

**ELECTRAC AND EMS DATABASE SYSTEMS - APPOINTMENT OF SELECT COMMITTEE**

*Standing Orders Suspension - Motion*

**DR J.M. WOOLLARD (Alfred Cove)** [3.05 pm] - without notice: I move -

That so much of standing orders be suspended as is necessary to allow private members' business notice of motion 19 to be moved forthwith, as follows -

- (1) That this house establish a select committee to inquire into and report upon whether in the last six years -
  - (a) information made available from the Western Australian Electoral Commission, the Australian Electoral Commission or federal members of Parliament to the offices of members of the Western Australian Legislative Assembly for use in the Electrac or EMS database systems has been shared;
  - (b) persons not employed by members of Parliament have or have had access to that information and if so for what purpose;
  - (c) persons outside the parliamentary system, including union officials, have been trained in the use of the facilities, and if so for what purpose;
  - (d) any other information gathered by such systems has been shared outside any member's office or become part of any national database for use of any political party or other group, whether for state or national elections or any other purpose;
  - (e) the use of this information contravenes general principles of privacy of information or improperly disseminates information given in confidence by constituents to members of Parliament; and
  - (f) the extent to which the development and implementation of the database systems were publicly funded and whether the effect of that funding has been to unfairly discriminate between members of Parliament on the basis of party affiliation.
- (2) For the purpose of this inquiry, the Assembly directs that any member requested by the committee to appear is required to attend and give evidence.

This motion to suspend standing orders is very important because it has come to my attention that the government has used taxpayers' money to fund a dedicated Australian Labor Party political tool; namely, a database known as Electrac, which is a well-known information sharing tool used by ALP members across Australia.

It is important to suspend standing orders to debate this issue because the public must know what information is contained on that database, where it comes from and whether it is shared between Labor Party staff, Labor Party members and other members of Parliament. It is also important to suspend standing orders to debate this issue because taxpayers must know what the information on the database is used for and why two different databases exist. It is also important to debate this matter because the public wants to know who has access to the information on the Electrac database. Is the information supplied to candidates during elections, as has occurred elsewhere in Australia? The community wants to know whether Labor members are providing information from their electorate office Electrac database to Labor headquarters to help design election campaigns. The community wants to know whether the information provided to branch members helps them get more information about the local community. The community wants to know how the government can justify breaching its constituents' privacy through the use of the Electrac database. This debate is important also because in 2001 Unions New South Wales advertised a training course on how to use Electrac for officials committed to helping in marginal seats.

**The SPEAKER:** Order! I know that the member for Alfred Cove has been speaking for only three minutes; however, she should be debating the reasons for suspending standing orders, rather than actually debating the substantive motion. She must restrict her comments to why the house should suspend standing orders as a matter of urgency to debate her motion.

**Dr J.M. WOOLLARD:** Yes, Mr Speaker. It is important to suspend standing orders to debate this motion on the Electrac system, so that we know with whom this information is being shared and so that all members of this house have an opportunity to contribute to this debate. Hopefully, the outcome of the debate will be as the motion requests, to send the matter off to a select committee so that the full details of what has been happening

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with this Electrac database are made available to this Parliament, to be discussed by this Parliament, and can be made available to the community. It is urgent that we suspend standing orders now so that a committee can be established or so that the matter can go to one of the current committees. That committee will then have an opportunity to review all the facts.

I hope that the government will support the suspension of standing orders today to debate this urgent matter. I do not see any need for the government to gag debate. If it does gag debate, the question is: why is it gagging debate? I move the motion to suspend standing orders because the misuse of constituent taxpayers' information needs to be addressed. How has information been misused? What information is being misused? People do not like the idea that information has been used inappropriately. People will be asking where is the transparency of the Carpenter government, particularly if it does not allow this suspension of standing orders, which will, I hope, lead to the establishment of a select committee to look into the use and the possible misuse of this information? This motion is important because people want to know what information is being collected about them and how that information is being used. I think that the Leader of the House has given the nod that this debate can continue.

**MR C.J. BARNETT (Cottesloe)** [3.14 pm]: The opposition supports the right of the member for Alfred Cove to move the suspension of standing orders. As an Independent member she is entitled to do so. As members would be aware from media reports, the member for Alfred Cove has raised an issue of importance about the independence of members of Parliament and, indeed, the ability of members of Parliament to be treated equally. Therefore, we should be suspending standing orders. It is a matter of all members of Parliament receiving the same entitlements. That is fundamental. A suspension of standing orders will allow the opposition to put its point of view on this matter. Whether the Parliament agrees to the motion for a select committee is another matter. However, I certainly support the right of the member for Alfred Cove to move for a suspension of standing orders. It will give the government the opportunity to explain, if it is able, why members on one side of the house receive a higher level of entitlement than members on the other. I, for one, will be fascinated to hear that explanation.

**The SPEAKER:** Members, this is a suspension of standing orders and as such, if I hear a dissenting voice, I will need to divide the house.

**MR J.C. KOBELKE (Balcatta - Leader of the House)** [3.16 pm]: I have no understanding of the merits of the matter the member for Alfred Cove is seeking to suspend standing orders to deal with. We know that the member has raised this matter on a number of occasions. I have tried to follow her argument, but I do not believe there is any matter of great importance. An Independent does not often seek to raise a matter for debate. Independents, of course, have a difficulty because if they do put a motion on the notice paper, time must be found for it. Given that the opposition seems to support this motion, we should at least allow the debate to take place. I repeat that I am not sure that the case has any merit, but we will have to deal with that matter once the debate commences.

*Amendment to Motion*

**Mr J.C. KOBELKE:** In order not to delay the business of the house, I move -

That the following words be added to the motion -

Subject to the debate being conducted under the timing arrangements for a matter of public interest -

**Dr J.M. Woollard:** So I will only get five minutes as an Independent?

**Mr J.C. KOBELKE:** If the member for Alfred Cove actually listens, things may progress a lot faster. I repeat that I move -

That the following words be added to the motion -

Subject to the debate being conducted under the timing arrangements for a matter of public interest with 15 minutes being allocated to the member for Alfred Cove, 30 minutes to the government, 20 minutes to the opposition and five minutes to other Independents.

Amendment put and passed.

*Motion, as Amended*

Question put and passed with an absolute majority.

*Motion*

**Extract from Hansard**

[ASSEMBLY - Tuesday, 26 September 2006]

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Dr Janet Woollard; Speaker; Mr Colin Barnett; Mr John Kobelke; Mr Alan Carpenter; Deputy Speaker; Mr Paul Omodei; Ms Katie Hodson-Thomas; Acting Speaker; Dr Elizabeth Constable; Mr Tony Simpson; Mr Mark McGowan

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**DR J.M. WOOLLARD (Alfred Cove)** [3.18 pm]: I move the motion. I had prepared to speak for an hour, so I will have to cut things short. One of the first issues I address in speaking to this motion is the issue of public funding. What looks like a misuse of funds appears to have cost the taxpayer anything up to \$2 million, because although the government has said that it is now paying approximately \$160 000 a year, the database has been in existence since 2001. The government is now paying only running costs, so we do not know the total cost. That would have been my question had I been fortunate enough to raise it today. We do not know how much money this Labor Party database has cost the community.

