those matters cannot be properly examined. How can we trust a government with that sort of form? Did members ever see the response to the committee inquiry into Local Projects, Local Jobs? It is one page from the Premier. What was it—46 findings and 23 recommendations? He says —

I acknowledge the report is confirmation that Local Job, Local Projects was a mechanism through which election commitments made by Labor Candidates at the 2017 election were delivered.

He has no shame at all. He is saying to us, “Yes, that’s us. You can all get stuffed.”

Hon Alannah MacTiernan interjected.

Hon SIMON O’BRIEN: I am not responding to the minister’s interjection.

Again and again ministers opposite demonstrate that they do not understand the proprieties that should exist around election commitments—that they are not tailored to individuals and they are not tailored to individual candidates. If the minister is incapable of understanding that, that is the root cause of the problem, but I thank her for pointing it out because it assists me very much in appealing to my colleagues, “Don’t trust this mob. They’re always up to no good and never more so than when they’re bringing forward electoral amendment laws.”

The Premier himself admits that that is the government’s standard. He says, “What are you going to do about it? I’ve got all the media onside; I’m all right. You can all get nicked. What’s more, I’m going to bring in some electoral bills to further disadvantage you.” In the response, he says a few other things and then says —

The Government response to the report is as follows:

1. In relation to Recommendations 1 and 2; The Government notes the Committee’s recommendation to consider the value of a formal policy for administering election commitments and to consider the value of developing a similar set of guidelines to the Commonwealth Grants Rules for Western Australia.

Is that in this bill? No, but the government has noted it. That was recommendations 1 and 2. The government response continues —

2. In relation to Recommendations 3 thru 23; The Government notes the Committee’s recommendation to create a Parliamentary Budget Office.

Then the final insulting remark, which at least got the response over to the second side of the page, along with a signature, states —

The Government thanks the Standing Committee on Estimates and Financial Operations for its Report No. 85 and acknowledges the diligence of the Committee Members and staff.

It is so nice!

There are some very good reasons why this bill should not be read a second time. I hope I have raised that prospect with members who are not already of the view that my party colleagues and I have firmly formed on this matter. We will be voting against the bill at its second reading, and I suggest that this house does so as well, with the emphatic message of everyone, apart from the Labor members, voting down this bill. Something that we have seen a fair bit of increasingly lately in this place is that all members—be they left, right, Callithumpian or whatever—are joining in voting against a government proposition. I think that sends a collective worthwhile message that despite what this Premier and this government think, we are not stupid here in the upper house, and the people out there whom we represent are not stupid either and they will not be taken for fools.

HON AARON STONEHOUSE (South Metropolitan) [12.46 pm]: I am glad to have an opportunity to rise to speak to the Electoral Amendment Bill 2020 at such an early occasion. I thank the government spokesperson for electoral matters. I am not sure whether it is a ministerial portfolio, actually.

Hon Stephen Dawson: It is.

Hon AARON STONEHOUSE: It is a ministerial portfolio. I thank the Minister for Electoral Affairs for organising a briefing for me on such short notice, which I received on Tuesday, and his staff for making available their time. I also thank the timely expertise of the employees from the Western Australian Electoral Commission, who were very professional in their conduct and very knowledgeable. They were able to provide me with an overview of the clauses and instruments of this bill; however, I was left wanting, with questions unanswered around the intentions and policy intent behind the bill. Of course, the WA Electoral Commission is a non-political, nonpartisan entity, as it should be. It does not create policy for electoral reform, and that is appropriate. Electoral reform is instead driven by the government of the day, which sets the policy for what it should look like and what it should be.

I will go through the clauses of the bill in due course and I will explain my position on each of them as I get to them.

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The only answer I got during my briefing on why the government was pursuing electoral reform in such a way, and the only explanation I was given of the genesis of and impetus for this bill, was that it was a Labor Party election commitment. That was it. For that reason, I was told during my briefing that no consultation was conducted with stakeholders. There was no consultation whatsoever. If it is an election commitment, normal processes for consultation are done away with! That is rather disappointing, because when it comes to electoral reform, there is a great number of stakeholders. I am not just talking about the recognised opposition party of Parliament, its junior partner in opposition or the myriad minor parties that have representation in Parliament, and I am not even just talking about those minor and micro-parties that can test elections but do not currently have political representation in Parliament; I am also talking about third party organisations that have an interest in politics and what happens in Parliament, such as various interest groups, industry peak bodies and lobby groups. They are not all lobby groups. I am not talking about the Chamber of Minerals and Energy or the Chamber of Commerce and Industry of Western Australia—the evil monopoly men sitting in dark rooms smoking cigars and pulling the strings of politics. No, there are lobby and interest groups that are much more grassroots. There are ratepayer associations and associations established for the protection of certain environmental assets or the conservation of native species. These are all stakeholders on the issue of electoral reform, because these people engage in the electoral process and expend funds during elections. The biggest stakeholder on the issue of electoral reform is not one individual peak body or political party; it is actually the electors—the people who vote.

The government may claim that it has a mandate in this regard because it has its “Disclosure and Democracy in the Digital Age” election commitment, which I was provided a copy of. I did not know this thing existed. Members may be surprised to learn that I do not normally spend a lot of time digesting Labor Party propaganda and material.

Hon Alison Xamon interjected.

Hon AARON STONEHOUSE: Except when I receive *The West Australian*, of course—the official propaganda wing of the Labor Party!

Hon Alison Xamon interjected.

Hon AARON STONEHOUSE: Unless it is published on the front page of *The West Australian*, I do not normally digest Labor Party propaganda, so this document was news to me. I suspect it was news to electors as well. I am thinking back to the 2017 election and I am trying to remember whether electoral reform was a key issue at that election, so that the government can claim some kind of mandate for it. I do not remember any mention of it at all. Certainly, quite a few issues were front and centre—Roe 8, the Nationals WA’s push for a fairer share of revenue from iron ore royalties, the privatisation of Western Power, the outer harbour, the general dissatisfaction with the Barnett government, jobs of course, the appalling state of the economy at the time and state debt. There were probably a few other issues that I cannot think of right now, but electoral reform was nowhere on the table. No-one was talking about it at all.

Hon Alison Xamon: The Greens did.

Hon AARON STONEHOUSE: I am sorry; the Greens did, of course.

The ACTING PRESIDENT: Members, please! I am trying to listen to Hon Aaron Stonehouse.

Hon AARON STONEHOUSE: Of course, Mr Acting President.

The ACTING PRESIDENT: Interjection is not required.

Hon AARON STONEHOUSE: If anything —

The ACTING PRESIDENT: Hon Aaron Stonehouse —

Hon AARON STONEHOUSE: Thank you, Mr Acting President.

The ACTING PRESIDENT: — please do not speak while I am speaking.

Hon AARON STONEHOUSE: Thank you, Mr Acting President. I am sorry if I spoke over you then.

Of course the Greens did. Although I may disagree with the Greens’ communist outlook and their eco-fascist policies —

Hon Alannah MacTiernan interjected.

Hon AARON STONEHOUSE: I am sorry; I did not catch —

Several members interjected.

Hon AARON STONEHOUSE: I am a little confused.

Hon Alannah MacTiernan: You’re standing allegedly as a libertarian, yet you turn out to be a monarchist.

Hon AARON STONEHOUSE: I will explain it for the Minister for Agriculture and Food: I am a monarchist. Of course I am. I swore the oath. I would be happy to have a discussion with her about the merits of a constitutional monarchy over some kind of depraved, degenerate republic like the United States has. I think we have a much more robust democracy in Western Australia and within the Westminster parliamentary system. In fact, it is why I am

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so keen to critically analyse the provisions of this bill. We are incredibly lucky to have inherited parliamentary democracy and the institutions that we now enjoy. Our entire way of life, and the freedom we enjoy, is sustained through tradition and convention, and that is all tied together through our constitutional monarchy. It is incredible that almost absolute power is vested in somebody who does not exercise it. Nowhere else in the world will we find someone with almost absolute power—the power to dissolve governments and install themselves as a dictator—but they do not use it. That is incredible. It is a beautiful thing and it is something to be protected. I might have some more to say about that when we come to some of the clauses of the bill and the policy behind the bill.

To pick up something that the Minister for Agriculture and Food said about the Voluntary Assisted Dying Bill, it may be hard to keep track, but I supported that bill. There was a division and I voted for it. I will bear the political cost of that, because I know that a lot of my constituents are conservative Christian voters. I will take that hit if I have to, because I thought it was the right thing to do. I believe that people have a right to make choices about their own body. Despite whatever other conservative sensibilities I have, people have a right to make choices about their own body, as long as there is no third party concern. Mr Acting President, you will recall that I supported several amendments to try to reduce the risk of coercion and the risk of innocent people being harmed along the way. I note that Hon Alison Xamon from the Greens, who is a fervent supporter of progressive policies like voluntary assisted dying, also supported amendments such as those, as did members of the Labor Party, because there was, of course, a conscience vote.

Hon Nick Goiran: Not like the minister who interjected.

Hon AARON STONEHOUSE: Not like the minister who interjected, who, as I recall, was not particularly interested in provisions that would have reduced the risk of coercion. But that is a debate for another day, I suspect.

I will have a lot more to say about the benefits of a constitutional monarchy and why it is such a fantastic institution. I think I could talk about that for hours.

Hon Nick Goiran interjected.

The ACTING PRESIDENT: Members!

Hon AARON STONEHOUSE: Perhaps as I am warming up, I might —

Hon Simon O'Brien: Are you foreshadowing an amendment.

Hon AARON STONEHOUSE: I might foreshadow.

I think it is within the scope of this bill that when we talk about electoral reform, we reflect on the type of democracy we have in Western Australia. I think it is entirely appropriate. The question that was raised through a very unruly interjection was: how could a self-styled libertarian be a monarchist? That does not seem to sit right. I must be some kind of libertine anarchist. Nothing could be further from the truth.

Several members interjected.

The ACTING PRESIDENT: Members! I point out that the Chair has control of this place—hopefully! We have only four minutes before we break for lunch. I hope that Hon Aaron Stonehouse can continue his contribution in some relative silence from members.

Hon AARON STONEHOUSE: Thank you, Mr Acting President, for your protection.

Hon Stephen Dawson interjected.

Hon AARON STONEHOUSE: I was explaining this seeming contradiction. No, I am not a libertine and I am not an anarchist. “Libertarian” is a bit of a catch-all word. I prefer the term “classical liberal”. Liberalism is a political philosophy rooted in the idea that liberty—freedom—is one of the most important political values. It comes out of enlightenment. People like John Locke are espousing these ideas and notions —

Point of Order

Hon STEPHEN DAWSON: With the greatest respect to the honourable member who is on his feet at the moment, this bill is about electoral reform in Western Australia. It is not about political parties and philosophies of those political parties, so I ask you, Mr Acting President, to advise the member.

The ACTING PRESIDENT (Hon Robin Chapple): I thank the minister with responsibility for the legislation. I point out to the honourable member that indeed he should be addressing the bill before us.

