

ELECTORAL DISTRIBUTION REPEAL BILL 2001

Third Reading

Resumed from 12 September.

MR GRAHAM (Pilbara) [10.12 am]: Shortly before the Minister for Electoral Affairs made his anonymous phone call yesterday afternoon - I say that with my tongue firmly in my cheek - I was speaking about this Government's deceit and dishonesty in its handling of this legislation. The minister and I were engaging in some minor pedantry about his quoting of High Court judges. My point was that he placed great emphasis during his second reading speech for the Electoral Amendment Bill on the minority views in his High Court case - I accept he also quoted from a judge with a majority view. The case was lost, but the minister did not focus on that at length. If this Bill were handled by anyone other than this Minister for Electoral Affairs, who is also the Attorney General, those arguments could be put to one side and dismissed as political sophistry. However, the minister, in his capacity as the Attorney General, is the principal law officer of the State and therefore holds a different position in government than does a normal minister. It is reasonable for people to expect that such a minister would quote directly and put emphasis on the matters of fact and substance rather than rhetoric, particularly in a second reading speech. The minister knows that the courts will look to the second reading speech if there is any dispute about the normal meaning of the words.

I have watched the passage of this legislation in sadness. The deception and deceit that has gone with it extends to not only the Labor Party; the Greens (WA) have been fundamentally dishonest to the Mining and Pastoral Region in their approach to this matter. It is one thing to have a point of view; it is quite another to deliberately mislead and lie to people when promoting that point of view. The Greens' Hon Robin Chapple has in the parliamentary break travelled around what he now calls his electorate, which I encourage him to do. He met with a range of people throughout the Mining and Pastoral Region and completely contradicted the lines that have been given by the minister in this place. I am pleased the minister is here. He has reiterated that no deal has been made between him and the Greens. Is that the case?

Mr McGinty: There is no deal. However, I can explain in detail the nature of the understanding between the Government and the Greens. Would you like me to do that?

Mr GRAHAM: Yes.

Mr McGinty: There are four points: first, the Greens did not agree with my pure model for the Legislative Assembly, and I did not agree with their policy position, so we compromised. Although the provisions in the Bill that relate to the Legislative Assembly enjoy their support, they do not think they go far enough. Second, we are unable to agree on a model for the Legislative Council. Third, I have indicated that I oppose their suggestion of another two members in the Legislative Council. Fourth, I told the Greens at our most recent meeting that I will try to convince the other parties to not support that model. The Greens support this legislation as far as it goes; however, they say they may not vote for it because I will not support their model for the Legislative Council.

Mr GRAHAM: The minister said there were four points. Is there a fifth point? Has agreement been reached between the Government and the Greens to refer the matter to the Standing Committee on Legislation in the other House?

Mr McGinty: I am aware that the Greens announced, without agreement from me, that they will seek to refer the Bills to the Legislative Council's legislation committee.

Mr GRAHAM: Does the minister support that position?

Mr McGinty: I do not necessarily oppose it - if it will provide for the expeditious passage of the Bills. It is not my proposal or something I would like to see happen. However, we will not oppose it for the simple reason the Greens have the numbers to send the legislation to a committee.

Mr GRAHAM: Is that legal speak for "yes"?

Mr McGinty: I meant exactly what I said.

Mr GRAHAM: The Greens are clearly saying throughout the Mining and Pastoral Region that they have reached agreement with the Government, albeit there are some points of dissension, and that the legislation will be referred to the legislation committee and passed.

Mr McGinty: I expect it to be referred to the committee, as there have been indications that the Liberal Party supports that. Most upper House members support that move. I am delighted they are saying they will help pass the Bill in this form.

Mr GRAHAM: I am bitterly disappointed. We hold opposing views.

Mr McGinty: You have given me more good news than the Treasurer, whose birthday it is today, will deliver at two o'clock.

Mr GRAHAM: Do you rule out any changes to your plan for the Legislative Council?

Mr McGinty: Not completely, although I have made it clear that we will oppose and resist -

Mr GRAHAM: Will you resist or continue to oppose and vote against the Greens' plan for an 18-18 split between country and city areas and an increase of two members?