**Mr R.F. Johnson:** Hundreds of thousands.

**Dr J.M. WOOLLARD:** It could be millions. Why is it that the Labor Party in this house needs a different database from that of other members? Why does the database for Labor Party members cost twice as much? What advantage is there to the general public of the Labor Party having this extra resource? I was horrified to hear that the government is using public money to fund what is widely recognised as a dedicated ALP political tool. This was downloaded from the Internet and it is headed "Circular To: All Affiliates". It states -

**RE: Electrac Training for Union Officials Committed to the Marginal Electorates in the 2001 Federal Election Campaign.**

It goes on to say that Electrac training will be held for union officials who require training prior to the election. The community has a right to know whether the Labor Party is doing it in Western Australia and whether information is being shared between offices. I am happy to pass this information to the Premier. Has information been shared between offices? Last week in question time the Premier said there was no sharing with this contract. He did not say there had been no sharing since 2001. At the moment we do not know what information is shared and who is sharing that information. That is why it is important that this matter go to a committee so that we can establish the facts and the community can let the government know - I am sure it will - that it is not happy with the facts. It looks as though it is a blatant misappropriation of taxpayer funds. No excuse would justify using those funds to pay for this political electioneering.

Because time is short, I will have to skip some of the issues I wanted to address. In relation to confidentiality, people come into my office every day and talk to me about important personal issues. They entrust me with that information as their local member, as they do with you, Mr Speaker. I have spoken to people who, since this issue became public a week ago, have been appalled to hear that their personal details and concerns may be made available to other people, not just to their member and office staff in the electorate office. Going back to what is happening in New South Wales, people want to know who else is sharing this information in Western Australia.

I would like to read a few words from "Labor First", "The Good Branch Handbook", in which it states -

**Ask an MP, a senator or the State head office**

Of course ALP MPs and Head Office have access to much of this information and more in the form of reports from the *Electrac* database. This computer system records both publicly available information from the ABS and ATO and privately collected data about voter intentions and constituent feedback. Hopefully they will be willing to share some of this valuable information with you. There's no harm in asking.

This is in a Labor document, "Labor First". With whom is the Labor Party sharing this information? People need to know so that when they phone their member they know just who that information may be going to. I would like to know as a member. I would like to see this type of sharing stopped. I would also like to know what security will be put in place to prevent further misuse of public information. I want to know what checks and balances will be put there to ensure constituent information is not used in this manner in the future, because I do not believe Labor members have told constituents that they might be passing on their personal information and concerns to other people.

**Mr J.C. Kobelke:** What evidence do you have of that?

**Dr J.M. WOOLLARD:** The minister can give me more time if he wants me to answer.

The parties are protected by the Privacy Act and from public scrutiny through freedom of information legislation. Who ensures the ethical use of this information? No-one does, because there are no ethics in sharing personal information for party political gain. I want the outcome of this committee review to be that the government reassures taxpayers that confidential information will not be used in the future for party political purposes.

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Let us look at the double standards. The latest tender says that databases will be available for MPs to select which one they want to use. This was then excluded by the fact that tenderers were allowed to stipulate if they wanted their database made available to particular members. Did Electrac stipulate this in its tender? Was this an insurance against other members possibly getting access to its system? How can the government claim that members have a choice when only Labor Party members get access to the more expensive database? I would like a better database, but not one that is being shared throughout Western Australia and possibly nationally. That is very frightening for the community. The use of this Electrac database is blatant discrimination. Instead of transparency and accountability, the government has shown it has double standards. It is happy to provide resources for the good of the party and to use its position to gain political advantage over other people.

The cost of the database runs to hundreds of thousands of dollars, which the government has provided to itself to give itself extra resources and information. Those hundreds of thousands of dollars - it could be up to \$2 million - could have been spent on health care, more nurses, supporting our police, or providing crossing guards for schools such as St Benedict's School, where a child is likely to be killed before this government pays any attention to the needs of those children. If it is so important to have this database, why is it not supplied to all members of Parliament? Why is every member of this house not being treated equally in the provision of this information? Is that not one of the platforms that the Labor Party stood on - equality for all? How is there equality for all when there is one database for Labor Party members and one for opposition members?

When I first became aware of this I did not realise that other people had been complaining about the system for a very long time. I will quote from Peter van Onselen of Edith Cowan University. He states -

Electoral databases would be much less effective were there not considerable public resources devoted to their smooth operation . . . in MPs' offices . . . Without AEC electronically provided electoral rolls and monthly updates, it is unlikely the major parties would be able to operate the databases efficiently enough to maintain their present level of effectiveness. These aspects of their operation alone justify greater public scrutiny of electoral databases. It is therefore essential that the operation of electoral databases is more extensively discussed, and that a set of principles be developed by the parliament to ensure that privacy is respected. At a minimum, the public is entitled to know about the collection and intrusion into their personal data by political parties. Once the public is aware of the operation of party databases, the wider ramifications of their use . . . can be debated.

This issue is not new. It came to light because initially I became aware that the Labor Party had access to constituents' dates of birth and I, as an Independent, did not have that. That was when the truth about these two systems came to the fore. Greg Barns commented as follows on AustralianPolicyOnline -

There's no justification for taxpayer dollars being used to fund party political activity by governments.

He said that there is no justification for taxpayers' money being spent on collecting data on voters because it serves the interests of the political parties, not the community. He said -

And for political parties and MPs' offices to hide behind a wall of secrecy about their voter databases simply fuels the unhealthy high level of cynicism about our democracy.

If the government is saying that there is nothing to hide, let this matter go to a select committee. We should let that select committee see what information I have on the database in my office. I am talking about not personal information, but the fields I have for information and the fields the government has for information and who the government is getting its information from. Is it getting the information from the Western Australian Electoral Commission, from its federal colleagues or from the Australian Electoral Commission through its federal colleagues? Is it getting it from other databases? Is it getting it from the party machine? There should be one database system and it should be available to all members of Parliament. It is meant to help members help constituents. Members of Parliament should not be able to develop a database that is a Big Brother machine containing information about lots of people.

Maureen Sawyer of the Australian National University said -

Direct mail is targeted with the help of the electronic version of the electoral roll made available to sitting members and registered political parties and through the use of party databases.

She goes on to say that training in these databases is publicly funded under the Parliamentary Entitlements Act. I have a number of quotes that I hoped to read to the house showing that the community is not happy with the information the government is putting onto the Electrac database. They are not happy that this information is being shared with union officials committed to marginal electorates. I hope the outcome of this debate is that a select committee will be established to inquire into this matter.

**Extract from Hansard**

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**MR A.J. CARPENTER (Willagee - Premier)** [3.33 pm]: I do not think enough information has been provided by the member for Alfred Cove to warrant this matter being sent to a select committee. I wonder what information has been provided, other than a range of questions and assertions. There has been absolutely no evidentiary support for any assertion whatsoever. We have an assertion about some information - from what I have picked up over a week or so, that information seems to be dates of birth - being provided to members of Parliament. From conversations around these inquiries, I have picked up that that has excited the member because some people are able to send birthday cards to their constituents and she cannot. I ask the member whether that is correct.