Debate Resumed

Hon AARON STONEHOUSE: Of course, Mr Acting President. I will try to make sure that I remain on topic and relevant. I was merely going to make the point that the form of government that we have, whereby power is vested

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in the Crown and the head of state in our case is the Queen, as represented by the Governor in Western Australia, serves to preserve liberty—our rights and freedoms. That is something worth preserving, protecting and cherishing. I think that is relevant to this bill in this case. I will not reflect on my own views, but I think it is relevant in that we have seen in recent bills an attack on those institutions upon which our parliamentary democracy is based. I will go into detail about how I think this bill does that. In just the last few weeks, we have dealt with bills that have undermined the rule of law and have stripped away an individual's rights to natural justice and procedural fairness. We have this week dealt with a bill that I think is unconstitutional. If it leads to the amendment of a piece of legislation that the Constitution says an absolute majority is needed to amend, not through a lack of manner and form but through a seeming amendment or repeal of aspects —

The ACTING PRESIDENT: Members, noting the time, I will reluctantly leave the chair until the ringing of the bells.

Sitting suspended from 1.00 to 2.00 pm

Hon AARON STONEHOUSE: Before we were interrupted, I was giving a bit of an overview of some of my views on the civic institutions that we are very lucky to have inherited here in Western Australia. I will have a bit more to say about those institutions when I get to the relevant clauses of the bill. For now, I think it is worth us going back just for a moment to look at the key provisions of this bill.

The Electoral Amendment Bill 2020 contains several instruments, the first being that reporting disclosure obligations for political parties will be changed from once every year to once every quarter, so that is being moved up. The Western Australian Electoral Commission informs me that it will be accommodating of political parties and will put in place some transitional provisions. That is good to hear as a member of a minor party who does not have the benefit of a head office that can do this kind of thing for me. That will be of much comfort to the small group of volunteers who run the administrative side of my political party, and I am sure it will be of comfort to the small group of volunteers who run the administrative functions of other political parties. We cannot all be as wealthy as the Greens and have an army of volunteers and paid staff across the country to manage our administrative affairs.

Hon Alannah MacTiernan: You could if you had attractive ideas that encouraged people to join.

Hon AARON STONEHOUSE: I am sure, yes. If we had a suite of policies that appealed to young rascals and professional protesters, absolutely we could, and wealthy champagne socialists. We would be awash with cash and volunteers. Unfortunately, the policies of my political party do not attract wealthy champagne socialists or professional protesters. We make do with what we have, but I digress. Another provision in this bill will reduce the donation threshold from the current amount, which I believe is \$2 500, to \$1 000. Political parties will have to lodge a disclosure every quarter, every three months, and it will have to make those disclosures for any donations of \$1 000 or more, whereas previously it was once every year for political donations of \$2 500 or more. Those two things combined become quite onerous. It is not so hard for a political party that has a head office with staff and volunteers and all the resources in place to meet the compliance requirements of running a political party, but it will be quite difficult for minor and micro political parties. There are some political parties that really only pop their heads up around election time. These include the Daylight Saving Party and the Socialist Alliance, or Socialist Alternative. One is a newspaper and one is a pinko political party. I cannot remember which is which.

Hon Simon O'Brien interjected.

Hon AARON STONEHOUSE: Of course. They only pop their heads up around election time. There are quite a few others, including the Small Business Party and the Animal Justice Party. Micro and minor parties are all legitimate, of course, because they represent the views of constituents somewhere. There may not be many in some cases, but they represent the views of at least some people in the public. They would have to, to have registered their political party to contest elections; they need at least 500 registered members and they have to be able to prove that to the Western Australian Electoral Commission to be registered in the first place to contest an election. Even if they are a very small slice of the voting public, they represent some people whose voices deserve to be heard. But these very small political parties really only have the resources to come out once every four years to contest an election. They do not have volunteers, head offices and resources across the country that can help them comply with onerous disclosure requirements. It is going to be very difficult for some of these very small parties, I believe, to meet those requirements, but I will talk a little about that in more detail later.

There is also in the bill what I think is perhaps one of the most important and contentious provisions, which is the expenditure cap. That puts in place a limit on election expenditure during the election period. Unless I am wrong, as I understand it the cap is in place only during the election period; it is not in place in the intervening years. The provision will put in place an expenditure cap for political parties, independent candidates and third party organisations such as trade unions, industry peak bodies, charitable organisations and whatnot, during the election period, which typically is from when the writs are issued to the end of the election—usually the last few months of the calendar year before an election, so around October. So from October to March, expenditure caps will be in place. The proposed expenditure caps are \$125 000 per district for a political party. A political party that runs

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a candidate in a district can spend up to \$125 000 in that district for a lower house seat, or \$125 000 for a Legislative Council region seat. However, there is some flexibility for political parties to move money around. If a political party runs a candidate in one seat and does not hit the cap of \$125 000, it can use whatever is left over in another district or region. It can add up all the candidates it is running, times it by \$125 000, and that will be the total amount of money it has to spend on the election.

Independent candidates can also spend up to \$125 000. Of course, independent candidates, by their very nature, will not have the ability to spread their funding around between districts and regions by accumulating it, so immediately we can see a problem here. Independent candidates will potentially be disadvantaged by this spending cap. There is also a spending cap for third party organisations, such as trade unions, industry peak bodies and such, of \$2 million. Unless I am mistaken, I believe that is \$2 million across the entire state; it is not limited per district. They can spread \$2 million around wherever they like during the election period; that is my understanding.

Hon Simon O'Brien: Quite right. If you've got 14 unions associated with the ALP, they can spend \$28 million between them without breaking the cap.

Hon Matthew Swinbourn interjected.

Hon AARON STONEHOUSE: One could create as many associations as one wants. There might be some regulatory hurdles to clear to create new trade unions; I imagine that is not an easy thing to do, as they are rather entrenched. However, other registered associations can be created. Anybody can do that. All that is needed are a few people, some paperwork filled in and lodged with the department of commerce and a new association is created.

Hon Matthew Swinbourn: An incorporated association.

Hon AARON STONEHOUSE: Thank you, honourable member. That incorporated association, because it has been able to raise \$2 million, is then able to spend \$2 million. If someone wanted to fund an election campaign, they could create as many of those associations as they liked.

The fourth major provision of this bill is the ban on foreign donations. A ban on foreign donations is done by putting the onus on political parties. It requires political parties to not accept political donations from somebody who is not an Australian resident or citizen, or a donation that does not come from an Australian business—registered in Australia, I imagine. That should get some people's attention. It certainly got my attention, because it caused me to wonder who actually gets foreign donations. I am not aware of any political party that receives foreign donations. For a start, it would be a little strange. Most global businesses that have an interest in Australia are registered in Australia to some extent anyway. If there was "Evil Incorporated", a big evil capitalist global organisation that wants to influence an election, surely it would, if it wanted to influence an election in Australia, have some kind of registered business in Australia that is acting on its behalf. It would have its Australian branch registered with an ABN, an ACN and whatever else that is required. Therefore, a ban on foreign donations on evil globalist corporations would be rather pointless, because they would not be donating through their international umbrella corporate body; they would be doing it through their more local corporate body. I will get to that in more detail later.

The four main provisions of this bill are: an increase on the reporting obligations by reducing the reporting period from yearly to quarterly; a reduction in the disclosure thresholds from \$2 500 to \$1 000; an expenditure cap for political parties, independent candidates and third parties; and a ban on foreign donations. We are told that the government wants to pass this bill because it is part of its election commitment. It has pointed us towards its document "WA Labor: Disclosure and Democracy in the Digital Age", published in November 2016, just prior to the state election. This document lists five pledges of the Labor Party. It says —

A McGowan Labor Government will:

- Introduce an online electronic disclosure of donations system.

Where is that in the bill? I do not think I have seen that. That is the first point of its election promise. No, I do not think it is here. I am looking at the explanatory memorandum. I cannot see anything about "electronic disclosure of donations system". No. That is only one-fifth of its election pledge for electoral reform, as they call it. The second is —

- Reduce public disclosure threshold for donations.

Now we have something that is in the Labor Party's election pledge. The next one is —

- Provide greater transparency around third party fundraising bodies.

As far as I can see, the bill changes nothing about the disclosure of third party fundraising bodies. There is nothing in this bill about that. It lowers the donation threshold, of course. We are talking about the 500 Club. Do they donate \$1 000 apiece to the Liberal Party? Do trade unions donate to the Labor Party \$1 000 apiece? I would have thought that the amount of money that those kinds of fundraising organisations would be throwing around would be far in excess of \$1 000 and would be far in excess of the current cap of \$2 500. We would be dealing with,

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I imagine, significantly larger amounts. How does this change anything? Political parties that receive donations from these so-called large third party fundraising bodies are already required to disclose the donations that they receive on their disclosure forms once a year and at the end of an election. Are we suggesting that these insidious third party fundraising organisations are making donations of less than \$2 500 and that that is such a problem and influences politics so much that we need to ensure there is increased disclosure around that? That is a little strange. In any case, there is nothing in the bill that addresses that. There is nothing that increases transparency around third party fundraising organisations.

We are one for two. We are three in and only one election promise is being implemented by this bill. The fourth point is —

- Implement election campaign spending caps for candidates and political parties.

Here we go. This is one thing that the Labor Party did promise and it is in the bill; it is the main part of this bill. The last point is —

- Promote a greater civics education in primary and secondary schools.

That is one policy that I agree with. I do think that there is a lack of civics education in our schools, although I imagine that the kind of civics education the Labor Party has in mind is a little different from the kind of civics education I would contemplate.

Hon Charles Smith: Education couldn't stop them.

Hon AARON STONEHOUSE: I agree. I wonder, however, where in this bill does it oblige the Western Australian Electoral Commission to engage in some kind of new civics education program. It is absent from the bill. I am not aware of it happening to date. Perhaps the minister can tell us whether, somewhere along the line, the government has actually instructed the Electoral Commission to engage in this practice. But it is absent from the bill.

What members will note is that these five points in the executive summary of this very comprehensive "Disclosure and Democracy in the Digital Age" Labor Party manifesto is a ban on foreign donations. There is a ban on foreign donations in this bill, but it is not in the Labor Party's electoral reform manifesto, which is interesting. But I think I know why, and I think a previous speaker hinted towards the reason why. I think it is simply there as a bit of populist bait to sweeten the pot. People can focus on the good, which is the ban on foreign political donations, and they can ignore the bad. Who could possibly disagree with the idea of banning foreign political donations? Granted, they do not actually happen as far as anyone can tell, but, surely, that is something that we would not want to happen and, therefore, banning it seems to be a serious mischief for the Parliament to be addressing. That is being tacked onto a bill that does some other pretty nasty, egregious stuff.