Mr McGinty: Our view is to oppose that. In answer to a question of the Leader of the Opposition during the third reading of the other Bill, I will not shut the door on anything that might evolve. We do not like and, the way things currently are, do not support the notion of two extra seats. However, as the member for Pilbara knows, anything might arise. At this stage, there is no intention to support that.

Mr GRAHAM: Is there an intention to support statewide proportional representation?

Mr McGinty: No.

Mr GRAHAM: Not at all?

Mr McGinty: I am fairly relaxed about the idea, because it would be a way to achieve one vote, one value. If it would help the passage of legislation through the upper House, we would support it. I do not see a problem with that. However, it did not gain the support of the Greens during early discussions.

If they change their view on that I am more than happy to talk it through. My big criticism of this Bill is its complete failure to achieve the principle of electoral equality in the Legislative Council.

Mr GRAHAM: I could not agree with the minister more; we have the basis of agreement. The difficulty with the minister's approach is that he has cut off any avenue for reform of the upper House other than the upper House reforming itself. It does not have a magnificent record in that regard. For example, the minister could have referred this Bill to the Community Development and Justice Standing Committee, as moved by the National Party. Its terms of reference could have included reform of the Legislative Council. Electoral matters clearly fall under the purview of that parliamentary standing committee, but the minister chose not to do that. Over the period of this debate the minister has reduced the options to reform the upper House.

Mr McGinty: If there were an option for reform that moved, no matter how incremental, towards one vote, one value in the upper House I would have taken it. The reason I adopted that view is that we need to get the support of either the Liberals or the Greens (WA) in order to pass reform of the upper House through that place. The Greens said they would not countenance a move towards one vote, one value in the upper House. They stressed regionalism. The Liberal Party does not have a position; it is not supporting anything.

Mr GRAHAM: The difficulty is that the Minister for Electoral Affairs is in the middle of four political parties and he is negotiating in a political sense. The minister does not pretend otherwise, and I accept that; I am not having a go at him. However, the Community Development and Justice Standing Committee of this Assembly had the power and the authority to find the change. My opposition to this legislation is twofold. The first aspect is the practical and pragmatic difficulties of representing a major electorate that neither the minister nor his city colleagues understand. If ever I needed reinforcement of that view it would have been the grievance this morning from the member for Perth. We went from the sublime to the ridiculous. I am not having a go at the member over his statement; he was doing what he thought was right in representing the interests of his electorate. However, not one of the matters that he raised as being improvements to his electorate is available to any country resident. They are the practical, pragmatic difficulties of representing a major remote electorate that city people do not understand - the minister included, with all due respect. I have been consistent in that view in all the time the minister has known me. The second objection is the transfer of power from the country to the city, although I can cope with that; it is a minor point to me. My major objection is that the unchanged Legislative Council is entirely and completely corrupt. That is wrong. I might argue and disagree with the minister about the system of preselection, of factions or of organised groups within the political parties, but not one member elected in the Mining and Pastoral Region is a popular choice of the people in that region. That is crooked and corrupt. It is not fair to transfer direct electoral responsibility from people in the regions to people who remain unaccountable to those regions and are impossible to move on.

Mr McGinty: One of the reasons that I was extremely keen to see reform of the Legislative Council was that members of the Legislative Council, with the exception of one or two members who are in that swinging third seat, do not know what an election is; it is irrelevant.

Mr GRAHAM: They are appointed for life, just as the members of the original Legislative Council were; it is just that the appointers are different.

Mr McGinty: You have to feel the heat of public opinion, and they are oblivious to it.

Mr GRAHAM: I am trying my damndest to make sure that some of the representatives in the Mining and Pastoral Region feel the heat of public opinion. Now that I have the minister's support on that, I actively encourage him to resile from being the spokesman on electoral reform in the regions and allow the directly elected members of this place and the upper House members to take their rightful spot. I will raise this point later in my speech: in the dishonesty and deceit of the promotion of this legislation Labor Party country members have gone to ground; they cannot be found. They have vacated public life. Their place in the debate on one vote, one value has been taken by the minister. That is a smart political tactic but it does not fit with the democratic principles that the minister espouses. The voters are entitled to confront or support the people who are putting forward a major and irreversible change in country Western Australia. That is happening in a slimy way - for want of a better word. Every time someone in the regions is asked a question on one vote, one value the Minister for Electoral Affairs responds on behalf of the Labor Party, or one of the various commentators for the Greens responds. How the minister deals with them is beyond me. The Liberal Party says that it is not sure, but it wants a referendum. I could be convinced on a referendum, but I have not been convinced because at this stage I do not know what the hell we would put into the question.

