

ELECTORAL REFORM — LEGISLATIVE COUNCIL

Motion

HON MARTIN ALDRIDGE (Agricultural) [10.11 am] — without notice: I move —

That this house condemns the Labor government, which before the election claimed to defend “enhanced regional representation” and just months following the election will seek to abolish regional representation in the Legislative Council.

I move this motion with some consideration. I use the word “condemns” strongly in this sense. I will be happy to stand corrected, but I do not think I have ever moved a substantive motion in this house that sought to condemn a government. But the government should stand condemned for the announcement that it made yesterday and for the bill that is being read into the Legislative Assembly as I speak. Why should it stand condemned? Immediately before the last election, this government committed to the people of Western Australia that this was something that it would not do. In fact, on 9 March, just five sleeps out from the election, the Premier said —

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

He went on to say —

Well I’ll be clear, I’ll be clear again, it’s not on our agenda enhanced regional representation will continue and this is just another smoke screen by the Liberals and Nationals.

In that interview, flanked by the then member for Albany and the Labor candidate for Albany, the Premier of this state said seven times that it was not the government’s intent. Despite that, just days after the election, we saw the government commission the review that has led to the bill that is being introduced in the other place today. Yesterday, the government held a press conference ahead of releasing the Ministerial Expert Committee on Electoral Reform’s report. An article in *The West Australian* penned by Peter Law states —

Mark McGowan took just three questions from reporters yesterday after announcing the most important electoral reform for this State in 130 years.

He then turned on his heels and rushed inside Parliament because, we were told, he needed to take his seat in the Legislative Assembly for the start of the day’s proceedings.

It meant I was unable to put to him that the pure politics of forever changing how the Legislative Council is formed is simply about improving Labor’s result at future elections.

McGowan’s brief press conference was the latest example of his Government’s dishonest and underhand approach to an issue which impacts every West Australian.

They are not my words; they are the words of Peter Law in *The West Australian* today. Interestingly, I contrast this press conference with the many other press conferences that the Premier has delivered of late, when he stands there, sometimes for hours on end, while they are livestreamed. But not yesterday. He issued a media statement, the first sentence of which states —

Every vote for Legislative Council candidates will carry equal weight in a single, State-wide electorate under historic reforms introduced to State Parliament to improve fairness in Western Australia’s voting system.

It is so historic that the Premier could not answer more than three questions at the press conference yesterday!

Let us look at members of this place. It is said time and again to members on this side that no party has more regional members in Parliament than the Labor Party—a fact that I do not dispute, Hon Darren West. Let us see how many of those regional Labor members are heralding this historic reform.

Hon Dan Caddy interjected.

Hon MARTIN ALDRIDGE: At 9.30 am I did a quick audit of the Facebook pages of these 10 regional members of Parliament. Guess how many of them are heralding these historic reforms to their constituencies? Three! There are three brave members of the Labor Party: Hon Darren West, who still has his Facebook licence; Hon Dr Sally Talbot; and Hon Shelley Payne. Nothing has been heard yet from Hon Sandra Carr, Hon Stephen Dawson, Hon Peter Foster, Hon Jackie Jarvis, Hon Alannah MacTiernan, Hon Kyle McGinn or Hon Rosie Sahanna on their public Facebook pages about this historic reform.

Let us look at some of the feedback that they have been getting on their Facebook profiles. One says —

I agree that preference harvesting must be stopped but cannot accept the one vote one value principle. The Pilbara and Margaret River are two different regions and require their own voice in the house of review.

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The same for the goldfields and the wheatbelt region. Split the bill. Combining two totally different changes is sneaky. Not worthy of the party.

The next one says —

The rural areas are again run by city folk, who do not understand the ins and outs of rural life.

Hon Darren West interjected.

Hon MARTIN ALDRIDGE: These are followers to the member's Facebook page. Stop ridiculing them! It continues —

We do need more country MP'S who understand our way of life.

Hon Darren West interjected.

Hon MARTIN ALDRIDGE: President, it is very difficult to recount the comments of the Facebook followers of Labor members.

The PRESIDENT: Please continue to try, honourable member, and I will continue to chair.

Hon MARTIN ALDRIDGE: It continues —

Its unfair that this happened NOW whilst the vaccine saga continues and Mark is getting this passed while Labour has the majority and only one or two elected MP'S can stand up and be counted.

The next one says —

You sold out the bush.

The next one says —

What about the weight of distance and understanding of rural issues. No other State has the distances that we have in regional WA.

The next one says —

... you may have more members but when you all just do what Mark tells you it doesn't really matter. To vote this through you will have sold out your electorate. As for the argument that someone in regional WA's vote is with more than someone in the metro it is only fair as they add more to the economy

These are not my followers; these are the followers of Labor members on Facebook—or at least the three brave members —

Several members interjected.

The PRESIDENT: Order! Hon Martin Aldridge.

Hon MARTIN ALDRIDGE: Thank you for your protection, President. I know that members do not like what I am saying.

I make this point because yesterday when these historic reforms were announced, the Premier was too busy to face the questions of the journalists assembled on the front steps of Parliament House. I understand that a number of media outlets in this state were searching high and low for a regional Labor member with a pulse who was prepared to comment on these historic reforms.

Hon Alannah MacTiernan interjected.

Hon MARTIN ALDRIDGE: We have got one today! Come in!

Several members interjected.

The PRESIDENT: Order! Hon Martin Aldridge.

Hon MARTIN ALDRIDGE: Thank you, President. Maybe the members of the Labor regional caucus will have more opportunity today to explain their position to their electorates and to the media outlets.

The reforms being introduced into the Legislative Assembly today are indeed significant. As I have said on previous occasions, this process has been contrived to deliver this outcome right from the beginning, right from the crafting of the terms of reference by the Attorney General; Minister for Electoral Affairs, in whom, I remind members, every non-government member in the fortieth Parliament passed a motion of no confidence. It was not just Liberal members or National Party members, but every non-government member, so there is no better person for the Labor Party to select to lead these reforms.