The previous speaker read through some of the points of this document. I do not want to tread the same ground, but I think he made some excellent points and I would like to make them again. This document is replete with almost normative statements without really much justification or really much explanation about why. Values are espoused here, but there is nothing to back up the policy prescriptions that are made. I am sure everybody has availed themselves of and read a copy of this document. The brains trust of the Labor Party developed this comprehensive document on electoral reform—this manifesto on many electoral reforms; this document that contains policies that will, if implemented, safeguard our democracy and will ensure that there is no inappropriate influence on our elections. I am sure that all members have read and were all well aware of this document before this bill was ever introduced to Parliament. At page 4, for those reading along, under the title, "Speeding up public disclosure" it says —

Whist a public online system is being developed WA Labor will speed up the public disclosure following an election by:

- Amending the Electoral Act disclosure period from "within 15 weeks after polling day" to 12 weeks. Allowing, the Electoral Commissioner to review the returns and make them available to the public 14 weeks after polling day.

I look forward to hearing why that is the case. I look forward to hearing an explanation of why it is so important to shift away from 15 weeks to 12 weeks so that they can be made available with 14 weeks. That is almost splitting the difference. RUN ON Why, exactly, is Labor doing that? It does not tell us why. Why is 14 weeks so important? What difference does one or two weeks after an election make? No real justification is given. There might be some reason. It might have something to do with the swearing in of Parliament perhaps, but no information has been provided in Labor's electoral reform manifesto. On the same page, under the heading "Reduction in public disclosure threshold for donations", the document states —

WA Labor believes that all organisations and individuals have the right to participate in our democracy, including through the provision of financial support to election candidates and political parties.

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That is great. Who could possibly disagree with that? I am sure that that is a statement that everybody agrees with. Then, turning on its heel, it goes on to state —

It is important that this fundamental right is also as transparent as possible and significant contributions to election candidates and political parties are made public.

Why is that important? I can think of several arguments why, but according to the government's manifesto why is that important? It does not explain it; it just states it. It has just thrown out some values and ideals, enough to justify electoral reform that benefits the incumbent, I suppose. Why is it important that a fundamental right is also transparent? That is not actually a given. It is not a foregone conclusion that a fundamental right needs to be transparent. There are many fundamental rights that people might exercise that absolutely should not be transparent. Although we obviously do not have a common law right, some people believe that we have a natural right to some degree of privacy. When it comes to voting, in fact, it is recognised that voting should be conducted with some level of confidentiality. A person votes, seemingly anonymously. No-one is looking over our shoulder to see how we vote or who we vote for. If a person's engagement in the political process is a fundamental right, as this manifesto seems to suggest, why does how we engage in that process need to be transparent? There are arguments for transparency and there are some arguments against it, but this document does not outline them; it merely throws it out there.

On the same page, under the heading "Greater transparency around 3rd party fundraising bodies", the second paragraph states —

Currently there are a number of 3rd party bodies (or associated entities such as think tanks, or dedicated fundraising groups such as the 500 Club) that fundraise and accept donations then pass those—sometimes significant amounts of money—on to election candidates and political parties without disclosing the origins of the funds raised.

The previous speaker noted, and so do I, how curious it is that the only organisation mentioned by name is the 500 Club. Even the footnotes contain no mention of other think tanks or fundraising groups. The only one mentioned is the 500 Club. I do not care too much. I do not receive money from the 500 Club—I certainly would not mind some—but it is curious that a political party develops an electoral reform manifesto that then becomes the policy of government as implemented through a bill presented to Parliament that we are expected to support. It seems to be driven by some kind of partisan frustration with a Liberal Party donor organisation. That is a little strange. One could imagine a scenario in which a right-wing party introduces electoral reform to ban donations from a trade union and mentions that trade union in the manifesto that went into the development of that electoral reform. There would be an uproar. It would be outrageous, undemocratic and corrupt, but here we have it. The 500 Club is mentioned by name in this manifesto. It goes on to say in the next paragraph —

This is not transparent and can lead to individuals and corporations anonymously donating indirectly to election candidates and political parties.

Right there a view is expressed that individuals' donations should be transparent. It is a very interesting value to express. I will talk about that in detail in just a moment, but it is worth keeping it in mind. We are not talking about big, evil corporations and monopoly men and trade unions; we are talking about individuals. We are talking about the little, old lady who may donate a small amount of money every week during the election period that may amount to the disclosure threshold. We are talking about perhaps somebody who does not want their political colours laid bare for all to see. I remind honourable members that there are plenty of professions in which having a political view is not conducive to one's career advancement—a job in the public sector is one of them. Legal professionals are sometimes affected—anybody who has to attract clients and who has their own political beliefs. I will talk about that in more detail. This is something very important that we have overlooked in this rush to make democracy more transparent, thinking that that somehow preserves the integrity of democracy. I think we are undermining it, but I will talk about that later in more detail.

Under the same heading at the bottom of page 4, it states —

- **... Labor will conduct an inquiry into disclosure requirements for 3rd party fundraising bodies and address public concerns about who makes payments to the 3rd party, and who then subsequently decides and authorises to flow that money on to election candidates and political parties.**

I assume that that inquiry was conducted prior to this bill being produced, right?

Hon Simon O'Brien: It must have been an informed bill.

Hon AARON STONEHOUSE: Yes, it must have been. Labor must have conducted this inquiry. This seems rather ridiculous when one reads that and understands what Labor is saying. Labor wants to conduct an inquiry to figure out who makes the donation to an incorporated association and how that incorporated association decides

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how that money is spent during an election campaign. I can tell members that the incorporated association makes that decision. It would be governed by, presumably, a committee. It would have a constitution, some stated values and some stated goal. It might be something like—if I remember the name correctly—the Court family trust. I do not know a lot about that organisation, but I suspect that the Court family trust, given its name, is a patron of the Liberal Party. I would imagine that anyone donating to that organisation knows full well where that money will be spent. When they donate money, they entrust that organisation to make a decision about where that money should go, how it should be spent, if it should be donated to a political candidate or if it should be spent on some kind of election material. What do we need an inquiry for? If people are dissatisfied with how those third party organisations are spending money, there is a really quick way of addressing that problem: stop giving money to that association—done! Problem solved! That is incredible. We did not even need a government inquiry! That is quite magnificent.

Hon Simon O'Brien: What business is it of government anyway?

Hon AARON STONEHOUSE: Exactly. If a person joins any other association, it is not really the government's business how a bowling club might like to spend that money—whether it spends money on maintaining the green or on beer at the tap. That is a matter for the members of that association and they can express their views—their satisfaction or dissatisfaction—at the association's annual general meeting. They can vote and elect a new committee if they like to govern things differently.

Hon Colin Tincknell: It is akin to a one-party state.

Hon AARON STONEHOUSE: That is true. It is much akin to a one-party state. I can assure the honourable member that I will have a little bit to say about that later. On page 5, under the heading "Democracy", it states —

There is a general lack of civics understanding in the 18–30 year age group, in particular in relation to civics and citizenship and the concept of the 'common good'.

- **WA Labor will task the WAEC to provide an online civics education package for primary and secondary schools.**

Civic education, and contact with parliamentarians and the Parliament, makes a positive difference to the perceptions of Parliament and its workings.

At a glance, that seems fairly reasonable. I agree that civics education is important. Again, it states —

There is a general lack of civics understanding in the 18–30 year ago group ...

I think there might be a general lack of civics understanding on the government benches, but that is another matter.

Hon Stephen Dawson: How rude!

Hon AARON STONEHOUSE: As I go through these clauses, I will explain to the minister why I think that is the case. I look forward to members of the government benches standing up and responding and perhaps demonstrating their view of civics. I will find rather interesting what the government's view of "common good" might be, because that concerns me. I am talking about the common good in terms of parliamentary democracy and the Parliament's right to govern for the welfare and the good of the state, and that makes sense. If we are talking about some kind of hippie commune claptrap where everybody gets together and sings *Kumbaya* and we redistribute wealth and implement some kind of socialist utopia, that is certainly not the kind of common good that I would like to see educated in our schools. The question remains: has the government tasked the Western Australian Electoral Commission to provide an online civics education package for primary and secondary schools? Has the government done that? It was part of its election promise. Has it done it? No! I do not hear any interjections. It has not done it.

Parliamentary Services actually does a fantastic job of this. As all members are aware, the Parliament has a fantastic education team with some fantastic staff who provide tours and education to school students. The staff provide tours throughout the chamber and they educate students about the history and the conventions and traditions of Parliament and its role in Western Australian society. They do a fantastic job.

Hon Alannah MacTiernan: There are nice big pictures of the Queen.

Hon AARON STONEHOUSE: Absolutely.

Another organisation that I have had dealings with over the last three years is the YMCA Youth Parliament, which also does a fantastic job. I believe there are other mock Parliaments around, but the YMCA is the only that I have so far had dealings with. It does a fantastic job. It would normally hold the mock Parliament in the coming weeks and students would sit here in the chamber—the presiding officers and Parliament have kindly made the chamber available to them for many years—and engage in mock debates. Each student is given a real electorate to represent, and over a few weeks they prepare debates. I am sure Mr Acting President (Hon Martin Aldridge) has probably been a presiding officer for the mock Parliament. It is a lot of fun. The mock Parliament has slightly different standing orders to us and the debate can be a little bit different from what we are used to, but I think it is great to give

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students an opportunity to experience how that is done. Therefore, the Parliament is doing a fantastic job of educating primary and secondary students and so is the YMCA. I am sure that the WAEC does as well. This is not to disparage the WAEC in any way; it is a fantastic organisation. In fact, I have found that whenever I called the WAEC with queries of my own, its customer service attitude is exceptional. It goes above and beyond what other agencies provide. I might call some other agencies and have a hell of a time getting a straight answer or useful information out of them, but anytime I have called the WAEC, its staff and officers are helpful, polite and very knowledgeable. They are able to provide real-time, accurate advice to members of Parliament and political parties. It is incredible. In fact, if members compare it with the electoral commissions of other states, the customer service attitude—I am not sure how else to describe it—of the WAEC elevates it above the electoral commissions of other states.

Hon Rick Mazza: I've had the same experience.

Hon AARON STONEHOUSE: Yes. Any member who has ever had to contact an electoral commission of another jurisdiction will know. One cannot just pick up the phone and ask a question of other jurisdictions, but one can in WA and it is actually quite remarkable. Maybe some of that owes to the fact that we are a less populous state, but, still, the WAEC does a fantastic job. The problem here is that the government has not delivered its election promise for electoral reform. One of the key items of its electoral reform manifesto was better education, and it has not done it. It is very disappointing. It has tacked on the ban on foreign donations, which is some red meat to throw to the populists, protectionists and quasi-state nationalists. Members know who I am talking about!

Hon Stephen Dawson: You've lost me!

Hon AARON STONEHOUSE: The ban on foreign donations, minister. The ban on foreign donations is completely pointless. It is not in the Labor Party's manifesto. No-one receives foreign donations as it is, and anybody who wanted to receive foreign donations would have the easiest time circumventing that ban anyway, so what good would it do? The good it could do is that someone can write an article in the press that says, "WA Labor is finally putting an end to the rot of foreign political donations. We're going to end foreign influence on our politics."

Hon Charles Smith interjected.

Hon AARON STONEHOUSE: Indeed, they do!