I have demonstrated to the minister the dishonesty and deceit in this legislation, not with political and rhetorical flourish, but with hard, factual information that the system the minister puts in place with this legislation will produce the same result as the current Act; that is, errors in the districts in the Mining and Pastoral Region of between 20 and 50 per cent because of the projection requirements.

Mr McGinty: You asked me before whether we would support any amendments in the upper House. The answer is most probably yes. They were the sorts of matters that I canvassed with the Leader of the National Party. They might include the question of the projections if we do more frequent redistributions. I have an open mind on that, and that is something that might evolve from that, but I am not sure.

Mr GRAHAM: That should be done in this place. By moving debate from this place to the Legislative Council the minister has moved it from democratically and directly elected people to what Paul Keating called the unrepresentative swill, and what the minister and I agree is a House of corruption. The minister has totally transferred the power in this State to the minority groups who are undemocratically elected. That is my major beef.

Mr McGinty: It is the reality that the Bill must pass through both Houses.

Mr GRAHAM: The reality of the Bill passing through both Houses is a political point; it is not a point of fact or of substance. The minister has nothing to put -

Mr McGinty: If you cannot get the numbers in both Houses it is a big matter of substance.

Mr GRAHAM: The minister does not know what he will achieve now that he has got the numbers in that place. The Minister for Electoral Affairs is the Attorney General of this State and the minister responsible for this Bill. The minister has endorsed a principle about which I happen to have a different view, but that does not matter. The minister has rammed the Bill through this House without amendment - I concede we had reasonable time for debate. The minister is now saying to the Legislative Assembly, the people's House, that when this legislation comes back from a committee of the Legislative Council as a result of some sort of deal being done, we should all fall into line and accept the legislation. However, we do not know what will be in it. That is the substance of what the minister is doing.

That is wrong. It is a fundamental transfer of power to use the Westminster system, from the House of Commons to the House of Lords, and nobody would accept it in that country. Although it is an esoteric point to get the public excited about, it is the kind of the thing the Australian Labor Party railed against for the best part of 100 years; that is, the House of privilege dictating to democratically elected people how they should conduct their business. I have a fundamental problem with that.

Mr McGinty: If the Constitution is changed and that House's power is taken away to do that, then the member for Pilbara will have my support.

Mr GRAHAM: If it is a case of trading support, the minister would get my support on a lot of things. However, he is not talking to me, to the National Party or to the Liberal Party. He is talking to the Legislative Council and that is the difference. One does not know how one can do it until the legislation is brought into this Chamber and referred to a committee as we requested. The thrust of what I am trying to say is that this legislation is dishonest and deceitful. There is no firmer example of that than these maps which were produced by the Western Australia Electoral Commission. Labor Party members are waving these maps around their electorates in the bush and saying they are gospel. They are saying to voters, as is Hon Robin Chapple from the Greens (WA), "It could have been worse but this is what will happen." That is simply not true; it is factually incorrect. Anybody who has bothered to go to the Electoral Commission knows that it is incorrect because no sooner does that person put the map on the table, then the commission starts apologising and saying that the map probably

should not have a WAEC badge on the top of it because it is just a draft of the legislation that was run through the computers and there is no guarantee that any of it will happen.

I have previously pointed out how the figures in the seat of Kimberley do not stack up to the Labor Party's claim. In fact, the Labor Party's claim that for the first time the Kimberley shires will be put into the seat of Kimberley is not true. They were split apart only two elections ago following a submission from the Australian Labor Party. Therefore, it is incorrect to say that they will all be put into the one seat for the first time. The maps are not accurate and do not reflect any possible change. It is quite dishonest to be waving them around.