With just eight weeks to report, the Ministerial Expert Committee on Electoral Reform was appointed on 28 April 2021. It reported to the Attorney General; Minister for Electoral Affairs on 28 June 2021. Strangely, midway through the public submission period—in fact, I think it was two weeks after—it released a discussion paper. This proves how

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much of a rush it was in. But that is okay; the deadline for submissions was extended by one week from 31 May to 8 June. One would think that in appointing a ministerial expert panel to consider a matter of such magnitude, it would have been far more credible if the government had ensured that there were some regional voices on the committee. I asked question without notice 88 of Hon Matthew Swinbourn on 11 May —

How many of the committee members currently reside in regional Western Australia?

The answer was none, and that was the only question he answered from the series of questions that I asked. We all know, that the committee members, particularly the three academics on the committee, have long held this ambition; in fact, I think they wrote to every member of this place in the last Parliament advocating for many of these reforms, particularly structural reform. Members will know that I made a speech recently in which I replied to them and said, “It’s nice of you to proffer your views, but how about you come and spend a few days in my shoes.” Guess how many responses I got? None. Even more disturbing is that a number of these so-called independent expert advisory panel members, according to the media statement, have links to the Labor Party. In that same question without notice, I asked —

Are any of the committee members previous or current members of the Labor Party or staff to Labor members of Parliament?

The answer was —

No committee member is currently a member of the Labor Party.

The government did not say “No, they’ve never been a member of the Labor Party.” The answer was —

No committee member is currently a member of the Labor Party. I table their CVs.

For members’ interest, see tabled paper 176, because it shows that a number of these independent—apparently—committee members have worked for Labor ministers and Labor governments. That is a fact; it is undeniable. The distinction that I make is that the Western Australian Electoral Commission, which applies the laws that we make, is strictly and fiercely independent; in fact, it has very strong policies to ensure that that is the case. A person who applied for a job in my office used to help out from time to time as a casual employee during elections. She was quite keen to take the position in my office but when she discovered that she would be unable to participate in future elections as a casual employee, she declined the offer to work for me. It is interesting that it almost seems to be a prerequisite that a person has to have links to the Labor Party to be a member of the committee. It is interesting that we take such a principled and proper approach in the conduct of the Electoral Commission, but when it comes to establishing an independent expert panel to advise the government and Parliament on legislative and structural reform to not only the Electoral Act 1907, but also the state’s Constitution Act 1889, it is “Oh well. We don’t need to worry too much about. No committee member is currently a member of the Labor Party so that’s good enough for this government.”

Members will also notice from the ministerial expert committee report that there was no regional consultation; in fact, there was very limited consultation. The government will argue that the consultation was in the ability for people to make submissions, but that is not consultation. That may be the government’s view of consultation.

Annexure 6 of the report provides a table of consultations; it was very, very limited. I am sure that to some degree that is a function of the very limited time that the Minister for Electoral Affairs gave the committee to report—just eight weeks. From start to finish, it was eight weeks; that was all the committee had. Members, what was the rush? The government has been elected for a four-year term. We have fixed elections in Western Australia.

The government has, to varying degrees of success, tried to conflate the issue of electoral equality with the issue of group voting tickets. It is very clear from the messages that have been delivered by those few brave members of the regional Labor caucus—I look forward to the other seven joining them—that it continues to conflate those two issues. It is interesting to look at some of the submissions. On that point, I will pause. I assume that the Parliamentary Secretary to the Minister for Electoral Affairs will be giving the government’s response. No; he is not today. That is strange. I have to pause again! It is very strange that the parliamentary secretary with responsibility for representing the Minister for Electoral Affairs in this place will not, as it has just been indicated to me, be giving the government’s response today.

Several members interjected.

The PRESIDENT: Order!

Several members interjected.

The PRESIDENT: Order! Hon Martin Aldridge.

Hon MARTIN ALDRIDGE: Thank you, President. It is very strange and it is stranger by the day. The Parliamentary Secretary representing the Minister for Electoral Affairs is getting paid to do that job in this place but he will not

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be delivering the official government response today. It is very strange indeed. It looks to me like the Minister for Regional Development, who has only just —

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order!

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order! It is customary when the President calls order to come to order. Hon Martin Aldridge.

Hon MARTIN ALDRIDGE: They are very strange circumstances indeed, but nothing surprises me.

We know that the Minister for Regional Development likes shopping herself around; we do not know where she is going to go next! She is looking forward to being a state senator. I suspect that she has probably invented this.

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order! I invite the honourable member to continue with his remarks.

Hon MARTIN ALDRIDGE: The minister, not satisfied with representing government at all levels, now wants to become a state senator before her time is up. I look forward to her delivering the government's response, as peculiar as that is.

There are some really good submissions in the report, many of which I will not be able to ventilate in the time I have today, but I must say that the one thing that was not done was adequate consultation in this flawed and rushed process. I mean, these four people who live in Perth have not even left Perth to consult on this historic reform! I think the Parliament needs to do better. The Parliament has a Standing Committee on Legislation and the majority of its member are regional members. In her response, this would be a good opportunity for the minister to commit the government to referring the legislation, when it arrives, to the Standing Committee on Legislation. I would say the "hardworking Standing Committee on Legislation" but it is not that hardworking, because not a single thing has been referred to it in this Parliament. This could be the first; let us put those committee members to work and make them earn their money.

There was an interesting opinion piece —

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order!

Hon MARTIN ALDRIDGE: President, an interesting opinion piece was published in *The West Australian* by Councillor Michelle Rich, who is the Shire of Serpentine–Jarrahdale president. She said —

The terms of reference for the State Government's Ministerial Expert Committee on Electoral Reform—demanding electoral equality—are contestable.

It is the Local Government sector's experience that equality has many facets.

Different levels of State Government services provided to different communities exemplify inequality, as does the varying distance to be travelled to access services and elected representatives.

Focusing on equality only in terms of the number of electors in a Legislative Council region neglects to recognise the social, societal, economic, and geographic reality among Western Australian communities.

Electoral equality, established on the basis of the number of electors, in the Legislative Council will reduce political representation of rural and remote communities.

In his media statement yesterday, the Minister for Electoral Affairs again said —

A vote in Wundowie was worth four times more than a vote in Wooroloo, just nine kilometres away.