**Dr J.M. Woollard:** That is talking about training for union officials on the use of the Electrac database, the Labor Party machine database.

**Mr A.J. CARPENTER:** She must think these union officials are from outer space. The member for Alfred Cove is concerned that some members of the state Parliament are apparently sending birthday cards to their constituents and she cannot. Is that correct?

**Dr J.M. Woollard:** Premier, that was initially why I followed it up - to find out about the databases.

**Mr A.J. CARPENTER:** We are having this debate because this member of Parliament is concerned that some members of Parliament are able to send birthday cards to their constituents and she cannot. She just said it herself; she has admitted it. The nub of her concern is birthday cards!

**Dr J.M. Woollard:** How much money are you spending on Electrac?

**Mr A.J. CARPENTER:** We are arguing about the capacity of members of Parliament to send birthday cards. I do not think I have ever sent a birthday card on the basis of information I gathered from Electrac. If I did, I would not consider it to be a major imposition on anybody and they would probably welcome the card. In a moment I will get to the sort of information I have never accessed, which the liberals for forests party has accessed. That is the prism through which the member is viewing this matter and through which her conspiracy theory evolves.

The second piece of information that the member provided to support her assertions was a flyer from New South Wales.

**Dr J.M. Woollard:** The Labor Party.

**Mr A.J. CARPENTER:** The Labor Party is a legally constituted organisation in every state of Australia. It is not an offence to be a member of the Labor Party or a member of the union movement. Is this a conspiracy from Cuba that some secret society has developed a database for these shadowy creatures called members of the Labor Party? Shock-horror, knock me down with a feather - they are actually training people in how to use the databases so that when they work in electorate offices, they can actually do the work.

**Dr J.M. Woollard:** They're training union officials.

**Mr A.J. CARPENTER:** Union officials are people. In case it has escaped the member's attention, union officials from all over Australia are involved with the Labor Party, and they normally help out on a voluntary basis from time to time. We have a high degree of sensitivity about the apparent capacity of some members - I do not think anybody is asserting it is Labor Party members - who are able to send birthday cards to their constituents because apparently they have their dates of birth and this member does not. In New South Wales, not Western Australia, union officials who may or may not work in electorate offices from time to time are trained in the use of the system. I would have thought that would make a helluva lot of sense. Has the member ever asked a volunteer to work in her electorate office, only to find he or she does not know how to use the computer system? They have to be trained in how to use it. This is so pathetic. However, as far as I am aware, the Labor Party and the Liberal Party have never accessed the private medical records of patients of doctors around Perth for party political purposes. Is that the phrase the member used?

**Dr J.M. Woollard:** You have used Electrac for party political purposes.

**Mr A.J. CARPENTER:** Did somebody - that is, the member for Alfred Cove - talk about using private information for party political purposes and forget to add -

**Dr J.M. Woollard:** Twice the amount of money that the database -

**Mr A.J. CARPENTER:** How much did it cost the then president of liberals for forests to access private medical records for party political purposes? The member has a hide as thick as a rhinoceros for raising the issue in this Parliament. The then president was found to have acted inappropriately by the medical board. What

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an absolute disgrace! The member for Alfred Cove is raising this issue because she is concerned that somebody can send birthday cards to a constituent.

**Mr R.F. Johnson:** Not just that, Premier. It is far more than that.

**Mr A.J. CARPENTER:** That was the nub of her problem. We will get to Feedback or whatever her system is in a moment, and who should and should not be using it. Does she really want me to go down that path? I do not believe the Liberal Party has done anything wrong in this regard, certainly not to the disgraceful depths reached by the liberals for forests when the member for Alfred Cove was a member.

**Dr J.M. Woollard:** Your debate is not relevant to this issue.

**Mr A.J. CARPENTER:** It is very relevant. So shocking was the abuse, it was unprecedented in Australian political history, as far as I know. However, here we go; birthday cards are pretty offensive also. Is it a fact that members of the federal Parliament, through the Australian electoral roll, gain access to birth dates and therefore send birthday cards to their constituents? Is that a fact?

**Ms K. Hodson-Thomas:** They are able to, yes.

**Mr A.J. CARPENTER:** They are able to, as I understand it. Here we go. Is that not incredible? State members of, I assume, the Liberal Party and perhaps of the Labor Party - I do not know - should not be able to do that. I am advised that since the late 1980s -

**Dr J.M. Woollard** interjected.

**The DEPUTY SPEAKER:** I call the member for Alfred Cove to order for the first time.

**Mr A.J. CARPENTER:** Since the late 1980s, the Department of the Premier and Cabinet has provided WA members of Parliament with access to computer-based electoral information management systems. The original system made available was developed by Consultech and is known as EMS. These systems contain electoral roll data that is regularly updated, and enable members to add additional information relevant to constituents within their electorates; so, yes, all members of Parliament have a system - originally, they all had EMS - and they add information about their constituents. Is it an offence to add the birth dates? I do not know. I would not have thought so, but nevertheless -

**Mr R.F. Johnson:** Of course it's not a problem.

**Mr A.J. CARPENTER:** That was the member's problem, though.

**Mr R.F. Johnson:** No, no, no.

**Mr A.J. CARPENTER:** No, no, no! During 1997, the coalition government considered the potential use of alternative products. At the time, these alternative products were not provided by the Department of the Premier and Cabinet for use by members. To address requests from members, and emerging issues with the stability, functionality and cost of EMS, a further investigation of alternative products and options occurred during 1999 and 2000.

**Ms K. Hodson-Thomas:** That's because the system wasn't working well at the time.

**Mr A.J. CARPENTER:** That may well have been. In March 2000, the then Premier, Hon Richard Court, approved the conduct of a limited trial of alternative products nominated by each party. Therein lies the genesis of the question: why does each party have a different system? It is because the then Premier decided that that was a good thing to do. Have members opposite got that?

**Ms K. Hodson-Thomas:** To trial it, yes.

**Mr A.J. CARPENTER:** To trial it.

**Ms K. Hodson-Thomas:** He didn't make the decision.

**Mr A.J. CARPENTER:** I will go on. There is more to come.

**Ms K. Hodson-Thomas:** I am listening with bated breath.

**Mr A.J. CARPENTER:** I am defending the Liberal Party.

**Mr R.F. Johnson:** That will be the day!

**Mr A.J. CARPENTER:** I am supporting the Eagles this week!

The trial process did not proceed due to concerns raised by the State Supply Commission. In May 2000, the then Premier, Hon Richard Court, requested that the Salaries and Allowances Tribunal consider the feasibility of

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providing a software allowance for members. The outcome of that request is unclear, and the executive officer to the Salaries and Allowances Tribunal has been asked to review the records available from the time. On 12 August 2000 - the then Premier was pretty keen on this; he did not just give it up at the first hurdle; he wanted it to happen - a request for proposal was advertised, member for Carine, in accordance with the State Supply Commission policies for the supply -