I will finish with a comment on - I suppose I must call him my parliamentary colleague - Hon Robin Chapple in the Mining and Pastoral Region. He has had a letter published in today's *North West Telegraph* titled "Partial win because of Greens." He referred to my quote in *Hansard* and there is no better example of what lies are being told and how dishonest the Greens representation is on this matter because he quoted the following -

"The Greens extracted from us a concession in respect of seats that cover an area greater than 100,000 sq km," Jim McGinty, *Hansard*, August 8.

The member for Pilbara supported our stand. *Hansard*: "Through the amendments made by the Greens, I have had a partial win".

Apparently that is a direct quote of my statement by Hon Robin Chapple. It is a lie because the quote on page 2244 of *Hansard* states -

I am amazed by the rhetoric of sitting members of Parliament about vote weighting for country people. I have never supported the application of one vote, one value and have argued against it in party rooms. I am sure that Mr Speaker -

Who was then, and still is, the member for Burrup -

will recall my speech in 1996. Through the amendments made by the Greens, I have had a partial win
...

Hon Robin Chapple says that is the end of the sentence and he puts in a full stop there. *Hansard* shows a comma, and it continues -

... although I am not sure how much of a win I have had. When what were known as the George Strickland amendments were proposed in 1996, I spoke against them.

They are essentially the Greens' amendments and I spoke against them. I did not support them then and I do not support them now and it is quite dishonest for the Greens and even the Labor Party to say that I have ever supported the application of one vote, one value in the north.

MR TRENORDEN (Avon - Leader of the National Party) [10.36 am]: It is with some sorrow that I participate in this debate. The other day I spoke to the minister about my views about this House and how it should operate. I have been in opposition before. I spent seven years in opposition and I am now back in opposition; therefore, I understand the tyranny of numbers. However, both Houses of Parliament should operate on a higher plane than just using the crunching of numbers. This debate has been about an absolute crunching of numbers. It is a rare occasion on which a minister conducts a Bill through the House without having an adviser in the House.

Mrs Edwardes: I have never known it to be the case, unless it was something that was fully agreed to and the other side had indicated that it had no questions to ask on any aspect of the Bill.

Mr TRENORDEN: The inference was that the minister came in here with no intention whatsoever of making any amendments to this Bill on its way through the House.

Mr McGinty: I am trying to accommodate the National Party but the member for Avon is making it hard for me.

Mr TRENORDEN: I am trying to work out where the minister is trying to accommodate me.

Mr McGinty: The member will not figure that one out in the short term.

Mr TRENORDEN: The minister has made some noises but I have not seen anything other than that.

Some matters in this legislation are pretty important. Is there something to be inferred from the fact that on the day that the second of the two electoral reform Bills is going through this House, the budget is also being presented and we know what will be in that for country people? There will be a \$25 million cut to rural health. I received a telephone call 20 minutes ago from a country hospital in which I was told that the director of nursing as well as two nurses and a number of administration staff had resigned. There have been massive fights over the budget in the rural town because of the cuts that have been delivered by this Government.

Mrs Edwardes: They can only cut their fingers off so far.

Mr TRENORDEN: Yes, and people were very upset. A new Government has been elected and from that moment the galahs on my left - the pink and greys - have constantly told me that too much money is going into the country and must be whipped out and put into the city. Not only is the Government whipping money out the rural areas and putting it into the city; it is also ripping out the representation of country people. The Government is doing all of that at the same time. It is not even waiting until next year to reduce the influence of rural Western Australia on the State's activity. There is the threat of hospital closures and two hospitals have rung and told me that they are very likely -

Point of Order

Mr McGINTY: I do not particularly wish to cut the Leader of the National Party short but there are certain conventions that apply to a third reading debate that do not apply to a second reading debate. The important thing is to deal with matters that arise out of this Bill and the second reading speeches on this Bill. This Bill is a very simple Bill. It provides for the repeal of the Electoral Distribution Act. It makes no provision for country hospitals and if the member for Avon is patient enough, in about three hours time, all will be revealed on that issue.

Mr Trenorden: It has been revealed already.

Mr McGINTY: The member for Avon has obviously got his facts wrong. I want to draw the Acting Speaker's attention to the question of relevance in the third reading debate.