I want to finish on this point, which has been made by Hon Matthew Swinbourn, who is not delivering the government response today. Wundowie has had an issue in the last fortnight. This government, despite a \$5 600 million budget surplus, cannot find \$500 000 to build the Wundowie bushfire service a safe and appropriate fire station. Fewer than 5 000 people vote in Wundowie, but how many of the current members for the Agricultural Region have taken up their plight? Has Hon Darren West? How many of the six Agricultural Region members who represent Wundowie have taken up the plight to say that this government is awash with cash and the problem should be fixed ahead of the fire season? How many? That is the problem. The opposite side will argue that having 37 members representing Wundowie will deliver a better outcome for its voters. It will not.

HON TJORN SIBMA (North Metropolitan) [10.32 am]: I rise in support of this motion. I think it is worth emphasising, as Hon Martin Aldridge did, the specific use of the word "condemn". It is a word that should be used sparingly and only in the appropriate circumstances. It is a sad indictment on the style and the arrogance of this government that a word like this should have to be used so very early in its second term. We in this chamber can

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have informed and reasoned debate on issues of state significance and political difference. We have that opportunity, and it is okay to have differing opinions. But we are not going to have that debate, because this flawed, contrived and manufactured process will deliver nothing more than a contrived politically expedient bill. This entire process has been another vulgar display of this government's power. That is all it is.

I might just get to the argument that has been proffered. The election of one single member of this chamber has been used as the cover for this political overreach. Hon Wilson Tucker has been invoked as the reason for this electoral reform, but he is not the reason. He is just the excuse. The real reason is the political motivation of the Labor Party. The Minister for Electoral Affairs, Hon John Quigley, let the cat out of the bag yesterday. He said we have been waiting for this for only 120 years. This is what it is all about. This is not about consultation. This is not about equality. This is raw politics. It is politics and it is disengaging from the reality of regional life. This is a very cute sanitised academic view of the world. It might work in a jurisdiction like Tasmania. It might even work in a jurisdiction like New South Wales, which is nowhere near as vast or diverse or sparsely populated as this state. I am sorry, but the proposition that the government is putting in front of us is completely and utterly unrealistic and does not represent the plurality of interests in this state. It completely discounts the fact that the vast majority of this state's income, its wealth, its relevance, are generated outside the metropolitan area. But there is only one voice that the Labor Party wants to listen to—that is, metropolitan progressive voices.

Several members interjected.

Hon TJORN SIBMA: They do not care a fig about people who live outside the metropolitan area. Otherwise it would not have engaged in this shambolic and completely disingenuous approach. Government members should be ashamed of themselves. I know this is not a sentiment it is likely to feel.

Hon Darren West: Born to rule.

Hon TJORN SIBMA: I have been disappointed that some members of this chamber have not made the leap yet from apparatchik to parliamentarian. I ideally hope that happens, but they have to have a mental shift. A mental shift, I think, is unfortunately unreachable for many. But we might have an opportunity to see whether that is in the grasp of some of the members here because we have, generally speaking, enthusiastic, honourable country Labor members who are serving their first term. I would dearly like to see how they vote when this bill gets here. It is unfortunate the Leader of the House is away on urgent parliamentary business, but I hope she does not bring down the guillotine when we get to this bill. If there is one commitment I would like to extract out of the government this morning, it is that it will not silence its own voices as it proposes to silence the voices of regional Western Australia. This is a test for the government.

Another test might be to provide, if not a conscience vote, at least a free vote for all Labor members—at least in this chamber. If not, it is upon the newly elected members from the Mining and Pastoral Region, the Agricultural Region, and from the South West Region to justify whether they see a value in turning up to this chamber day in and day out, or whether their regions are worth representing. It is a simple proposition. Either members believe in their jobs or they do not. They believe in their electorates or they do not. They just give in to this megalomaniac Premier for whom the world is not enough. Electoral reform was not on the electoral agenda. Seven or eight times the Premier ruled this out and said it was not on the agenda. Then suddenly it is on the agenda. Why? It is because he wants everything. This is it. This is a warning to everybody. We saw evidence of this last week in Manjimup. The government will close down industries on a whim. If it is inconvenient, if it is not important to it, it can get rid of anyone. What does this say about the government and its style of government? Just because it can do it, it will do it. It does not matter that it did not take it to the election.

I refer members to the Labor Party platform. Perhaps that is where everybody needs to look. Let us dive back down into the state Labor Party platform, because this is where we are going. Labor did not need to take anything to an election. Labor just needed to be responsive to the true believers, its union delegates. This is where it is going. Is the government going to ban live exports next, or greyhound racing? Who knows, who cares—the government can do whatever it wants. But do not come in here and try to dress up this process. Hon Malcolm McCusker, a man for whom I have enormous regard and respect, more or less conceded that there is only one possible answer that the ministerial expert panel could deliver, because there was only one question. It was a logical consequence. How do we provide electoral equality? Well, here is the answer. The panel makes no reflections on the desirability of it—

Hon Dan Caddy: They weren't tasked to.

Hon TJORN SIBMA: It was not tasked to. Of course the panel was not tasked with that. But the government cannot invoke these people's integrity when it uses their reputations for its own purposes. The government has been completely disingenuous in the way it has treated that panel. At the moment, at least this hour, I do not believe that the minister has introduced the bill in the other house. I think that is probably an hour or two away.

Hon Donna Faragher: No; it has been read in.

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Hon TJORN SIBMA: It has been read in. I very much doubt whether that bill differs in any way from this report. I presume that the *Ministerial Expert Committee on Electoral Reform: Final report* is just a green copy of the bill rather than the report. That would be a fair assumption.

I had the opportunity yesterday to attend a briefing, and I thank the minister for that grudging courtesy at least. We will take any morsel of information divulged from this arrogant government at the moment. The briefing was reminiscent of the ramming through of changes to the Planning and Development Act last year. At the briefing I attended, the government did not even have a bill to provide to us. We had to wait about 10 minutes before we got a copy of the final report, presumably because the apparatchiks in the Premier's office did not want the nasty opposition to have a copy too early, but we finally got a copy. I will reflect on "Annexure 6: Table of Consultations". Four consultations occurred: one on 26 May and 4 June, and two on 10 June. Interestingly, do members know which electoral commissions were consulted ahead of the Western Australian Electoral Commission? It was those in New South Wales and South Australia. The government cannot pretend that this is a pure process. Do not pretend that this is a pure process; this is an absolute fix! The government is absolutely shameful. It is vulgar and disgusting.