**Ms K. Hodson-Thomas:** I'm listening.

**Mr A.J. CARPENTER:** I do not believe the then Premier would have done anything inappropriate either.

**Ms K. Hodson-Thomas:** He advertised. Go on.

**Mr A.J. CARPENTER:** A request for proposal was advertised in accordance with the State Supply Commission policies for the supply, installation and support of electorate information management systems. This tender process was conducted for the Department of the Premier and Cabinet by the then Department of Contract and Management Services. It was intended to provide members with a choice of product to meet their requirements and, through the tender process, to establish appropriate contractual arrangements. Four tenders were received. Of the four tenders received, three - that is, Consultech, which is the EMS system; Magenta Linas Software Pty Ltd, which is the Electrac system; and Parakeelia, which is the Feedback system - were conditionally accepted in October 2000, subject to, first, written advice from the source of the electoral roll data and electoral roll updates that the data could be legally used for the purposes proposed by the tenderer. Therefore, it was all legal; there was nothing illegal. That had to be ensured, and the provider of the information had to agree to that. Second, acceptable end-user -

**Dr J.M. Woollard** interjected.

**Mr A.J. CARPENTER:** Did the member say something about inappropriate use of medical records? I am sorry?

**Dr J.M. Woollard:** There is no need for you to be so frightened about it going off to a committee.

**Mr A.J. CARPENTER:** Acceptable end-user and support arrangements were to be negotiated with the then Ministry of Premier and Cabinet. Third, a minimum three-month trial was to be carried out by nominated members to confirm that the products met member and ministry requirements. Product trials commenced in consultation with the major parties. Therefore, we all had an input to this. I had no knowledge of it. I assume the Labor Party did, as did the Liberal Party and probably the National Party. I cannot remember it.

**Mr R.F. Johnson:** Is this after October 2000?

**Mr A.J. CARPENTER:** Yes.

**Mr R.F. Johnson:** We had an election in February 2001.

**Mr A.J. CARPENTER:** That is right.

**Mr R.F. Johnson:** It was only a few months before that. There would not have been much happening in between those two dates.

**Mr A.J. CARPENTER:** Let me go on. There is a date, 10 January. There is nothing in this. The member's government did nothing wrong.

**Mr R.F. Johnson:** I know we didn't.

**Mr A.J. CARPENTER:** No. Product trials commenced and consultation took place with the major parties. It should be noted that the tenders from Magenta and Parakeelia were made on the basis - members should listen to this - that their products would be available only to the ALP and then to Liberal and National members respectively. Therefore, the Magenta tender was on the basis that it would go to the Labor members, and the Parakeelia tender was on the basis that it would go to the Liberal and National members respectively. In regard to the first condition I mentioned, this requirement arose as a result of advice from the Australian Electoral Commission. The Australian Electoral Commission had advised that it would not grant permission for the use of commonwealth electoral roll information by state members. The source of data for the Feedback product was the commonwealth electoral roll, and Parakeelia declined to satisfy the first condition mentioned previously.

**Mr P.D. Omodei:** Sorry; say that again, Premier.

**Mr A.J. CARPENTER:** Parakeelia declined to satisfy the condition, because it wanted to use commonwealth electoral roll information. On 10 January, the trial of Feedback was discontinued, and Parakeelia was not included in the panel contract. Of the options available through the Department of the Premier and Cabinet,

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EMS was selected by all non-ALP members, and Electrac was selected by all ALP members, consistent, I think, with the wishes of the then Premier, who wanted members to be able to choose. ALP members had one system; non-ALP members - Liberals and Nationals - had another system.

**Ms K. Hodson-Thomas:** Premier, can you go back? You said that Feedback did not comply. Can you say that again? I am sorry, I missed it.

**Mr A.J. CARPENTER:** Is the member using Feedback now?

**Ms K. Hodson-Thomas:** No, I am not using Feedback.

**Mr A.J. CARPENTER:** Some Liberal members are now using Feedback, which may or may not be an issue. If it is, let us just sort it out; okay?

**Mr A.J. Simpson:** Can the Premier tell us again what the first clause was?

**Mr A.J. CARPENTER:** The first clause was that three tenders were accepted subject to written advice from the source of the electoral roll data and electoral roll updates that the data could be legally used for the purposes proposed by the tenderer. Product trials commenced, and there was consultation with the major parties. It should be also noted that the tenders from Magenta and Parakeelia were made on the basis that their products would be available to the ALP and Liberal Party respectively. In regard to the first condition, this requirement arose as a result of advice from the Australian Electoral Commission. The AEC had advised that it would not grant permission for the use of commonwealth electoral roll information by state members. The source of data for the Feedback product was the commonwealth electoral roll, and Parakeelia declined to satisfy the first condition mentioned.

**Dr J.M. Woollard** interjected.

**Mr A.J. CARPENTER:** People come into my office, and I could quite easily say, "Hello, Mrs Jacobs. When is your birthday, love? I'd love to send you a card."

**Mr R.F. Johnson:** You don't need to.

**Mr A.J. CARPENTER:** I do not.

**Mr R.F. Johnson:** Because you have it on your system.

**Dr J.M. Woollard:** You have that information.

**Mr A.J. CARPENTER:** I do not think I have. I have never sent one. I send Christmas cards to some people; I do not send -

**Mr R.F. Johnson:** You do for special birthdays.

**Mr A.J. CARPENTER:** To paraphrase the father of a friend of mine, where is the crime in this? Birth dates? It is publicly available information. It is on the commonwealth electoral roll. A member could have his electorate officer walk up to the AEC, go through the commonwealth electoral roll, write down all the birth dates, and go back to the office and key them into the system.

**Ms K. Hodson-Thomas:** As if they would do that.

**Mr A.J. CARPENTER:** However, a member could.

**Ms K. Hodson-Thomas:** Yes, a member could, but as if you would do that with your staff.

**Mr A.J. CARPENTER:** I would not. I am not that keen on sending birthday cards, but apparently the member for Alfred Cove is desperate to be able to send her constituents birthday cards. Anyway, I have lost my place in this little historical piece. I think I am making my point, though, am I not?

Of the options available through the Department of the Premier and Cabinet, EMS was selected by all non-ALP members and Electrac was selected by all ALP members - that is where I got to - which was in accordance with what Richard Court was trying to establish as a system. The contractual arrangements described above expired in March 2006. A tender process for replacement contractual arrangements, again in accordance with State Supply Commission policies, commenced in October 2005. This tender process attracted two responses only - from Consultech with EMS and Magenta with Electrac - with the following contracts awarded for an initial period of two years to 7 March 2008 with three one-year extension options available. Some five years previously, Labor members had elected Electrac, and Liberal and National Party members had elected EMS from Consultech. Consultech Engineering Services Pty Ltd was granted the contract for the provision of EMS to non-ALP members at an estimated annual cost of \$80 000, and Magenta Linas Software Pty Ltd was granted the

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contract for the provision of Electrac to ALP members at an estimated annual cost of \$157 000. The tender for Magenta was made on the condition that the product was supplied to ALP members, consistent with the original decision. An issue has now arisen because some Liberal members have, I think at their own expense - there is nothing wrong with that - switched to the Feedback model, which was dropped from the original tender process in 2001 because it did not satisfy the requirement of the non-use of Australian Electoral Commission information; the Australian Electoral Commission insisted upon that. The Leader of the Opposition, I think in good faith - I am not asserting any untoward motivation - wrote to the head of the Department of the Premier and Cabinet, Mr Mal Wauchope, on 9 June 2006 and said -

Dear Mal,

. . .