The ACTING SPEAKER (Mr Andrews): If I can have one moment, I will refer to the standing orders on this issue.

I will allow the Leader of the National Party some leeway on that, but I draw his attention to Standing Order No 94, which requires his speech to be relevant to the question under discussion at the third reading stage.

Debate Resumed

Mr TRENORDEN: I am amazed that the minister is a little touchy on this issue. While the debate was occurring on the second reading, an agreement was reached with the Leader of the House, the Deputy Leader of the Liberal Party and me that certain procedures would occur with the passing of the second reading. The Leader of the House broke that agreement. I was not in the Chamber when the vote was taken on the second reading. I find that outrageous and disgusting. To treat me, as the Leader of the National Party, in that way is outrageous. I even got a call from Hansard saying that I was recorded as not being present at the time the vote was taken on the second reading. The truth is that I was not, because the Leader of the House broke the agreement we had. For the minister responsible for this Bill to mildly chastise me on this issue grabs at my throat a little. The performance of the Leader of the House on a Bill of such importance to the National Party has been disgusting. It is nothing short of outrageous.

I intended to speak only for five minutes. However, I point out that I am speaking directly to the Bill. The Bill takes away country representation, and I am pointing out the result of that process. Not only is the Government not waiting until next year to rip out the heart of rural WA, but also it is deciding to do it in today's budget. Road funding will go down by \$300 million. Indian Ocean drive is gone. Agricultural lime routes are gone. I guess today I will find out what will happen to the Moora and Ravensthorpe hospitals. Those hospitals, which were funded by the previous Government, are currently not funded. They might be after today; we will find out. I sincerely hope they are. Police officers are being ripped out of the wheatbelt at the same time its representation is being reduced. The minister is saying that even though representation in the rural areas will be reduced, somehow country areas will be rewarded. Show me the reward! Where is the reward? There is a surplus of \$260 million in this budget; yet rural Western Australia is having its heart torn out.

I will not pretend that I am anything but angry. I will not pretend that the actions of the Leader of the House during the passage of this Bill were not outrageous, disgusting and arrogant to the hilt. I will not forget that I was not given the opportunity to be here at the time the vote on the second reading took place. It is a minor courtesy, particularly when it was discussed and agreed. I let the Leader of the House know that I would be absent from the House for that period, but I was not extended that courtesy. I am a little surprised that the minister took that point of order. I can hardly say that the performance of the Government on this Bill has been outstanding, but the Bill will pass through this House.

I was on my feet speaking on this Bill when the minister did the deal with the Greens (WA). He came back into this House cock-a-hoop about the deal that was done in another room of this building and removed the chance for country people to have access to this Parliament at a reasonable level. This budget - as will the next four -

will prove that this Government has no heart, no passion and, in fact, no consideration whatsoever for rural people.

MRS EDWARDES (Kingsley) [10.44 am]: During debate on the third reading of the previous Bill, I went through in some detail the reason I regard this Government as not having a mandate to bring forward this legislation. It is only reinforced by the method the Government is using in an endeavour to get around the definitions of “amend” and “repeal” in the Interpretation Act and to get around section 13 of the Electoral Distribution Act, which requires an absolute majority. I remind the Minister for Electoral Affairs that it is well known that the courts look behind fictions that are created by executives in an endeavour to deliberately get around such provisions. They do not look very favourably on tricky aspects and devious means of achieving what the Government wishes to do.

Worse still, the Government did not reinstate the equivalent of section 13, which requires an absolute majority for any changes to the Electoral Distribution Act. A similar or equivalent section 13, requiring an absolute majority to change any of those sections in the current Electoral Distribution Act, has not been included in the proposals for change to the Electoral Act. That can mean only that this Government is attempting to get around what previous Parliaments have passed; that is, an absolute majority in both Houses is required to achieve certain electoral law reform.