Several members interjected.

The PRESIDENT: Order!

HON JAMES HAYWARD (South West) [10.42 am]: I stand to support this motion. This is the biggest attack on regional voices that this state has ever seen. The government is absolutely kidding itself if it believes that regional Western Australia will have any voice in this house after this legislation has passed; it simply will not. I really look forward to hearing some of the government members speak about how they imagine this will work, because I can tell members that in the south west I am already flat out trying to get around the region, which is vast and has lots of places to be and local governments to deal with, to see people and give them the support and the service that they deserve. If we become a statewide senate, that service will disappear. That is the reality, and members opposite know that is the case.

Right now, regional representation and regional voices in this house are supported by law. The government is suggesting that we completely remove representation from this place and make it statewide representation.

Several members interjected.

Hon JAMES HAYWARD: That is exactly what the government is proposing.

Several members interjected.

Hon JAMES HAYWARD: I have only 10 minutes, President.

The PRESIDENT: Order! If you are not seeking interjections, do not court them.

Hon JAMES HAYWARD: We will be lucky if we have a handful of genuine regional members after the next election. I am sure a deal has been done on the other side of the house that says, "Don't worry; we'll preselect you. We'll sort it out." Fast forward 10 or 15 years, once the individuals in this chamber have left —

Several members interjected.

The PRESIDENT: Order!

Hon JAMES HAYWARD: Thank you. Hon Darren West works very, very hard in his electorate. I have no doubt he turns up to as many events as he can. He has a very big space to get around but after this —

Several members interjected.

The PRESIDENT: Order, members!

Hon JAMES HAYWARD: Thank you, President. After this legislation is passed, getting around that electorate will be very, very difficult. We were very dishonestly told the reason for this legislation. It was completely denied before the last state election. The Labor Party told the people of regional Western Australia before the election that it did not support electoral reform, it was not true and it was a smokescreen. We know it was not true. We are told that it is happening because one member in this house got 89 first preference votes.

Hon Dan Caddy: It was 98.

Hon JAMES HAYWARD: Sorry; it was 98. Could anybody be elected with fewer first preference votes? Hon Shelley Payne got 36 first preference votes. Hon Sandra Carr got 37 first preference votes. Hon Kyle McGinn got 32 first preference votes. Hon Peter Foster got 18 first preference votes.

Several members interjected.

The PRESIDENT: Order!

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Hon JAMES HAYWARD: Hon Rosie Sahanna got 23 first preference votes. Then those votes went through a process by which they were distributed down. That is no different from what happened with the 98 votes, yet that is the example that is being used to justify wiping out regional Western Australian voices in this house. It is an absolute disgrace.

Hon Kyle McGinn interjected.

Hon JAMES HAYWARD: The member will have his turn.

The other thing the Premier said is that a vote in some places is worth six times more —

Point of Order

Hon PETER COLLIER: I am really trying to listen to Hon James Hayward speak, but with the constant interjections I cannot hear him. He is not taking interjections and I ask that honourable members opposite please respect that.

The PRESIDENT: Although there is no point of order, I point out to members that courting interjections and making interjections will not be tolerated.

Debate Resumed

Hon JAMES HAYWARD: The Premier said that one vote in Hon Rosie Sahanna's seat was worth six times the number of votes in other electorates. I wonder whether Hon Rosie Sahanna and others feel that their regions are represented six times more than other regions and whether they get more of a say in the Parliament of Western Australia than other regions. I can guarantee members that the issues in the Kimberley are significantly more challenging than those in the suburbs of Perth.

Hon Dan Caddy: There's record spending in the regions.

Hon JAMES HAYWARD: Record spending is another one of the lies. Most of it is federal government money. The government is also still moving \$2.2 billion in normal government spending and calling it royalties for regions. Again, the dishonesty continues. The government is really interested in spin instead of substance.

Surely, regional members of the Labor Party cannot be happy with this outcome. They know that ultimately this will snuff out regional voices and we will lose regional representation in this house, and the people who they stand up for—their constituents—will not benefit. Government members might argue some pie in the sky idea that there is a great ideal and that this is how democracy works and all the rest of it and that it is how they want it to be, but the reality is that this will do nothing for people living in regional Western Australia. If government members have any sense of decency or any sense of commitment to standing up for their local people, they will speak to them and stand up for them.

Last week, a decision was made affecting Manjimup and not a single Labor member of Parliament had had any contact with people in Manjimup to let them know that that decision was coming. That is how the government did it. That is the future for regional Western Australia; the government does not care for them. It is going to snuff out their voices in this house because it can, and it will leave people in regional Western Australia far worse off. The reality is that government members know that that is what is going to happen. They can pretend that their preselection program and encouraging members to be regional members of Parliament is the way forward, but we know that that will not work. One of the things that the Labor Party put into place was a quota system to ensure gender equality. Many female members of Parliament are in this house today because of that quota and because there was a structure to make sure that it was delivered. That is the same in this house. We currently have a structure that is delivered by law that makes sure that the regions get a say in what goes on. We are going to have experts who live in the city, who have never lived in or travelled out to the regions, who do not understand the issues faced by people in regional Western Australia. They are unique issues. If government members speak to their members from regional WA, they will be told that the regions have unique issues, but that will not be understood because we will have a house full of metropolitan politicians. We will have more Perth-based politicians telling everybody from the regions what to do. The government is happy to take their money. It has a record surplus right now —

Several members interjected.

The PRESIDENT: Order!

Hon JAMES HAYWARD: — because of the work of regional Western Australians, and it wants to reward them by taking away their voice in Parliament. Honestly! Government members should be disgusted with that.

I have no doubt that there are members on the other side who are really contemplating their position and where they are in terms of standing up for their electorate. I have no doubt that they feel wedged and compromised by this decision. I have some great news for them. There is a spot over here when we come to vote. Members opposite can vote with us.