Liberal Party members have for some years used the "Electorate Management System" (EMS) for data gathering and retention across their electorates. The costs of this are borne by the Department of the Premier and Cabinet.

However, this system no longer meets our requirements and Members are switching to the "Feedback" data system, which will cost \$950 per year to operate. It comes with free training and full IT support.

Does the member for Alfred Cove have any problems with people being trained on this system?

**Dr J.M. Woollard:** We are talking about your system, what data you are getting and where you are getting it from.

**Mr A.J. CARPENTER:** This is the other system. Does the member have a problem with people being trained to use it?

**Dr J.M. Woollard:** I have not investigated the other system. I am investigating your system.

**Mr A.J. CARPENTER:** What if they were members of a union? Would the member take high dudgeon at the prospect of members of a union being trained to use the Feedback system? Of course she would not. The whole proposition is ridiculous. I will continue with the letter and I apologise to the Hansard reporter for wandering off. The Leader of the Opposition points out in the letter that Feedback comes with free training. It continues -

It would be appreciated if the Department of Premier and Cabinet would therefore, on transition, please discontinue covering the costs of EMS and meeting the expenses of "Feedback".

Thank you for considering this request.

I am not too sure what stage the response to that request has reached, bearing in mind that a new contract was awarded to EMS for all Liberal and National Party members in March this year. However, there is a possibility that at the first available time, members could seek to not have that contract rolled over and have Parakeelia replace EMS. Importantly, Parakeelia originally did not meet the criteria, as the source of data for the Feedback product was the commonwealth electoral roll. I do not know whether that is still the case and whether it still would not meet the requirements; and, if so, why it would not. I understand that the information on the commonwealth electoral roll is publicly available information, is it not?

**Mr A.J. Simpson:** Yes.

**Mr P.D. Omodei:** Probably updates.

**Mr A.J. CARPENTER:** Updates, yes.

**Dr J.M. Woollard:** Why do there have to be two, Premier?

**Mr A.J. CARPENTER:** The question of why there must be two was resolved by the Parliament and the then Premier in 2000, because that is what members elected to have. I appreciate that the member for Alfred Cove may not have been a member then, but seeing some conspiracy in all this is drawing a long bow. As I said, it is predetermined by the prism in which she has looked at some other activity; notably, the misuse of private medical records for party-political purposes - an unprecedented abuse that no major political party -

**Dr J.M. Woollard:** Stick to the issue.

**Mr A.J. CARPENTER:** No major political party would ever do that. The Leader of the Opposition would not do that.

**Mr P.D. Omodei:** How do you know? I certainly wouldn't put it past the Labor Party.

**Mr A.J. CARPENTER:** I would not do it either.

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**Dr J.M. Woollard:** It is the misuse of the confidentiality of information.

**Mr A.J. CARPENTER:** I just heard the member say those words again - "misuse of the confidentiality of information". The only case that I am aware of involved liberals for forests and the then president of liberals for forests. It did not involve the Liberal Party, the Labor Party, the National Party or any other member.

**Dr J.M. Woollard:** Come on, Premier; stick to Electrac. This debate is about Electrac.

**Mr A.J. CARPENTER:** I think I have answered the Electrac issue. I have given a fairly rigorous and thorough history of the Electrac issue. I make the member for Alfred Cove this invitation: if the member thinks it would be of any value, I am more than happy to organise for her a one-on-one briefing with Mal Wauchope, the head of the Department of the Premier and Cabinet, who may be able to explain better than I have, and in the absence of the political tone that I give in my responses, the system, its history, whom it applies to, how it applies and any issues that may be on foot with that system. I do not see a problem here. There may be a problem. Some Liberal Party members are apparently using the system.

**Dr J.M. Woollard:** I accept that briefing, Premier.

**Mr A.J. CARPENTER:** Good. I am happy to do that.

**Dr J.M. Woollard:** I also accept the offer to look at what is in the Electrac database.

**Ms K. Hodson-Thomas:** Would you consider a member of our side being able to have the opportunity to attend that briefing as well as the member for Alfred Cove?

**Mr A.J. CARPENTER:** I do not see why not. The problem with the questions of the member for Alfred Cove is that they do not ask anything. If she had asked me whether it was true that some members of Parliament have birth dates available to them and are therefore able to send birthday cards to their constituents, I might have been able to find out. However, she has stood and smeared everybody in sight and made outrageous allegations about a whole body of people without the tiniest bit of substantial information to go on. It is quite ridiculous and offensive, but, I guess, that is the nature of Parliament.

**MR P.D. OMODEI (Warren-Blackwood - Leader of the Opposition) [3.56 pm]:** The Premier has tried to explain away the Electrac situation. However, I have some sympathy for the member for Alfred Cove's argument, given that EMS was available to all state MPs and was paid for by the state. However, if Liberal Party members now want to use Feedback, which is a similar system to Electrac, they have to pay for it themselves. The Premier explained the situation with the tender.

**Ms A.J.G. MacTiernan:** You chose that system.

**Mr P.D. OMODEI:** Originally, only EMS was available. The Labor Party developed its own Electrac system and then organised for that to be funded by the state, and the Liberal Party was not given the same benefit.

**Mr A.J. Carpenter:** Yes, you were.

**Mr P.D. OMODEI:** No; let me finish. I listened very carefully to the Premier's argument. He said that there was a technicality at the time with the Liberal Party group, Parakeelia Pty Ltd, on the basis that it should not be able to get access to the commonwealth roll. The two principals of Magenta Linas Software, which was established in 1994, are Bob Korbel and Andrew Navakas. They have had broad experience in computing since the early 1980s and obviously developed this new system. Andrew Navakas is listed on the AEC web site as the Australian Labor Party federal secretariat recipient of the electoral roll updates for the period September 2000 to June 2001. The argument was that Parakeelia could not get the tender because the government would not allow it access to the commonwealth roll. Obviously the Labor Party is getting access to that roll.

**Mr A.J. Carpenter:** Which government?

**Mr P.D. OMODEI:** The Labor government.

**Mr A.J. Carpenter:** I thought that the Australian Electoral Commission had that requirement.

**Mr P.D. OMODEI:** Okay. Why, then, can the Premier get hold of that roll through Magenta? Bob Korbel is listed on the AEC web site as the Australian Labor Party federal secretariat recipient of the electoral roll updates for the 2002-04 period. His spouse is former Labor member Annette Hurley who is the joint trustee of the Magenta family trust, which owns Magenta Linas Software Pty Ltd. I am not saying anything is wrong about the fact that the Labor Party owns this facility. I understand that Parakeelia is a Liberal-based organisation. Obviously Magenta has access to the Australian Electoral Commission roll. That is what it says on the AEC web site. Our point is that there is a difference between how the Labor Party is treated with Electrac and how the Liberal Party is treated with Feedback. I therefore wrote to Mal Wauchope, because I thought it was a reasonable request. Does the Premier accept that it was a reasonable request?

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**Mr A.J. Carpenter:** I have no problem with that. However, the decision was made in January 2001, was it not?