I have given an outline of the key provisions of this bill and we have had a look at the Labor Party's manifesto on electoral reform. I think it is now worthwhile taking a bit of a deeper dive into those provisions and have a look at how they might impact political parties that operate in this state.

Earlier, I mentioned the change in the reporting period from one year to quarterly. On its own, that will not have a huge impact. On its own, that will be not too onerous. It is a simple form for political parties to fill out—it is one page, really—and as I understand it, a party has to complete one and lodge it. It only has to fill in the lines on the form if the political party has received donations. Therefore, for a political party that perhaps goes three months without receiving donations, its disclosure is the form with no donations on it and a signature from the party's secretary or agent and it is sent off to the electoral commission. It is done. It is easy. It is a piece of cake. The party can do that every three months; it is not too hard. It may be a little trickier for the micro-parties that really only come out of hibernation once every four years during the election cycle, but surely there is somebody who is hanging around, who is the convener or the president or at least the agent, who is receiving a reminder from the Western Australian Electoral Commission once every three months to fill that form in.

The problem occurs when we combine that with the lowered donation threshold. The current threshold is \$2 500. The Labor Party wants to make it \$1 000 and now the government wants to make it \$1 000, too. This makes it more onerous for minor political parties, which I have spoken about before. But it also does something far more damaging because I think that anything that damages minor parties, damages our democracy. I spoke before about the importance of minor parties having representation and having a voice. Even if there were only 500 people in the state, who for some God-awful reason wanted to implement daylight saving, they still have a right to have their voice heard. As silly as that idea is, they still have a right. People are entitled to their silly ideas, honourable members.

Hon Alison Xamon: There is nothing silly about daylight saving.

Hon AARON STONEHOUSE: Luckily, the Western Australian public thinks otherwise and we have not had a successful referendum on daylight saving or a daylight saving political party elected to Parliament to implement that policy. However, people with those views are still entitled to a voice. This applies to not just those issues that we think are trivial—I am sure daylight saving is not trivial to some people, as they are willing to put their own money and time on the line to advance that idea—but also political parties that some may think are distasteful. It applies to One Nation, which some people think is distasteful. I think that One Nation in Western Australia is quite a different beast from One Nation in Queensland or One Nation in the Senate, but some people are certainly deeply upset about the policies of One Nation and the history of the One Nation party. They are entitled to that view, of

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course. As evidenced by the fact that two members of One Nation are members of this Legislative Council, there are people in the community who believe in and will vote for the policies of One Nation.

Hon Alannah MacTiernan: They will donate aircraft in support of that.

Hon AARON STONEHOUSE: And they are willing to donate money, time and aircraft, from time to time, to assist the One Nation party in winning elections. It even applies, I am afraid to say, to people like Fraser Anning, who, to say the least, has some very controversial views. In my opinion, he most certainly did flirt with a rather fringe, extreme racist constituency, thinking that it would result in electoral success. It turned out that it did not. But even people like him, his political party and his constituents have a voice. In a democracy, we take the good with the bad. We get the reasonable, sensible people, and we even get the Greens! We get all the different political views across that spectrum. They are all entitled to a view. Anything that damages their ability to engage in the political process is damaging to democracy. Members may not think that people vote for Fraser Anning—heaven forbid—but I can guarantee that they probably have a racist uncle somewhere who does. There are people who will vote for those political parties. If we try to use the power of government to block from the political process political ideas that we think are distasteful or that we do not like, assuming that they are engaging peacefully and following the rules and the law, we will no longer live in a democracy. It is my belief that when people with potentially harmful views are denied an opportunity to advance their views peacefully through a political process, they will resort to other means. That is a dangerous road to go down. We do not want to push those people to those dark corners outside of the political sphere, where their ideas cannot be challenged, debated, shut down or rejected by the public.

Aside from that, the lower disclosure threshold will damage democracy by not just being onerous for political parties to comply with, but also having a chilling effect on the participation of individuals in the political process. The reason for that is that not everybody wants to have their name and details on a public disclosure form because they donated to a political party. It is fair enough to say that a big corporation should have its name and details disclosed if it donates a lot of money, but we are talking here about \$1 000. In politics, a \$1 000 donation is not a lot of money in the grand scheme of things. The Labor Party, the Liberal Party and the Greens throw around millions of dollars in an election period, so \$1 000 is not a huge sum. That might sound like some kind of out of touch, elitist attitude, but I can assure members that it is not. This is over an election period. This is from the issuing of the writ sometime in October to the election in March. Someone could break up their donation over the five-month period by donating \$200 a month. That is not necessarily a huge amount. Some people spend \$200 a month on their internet or mobile phone bills. Anybody who drives to work would easily spend that on fuel. I probably spend almost \$200 a week on fuel, driving to Parliament and back every day. That is not a huge amount of money. For somebody who is interested in a political party's policies and wants to support a political party, donating \$200 a month over the election period would total \$1 000. That is not a huge sum when it comes to political donations.

If this bill passes as it is, people who previously were able to remain anonymous will now have their details published on a disclosure form. I mentioned earlier that there are some professions in which people do not want their political affiliations laid bare. I can imagine a scenario involving a member of a union. Traditionally, their union donates to and supports the Labor Party. Perhaps this person is a little upset with a particular Labor policy—it might have something to do with a particular road and a particular harbour—and they decide that for this election cycle, they do not want to donate to the Labor Party; they want to donate to the Liberal Democrats, or perhaps the Liberal Party or any party other than the Labor Party. Maybe they will donate to the Greens.

Hon Stephen Dawson: You might be a bit too out there for them!

Hon AARON STONEHOUSE: No, I do not think so.

Hon Alison Xamon: A lot of union members donate to the Greens.

Hon AARON STONEHOUSE: That is great.

Hon Simon O'Brien: Or they can go to the Labor conference and just storm out during the leader's talk.

Hon AARON STONEHOUSE: They have other options available to them.

What will happen when a private person, who for no corrupt, dodgy or insidious reason does not want their details to be published and their political affiliation known, is subject to that disclosure? Will they still donate? Maybe they will donate \$999 instead. That will have a chilling effect on the ability of people to participate in the political process. It is easy to dismiss this argument by saying that this new rule for the donation of money does not affect democracy; it just affects how people donate. They are one and the same thing. I hope most members will understand that engagement in the political process is about more than just voting. Voting is the least one can do. Voting is the basic minimum of one's engagement in the political process. Engagement in the political process quite often involves volunteering, joining a political party, campaigning, activism, holding a protest, petitioning or calling the local member. It involves that kind of activity. That is all part of the political process, especially in the Westminster

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system. It is not just about turning up on polling day; that is the very least that someone can do. It is quite remarkable how effective those things are. We get to vote only once every four years. From then on, with representative democracy, people have to trust that the parliamentarians they sent to Parliament will continue to represent their views, and sometimes they do not. They need to be reminded. People need to write them letters, petition them or send them 2 000 emails about the Fitzroy River.

Hon Alison Xamon: I think it was 3 000 emails.

Hon AARON STONEHOUSE: They can send them 3 000 emails about the Fitzroy River. That is part of the political process. The thing members need to keep in mind is that not everybody has the time for that. People have to economise on their time. Somebody who works 10-hour or 12-hour shifts wants to spend time with their family on the weekend and, frankly, has better things to do than to join Young Labor or the Young Liberals or something and go marching around doing all kinds of silly stuff in a blue or red shirt.

Hon Alannah MacTiernan: Why is that silly?

Hon AARON STONEHOUSE: I think they are rather silly, not because of their activity but because they are the kinds of characters who are sometimes involved in those organisations. Not everybody has the time to do that, so what do we do if we do not have the time to do that? If a candidate does not have the time to go doorknocking, phone banking or campaigning, what do they do? If they do not have the time, they will probably have the money so they would donate instead. "I would love to support your campaign, candidate John Smith, but I can't turn up on a Saturday morning to doorknock; I will tell you what I will do. I do well for myself, so I will donate you some money and you can spend that money on the fliers you hand out during your doorknocking." Great! That is involvement in the political process. The person could not campaign or do the ground-pounding grassroots activism and campaigning, but they can donate their money instead.

Hon Alannah MacTiernan: Nobody is stopping that. Everyone says that's just great. We will know who it is, just as we know who are the people who donate their labour because they turn up and appear on Facebook. It is the same thing.

Several members interjected.

The ACTING PRESIDENT: Order, members! I think I have allowed a fair bit of latitude in the debate this afternoon. There will be an opportunity for everybody to make a contribution to the second reading debate, but Hon Aaron Stonehouse is delivering his.

Hon AARON STONEHOUSE: Thank you, Mr Acting President. The problem is those people who would otherwise donate in a very private capacity will now have their details exposed to the public. What is the difference between donating \$200 a month during the election period—peanuts to some people; a very modest amount—and a little old lady who wants to donate \$200 to the Shooters, Fishers and Farmers Party once a month for the five months' election period, but will now have her details published? That will be available for everybody to see. Will that little old lady want everybody to know that she votes for the "Shooters", Fishers and Farmers Party. We all know, of course, how moderate, how reasonable and how sensible the Shooters, Fishers and Farmers Party is and how its values are expressed by its representative, Hon Rick Mazza, in Parliament, of course. Does the average member of the public know that? Do people who do not know what the Shooters, Fishers and Farmers Party does know that? The only thing they know about that political party is the name "Shooters", Fishers and Farmers Party. How will they react when they see that a little old lady who donated \$200 a month was a donor to the shooters party? "Gosh!" This can be an issue for people not just in their social circles, but also their careers.

We have seen how an executive within the Department of Agriculture and Food was responsible for animal welfare and protection. I cannot remember his role exactly; I think it was the Esperance executive.

Hon Simon O'Brien: He was employed by the Department of Biodiversity, Conservation and Attractions.

Hon AARON STONEHOUSE: It was the Department of Biodiversity, Conservation and Attractions. Thank you, honourable member. An executive of the Department of Biodiversity, Conservation and Attractions, who, in his own private time, had gone hunting many years ago, was publicly vilified when that information came to light because he had engaged in the legal practice of hunting. It is a practice that actually goes some way towards conservation. In Africa where, I believe, he engaged in hunting—not too many people like to hear it —

Hon Dr Steve Thomas: There are not too many giraffes in Esperance!

Hon AARON STONEHOUSE: There are not.

Hon Dr Steve Thomas interjected.

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Hon AARON STONEHOUSE: The activity of legal, regulated hunting in Africa goes a long way towards conservation, but what does not is poaching. Poaching is bad; it is a scourge to people who are trying to conserve endangered animals, particularly on the continent of Africa. However, legal, regulated hunting serves conservation quite well. We would not find any of that nuance in the articles about this gentleman. As I understand it, the solution was to spirit him away from his current location to another and put in place some kind of policy to prevent that from ever happening again. Heaven forbid that somebody who engages in a legal activity might find their way into a job within the public sector in the Department of Biodiversity, Conservation and Attractions. Would it have been different if a photo of him had caught him fishing? It is a moral difference between a fish and a giraffe. Honestly! I fail to see the difference.

Hon Dr Steve Thomas: Depends on the season.