Hon Alannah MacTiernan interjected.

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The PRESIDENT: Order!

Hon JAMES HAYWARD: Perhaps regional members of the Labor Party, if they cannot have their voice heard in caucus, need to resign and stand up for their local community.

HON ALANNAH MacTIERNAN (South West — Minister for Regional Development) [10.51 am]: I am very proud to be here today, some 28 years after I delivered my first speech in this place. When I delivered that first speech, I emphasised the undemocratic nature of this place and the way that this place has, right from its very inception, not served its role as a house of review. It had attempted at all times to preserve a hegemony—first, it was for men. When the Legislative Assembly became an elected body, the Legislative Council retained its status as a body appointed directly by the British government. In 1893, the Council became an elected body. While the Assembly had universal male suffrage, this place had a property qualification and multiple voting. This disparity continued until the 1960s. A person had to have property to get a vote in this place. I will not go through the detail of all that history, but, forever, members on that side of the house have sought to make this something other than a democratic institution.

Today we are seizing this opportunity to make this house a democratic chamber, a true house of review. It should not be a house in which the Nationals WA has been able to drive so much of the decision-making over time. We will make sure that there is not that massive difference in the value of the vote. Members should think about what we are supposed to be. Hon Peter Collier will pontificate about the house of review. I get criticised because I have been in both chambers—apparently having a range of experience is a bad thing, according to members opposite. Members can see the result of that in terms of quality. I note a quote in my first speech —

“parties do not select men who are likely to add any original or specialist note to the debate, since they use the Chamber to reward faithful service”.

I am pleased to say that there has been some improvement to that, but, in some places, not a great deal. Sometimes the person is the beneficiary of branch stacking. If they are a really good branch stacker, they are assured a place in the upper house.

Several members interjected.

The PRESIDENT: Order!

Hon ALANNAH MacTIERNAN: Remember when Hon Martin Aldridge pleaded so powerfully that he was representing regional Western Australia. I note that Hon Martin Aldridge has chosen to have his office in Bindoon, which is 37 kilometres from the metropolitan boundary. His votes from those worthy people in Bindoon are worth almost two and a half times the votes of the people in Albany. How is that just? How does making the vote of the people who live 37 kilometres from the metropolitan area two and a half times the value of the vote of people from Denmark, Albany or Jerramungup work? How can members opposite justify that as delivering for regional people? We are going to make this place truly a house of review.

Several members interjected.

Hon ALANNAH MacTIERNAN: It will be.

Several members interjected.

The PRESIDENT: Order!

Hon ALANNAH MacTIERNAN: This place will not continue to allow the Nationals and Liberal Party members the ability to represent, as they used to like to think, the permanent will of the people: “Labor might get in in the lower house, but we represent the permanent will of the people.” This reform will mean that all 37 members will represent all the state. They will have an obligation to keep in mind the interests of the people and to review legislation through that lens. This place will not just be a pale copy of the Legislative Assembly. It will start to develop a different and a proper character as a house of review. Under this reform, the Labor Party and the Liberal Party—most of the major parties—will get a similar share of the vote if their vote is the same, but I think we will see the emergence of smaller parties. Parties will be represented here —

Hon Martin Aldridge: You said you are stopping that. That is the issue you are stopping—the micro-parties.

Hon ALANNAH MacTIERNAN: No, we are going to have parties that represent interests statewide. People from the Kimberley to Perth and Albany might share particular views that members will get an opportunity to represent. This will really become a chamber that can more adequately represent the diversity of views in the population.

I used to believe in the abolition of this chamber; I do not any longer. I thought that the mixed-member proportional system that we see in Germany and New Zealand was a better model. It had single-member constituencies and a list system under which parties that had a certain percentage of the vote, but not enough to win, were topped up to win a single-member constituency. Having observed over many years how that has played out in the establishment

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of government and the challenges it creates in Germany to allow a government to form, and we have also seen that from time to time in New Zealand, I now think it is better to have those two things done in separate chambers. The lower house is where government is formed and stability is provided by having a preponderance of major parties. The Council will have a more diverse range of opinions. I am sure that our friends from Legalise Cannabis WA will get up, and we know that our friends in the Greens will get more members. We might even see a resurgence in parties from the right. When we actually look at how this will work, we can see that it will allow for a huge amount of diversity in this place. It will enable representation to be based not on some random drawing of the electoral boundaries so that people in Bindoon are favoured over people in Albany; it will ensure that we have a house that represents the great diversity of political views within the state in a way that cannot be done in the Legislative Assembly. We will not be just another form of the Legislative Assembly; we will become a proper house of review in which the full diversity of opinion can be supported.

Hon Martin Aldridge raised the issue of the Premier. The Premier said that he would retain enhanced voting for regional areas. That is done in the Legislative Assembly. We are not saying that Bindoon is the area of concern, but we recognise that in the Assembly, members have a geographic relationship with their constituents. In the Kimberley, Pilbara, North West Central, Central Wheatbelt, Roe and Kalgoorlie electorates, we have made a very generous accommodation because of their sheer physical size. For example, the member for North West Central was elected with 3 500 primary votes. There are about only 10 000 actual voters—there are a heap of phantom voters—and a weighting distribution.

Hon Dr Steve Thomas: Are you saying there are ghost voters in Roe and Central Wheatbelt? How many?

Hon ALANNAH MacTIERNAN: There is not a huge amount. The difference in those areas is not huge. Obviously, North West Central is the seat that has the preponderance. My understanding is that certainly the Kimberley, Pilbara, Kalgoorlie and, I believe, Central Wheatbelt and Roe electorates have ghost voters. I am a bit unsure and I am seeking clarification on whether there are more. Any seat with over 100 000 square kilometres has the ability to have phantom votes. Of course, on another plane there is the capacity to be not just a 10 per cent deviation from the norm in terms of the distribution, but a 20 per cent deviation, so it works on two axes. That is entrenched into the Legislative Assembly, and we will not change that. We are seizing this historic opportunity to make this a house of review, not a look-alike of the Legislative Assembly, as other conservative states have done. One member—I think it was Hon Tjorn Sibma—was deeply upset that Malcolm McCusker and his team consulted with New South Wales and South Australia.