**Mr P.D. OMODEI:** Yes, but obviously if the Liberal Party is excluded from getting access using Feedback -

**Mr A.J. Carpenter:** It was your own government that did that, not me. It had nothing to do with me.

**Mr P.D. OMODEI:** The Premier has just said that it was the Australian Electoral Commission. Therefore, I wrote to Mal Wauchope, the head of the Department of the Premier and Cabinet, and requested that the Labor Party fund Feedback. That is all we are asking of the Premier.

**Mr A.J. Carpenter:** That the Labor Party fund Feedback?

**Mr P.D. OMODEI:** No, that the government fund Feedback, in the same way that it is funding Electrac. At the moment that is not happening. The Premier has to acknowledge that there is an inequity -

**Mr A.J. Carpenter:** I do not acknowledge anything.

**Mr P.D. OMODEI:** The Premier might ridicule the member for Alfred Cove's statement. The member for Alfred Cove has just passed to me a document from Unions NSW. I understand - perhaps the Premier will be able to confirm or deny this - that the union movement also has access to Electrac. The document is headed -

**Circular To: All Affiliates**

**RE: Electrac Training for Union Officials Committed to the Marginal Electorates in the 2001 Federal Election Campaign.**

Electrac is funded by the state government, or the Labor Party, depending on the state that is being considered.

**Mr A.J. Carpenter:** Which government are you talking about?

**Ms K. Hodson-Thomas:** The state government.

**Mr A.J. Carpenter:** What - the state government funds Electrac for the union movement?

**Mr P.D. OMODEI:** This comes from Unions NSW. Is the situation any different in this state? Not only is the Labor Party getting an advantage in that the state government is paying for Electrac -

**Mr R.C. Kucera** interjected.

**Mr P.D. OMODEI:** I will ignore the member for Yokine, because I do not think he is worth talking to.

**Mr R.C. Kucera:** You are talking about New South Wales.

**Mr P.D. OMODEI:** I am talking about both states. I am trying to elicit an answer from the Premier as to whether this state government is also funding the union movement so that it can provide training on Electrac. There are a number of issues to consider. The first issue is that there is an inequity in that the taxpayers of Western Australia are funding the Labor Party to pay for Electrac. That is not the case for members of the Liberal Party who use Feedback. These two systems are similar. However, one is funded by the taxpayers of Western Australia for the benefit of the Labor Party, and the other is funded by individual members of the Liberal Party. There is a distinct difference. That can be added to the current corrupt situation in Western Australia where the president of the Labor Party heads up the community liaison unit in the Department of the Premier and Cabinet. The 10 members of that community liaison unit are funded by the taxpayers of Western Australia. The community liaison unit is being used by the government for its own purposes. There are people in development commissions around Western Australia who feed information to that community liaison unit. As I have said, the system in Western Australia is extremely inequitable, because the Labor Party is funded by the taxpayers for Electrac, but the Liberal Party is not funded for Feedback.

**MS K. HODSON-THOMAS (Carine) [4.03 pm]:** I support the motion moved by the member for Alfred Cove, because it provides an opportunity to debate this issue in this house. I took some offence when the member for Alfred Cove made assertions and accusations about members right across this chamber. However, at the same time it is of great importance that the member for Alfred Cove be provided with the opportunity to have this matter dealt with. This matter is about the public purse. It is about transparency and accountability. I was interested in what the Premier had to say about the history of these two databases. I was particularly interested to hear that the databases were trialled in two offices. I would certainly like to know which offices they were trialled in. The Premier indicated that the database that the Liberal Party was trialling did not meet specific criteria; that is, the information was obtained from the Commonwealth Electoral Commission. Obviously the database that was being trialled in the Labor Party office -

**Mr A.J. Carpenter:** No.

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**Ms K. HODSON-THOMAS:** As I understand it, these systems were trialled in one Liberal Party electorate office and one Labor Party electorate office.

**Mr A.J. Carpenter:** In 2000?

**Ms K. HODSON-THOMAS:** Yes. I do not know which offices, but I would certainly like to know.

**Mr A.J. Carpenter:** I do not know either.

**Ms K. HODSON-THOMAS:** I had long discussions about the database system with Consultech. In a previous life I spent many hours on databases. I know the importance of that information to members of Parliament. Therefore, I was quite dissatisfied with the way the system operated.

I do not have any great issue with date of birth. I do not think we need to know a person's date of birth. I have said it before and I will say it again: if someone wants a significant birthday to be recognised, processes are in place to enable that to happen. If a family member is turning 100, the Prime Minister does not automatically send that person a letter. The family needs to request it. It needs to substantiate that by providing a birth certificate and all sorts of other information. The issue in this debate is public funding. If the Premier has nothing to hide, he will agree to this motion.

**Mr A.J. Carpenter:** What for? It is a waste of time. Why not have a select committee into who ties Chris Judd's boots before a match? Now that is an interesting question!

**Ms K. HODSON-THOMAS:** If not a select committee, at least an opportunity -

**Mr A.J. Carpenter:** It is a waste of the Parliament's time.

**Ms K. HODSON-THOMAS:** Okay. The Premier offered a briefing to the member for Alfred Cove. I think the member for Churchlands would probably also -

**Dr E. Constable:** I am not the least bit interested in having a briefing.

**Ms K. HODSON-THOMAS:** Okay. I would be interested in a briefing. I would like to know some of the history of this matter. I would like to understand why the State Supply Commission raised concerns at the time. What I would really like to know now -

**Mr A.J. Carpenter:** This is now seven years ago. You should have better things to do with your time.

**Ms K. HODSON-THOMAS:** Perhaps I should have better things to do with my time, but there needs to be some equity. The public should be able to have confidence in what we are doing in this matter. I would like to know now whether the database that is provided to members on the Premier's side of the Parliament accesses commonwealth information or -

**Mr A.J. Carpenter:** I am advised that the Electrac system in Western Australia is updated automatically only with Western Australian Electoral Commission data. The Feedback program uses updates only from the Australian Electoral Commission data. The Australian Electoral Commission will not provide updates to state members. Therein lies the problem. It has to do with the Australian Electoral Commission. It has nothing to do with us.

**Ms K. HODSON-THOMAS:** The Premier has clarified something for me.

**Dr J.M. Woollard** interjected.

**Ms K. HODSON-THOMAS:** The member has had her opportunity. This is my opportunity.

Several members interjected.

**The ACTING SPEAKER (Mr M.J. Cowper):** Order! The member for Carine has the floor.

**Mr R.C. Kucera:** Has anyone asked the people in your party whether, when they found a glitch, they went on and developed their own system? It seems to me that when the glitch came up, our people went ahead and overcame it, and your people did not.

**Ms K. HODSON-THOMAS:** I do not know whether anyone was offered the opportunity to go back and do that. Obviously Feedback has been developed with federal electorates in mind. The only significant thing that I am provided with by Feedback that I am not provided with by EMS is that it breaks down particular streets. That is very useful if we are doorknocking and things like that. Ultimately I am very satisfied with EMS. That system has grown over time. It is now very good. My electorate staff also support that system. However, the public needs to have confidence that there is no political bias in the system.