Hon AARON STONEHOUSE: It might depend on the season, yes, and the size of the fish. There can be real-life consequences for people who are associated with a practice like hunting. It is legal and can be useful to conservation in Australia and Africa, but a lot of people do not see that nuance. Would somebody who voted for the Shooters, Fishers and Farmers Party, and who works in the public service in an area like the Department of Biodiversity, Conservation and Attractions want their political affiliation revealed? They probably would not want their voting record revealed. Now we are saying that any donations they make will also be revealed—even a modest donation of \$200 a month, \$100 a fortnight, \$50 a week. That is a very small donation to help a political candidate get elected, and it will now be made public. It will have a chilling effect on how people donate.

Hon Simon O'Brien: That is the whole idea.

Hon AARON STONEHOUSE: Most members of Parliament will know that when people donate, they are mindful of those disclosure limits. Most people would rather not have their name and their details published. If the disclose limit is \$2 500, they will donate \$2 499. That happens quite often. They will space their donations between financial years and disclosure periods.

Hon Colin Tincknell: A bottle shop owner in Kwinana last election, whose name was given out, was intimidated by a certain union and it paid people not to visit his bottle shop anymore.

Hon AARON STONEHOUSE: That is very sad. I am sure there are stories like that all over Western Australia. We can see how riled up people get during elections when they think something very important is on the line.

We see disruption by climate change protesters and how they are willing to take rash action that they feel they are justified in taking while seeking to implement policy that they think will save the world. We cannot question their conviction; we can question their wisdom perhaps, but not their conviction. I think members of a particular micro-party who are very big fans of critiquing obscure legislation and clauses of the Constitution and who contested the last federal election—I will not say the name of the party—were very interested in particular parts of the Constitution. We might call them sovereign citizens. Members of that political party were alleged to have abused people at polling stations. Whether that was based on political differences or due to some intoxicant, I am not sure, but tempers flare during elections. We do not want to subject people to a sort of mob retaliation for their political affiliation or for how they cast their vote. How we vote is kept private and confidential for very good reasons. It is to prevent coercion or retaliation if people should vote against a tyrannical government or political party that their friends, family or employer might want them to vote for.

The next large portion of this bill deals with the spending cap. I will have a little bit to say about the politics around the spending cap proposal the government has given us. However, I would like to first talk about, I suppose, some of the hypocrisy of a spending cap here. The government is putting in place a spending cap whereby political parties can spend only \$125 000 per district. Of course, that amount can be moved around and consolidated with all the funds and be spent all in one region or one region could be topped up at the expense of another, but it will be \$125 000 per region for a political party or \$125 000 per region for an Independent candidate. This is a problem because it ignores the fact that the incumbent government has all the power. There is a huge power imbalance. The government has an army of ministerial staffers, and I know that those ministerial staffers will be leaned upon to volunteer, donate, and put on their red shirts to go marching around during the campaign period. Of course, there is nothing wrong with them engaging in the political process. They have nine-to-five jobs working as ministerial advisers and staffers. After hours, they can do whatever they like and they can vote however they like. It has to be admitted that there is a power imbalance when one political party has an army of taxpayer-funded staffers who know where their bread is buttered. They know that if they put in the hard work now, they will get to keep their cushy ministerial advisory jobs. That is not to disparage ministerial advisers; many of them do a fantastic job, work very hard and are a credit to their ministers. It is interesting that in the Labor Party's electoral reform manifesto, there is no mention of addressing this. Of course, not too long ago in Victoria there was the "red shirts" scandal and reforms were put into place after that. In Western Australia, we have heard a few reports about potentially inappropriate

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conversations happening between Labor Party officials, ministers and their ministerial staff. I should stress that at this point there has been nothing that would warrant misconduct, but there have been conversations that might raise a few eyebrows. Why not contemplate banning ministerial staff from campaigning entirely? Let us contemplate that. I am not necessarily saying that that is a policy that has merit.

Hon Stephen Dawson: Are you suggesting taking rights away from people? I thought you were a libertarian!

Hon AARON STONEHOUSE: I am not suggesting that that policy has merit, but I wonder why that is not contemplated. All the other reforms that the government has contemplated to date benefit it, at the expense of its political opposition, minor parties, micro-parties and anybody who might get in its way. That policy might address potential misconduct—misconduct that has occurred in Victoria—that would come at the expense of the Labor Party, but it is not contemplated or mentioned anywhere. I wonder why that is the case. I am not so sure that it is a policy that has merit, but it is interesting that conversations of that nature do not take place. Perhaps if roles were reversed, they might take place. That is something to keep in mind.

As was illustrated by the previous speaker, the problem with the spending caps is that they do not take into account that the Labor Party, whose members currently form the government, will go to the election with the benefit of the public purse. It has almost complete control of taxpayer funds. We saw that with local projects, local rorts—sorry, Local Projects, Local Jobs. That was a \$39 million slush fund. The Labor candidates went to communities and asked them what they needed and suggested, “How about \$10 million here or \$20 million there?” Those candidates were able to pork-barrel with taxpayer funds and get into government by doing that. To some extent, that is part and parcel of politics, is it not? Candidates make pledges to electors. They say that they are a candidate for the Labor Party and if people vote for them, they will implement whatever the policy happens to be. If the policy is to spend \$200 000 on a piece of sailcloth at a school that does not need it, that is the policy. If people want that piece of sailcloth that the school does not need for much more money than it is actually worth, and they vote that way, that is their choice. But it creates another power imbalance between the incumbent and those that contest elections. It also creates an issue for parties that, for the immediate future, do not see themselves forming government.

Hon Alannah MacTiernan: Member, when we made those election commitments, we were in opposition. How does that work? The facts do not seem to support your argument.

Hon AARON STONEHOUSE: Yes, Labor was in opposition. However, once it was in government, it was the political party that could control where funds would go. It could direct funds towards marginal seats and away from its safe seats. We see that happen all the time. There is not quite as much pork-barrelling in safe Labor seats, just as there is not quite as much pork-barrelling in safe Liberal seats. It is more likely to happen in marginal seats.

Hon Alannah MacTiernan: The member is saying that those election commitments are distorted towards the incumbent, but as we demonstrated, we won the last election. The member’s critique of that program is that it did not entrench incumbency.

Hon AARON STONEHOUSE: The last election is perhaps not a good example of it benefiting the incumbent, but it is a good example of what I was about to describe; that is, political parties that do not see themselves forming government in the immediate future do not make the same kind of promises, and they cannot—not with a straight face. We probably would not see candidates for the Western Australian Party saying that if they are elected, they will spend this many millions of dollars on this school, that many millions of dollars on that school, \$100 000 over here, and \$100 000 over there, because they are not necessarily campaigning to form government. The case is probably the same for the Greens. They may support the idea of increasing funding to something, but they will not be able to deliver it themselves because they will not be forming government. They will not have a majority of seats in the lower house. The major parties, the Labor Party and the Liberal Party, can do that; their coalition or alliance partners can do that, so the Nationals WA can do that; but other minor parties cannot. They could lie and say that, but they cannot say with a straight face that if someone votes for them, they will spend money somewhere, because they do not have that power. They will not be in government and able to determine how money is spent. They may be on a crossbench and have some say over legislation that is passed. They may be able to amend things and leverage their position to get certain outcomes for their electors, but they will not be in a position to determine how, for instance, a grants program is rolled out. They could not say that honestly.

A spending cap will ensure that political parties do not spend any more than \$125 000 for each electorate. However, the \$39 million that was spent on Local Projects, Local Jobs does not count towards the election spending cap, does it? A grant that the government promises to a community organisation, a school or some other body if it is elected does not count towards the spending cap. Perhaps it should not.

Hon Alannah MacTiernan: But that’s never happened.

Hon AARON STONEHOUSE: We have not had a spending cap before.

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Hon Alannah MacTiernan: It's a completely absurd proposition. The member is saying that if a candidate pledges to build a road or do something, the political party has to fund the investment that the candidate has pledged to make.

Hon AARON STONEHOUSE: No, I am not saying that the party has to fund it. I am saying that it is all well and good to put a cap in place, but that does not take into account the amount of money that a party has promised to splash around post-election. Candidates can spend \$125 000 on campaigning, but they can say that if electors vote for them, they will give their community, club, school or association \$1 million in grants. That \$1 million pledge may not be worth \$1 million in campaign funds, but it is certainly worth something, and that does not count towards the campaign cap. That alone gives an advantage to major parties that aim to form government and can deliver on those promises. Perhaps we should put a cap on pork-barrelling. If parties are going to pork-barrel, they should not pork-barrel any more than \$5 million per electorate. They will have to decide how to break up that \$5 million.

Hon Simon O'Brien: It would be inconsistent with the policy of the bill.

Hon AARON STONEHOUSE: I think it would be consistent. It would ensure that elections are transparent and that their integrity is maintained.

Hon Colin Tincknell: We just need a parliamentary budget office.

Hon AARON STONEHOUSE: That is right. If we had a parliamentary budget office, some of these problems might be alleviated because political parties could cost their policies.

Hon Alannah MacTiernan: That's right. But it doesn't have anything to do with them not being able to make election commitments. Are you truly saying that parties shouldn't be able to make election commitments?

Hon AARON STONEHOUSE: I am not saying they should not be able to. I said before that it is part and parcel of politics. Parties make election commitments; it is part of an election. A promise is made to electors: "If you elect me, I will spend money on this project or not spend money on this project, implement this change, and solve whatever mischief you might have." The problem is how pork-barrelling can be used to supplement otherwise normal campaigning, where it goes beyond addressing the legitimate concerns of the community and becomes merely throwing cash at marginal electorates to get a candidate over the line.

Hon Colin Tincknell interjected.

Hon AARON STONEHOUSE: Yes.

Another thing the spending cap does not take into account is the Labor Party's propaganda wing, which I mentioned before we broke for lunch. The Labor Party's propaganda wing is in full force; it is working overtime, running Premier Mark McGowan's propaganda.

Point of Order

Hon STEPHEN DAWSON: The honourable member is talking about propaganda wings and other things. That has nothing to do with the bill before us, so I ask the Acting President to remind him that we are dealing with the Electoral Amendment Bill 2020, and that perhaps he could keep his comments focused on that.

The ACTING PRESIDENT (Hon Martin Aldridge): Members, the minister has moved a point of order on relevance. I have been listening to Hon Aaron Stonehouse and he is, on occasion, bringing his debate back to referencing aspects of the bill. I encourage him to keep doing that, but I am satisfied with the contribution thus far, and there is no point of order.

Debate Resumed

Hon AARON STONEHOUSE: I refer the Minister for Electoral Affairs to section 175 of the Electoral Act 1907, under which there is a definition of "electoral expenditure". Under that definition, broadcasting, publishing and public display of material are all covered. I think what I was about to describe as propaganda is absolutely within the terms of this debate, because it is in the principal act. I am, of course, talking about the Labor Party's best friends, *The West Australian* and Seven West Media. They are very good friends—very chummy. They have a very cosy relationship indeed. It is such a cosy relationship that Western Australia's doors are opened wide for members of Seven West Media. If you are Kerry Stokes, you can come on in: "Oh, Mr Stokes—right this way." You are given an express, streamlined entry into the state with a shorter period of quarantine than anyone else, which is incredible. It seems like the government can move heaven and earth when it comes to its mates.