Hon Tjorn Sibma: I was not upset that he consulted with them, but it was obvious that the fix was in and he consulted with them before the Western Australian Electoral Commission. I just found that very odd.

Hon ALANNAH MacTIERNAN: I think the committee would have been looking at how the one vote, one value systems work. At some point, the committee obviously consulted with Victoria as well, which has a complex model, but it is a one vote, one value model.

Personally, I do not think any party will ever again get control of the Legislative Council. I think these changes will allow, and indeed encourage, a greater diversity of voices. We will see parties forming on the right, the left and, from time to time, single-issue parties such as the Legalise Cannabis WA Party to take an issue forward. I think that will be a celebration of democracy and it will be good for the people in the regions. They will have more choice and more ideas to choose from. This will be an extraordinary opportunity for people in Western Australia, right across the state, to have enhanced representation.

I agree that the central issue is not Hon Wilson Tucker. That is an issue that we have to deal with, but the more profound and deeply democratic issue is that of us entrenching in this place one vote, one value and giving every person in this state access to all 36 of their representatives. A very considerable percentage of members in New South Wales and South Australia from the regional electorates are basing their offices in regional areas. I know that our party will entrench regional representation in our preselection processes. Vote for this great, historic change.

HON PETER COLLIER (North Metropolitan) [11.06 am]: I say at the outset that the government has absolutely zero credibility in this area. It has no mandate for this legislation whatsoever. I take on board the comments the Minister for Agriculture and Food made about Hon Wilson Tucker. She would know better than anyone, because she has been in every Parliament in the nation, but Hon Wilson Tucker has been used as the poster boy for this legislation by the Premier. Perhaps she needs to let the Premier know that. The government does not have a mandate for this bill. It is drunk on power based on the COVID-19 election. Let us make no bones about that. The Premier knows that he has enormous political capital. Every time there is an issue or a wavering of support, he taps into the secessionist sentiment in Western Australia. That is exactly what happens. He puts up the borders, chastises the east coast and gets back to the crass, base political aspect of secession.

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That is what the government is doing here. We rushed through changes to the standing orders of this place, which by coincidence occurred last week, and now this week the government has brought in this legislation on changes to the Electoral Act. Do members think that might be a coincidence? I would say that it is not. The government is trashing this place. It is trashing the Legislative Council and the Parliament. The last time I checked, we had a bicameral system of Parliament. The reason for that is that it provides a check and a balance, but we cannot do that at the moment, and the Premier knows that. He knows that he has enormous political capital. People cannot criticise or question the Premier. That would be like shooting Bambi! People cannot do that at the moment. We will fight this right down to the wire and right up to the next election, particularly in the regions because they will be disenfranchised. The terms of reference for the ministerial expert committee's report state —

Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council

Why even have that in the terms of reference? Equality means that everyone in Western Australia is equal. We are not equal in Western Australia. Ask the people in the remote regions of Western Australia whether we are equal. I will get to that in a moment.

Malcolm McCusker was quoted in an article yesterday. I have great respect for Malcolm McCusker. The article states —

Mr McCusker said the “whole-of-state” model recommended by the committee was “almost inevitable” given the terms of reference devised by the McGowan Government which sought options for “electoral equality” in the Upper House.

Malcolm McCusker said that. Why even have the charade of a committee for eight weeks? We had eight weeks to change the whole electoral system of Western Australia. The committee had eight weeks to come back, and then, just by coincidence, the government tabled the legislation the next day. Go figure! This is a set-up. The whole thing is a charade. It wasted the time of the people on this committee and it is an insult to the people of Western Australia.

As justification, the report had a look at South Australia and New South Wales, and, not only that, it refers to the Senate. Come in spinner with regard to the Senate! New South Wales and South Australia are nothing like Western Australia, and I will talk about that in a moment. Let us have a look at the Senate, shall we? The reason Western Australia did not go into the Federation in the 1890s was that we felt we were going to be completely disenfranchised by the golden triangle on the east coast. There were then referenda throughout the other states in 1898. We finally joined in July 1900 because every other state had joined at that stage. The only reason we joined was that there was going to be a bicameral system of government, and all the states would have equal representation. The golden triangle had more representation by far in the House of Representatives, but there would be a check and balance in the Senate, so New South Wales and Victoria had exactly the same representation as Tasmania, Queensland, South Australia and Western Australia. The big states could not gang up on the small states. That is why we have the Senate, with six senators each. In section 24 of the Constitution —

Several members interjected.

Hon PETER COLLIER: I am not taking interjections. I have five minutes, Mr Deputy President.

The DEPUTY PRESIDENT: Order!

Hon PETER COLLIER: Under that section, every time there is an increase in the House of Representatives, there is a corresponding increase in the Senate, so we now have 12 senators. Does anyone decry that or say that it has not worked in our Federation since 1901? Of course it works, because the Senate acts as a check and balance. That is why Western Australia, which is parochially secessionist, has said right from the outset that we must have that check and balance. We can hear the cries from people out there in the regions who say, “We want a check and balance in the upper house. We will not have that if we have so-called equality in the Legislative Council.” Equality— what a load of rubbish! That is all we are doing here. We are making the Legislative Council nothing more than just a nudge and a wink or a tick off for the Legislative Assembly.

I say to members: let us see how equal we were. In Kalgoorlie back in the 1960s, as a young child, I had my tonsils taken out by Dr Max Hansberry. He was a top doctor. Eighteen months ago, my great-nephew had to be flown down to Perth from Kalgoorlie. Do members know why? Did he have a heart condition or have to have major surgery? It was because he had to have his tonsils out. After all those years, are we equal? Back in the 1960s, someone could get their tonsils taken out in Kalgoorlie Hospital; now they have to be flown to Perth. My sister had a bad car accident three years ago and had to come to Perth multiple times because the hospital facilities were not adequate in Kalgoorlie. Of course, the health issues in Western Australia are another issue, but if it is bad in Kalgoorlie, which is a large regional area, imagine the access to health facilities in the remote regions of the state. Are we all equal? Of course we are not. We moan and groan down here when we have problems with the national broadband network access

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and streaming. Tell the people in remote areas of Western Australia who have brownouts and blackouts every single day about the slow streaming areas or whether we have access to electricity. Why do we not ask children in the remote areas of the state whether they have the same access to subject choices as their counterparts down here? Of course they do not. They have to go to the School of Isolated and Distance Education or Schools of the Air. Then let us ask the parents of an 11-year-old who have to send their child to boarding school whether they have the same access to education as people do in the city. Of course they do not! The biggest challenge we have down here is whether the bus is five minutes late!