**Extract from Hansard**

[ASSEMBLY - Tuesday, 26 September 2006]

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Dr Janet Woollard; Speaker; Mr Colin Barnett; Mr John Kobelke; Mr Alan Carpenter; Deputy Speaker; Mr Paul Omodei; Ms Katie Hodson-Thomas; Acting Speaker; Dr Elizabeth Constable; Mr Tony Simpson; Mr Mark McGowan

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**DR E. CONSTABLE (Churchlands)** [4.09 pm]: I have found this debate quite fascinating. I did not think I would, but I have. I think I am more confused than I was when the debate started. I have tried to distil some of the issues that I think are important. Last week or the week before, the debate was about funding for political parties and attaching funding to political campaigns. There now seems to be an attempt to bring about another form of funding for political parties. There is a Liberal Party database, and a database that is, according to my information, intimately connected with the Labor Party.

**Mr A.J. Carpenter:** You get funding, too. You get EMS, don't you?

**Dr E. CONSTABLE:** Do I get EMS? I do not understand why, if the systems are not especially different, we do not have just one system.

**Dr J.M. Woollard** interjected.

**Dr E. CONSTABLE:** I have only five minutes. The member has had her turn. I think we need only one system. I am perfectly happy with EMS. I do not want any more information than I have on that. Can someone tell me why we need more than one system?

**Mr T.G. Stephens:** Because the Liberal Party asked for it.

**Dr E. CONSTABLE:** Just a moment. What does Electrac do for the government that is different from EMS? Several members interjected.

**Dr E. CONSTABLE:** If it is no different, I cannot understand why we are funding more than one system.

**Mr J.C. Kobelke:** I can remember being involved in the early days. One of the issues was that when there was training, in-servicing and updating, it was not desirable to have someone come into my office and then go to a Liberal office in the afternoon and be able to say what was happening in the other office. It was thought that there would be a higher level of confidentiality -

**Dr E. CONSTABLE:** There should therefore be different trainers for political parties, but not different systems. I think that can be solved without having three different systems, which is what is being mooted now. I do not remember the detail of the correspondence, but I do not recall having any choice of system as an Independent. It is a bit odd that funding for these databases is based on party lines, rather than having just one system for all members. That is what I would always prefer for systems that are provided to our offices. The discussion has also raised issues of privacy; I think these are the issues we should be examining very carefully. This issue was raised last week when the third electoral bill was being debated: we are now restricting access to the electoral roll to bring us into line with commonwealth privacy laws. I am wondering who has access to this information, and how it might cut across what was being debated last week. I say to the Premier that I really think the issue needs to be looked at.

The other issue that this debate raises is that of select committees. This government has not allowed one select committee to be established in this place. Having been on a couple of select committees in the past, I do not think the issue we are debating today is an appropriate one for a select committee. I draw the comparison with the motion I moved in 2004 to form a select committee to look into the abuse of children in the care and protection of the state. The wise men in the government said that we could not possibly have a select committee on that issue. If the house decides that we are to have a select committee on the issue that is being debated, tomorrow or next week I will move the same motion that I moved in 2004, because I think that is the sort of issue that should go to a select committee, rather than the sort of issue that is being debated today. This issue is important, and the issues that have been raised should be examined. I think we can continue discussing these issues in other ways, but I do not think they are appropriate issues for consideration by a select committee.

**MR A.J. SIMPSON (Serpentine-Jarrahdale)** [4.13 pm]: In a similar way to the member for Churchlands, I find this debate becomes more interesting as time goes by. Until last week, I did not know that the EMS system actually existed.

**Mr R.C. Kucera:** I have to say that that is a matter for your party office.

**Mr A.J. SIMPSON:** I have experience of only Feedback, so I do not have knowledge of any other system. However, the member's system is paid for by the government, while I pay for my own and always have done. I honestly believe, as a member of Parliament, that members are given an electoral roll and what they do with it is their choice. However, if members want to run a system, they should pay for it.

**Mr A.J. Carpenter:** Did you hear my explanation?

**Mr A.J. SIMPSON:** Yes, I heard the Premier's explanation. The member for Alfred Cove raised the fact that Western Australian taxpayers are paying for a system to run our electoral rolls -

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**Mr A.J. Carpenter:** You chose a system that the taxpayers don't pay for. You could have chosen EMS.

**Mr A.J. SIMPSON:** I could have, but why should the taxpayers pay for it? I do not understand why we should have a system that the taxpayers pay for.

**Mr A.J. Carpenter:** We could have electorate offices in which there is no data provided by the state, and therefore everybody has to pay for their own data. Is that what you would like?

**Mr A.J. SIMPSON:** No, I meant the actual system that controls it. We have been paying \$240 000 for how many years? As I understand it, \$160 000 and \$80 000, divided by five years -

**Mr A.J. Carpenter:** If you want to pay for your own, which you are because you want to -

**Mr A.J. SIMPSON:** Can I send the Premier the bill? Will he pay for me?

**Mr A.J. Carpenter:** I said, "If you want to pay for your own". The Australian Electoral Commission objects to the information that Feedback is providing to members of Parliament. If anybody has a problem, it is the eight Liberal Party members who are using that system.

**Mr A.J. SIMPSON:** As I was saying -

**Mr A.J. Carpenter:** No, don't just say, "As I was saying". You and all the other Liberal Party members who are using Feedback are doing so against the express wishes of the Australian Electoral Commission, so I think you've got a problem. Maybe I should refer it to the Corruption and Crime Commission and get it to sort it out.

**Mr T.R. Sprigg:** That's a good defence.

**Mr A.J. Carpenter:** Why not?

**Mr A.J. SIMPSON:** The Premier has raised a good point, because I am more at a loss than anyone else about what information is available to the public and what information can be used by a member of Parliament.

**Mr A.J. Carpenter:** The Electoral Commission doesn't want you to use it, but you are using it anyway. This could carry a very heavy penalty. You could find yourself in the dock.

**The ACTING SPEAKER (Mr M.J. Cowper):** Members, let us get back on track. I would like to hear the member for Serpentine-Jarrahdale.

**Mr A.J. SIMPSON:** This comes back to the issue raised by the member for Alfred Cove - the fact that it is not clear what information on birth dates is available to the public, what systems can be used, who can have access to information and whether privacy issues are involved. No-one knows; it is open-ended in respect of what information can be accessed and what can be done with it. Are members allowed access to dates of birth? As the member for Alfred Cove asked: are members allowed to share the information with work colleagues, family members or union members who might come to work in a member's office? It is a bit unclear. The member for Alfred Cove makes a good point. We need clarification on this issue.

**Mr A.J. Carpenter:** When volunteers come into your office, do you make them wear blindfolds so that they cannot see any information on the computer screen?

**Mr A.J. SIMPSON:** I do not have any volunteers in my office. I have two paid staff who do all the work I need. This situation is open-ended. We are not clear on what is what. No-one knows whether dates of birth can be used. The Electoral Commission says that one system is a commonwealth system and the other is a state system. No-one knows the exact rules. The Premier made mention of the Corruption and Crime Commission; I am not sure.