Hon Alison Xamon interjected.

Hon AARON STONEHOUSE: The problem with the expenditure caps is that I do not think they will necessarily capture the millions of dollars of free press and advertising the Labor Party currently receives from *The West Australian*. I know the counterargument will be, "Well, hang on; this is a newspaper. It has its editorial and it can publish whatever it likes. If a newspaper's editorial is pro-Labor and anti-whatever else, that is their prerogative."

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They can make that decision themselves.” A problem arises when there are allegations of certain favours, such as prohibitions on domestic gas exports that apply to everyone except one.

Hon Charles Smith: Who? Name this person.

Hon AARON STONEHOUSE: I just did.

Hon Tjorn Sibma: He doesn't want to tempt fate!

Hon AARON STONEHOUSE: I do not want to tempt fate. I do not want to have an unflattering photo of me on the front page.

Hon Alison Xamon: Too late! You're going to have your head on a cockroach, or something!

Hon AARON STONEHOUSE: Yes!

It starts to become a problem when there are crazy coincidences, like the head of a newspaper getting express, VIP treatment when he comes into Western Australia from interstate; when his interests in gas companies are exempt from a ban on domestic gas exports; and when there is a clearly sycophantic editorial towards the political incumbent from what is really the only newspaper in town. It is actually rather sickening. We talk about protecting the integrity of democracy and transparency, which is what this bill purports to do; but it is rather sickening that we have the only real newspaper in town running the government line. It repeats whatever the government says. It basically takes the top line of the notes from a ministerial press conference and runs it, almost unedited. It might as well just copy and paste the relevant minister's press release in the newspaper, the way some of this stuff is being reported. There are a few other media outlets in Western Australia that try to balance that out, but they are certainly not as prolific as *The West Australian*. So prolific is *The West Australian*, in fact, that it is actually mentioned in several statutes. There are requirements for various ministerial directives and decisions to be published specifically in *The West Australian*; it is written in the law of our state that *The West Australian* is the default newspaper du jour for communication from the government to the public. The government has all but nationalised that newspaper; it has basically become a propaganda wing. The spending cap does not cover that, and that is potentially a problem. It is something that I think has not been properly considered. It certainly benefits the Labor government to not include in the bill the free media coverage it receives, but it does not benefit other parties, and it does not benefit democracy or transparency either.

There is also a problem relating to the impetus for the proposed spending caps. We earlier had a look at the government's electoral reform manifesto and its arguments on spending caps. This was prior to the current fracas between the Premier, the Attorney General and Mr Clive Palmer. I do not think we can talk about this bill without talking about that bizarre relationship. It seems at times almost an infatuation, or symbiotic.

Hon Alison Xamon interjected.

The ACTING PRESIDENT (Hon Matthew Swinbourn): Order, members! The member is on his feet. He will direct his speech to the Chair and not seek interjections from other members, and they will refrain from interjecting.

Hon Alannah MacTiernan interjected.

The ACTING PRESIDENT: Including the Minister for Regional Development!

Hon Peter Collier interjected.

The ACTING PRESIDENT: Including the Leader of the Opposition! Continue please, member.

Hon AARON STONEHOUSE: Thank you, Mr Acting President.

Mr Palmer—it is a bit weird referring to him like that, is it not? Quite often the media refers to him just as “Palmer” alone; I think Parliament is a little more dignified than that. There is a strange relationship with Mr Palmer, and he is something of a pariah; he is a patsy. He is an easy man to dislike, is he not? It is very easy to direct frustration and hate towards him. It provides the government cover for its other shortcomings and an excuse to bring in reform that otherwise would have sat at the bottom of someone's drawer for four years with not so much as a peep from the government as to what it wanted to do with it.

There is something deeply unsettling in an incumbent government implementing electoral reform that is seemingly targeted towards one person in particular. It is deeply troubling to use the power of government to change the law to the advantage of the incumbent and to the disadvantage of a much-disliked contender. It is the kind of thing that might have been seen in Zimbabwe when Mugabe took over. One of the earliest things he did was to eliminate opposition parties. It is the kind of thing that happens in just about every despotic regime. In a glorious democratic people's republic, when some kind of flowery socialist democratic this or that—something to do with people—party is elected to power, the first thing that they do is eliminate the opposition; they change the laws to outlaw

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political parties other than, of course, the ruling party. In fact, it reminds me of an observation that a friend of mine made. He said that we can tell a lot about a society and a political system by how it arranges its Parliament. Of course, in the Westminster system, our Parliament is arranged much like a courtroom. It is an adversarial engagement. There is the Presiding Officer, who adjudicates and oversees the debate but otherwise does not engage in it, and, of course, the two parties who argue their case, not at each other but before the Presiding Officer. It is much like a courtroom; it is adversarial and it is good. It fosters debate, transparency and accountability. The Prime Minister or Premier, or whomever it happens to be, is brought in and can be berated with questions at question time. That is a fantastic feature of our parliamentary democracy.

In continental Europe, they do things a little differently. Their seats are arranged almost in a semicircle. Sometimes there is a podium at the front and it is a little more collegiate. It seems like political sensitivities are a little more collectivist. They all band together and come to some civil arrangement or agreement and then pass whatever bill or ordinance it happens to be. It is a little less rowdy than in the Westminster system. Then, of course, in Communist China, its Parliament—I do not know what they call it; it is certainly not a Parliament—is arranged like an arena. Everybody sits in rows and there is a stage. The President will get up and tell everybody, “This is the five-year plan. Okay, there you go. You’ve been told. You can all go home.” It is a very different affair.

Hon Alison Xamon: In Taiwan, they throw chairs.

Hon AARON STONEHOUSE: Yes. There are some Parliaments that are much more lively. In some Parliaments in the Balkans there have been fistfights; someone has even lit a flare or smoke grenade on the floor of Parliament. But I digress.

The point that I was making is that there are different types of parliamentary democracy. The type we have recognises that there is normally more than one view. There is normally more than the government’s view; there are opposition parties. There is the obviously recognised opposition party, but quite often in a parliamentary system there are minor parties that make up a crossbench. Passing reform that benefits the incumbent at the expense of an opposition or minor party is the kind of thing that we see in despotic communist regimes, which we do not want to emulate. That is what I think this reform is trying to do. No matter what people think of Mr Palmer—they can think all kinds of mean things about him—I will not defend him. I do not know him. I have never met him. I spoke to him on the phone once for about five minutes.

Hon Alannah MacTiernan: Did he give you a donation?

Hon AARON STONEHOUSE: No. He gave me a spiel that was very similar to the one that I heard on the radio. It was a well-rehearsed spiel. I cannot say anything about the guy’s character. I do not know him. He is my competition. He is my opponent. When it comes to the next state election, if he is running candidates in the seats that my political party is running candidates, then he will be my opponent. People may think that it would do me well to see him blocked and banned and kept out of the race. Why would I want a protest party or something like that potentially stealing votes from my political party? Surely, I should be supporting that kind of electoral reform—but, no; I do not. There is a principle at stake; that is, the government should not change the rules to benefit itself at the expense of others.

If there were some kind of agreement between the political parties, after there had been some consultation or bipartisan agreement between the parties, that there was a need to address some deficiency in our Electoral Act, then, yes, we should agree. Even if, perhaps, that hurts one or two parties, so long as there was at least some semblance of consultation, some kind of political party consultation but also community consultation, there would be an argument that that reform should be passed. Nothing of that nature has happened with this bill. There has been no consultation. No-one picked up the phone and called me before this bill was produced and said, “Aaron, as the parliamentary leader of the Liberal Democrats, what do you think about this? What is it going to do to you?” Neither my party’s president nor director were contacted. Neither were the parliamentary representatives of other political parties, as I understand it, or their organisational wing representatives or state directors, presidents or conveners. No-one was contacted. No; the government is not trying to be consultative in this approach. The government is not trying to bring people along so we all agree on what is best for preserving our parliamentary democracy. The government is trying to keep out what it thinks is a threat to its own political interests, which is Mr Palmer.

The spending caps that are proposed are quite high, ultimately. I am sure that there are certainly some regions in which political parties would spend more than \$125 000, but taken as a whole, spending about \$8 million in an election is quite a lot of money. Most political parties do not spend that. Some of the large parties might spend a couple of million or \$4 million. I do not have the spending disclosures in front of me right now, but I believe the government has set a rather high mark for the spending cap. Most parties would not reach it anyway. An argument could even be made that there is probably an upper limit to how effective campaign spending is anyway. Another member, who may speak to this, told me behind the Chair that their theory is there may be an oversaturation effect. Someone can hassle people, as Mr Palmer does, it seems, with constant obnoxious radio ads 24/7. That may be

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effective to a point, but beyond that point people will try to tune out. They will start to get frustrated and associate that political candidate with the very frustrating jingle for that product that they hate and that they now refuse to buy because they find the advertising campaign very annoying. I am not sure whether that theory holds up, but the spending cap seems as though it would have very little impact on the political parties that are currently represented in this Parliament. It is really only in place, I suspect, to address Mr Palmer in his perhaps upcoming contest at the state election.

It is concerning that this bill is targeting one individual, given the history of that individual. We are all aware of the history—the current legal action in the High Court and the arbitration that was cut short. I will not comment on that legal action because it is sub judice. However, it is interesting to note that of all the legislation that this Parliament has passed over the last few weeks, nothing has been rushed through quite so quickly as the bill that was designed to strip away the civil and legal rights of Mr Palmer. We cannot just separate these matters. Some people will say that this has nothing to do with electoral reform. Some people will say that this is irrelevant. I think that it is absolutely relevant because the government has form in this space. The government has exhibited an almost vendetta-like hatred towards one individual. The Premier and members of the government will say that they have done that in defence of state: he is public enemy number one. Goodness! Language like that is terrifying—this guy over here or this group of people over there are enemies of the state; therefore, we should strip away their rights and deny them the ability to contest elections. We have heard that somewhere before, have we not? That sounds scarily familiar. This Legislative Council had to stay back late to rush through an emergency bill within a limited time frame to strip away someone's civil rights. The Governor was kept up late at night so that he was on hand, ready to sign the bill as soon as it was passed, to take away somebody's rights. Then the next legislation that the government has for us is going to limit or curtail to some extent that same person's political rights. I know that Mr Palmer is not mentioned in the bill, but it is very clear that that is the intention. In fact, there have been media articles to that effect.

Hon Alannah MacTiernan interjected.

The ACTING PRESIDENT: Members! I am going to interject here. The member on his feet has an unlimited amount of time to make his contribution. He does not need anyone's assistance to make that contribution. If the member can continue to make his contribution, that would be most helpful for the progress of this bill. Thank you, member, continue.

Hon AARON STONEHOUSE: Thank you, Mr Acting President. I will not respond directly to the interjection but there was a valid point —

The ACTING PRESIDENT: It would be disorderly to respond to the interjection.