Several members interjected.

The DEPUTY PRESIDENT: Order! Order, members.

Hon Alannah MacTiernan interjected.

The DEPUTY PRESIDENT: Order! Minister, when the chair is calling the house to order, you stop talking.

Hon PETER COLLIER: Thank you. The biggest issue down here is whether the bus is five minutes late, so do not tell parents in the regions that they are equal, because they are not. Do not tell a student in the regions that they are equal, because they are not. Students have 72 subject choices here with face-to-face teachers. In the regions, students are lucky if they have Schools of the Air; otherwise, they study through SIDE. Do not give me this rubbish about equality. What about police? In my budget-in-reply speech yesterday I talked about the mental health facilities for police who are struggling in the regions. I presented clear, unambiguous evidence in my budget-in-reply speech that there is a very disparate distinction between services and support mechanisms for police and first responders in the regions and those in metropolitan areas and in the cities. It just does not exist. Why do we pay —

Hon Alannah MacTiernan interjected.

Hon PETER COLLIER: Deputy President.

The DEPUTY PRESIDENT: Order! The member has limited time remaining and I am trying to listen to the final remarks of Hon Peter Collier.

Hon PETER COLLIER: Thank you. Why do we pay our police and teachers more to go to the regions and remote areas if it is equal? If it is equal, surely they should get the same pay, but they do not. We have to pay them more because it is so much more challenging in the regions. What about representation? My office is in Warwick. I have a plethora of people coming in and out of that office. Why not tell someone in Karratha, Port Hedland, Kalgoorlie, Coolgardie or wherever about equal representation?

Several members interjected.

Hon PETER COLLIER: You ask them!

Several members interjected.

The DEPUTY PRESIDENT: Order, members!

Hon PETER COLLIER: Thank you, Deputy President. What we have is again a lack of access. We are not all equal. It would be lovely to live in a utopian society, to all be equal and have the same access to services and education, but we do not. We live in Western Australia. We are geographically unique. That is why we need to have unique representation in the regions. We do not need to napalm the current system, which is working well. Do not use an aberration —

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon PETER COLLIER: The current representation is working well. As I have constantly said, the seeds of destruction from a government are sown in Parliament. You guys have sown your seeds, and I tell you, you are going to wear it, because you have germinated it. This is absolutely disgraceful. If this government wants to take away representation in the regions, it is doing so, and it will suffer the consequences.

HON STEVE MARTIN (Agricultural) [11.17 am]: I rise to make a contribution to the motion moved by Hon Martin Aldridge that refers to the house condemning the Labor government, which before the election claimed to enhance regional representation, and just months —

Several members interjected.

Hon STEVE MARTIN: Talk amongst yourselves; I will carry on.

The DEPUTY PRESIDENT: Order! Members, if you want to have a dispute with other members, perhaps take it outside the chamber. I am trying to listen to Hon Steve Martin.

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Hon STEVE MARTIN: In March, when I saw the results, I knew that I was coming to this place and was elected, and I knew what the numbers were in here. I assumed that we were not going to win many votes. I am sure that members opposite thought the same and that they would win every vote. I knew that was the deal. That is what the electors had given us, and that is absolutely fair enough. Of course, the government had taken an agenda or a platform to the March election, and I assumed that it would put that platform into place over the coming years.

I want to talk about the process that has happened in the last couple of days through this *Ministerial Expert Committee on Electoral Reform: Final report*. The process is that, regardless of that overwhelming victory in March and the enormous agenda that the Labor Party had before the election, we heard I think seven or eight times in that ABC interview with the Premier that it was very clearly not on the Premier's agenda to touch electoral reform. That was quite clear. The Premier made it very clear to the public, "We're not touching this. We've got a lot of other stuff we're going to do when and if we win." Fair enough; the Labor Party won. It is going to win every vote in this place and it can put that platform through. But this simply does not pass the pub test. The Labor Party did not mention it before the election; in fact, it was asked over and over again, and it was denied over and over again.

If members opposite have not read the transcript, they should look at it. I think the interview was with Dan Mercer from the ABC. It is wonderful stuff. Even the Premier, who is pretty good in front of the media, was flagging after the fifth or sixth "It's not on the agenda." He was getting nervous, but he stuck to it and he got through it seven or eight times: "It's not on the agenda." Yesterday, on the steps of Parliament House, he gave it another bash: "It wasn't on the agenda." Poor old Hon Wilson Tucker is getting the blame for a lot of stuff. He was wheeled out again: "He got 98 votes; it's a catastrophe." The Labor Party knew in advance that this was a possibility, but he is getting blamed for it. The Premier gave his spiel again. There was a glimmer of what is really going on. Minister Quigley got to the microphone and was charging on about what a wonderful thing this is. He was asked by Geof Parry whether he had been dreaming about this. "Yes, we have; for 120 years we have been dreaming about it." I was standing not far from the interview and I could see the Premier look at his boots and think, "Gee whiz." Minister Quigley got a head of steam up: "We've been dreaming about this for 120 years."

This did not happen because of Hon Wilson Tucker. The Labor Party has been after this for 120 years, and the Premier knew it. Either the Premier did not have it on the agenda or he had done his media training. He knew what he wanted to do, but in those countless interviews leading up to the election, he was told to keep saying, "It's not on the agenda" and to stick to it. So that is what he did and here we are.

The government put in place this review. I almost felt sorry for Malcolm McCusker yesterday. His panel's terms of reference have been referred to, one of which states —

Recommendations as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council;

It does not say what equality might look like or what the president of the Shire of Serpentine–Jarrahdale's view is of what equality might look like. There was only one result that would come out of this review, and that is exactly what we have got. There was one possible result.