I also mentioned during debate on the previous Bill that the Government regards this as being not about representation, which is the position that members on this side of the House have taken, but about delivery of services. Country and rural regions will not receive adequate representation into the future. I gave as an example the closure of two departments in the Kalgoorlie region. One was the Department of Environmental Protection and the other was the Department of Indigenous Affairs. The following morning I mentioned to the Minister for Indigenous Affairs that I was wrong about the closure of the office of the Department of Indigenous Affairs and that I would correct that on a future occasion when I spoke on the issue of representation. Although the office of the Department of Indigenous Affairs has not closed in Kalgoorlie, an excellent officer has been moved from that region to the Albany region. I am sure that position will be filled by another officer.

As we heard from the Minister for Regional Development yesterday, there is a reduction of positions in and around country and rural regions. We heard from the Leader of the National Party that police officers are being taken from country and rural regions as well. Therefore, services to people in those regions are being reduced. How can people have any confidence whatsoever that their representation will not be diminished even further? How can they have confidence that it is not about representation, but about delivery of services to those regions, when those services are being cut prior to the legislation passing through this House, prior to the redistribution taking place and prior to the removal of people’s current level of representation through members of Parliament? They cannot have any confidence whatsoever in the Government’s so-called commitment that it will ensure that services will continue to be delivered to those regions. The regions will miss out in the future by pure mathematics. When there is money to be spent, it will be spent where the votes are. With an extra eight members of Parliament representing the metropolitan area, the votes will be in the metropolitan area.

The responsiveness to country regions will be ad hoc, and will not be supported in the place of metropolitan regions, which is highly unfair. It is totally and absolutely unfair for the votes of the regions to be diminished. They will not receive adequate representation, not through any fault of the individual members of Parliament, but by mere virtue of the tyranny of distance. The size of Western Australia, the great distances that have to be covered, and the small communities that need to be visited make it unfair to expect that the same level of representation will be available in the future, when eight members of Parliament have been removed from country regions. The Opposition does not support this Bill.

MR MCGINTY (Fremantle - Minister for Electoral Affairs) [10.51 am]: I thank members for their contributions to this debate, and I would like to conclude with a few matters. Firstly, to my good friend the member for Pilbara -

Mr Graham: Is the minister having a go at me?

Mr MCGINTY: No, I am trying to drive down your vote in the Pilbara.

It has been suggested that I have been less than forthright in describing the High Court case brought by me and the present Premier, commencing in 1994 with a decision in 1996. The *Hansard* of 1 August 2001, at page 1854, in the second reading speech on the other electoral Bill, clearly sets out quotes from three of the High Court judges, including Justice Michael McHugh, who was in the majority in rejecting the application that I took to the court to have the State Electoral Distribution Act ruled invalid. As has been acknowledged, reference was made to three High Court judges - half the number who sat on that case. My purpose in referring to the extracts from those judgements, of which two were in the minority and one in the majority, was the relevant statements of what representative government or democracy was about in the current context. The quotes were about that,

rather than about whether the court had determined that position. I refer to the sentence immediately after the quotes from the three High Court judges, which reads -

However, the case failed to win majority support from the court; hence today's legislative remedy.

If there is any suggestion that I had implied that I had won the High Court case -

Mr Graham: That is not what I am suggesting. It is somewhat akin to a real estate agreement, where, right at the bottom, it says "notwithstanding anything above, you are still due for the rent if you vacate before the lease expires". The general impression was that these people of great learning supported the minister's view, when in fact the High Court did not support that view.

Mr McGINTY: I will put it in my own words. The three judges to whom I referred - which is half of the High Court - in addressing the issue of representative democracy and its essential elements, did agree with my view. The question, however, was not simply about the content of representative democracy today. The question posed to the High Court, on which, by a majority of four to two, it found against me, was: Is there a requirement in the Commonwealth or the State Constitution that requires the electoral laws of the State to give effect to the contemporary meaning of representative democracy? To that question, the High Court answered in the negative. It is a different question. That is my reading of that issue. I do not know if there is still an argument between me and the member for Pilbara, but the High Court dealt with the issue of whether the Act was constitutional, not whether representative democracy had a meaning that I had not considered before.

Mr Graham: What is the weather today? Three dollars. The answer that the minister is giving and the beat he is putting on it - and I understand the fine legal points - does not represent the view of the High Court, which was that the legislation in this State was constitutionally valid.