Hon AARON STONEHOUSE: Yes, it would be, Mr Acting President. Thank you for that guidance. But a valid point has been made that I can address because it is relevant to what I was just saying: what is the difference between a media mogul and a politician spending vast amounts of money to advance a political agenda? There is no difference and that is the point. If the government is concerned about a political candidate splashing money around to influence the outcome of an election, it should be equally concerned about a media mogul splashing money around, in kind, perhaps, because in this case they own the newspaper. It is the same thing. Both efforts are designed to influence the outcome of an election by pushing a campaign message or advancing some kind of policy idea to voters that will have some impact on the election. Both are virtually identical, except one will be capped. One will be subject to disclosure and the other will not be, and that is the problem. I would not for a second propose or support some effort that would curtail or restrict the media in how it reports. We need a free media. My criticism of the current arrangement in Western Australia is that we do not really have a truly free media that holds the government to account. There are some minor media outlets that do that from time to time, but the major one is more intent on pushing government propaganda than actually doing its job properly, but that is another point. That is something that I have already spoken about.

I am getting towards the end of my remarks. The problem is one of elitism, almost. There seems to be this idea that voters are too stupid to make up their own minds. If they see that big two-page spread on Clive Palmer in *The West Australian*—even though he is portrayed as a chicken, a cockroach or some other animal on the first page—it will somehow stick in their minds and they will vote for Mr Palmer on election day or for whatever his political party is called. There is this idea that voters are too stupid to make up their own minds, to read that message, to think about the policy that is being pushed forward by that candidate and to make a decision. It is a very elitist idea that voters need to be coddled, protected and shown only the messages that the government approves of and in a format that the government approves because otherwise those poor voters might be too confused.

The same thing happens when it comes to group voting tickets. It is a different reform, and I assure you, Mr Acting President, that I will not talk about it for very long, but the same thing applies: voters are too silly to do their research and to look at the political party that they are voting for to understand how that political party might

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direct its preferences. There is a big difference between this elitist sentiment that the Labor Party expressed in its manifesto, that voters are too stupid, and the view that voters economise on time, that they do not have the time to analyse every policy of a political party, so they pick out the most important parts and make a decision, imposing upon that their values, views and ideals. Voters economise on information. They need to receive information in a way that is easy to digest and that fits with the way they consume information currently—social media and things like that—but they are not too stupid to make decisions for themselves. They are not so stupid that they will be easily swayed by a double-page spread in a newspaper with big yellow and black text everywhere.

Hon Alison Xamon: It's pretty bad behaviour.

Hon AARON STONEHOUSE: Yes, it is not great. I can prove to members that voters are not that stupid and that we should not write them off. Voters in Western Australia are actually rather smart, and the Labor Party should know this and not try to suggest otherwise. After all, the Labor Party was elected to government in 2017.

Hon Alannah MacTiernan interjected.

Hon AARON STONEHOUSE: That is exactly my point. But Mr Palmer and his political party, whatever it was called at the last federal election—it was either “United Australia” or “Palmer United”—have already tried this. How much money did he spend? I cannot remember, but it was bucketloads of cash, a lot of money, and more than anybody else I believe. Was it \$70 million? I cannot recall the figure; it was a lot of money. He spent more money than anybody else did. What did he get for that? Zero! A big goose egg. He got nothing at all. Of course, the Labor Party lives in this fantasy land in which the reason it lost the last federal election was that Palmer—who was a big critic of the Liberal Party, I might add—somehow directed voters away from Labor towards Palmer, which then benefited the Liberals and the preferences flowed to them. I think that is fantasy. It is political pundits and politicians living in denial that they took their policies to the voters of Australia and the voters said no. People decided that, no, they would like to keep their coal jobs in Queensland and they would like to keep their jobs in economic growth, even if there was some looming threat of an environmental disaster. When voters are presented with two options and one is tangible—it gets the kids to school and it puts food on the table—and the other is abstract, vague and potentially a threat in a few decades, which one do they vote for? My theory is that they vote for the jobs, but that is just my theory.

Hon Alison Xamon: And they also voted for the Greens.

Hon AARON STONEHOUSE: They also voted for the Greens, of course. That is just my theory. But my point is that Mr Palmer has already done this. He has wasted bucketloads of his cash and did not get a single candidate elected at the federal election—did not even come close! In fact, I believe that he did not even get his funding back for most of the electorates that he contested. He did not hit the four per cent threshold for federal election funding, so he did not even get his money back from the Australian Electoral Commission. He poured money straight down the drain. Voters have a very strong and well-attuned BS detector—they really do! They have a finely attuned nonsense detector. I mentioned Fraser Anning earlier, and I hope that this is not an unparliamentary thing to say. Fraser Anning's political defeat is actually something to celebrate. By my analysis, Mr Anning went hard for the racist vote. I am not one of these cultural Marxists who thinks there are Nazis hiding under every rock, but a sensible analysis of what Mr Anning did was he thought there were votes in this racist schtick. He thought that if he could appeal to the disaffected, jaded, mostly male, extreme right-wing racist types, he could get elected—that is what he thought and he tried it. He played Pauline Hanson's schtick better than Pauline Hanson plays it. What I mean by that is poorly formatted memes on Facebook with bad JPEG compression with some terrible font that says, “If you don't like it, leave” or something to that effect; that kind of messaging is what I am talking about. He did that and he did it better than his main opposition, which was One Nation.

He went for the racist vote and what happened? He was utterly defeated. He did not even come close. What does that tell members about the Australian electorate? One, the Australian electorate has a finely attuned nonsense detector; but also, the Australian electorate is not quite as racist as some people would make us think, and that is something to celebrate. Someone went out there to the electorate and said, “I'm a racist; vote for me if you're a racist”, and they lost and that is a good thing. Therefore, voters have a very finely attuned BS detector and I think that is a very good thing, so we do not need to worry too much about exactly how much gets spent and where—not that it affects me or my political party in any way. My party will never come close to these caps, but there are principles at stake, of course. As I say, an incumbent changing electoral law to benefit themselves at the expense of others is something that this Parliament should never consider.

Part of the reason I am so concerned about this bill is the lack of community and stakeholder consultation. There was no consultation with political parties or the third party fundraising organisations that the bill states it will target. I believe that there were some Public Sector Commission guidelines that require that stakeholder consultation is undertaken before bills are drafted. There is also a regulatory impact assessment process that Treasury oversees. It would seem to me that a bill of this nature would certainly have some regulatory impact. There was no consultation

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at all—not so much as a sit-down meeting to say, “Hey, this is the bill we’re thinking of doing. Before we table it, give it a glance. Let us know if you have any problems, anything that stands out.” Nothing of that nature was done.

In 2019, the Greens introduced the Electoral Amendment (Ticket Voting and Associated Reforms) Bill, which was about group voting tickets. I think I said before the break: credit to the Greens members; they are consistent, even if I disagree with them on policy. When I spoke on that bill and I outlined all the reasons I was not a fan of the policy of that bill, one of the critiques that I gave that bill was that it had not, in my view, captured enough consultation with stakeholders to be properly contemplated by this Parliament. At the time, I said that it would be desirable that perhaps a bill of that nature that would affect political outcomes that would affect the make-up of the Parliament be reviewed by the Standing Committee on Legislation. It seemed sensible. We send much more trivial matters to the Standing Committee on Legislation. We have sent the Ticket Scalping Bill 2018 to the Standing Committee on Legislation. We have sent other bills that would have an impact on various industries or individuals or groups. If we are dealing with a bill that is going to change political outcomes in this state, that is going to potentially change the make-up of Parliament, that is going to limit how people engage in the political process, it only makes sense that it is given the full level of scrutiny that this Parliament can offer it.

Therefore, it is my intention to move a motion to that effect. I apologise to members if I have not had a chance to canvass their views on this proposal to have this bill referred to the Standing Committee on Legislation. The reason is we have been busy dealing with other legislation in the meantime and I was not fully expecting to have to rise to my feet today to speak on this bill, so I have been called a little off guard. I hope members will indulge me just this once as I move a surprise motion.

Mr Acting President, I will try to get the form of words right.

Discharge of Order and Referral to Standing Committee on Legislation — Motion

HON AARON STONEHOUSE (South Metropolitan) [3.45 pm] — without notice: I move —

- (1) That the Electoral Amendment Bill 2020 is discharged and referred to the Standing Committee on Legislation for consideration and report by no later than 9 October 2020.
- (2) The committee has the power to inquire into and report on the policy of the bill.

The ACTING PRESIDENT: Member, you need to put that in writing and sign it.

Hon AARON STONEHOUSE: I absolutely will.

The ACTING PRESIDENT: Order, members!

Point of Order

Hon STEPHEN DAWSON: We are the government and I would appreciate getting a copy of the motion, and I think there are other members around the place who would like a copy of it too.

The ACTING PRESIDENT (Hon Matthew Swinbourn): Yes, we can wait for that to happen.

Hon STEPHEN DAWSON: Perhaps we could do that before we move on.

The ACTING PRESIDENT: There is no point of order, but I will delay the matter.

Debate Resumed

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Electoral Affairs) [3.49 pm]: It will come as no surprise to anybody in this place that the government will not be supporting the motion moved by Hon Aaron Stonehouse. Having listened to Hon Aaron Stonehouse for the past two hours, it is very clear that he does not support this bill. He made that clear a number of times. This is nothing more than a stalling tactic. This bill is about political parties. We are all members of political parties, so everybody in this place should have an opportunity to talk about the bill, and we will get an opportunity. Hon Simon O'Brien indicated in his contribution that this bill will go into Committee of the Whole. That is the most appropriate opportunity to canvass the bill and its policy. It does not need to go off to a committee of five members of this place. If the member has issues or questions, let us discuss them in here next week. Do not send off the bill; do not delay. If he does not like the bill, he can vote against it. This is nothing more than a stunt and we will not be supporting it.

HON ALISON XAMON (North Metropolitan) [3.50 pm]: I indicate that I am not quite sure how to vote on this motion. I would have appreciated some more notice of it, so that I could have canvassed this issue with my colleagues. I have not yet had the opportunity to give my contribution to the second reading debate, but in order to allay any suspense, the Greens are inclined to support the Electoral Amendment Bill 2020. Certainly, any referral that we might be part of will in no way be indicative of our opposition to the legislation itself.

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I listened intently to the contribution by Hon Simon O'Brien yesterday, when he reiterated the precedent within this house of government electoral reform bills involving extensive consultation with parties. I note that in this instance, certainly my party was not consulted. I understand from hearing the contributions of other parties that they were not consulted either. Obviously, that precedent has caused a significant level of disquiet. I have some questions. Firstly, is the proposed time frame simply too short to enable anything meaningful? If it is, it really begs the question of why we would do that. I understand that the minister has already given his contribution so he is not in a position to reply, which I am disappointed about. However, I ask: in terms of the implementation of the elements of this bill, would a delay of even a month pose a problem in terms of having an impact on the next election, should the bill even be successful in passing the second reading stage and, ultimately, the third reading stage? Members would know that the Greens tend to err on the side of referring bills to committees for further investigation, particularly when there is not necessarily going to be a problem with delay around implementation. I do not know whether anybody in government will be able to shed any light on that and say whether a delay of a month or so would pose a problem in terms of this legislation being able to apply to the next election. I would appreciate that advice. The other bit of advice I am missing is whether this is something that the Standing Committee on Legislation can even handle within its existing workload, because I do not know. A very short time frame has been proposed.