In the briefing we received from the panel and Mr McCusker —

Several members interjected.

The DEPUTY PRESIDENT: Order, members! I do not generally favour a sterilised debate, but when chatter just becomes chatter and not short interjections, I will invite members to leave the chamber.

Hon STEVE MARTIN: I asked the members of the panel about the process. There were a number of submissions and they thought that was adequate. I inquired whether they had been to regional Western Australia. I thought that was a reasonable request. I thought it might have been a reasonable assumption that they would have actually left West Perth or the suburbs and gone to regional Western Australia. Obviously, submissions can be emailed and things can be done via Zoom, but I asked whether they had been to regional Western Australia. No. Had they been to Kalgoorlie? No, they did not get to Kalgoorlie. What about the Pilbara? "No, haven't been up there either. We stayed in the city and we put our review together—all good." That might seem appropriate to everyone here and it might seem appropriate to the citizens of metropolitan Perth, but those of us who live in regional Western Australia are used to being treated in that way, are we not, Hon Darren West and Hon Kyle McGinn? That is how we are used to being treated in regional Western Australia. That review panel thought it was entirely appropriate that it go ahead and do its business and not wander out —

Several members interjected.

Hon STEVE MARTIN: I am not taking interjections. I have three and a bit minutes left.

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That was an entirely appropriate method of business, according to that panel. That was not a surprise to me, given the make-up of the panel and where its members live.

Just quickly, I will refer to a couple of things. We have heard a lot about electoral equality. I wonder whether the Legislative Assembly is next.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon STEVE MARTIN: The Minister for Electoral Affairs stood on the steps of Parliament House yesterday and proudly waved this report around and said that it is wonderful. I believe there are 32 711 electors in Butler. There are 15 735 in the Kimberley. We have heard from Hon Alannah MacTiernan that that is appropriate because those people need that dispensation to get a fair result, evidently. They are the words of the minister. Those people in the Kimberley need that dispensation, so their vote is worth twice what a vote is worth in Butler or Cottesloe or any of the metropolitan seats and that is appropriate. But I wonder where this newfound zeal for one vote, one value by the Labor Party has come from.

Hon Alannah MacTiernan interjected.

The DEPUTY PRESIDENT: Order!

Hon STEVE MARTIN: If that is the case, will Labor members will be pushing this forward?

We also heard from the minister that we will be fine because the processes put in place by the major parties, including the Labor Party, will ensure enhanced regional representation in the future. I might refer to the process that took place in the Labor Party for the South West Region at the recent election. I believe that well-known regional and south west identity Hannah Beazley was on the south west ticket for some time. She had had a run almost everywhere else, but she was keen to run in the south west, where she has a great and detailed background! She did not stick around. Something closer to home bobbed up and she is now—well done to her; congratulations—the member for Victoria Park, which is a fair distance from the South West Region. On that basis, it will be interesting to see how the Labor Party deals with enhanced regional representation after this process. All parties will have an onus to behave and elect regional members to this place after this event.

We have talked a fair bit about equality. Hon Peter Collier raised the issue of exactly what equality means. I will refer to a couple of examples. The power outages after cyclone Seroja in the midwest lasted for nine, 10, 11 or 12 weeks. Can members imagine a 12-week power outage in all those lovely Labor seats in the western suburbs? I am not sure that we can. Equality has a number of different faces, does it not, honourable members—road safety, education outcomes and incomes in regional Western Australia? I welcome the opportunity to make this contribution and I urge members to support the motion.

HON NEIL THOMSON (Mining and Pastoral) [11.27 am]: I would like to put a bit of a local perspective into my comments today. After the first sitting of this place, there were many debates over the following weeks in which we celebrated the historic outcome of the election of my colleague Hon Rosie Sahanna. I acknowledge her as a fellow Kimberley person elected to this place. We also celebrated the election of Divina D’Anna to the other place. I was also elected to this place as someone who lives in the Kimberley, so, for the first time—I do not think there has ever been another time in history—three representatives in both houses are from the Kimberley. Hon Peter Foster also lives in Tom Price—I assume that is where he lives.

Hon Peter Foster: I know where I live. I proudly live there.

Hon NEIL THOMSON: Kevin Michel also lives in the Pilbara. We have five representatives who live north of the twenty-sixth parallel. I think that is probably a historic outcome. This place actually works. It has worked. It has delivered regional people to regional seats.

During the election campaign, I spent many hours and days travelling across the vast Mining and Pastoral Region. My focus was on the Mining and Pastoral Region. I knew where my votes were coming from and I had to get out there and meet the people of the Mining and Pastoral Region and make the case for why I should be their representative in this place. I have made faith with those people; I have their trust. I am here because a good number of them put my name first.

Hon Kyle McGinn interjected.

Hon NEIL THOMSON: Yes, enough to get me up. In terms of proportion, we had the second highest vote of any party, more than your 36, Hon Kyle McGinn. I came to this place to represent my constituents’ needs. I have only a minute left. I want to talk about one issue that I do not think has been raised in this chamber. I have seen how my presence in this place has resulted in outcomes for my region. The government is fearful when I raise issues so it responds, and that is a good thing because it is the job of the opposition to keep the government honest.

Extract from *Hansard*

[COUNCIL — Thursday, 16 September 2021]

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Hon Martin Aldridge; Hon Tjorn Sibma; Hon James Hayward; Hon Alannah MacTiernan; Hon Peter Collier;
Hon Steve Martin; Hon Neil Thomson

I will use this opportunity to make a case. I do not know whether the government is listening. Clearly, it has not been listening. I will not go into the matter of the Premier breaching the trust of the Western Australian people. It is absolutely clear that there has been a total breach of trust and I do not have to repeat it. The people of Western Australia know. In the 25 seconds that I have left, I want to talk about the patient assisted travel scheme for dental treatment. People cannot get patient assisted travel for dental treatment unless they have to go under anaesthetic. There are so many young children in my region whose teeth are decaying and they need access to PATS. That is why I am here and it is why I represent my region.

Motion lapsed, pursuant to standing orders.