Mr McGINTY: That is right, because, in essence, what the High Court found was that there was no requirement for a state electoral law to contain the notion of electoral equality as a constitutional principle. That is different from saying that, in a contemporary western democracy, the notion of equality is fundamental to the operation of representative democracy, which is what I have contended consistently for longer, I suspect, than the member for Pilbara has opposed that same principle.

Mr Graham: I do not have a problem with the principle. This has been argued many times. It is the simple pragmatic application of the principle that causes a problem in a State like Western Australia. In any other field of politics, we corrupt principles for political outcomes. Economic policy is not applied pragmatically to the Government's budget.

Mr McGINTY: The member for Pilbara may be surprised at two o'clock this afternoon.

Mr Graham: If the Government does apply pragmatic economic policy to its budget, it will be the first democratically elected Government ever to do so.

Mr McGINTY: By way of interjection, in dealing with some questions raised by the member for Pilbara, I spelt out the current position that exists between the Greens (WA) and the Labor Party over this legislation. To place on record a more complete response, I will deal now with those issues, which really underpin the other legislation, rather than the Bill before the House today. Between the Labor Party and the Greens, there was broad support for reform of the Legislative Assembly along the lines of this legislation. I say "broad support", because some of the detailed provisions contained in the other legislation really dealt with things like changing the time at which redistributions occurred. That was not the subject of any discussion between the Labor Party and the Greens before the Bill was introduced. There may be some argument as to the details of those provisions, which I am happy to enter into, but the broad thrust of electoral equality - one quota for all 57 seats, with special provision for four or five seats in the remote parts of the State with areas greater than 100 000 square kilometres - was discussed and agreed upon by the Greens (WA) and the Labor Party. The two parties ceased to have any agreement on reform of the Legislative Council. This package of legislation will be a significant step forward, but it is not the end of the quest for electoral equality. The Government will continue to pursue the question of equality in the upper House, even though it was not achieved on this occasion. As the Government was unable to attract support for its argument for electoral equality in the upper House, so the Greens' argument for an increase in the number of members in the upper House - providing for each of the six regions of the upper House regions to return six members - does not have the support of the Labor Party. It is something which no doubt will be the subject of debate in the other place, and the Government will see what emerges out of that. The Labor Party does not support the model advanced by the Greens any more than the Greens support the Labor Party's model for electoral equality in the Legislative Council.

Mr Barron-Sullivan: Is the minister saying that the Labor Party would not support the policy of the Greens (WA) under any circumstances?

Mr McGINTY: The member for Mitchell should listen to my words. He will learn to appreciate that I mean what I say. The Leader of the Opposition asked this question during the closing debate on the other Bill, and I said then that the Government would not shut the door on any options that would advance the cause of electoral equality. The strong position of the Labor Party is that it does not want an increase in the number of members in the Legislative Council.

Dr Gallop: The Government hoped the Greens (WA) would agree to that.

Mr McGINTY: Yes, that is right. The Government hoped it would be agreed to. At the last meeting I had with the Greens, I made it quite clear that not only did we oppose its model for the Legislative Council, but also we would seek to convince others, particularly the Liberal Party, that there were no merits in the Greens' proposals and they should not be supported. Let us wait to see how things evolve; I think it is foolish to shut the door on what might eventuate. I am not foreshadowing anything but merely stating the Government's view that we must take account of what emerges from the upper House. If it is a step forward for the principle of equality, it is a step the Government will take.

Let me conclude by saying that one of the most disappointing elements of the debate over the electoral reform package has been that, notwithstanding the Royal Commission into Commercial Activities of Government and Other Matters, which reported in 1992 on the need to reform the electoral system in this State as a fundamental precondition for avoiding corruption in government, the recommendation was not accepted by the coalition Government during its eight-year term.

Mrs Edwardes: What about the Commission on Government?

Mr McGINTY: I am coming to that. The royal commission cost this State a fortune. It concluded that fundamental reform was needed to introduce equality into the voting system, in order to give legitimacy to both Houses of this Parliament.

Mr Day: So the former Labor Government's corrupt behaviour was a result of the electoral system?

Mr McGINTY: I know that Hon Peter Foss has a quaint view that only one side of government was corrupt and the other was not. That has been well and truly disproved by the events of the past eight years.