HON RICK MAZZA (Agricultural) [3.54 pm]: The minister has dismissed this referral motion as being some sort of mischief by the member. However, I listened very carefully to what Hon Aaron Stonehouse had to say today. It was an excellent speech, by the way; I must congratulate him on his very detailed speech. To me, he raised a number of very troubling questions about the Electoral Amendment Bill 2020. I think it is important that we look at it further. I certainly support the referral to the committee so that we can have a better look at the implications of this bill, particularly as we are so close to an election. I think a delay of a month or so to fully assess what this bill is about, given that we have had very little consultation on it, would be a prudent and wise thing to do. I will certainly support the referral.

HON SUE ELLERY (South Metropolitan — Leader of the House) [3.55 pm]: I will respond to the question raised by Hon Alison Xamon, because as she said, the minister is not able to speak again. Bearing in mind that this is not my bill, I am advised that the Electoral Commission would like to be ready to implement parts of the bill from 1 October, so to that extent, a delay would be problematic. The other point I would make, in my own capacity, on the sensibleness or otherwise of referring this bill to a committee is that a significant part of the bill is about what political parties do. Political parties are right here. If we think about what the committee would do in terms of seeking submissions, from whom would it seek submissions and who would most likely be prepared to put in submissions? The answer is political parties. Those political parties are represented right here. This is an unusual bill in the sense that the external stakeholders, if members like, are represented right here. This is a different set of eyes than would perhaps be on a bill that deals with other policy-related matters.

HON COLIN TINCKNELL (South West) [3.56 pm]: If proper consultation had happened in the first place, maybe all political parties would have been engaged. That did not happen. The way I look at the Electoral Amendment Bill 2020 is that it is in such a mess, it cannot be fixed with amendments. I believe that the best thing we can do is to refer it to the Standing Committee on Legislation.

HON NICK GOIRAN (South Metropolitan) [3.57 pm]: Unfortunately, I was detained on urgent parliamentary business. It has been drawn to my attention that Hon Aaron Stonehouse has moved that the Electoral Amendment Bill 2020, which is currently under consideration by the house, be considered by the Standing Committee on Legislation. I have rushed back into the chamber as a result of this new information—I am just catching my breath at the moment. I am grateful to be provided with a copy of the motion that is currently before the house. The reason I have abandoned the urgent work that I was undertaking is that I am a member of the Standing Committee on Legislation, and I will have a few things to say at this point.

Firstly, this government has said to the opposition and other members in this place that it would ideally like to pass in the order of 19 bills between now and the end of the sitting period. That is extraordinary in itself. The point I want to make about the motion before the house is this: if the government is genuine and would like to pass, understandably, as many of those bills as possible between now and the end of the year, because it has belatedly recognised that it has mismanaged the legislative agenda for the last three and a half years and is now running out of precious weeks to pass its legislation prior to the dissolving of Parliament, then it might be in the best interests of the government to consider this type of reasonable proposal. The alternative is the approach that has been proffered by the minister with the conduct of this Electoral Amendment Bill in this house and, in fact, I believe it is the Minister for Electoral Affairs, and that is that we do it in the Committee of the Whole House. We know which of those two mechanisms is the most efficient use of the time of the chamber. We absolutely can do it that way but that will definitely take a substantial portion of the chamber's time. I have no problem with that because I quite like the Committee of the Whole House process. I am usually a frequent contributor to that process, so I have no

Hon Simon O'Brien; Hon Aaron Stonehouse; Hon Stephen Dawson; Acting President; Hon Alison Xamon; Hon Rick Mazza; Hon Sue Ellery; Hon Colin Tincknell; Hon Nick Goiran; Hon Charles Smith

difficulty with that. I simply make this point to the government: if it would like to use the remaining few weeks as efficiently and productively as possible, it needs to consider all the mechanisms and levers at its disposal.

The second point I make is that the motion before the house suggests that the referral take place and the report come back by no later than 9 October.

Hon Simon O'Brien interjected.

Hon NICK GOIRAN: Thank you, honourable member. I am grateful to hear it. If I have said it once, I have said it a thousand times: it is not acceptable to ask the Standing Committee on Legislation to do work in less time than we give to the Standing Committee on Uniform Legislation and Statutes Review. Some members who have been here for a while will know that once upon a time, the Standing Committee on Uniform Legislation and Statutes Review had a mere 30 days in which to do its work. At one point, it came to the chamber and convinced at least an absolute majority of the house, if not all the members in the house, that that should change and the period should be 45 days because 30 days was unworkable for that committee. In this instance, we have a proposal—I note that today is 10 September—that the report be done by 9 October. That will be far too short a time in my opinion.

I make this final observation: the Standing Committee on Uniform Legislation and Statutes Review has very narrow terms of reference, whereas the legislation committee can, unless constrained by the house, look at the entirety of the bill, yet we will give it less time to look at it than we would give the Standing Committee on Uniform Legislation and Statutes Review.

I simply make those brief remarks. I have spoken for a mere five and a half minutes, which is an incredibly brief time for me—less than the time for a member's statement. As I say, I rushed down to the chamber from my other urgent business on the Work Health and Safety Bill 2019, which I understand is an important bill that the government would like to get on with. I have been busy preparing for that, but I have rushed down to make these comments as the Deputy Chair of the Standing Committee on Legislation. I do not even know what our party's position is on the motion before the house because I do not have carriage of this bill. I have great sympathy for the remarks made by Hon Alison Xamon, who seemed to indicate that she also had not had an opportunity to confer with her colleagues. I simply want to make these remarks because although I have no objection in principle to taking on any more work as the Deputy Chair of the Standing Committee on Legislation, I ask members that, if the bill is to be referred, they give some consideration to the time in which we will have to do our work.

HON CHARLES SMITH (East Metropolitan) [4.03 pm]: I was and still am interested in the Electoral Amendment Bill 2020 as it stands and would give it some cautious in-principle support. However, there are issues in the bill that concern me. An issue that is not addressed is straw donors, for example, and that is an issue I am particularly interested in. I would again cautiously welcome a referral to inquire further into the bill.

HON SIMON O'BRIEN (South Metropolitan) [4.04 pm]: On behalf of the Liberal Party, I am the lead speaker on the Electoral Amendment Bill 2020 and my colleagues have asked me to respond on this matter. I note what has been said. In relation to Hon Aaron Stonehouse and his motion, I appreciate what he is trying to do. He is approaching this whole affair in a constructive manner and I congratulate him for that. He appreciates, as do others who have mentioned it, that this is all at very short notice. It is times like this we need the old-fashioned smoke-filled back rooms in which people could consult, but we are not allowed to do that these days; we have to rush around the chamber talking about things.

I observe that the Standing Committee on Legislation was given a ridiculous task at the end of June when every controversial bill this place could round up was suddenly dumped on it. There were about four inquiries and one was for an act that had already gone through! Nonetheless, the committee is quite capable of dealing with whatever the house refers, so that is not a consideration.

The question of a reporting date has been well made and this reporting date is probably a bit too soon. My personal preference is that we proceed to a second reading vote and defeat this bill. I have made that quite clear already. If that does not happen at the second reading vote, we can go to a very intensive Committee of the Whole House stage. That is my preference. However, the voice of reason, from Hon Nick Goiran, who I know is much beloved by members on the other side, has raised the very pertinent point that we know what happens when there is a proposal to refer something for detailed examination to a committee but we opt instead to try to do it on the floor of the chamber. We lose a whole lot of government bill time on the floor of the chamber and it soon becomes apparent that it would have been better to send it off to a committee. I think that guided those colleagues of mine who have spoken to me and prevailed upon me to accept a party view that we will support the honourable member's motion. However, in the first instance, I would like to give that committee a more reasonable reporting date. I think Hon Nick Goiran mentioned that 45 days is the amount of time that the Standing Committee on Uniform Legislation and Statutes Review has to deal with much more simple matters.

Amendment to Motion

Hon Simon O'Brien; Hon Aaron Stonehouse; Hon Stephen Dawson; Acting President; Hon Alison Xamon; Hon Rick Mazza; Hon Sue Ellery; Hon Colin Tincknell; Hon Nick Goiran; Hon Charles Smith

Hon SIMON O'BRIEN: I move —

To delete “9 October” and substitute —

12 November

In so moving, I also indicate that the Liberal Party will support a referral motion in those terms.

HON ALISON XAMON (North Metropolitan) [4.10 pm]: Although I have already indicated concern that a reporting date of 9 October would create a very short and relatively impractical time in which to consider such a bill, I am also concerned that making it 12 November would mean that, should the bill ultimately be successful in its passage through this chamber, it would be too late for it to be implemented in time for the next election. That may serve the purposes of people who, for a range of reasons, are opposed to this legislation, but for those people who support this legislation, that would be a considerable concern. I thought I should express my concerns about that. Indeed, it highlights how disappointing it is that this legislation has come to us so late in the fortieth Parliament and how advantageous it would have been to have seen it long before now.

HON NICK GOIRAN (South Metropolitan) [4.11 pm]: I want to express very briefly my gratitude to Hon Simon O'Brien. I rushed down from upstairs, where I was dealing with the Work Health and Safety Bill 2019, and was somewhat concerned that the reporting date would be 9 October. I think the reporting date being 12 November absolutely addresses my concern. I thank him for it.

Division

Amendment put and a division taken, the Acting President (Hon Matthew Swinbourn) casting his vote with the noes, with the following result —

Ayes (15)

Hon Martin Aldridge
Hon Jim Chown
Hon Peter Collier
Hon Donna Faragher

Hon Nick Goiran
Hon Colin Holt
Hon Rick Mazza
Hon Simon O'Brien

Hon Robin Scott
Hon Tjorn Sibma
Hon Charles Smith
Hon Aaron Stonehouse

Hon Dr Steve Thomas
Hon Colin Tincknell
Hon Ken Baston (*Teller*)

Noes (14)

Hon Robin Chapple
Hon Tim Clifford
Hon Alanna Clohesy
Hon Stephen Dawson

Hon Sue Ellery
Hon Diane Evers
Hon Laurie Graham
Hon Alannah MacTiernan

Hon Martin Pritchard
Hon Samantha Rowe
Hon Matthew Swinbourn
Hon Darren West

Hon Alison Xamon
Hon Pierre Yang (*Teller*)

Pairs

Hon Colin de Grussa
Hon Michael Mischin
Hon Jacqui Boydell

Hon Kyle McGinn
Hon Dr Sally Talbot
Hon Adele Farina

Amendment (deletion of words) thus passed.

Debate interrupted, pursuant to standing orders.

[Continued on page 5688.]

Sitting suspended from 4.15 to 4.30 pm