Mr Barnett: There are criminals in the Labor Party.

Mr McGINTY: Ray O'Connor is not a criminal? How is the Opposition's friend Wayde Smith? Any member on the other side who suggests that their side is purer than the driven snow, or that we are, really denies the reality of the circumstances in which they find themselves. Visit Ray O'Connor and Wayde Smith, and stop pretending that the member is holier than anyone else here. The Liberal Party has done quite well in the corruption stakes. There is no point to be served -

Several members interjected.

Mr McGINTY: The members sat with Wayde Smith and Ray O'Connor in this Parliament. Corruption! They ended up in jail - Liberal Party members in jail. Do not give me the nonsense that corruption is reserved for one side of the Parliament and not the other. The royal commission said that we must have a fundamental change to our system of government to bring integrity back to the Parliament, as the Western Australian Parliament has no integrity because the citizens of the State do not have an equal say in electing the Government. The Commission on Government picked that up and said go ahead and implement it. Which party was in government at the time? The Opposition. It did nothing. That is the disappointing element of this debate. The Opposition does not support principle; it does not support a principle that its own Commission on Government recommended and which was recommended by the royal commission. The Opposition does not support anything. In the debate on electoral reform, the Liberal Party stands for nothing.

I can understand the National Party - it is fighting for its political survival. If this legislation comes into effect, the National Party will be gone as a recognised political party - we all know that. It will not be able to sustain five members in this House if the legislation is passed. I can understand self-interest coming into play and a desperate fight for survival on behalf of the National Party, but I cannot understand the position of the Liberal Party. The Liberal Party does not stand for anything. The Liberal Party has not proposed a model; it has not suggested a way in which effect can be given to this important principle. It has not suggested a way in which effect can be given to the recommendations of the royal commission and the Commission on Government. The Liberal Party does not believe in anything. That is the big problem with this debate. The previous Premier and the previous Leader of the National Party said that they supported the principle. The previous Speaker said it as well. Each of them said that they thought the State should have one quota, and that the principle of one vote, one value should be implemented. People are now saying there should be a fairness clause or a 20 per cent variation before we can talk about the issue.

Mr Larry Graham; Mr Max Trenorden; Acting Speaker; Mrs Cheryl Edwardes; Mr Jim McGinty

What has the Opposition done? Knock, knock, knock, complain, whinge and engage in frustrating delaying tactics. There is no genuineness on the part of the Opposition. The Opposition deserves to be left out of this debate. It can be compared with a group of people sitting around a card table who say, after the cards have all been dealt, "Please do not deal us any cards because we do not want to know." Therefore, the Opposition will not have a say in this process because it has dealt itself out of the equation. It deserves to be dealt out of the equation because it does not support principle, it does not have a position and it is not part of the relevance of this debate.

Question put and a division taken with the following result -

Ayes (31)

Mr Andrews	Ms Guise	Mr McGowan	Mr Ripper
Mr Bowler	Mr Hill	Ms McHale	Mrs Roberts
Mr Brown	Mr Hyde	Mr Marlborough	Mr Templeman
Mr Carpenter	Mr Kobelke	Ms Martin	Mr Watson
Dr Constable	Mr Kucera	Mr Murray	Mr Whitely
Mr Dean	Mr Logan	Mr O'Gorman	Dr Woollard
Dr Edwards	Ms MacTiernan	Mr Pental	Ms Quirk (<i>Teller</i>)
Dr Gallop	Mr McGinty	Ms Radisich	

Noes (19)

Mr Ainsworth	Mr Edwards	Mr Masters	Mr Bradshaw (<i>Teller</i>)
Mr Barnett	Mr Graham	Mr Omodei	
Mr Barron Sullivan	Mrs Hodson-Thomas	Mr Sweetman	
Mr Board	Mr Johnson	Mr Trenorden	
Mr Day	Mr McNee	Mr Waldron	
Mrs Edwardes	Mr Marshall	Ms Sue Walker	

Pairs

Mr McRae	Mr House
Mr D'Orazio	Mr Cowan

Question thus passed.

Bill read a third time and transmitted to the Council.