**Mr R.C. Kucera:** That is the responsibility of your party to sort out.

**Mr A.J. SIMPSON:** No, it is not. If the state government is using funds to pay for it, the government should have an inquiry to find out how it should be used. It is quite simple. If the government is going to spend \$240 000 over five years for 90-odd members, it is spending \$500 or \$600 of taxpayers' money a year on each member of Parliament to run the electoral roll. I will not take up much more time, because I know other members want to speak. I support the member for Alfred Cove in her quest to get an answer to these questions.

**MR M. McGOWAN (Rockingham) [4.17 pm]:** I am a little perplexed by this debate and why it has arisen, considering the systems that are in use are seven years old. Some people have been a bit confused by what happens in electorate offices and what is available to members. They have therefore succeeded in generating some interest in the media, which are always too willing to look for negatives in the government, perhaps without an appropriate understanding of what has taken place and what this is about.

**Extract from Hansard**

[ASSEMBLY - Tuesday, 26 September 2006]

p6633b-6649a

Dr Janet Woollard; Speaker; Mr Colin Barnett; Mr John Kobelke; Mr Alan Carpenter; Deputy Speaker; Mr Paul Omodei; Ms Katie Hodson-Thomas; Acting Speaker; Dr Elizabeth Constable; Mr Tony Simpson; Mr Mark McGowan

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**Ms K. Hodson-Thomas** interjected.

**Mr M. McGOWAN:** To my mind, the Premier has cleared up the issue. I clearly understand what has happened on both sides in this issue. There is a readiness out there to think that all members of Parliament are doing the wrong thing. We are not. As the Premier said, all the appropriate guidelines for obtaining these systems were fulfilled.

**Dr J.M. Woollard** interjected.

**Mr M. McGOWAN:** Why do we need the systems? My experience as a member of Parliament is that my staff are trained in the use of the system.

**Dr E. Constable** interjected.

**Mr M. McGOWAN:** Can I answer the question? If people come into a member's office with an issue, the member may annotate in the system that the person is interested in a particular issue. That means that if the issue subsequently arises, the member may send the person a letter explaining what has taken place, as a service to the person. That is what this system is used for. Is it so wrong to let members of the public know about issues in which they have expressed an interest? No, it is not. That is what we should be doing.

**Mr A.J. Simpson:** Do you use dates of birth?

**Mr M. McGOWAN:** No, I do not. I do not think I have ever sent a birthday card to anyone in my electorate, and I cannot say that I think it is a big issue. However, the member for Leschenault has raised an important issue.

The issue of birthdays and so forth is what has aroused the member for Alfred Cove's interest. I want to let members know what the Premier was referring to when he kept referring to medical records. If an inadequate person such as the member for Alfred Cove comes into this house and says things like "misuse of confidential information", and "something inappropriate and wrong is going on", and I think I even heard her use the word "corrupt", people need to know what took place.

Members opposite will be interested in this. In 2001, the liberals for forests ran a candidate in the electorate of Brand. None other than the well-known Dr Keith Woollard from Applecross ran as a candidate. What did he do to generate interest in his campaign? He wrote letters, of which I have one here, to a range of people living within Brand -

**Dr J.M. Woollard** interjected.

**The ACTING SPEAKER (Mr M.J. Cowper):** Order, member! I am trying to listen to the minister.

**Mr M. McGOWAN:** Dr Keith Woollard wrote letters to a range of people living within Brand, in which he asked for their help. One of his letters headed "Dr Woollard Needs Your Help" states -

As many people know, I am a doctor who has been helping in this area for many years.

Those sorts of requests were contained within his first letter. The only people who received this letter were his patients living in the electorate of Brand, people who had been referred to him for assistance with heart complaints. About six people came to my electorate office and complained about this because they thought it was inappropriate that their doctor had used their medical records to generate a letter to them seeking their assistance in a political campaign. It gets worse. He then wrote to people who were members of the Fremantle Heart Patients Support Group who were not even his patients. He wrote the letter under a letterhead containing the words "Dr Keith Woollard Cardiologist" and headed "Dr Woollard needs your help". It was addressed as follows -

Dear Member

He was referring to the recipient as a member of the Fremantle Heart Patients Support Group. He then went on to say -

I have been helping heart patients in the Rockingham, Kwinana and Mandurah areas for many years and am well aware of the many problems down there that need fixing. I am standing for parliament at the Federal election on November 10<sup>th</sup> and I could make a very useful contribution as your Member of Parliament.

He goes on to ask, under his cardiologist letterhead, for the help of members of the Fremantle Heart Patients Support Group. Where did he get those records from? He got them from the hospital. He used medical records

Dr Janet Woollard; Speaker; Mr Colin Barnett; Mr John Kobelke; Mr Alan Carpenter; Deputy Speaker; Mr Paul Omodei; Ms Katie Hodson-Thomas; Acting Speaker; Dr Elizabeth Constable; Mr Tony Simpson; Mr Mark McGowan

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to generate these political letters. I wrote to the Medical Board of Western Australia complaining about that, and the Medical Board wrote back to me early in 2002 and said -

The Board considered that it was inappropriate practice to use patient databases in this manner and has relayed this to Dr Woollard.

That is fairly clear. That was considered inappropriate practice for a doctor; namely, the head of the liberals for forests party, the same political party of which the member for Alfred Cove is a member. What happened? Subsequently, in August 2002, the liberals for forests sent out correspondence signed by Dr Keith Woollard to his heart patients in Fremantle, Rockingham, Kwinana and Mandurah asking them to fill out a form indicating that they supported members of the liberals for forests. He did that after he had been warned by the Medical Board. It beggars belief that the member for Alfred Cove can come into this house and complain about the misuse of confidential information. Her husband and leader of the liberals for forests used medical records to try to convince very vulnerable people - people with heart conditions - that they should support her political party. If that is not completely inappropriate and improper conduct on the part of that political party and that person who, as we know, is closely related to the member for Applecross, I do not know what is. That puts into perspective the member's arguments on this issue and proves that they have absolutely no merit.

**MR C.J. BARNETT (Cottesloe)** [4.24 pm]: It is interesting to note that the Labor Party has to get nasty and personal. It is a fair indication that if someone is cheating, it will be the Labor Party. If there is a cheat in the chamber, that person will be on the Labor Party side.

Every member of Parliament was provided with the electorate management system to enable the efficient operation of his or her electorate office.

**Mr A.J. Carpenter:** It was your decision.

**Mr C.J. BARNETT:** No, it was not. Every member of Parliament was funded accordingly. We now find that members on that side of the chamber received funding, according to *The West Australian*, estimated to be \$3 270 a member. If members on this side used what was previously generally available as the electorate management system, they received funding of \$1 806.

**Mr A.J. Carpenter:** You made that decision.

**Mr C.J. BARNETT:** I do not care how it was arrived at or who made the decision. The situation right now, my friend, is that there are two rules in this Parliament: one rule for Labor members and another rule for everyone else. How it evolved is irrelevant.

**Mr A.J. Carpenter:** That was your decision.

**Mr C.J. BARNETT:** I do not care who made the decision. This is my time, friend.

**Mr A.J. Carpenter:** It was your decision; you personally made the decision.

**Mr C.J. BARNETT:** I did not; what nonsense. Two systems are now in operation. If the Electrac system costs \$160 000 a year and the EMS system works out at \$80 000, it is a fair bet that the Electrac system is more sophisticated and that it is used as a campaign tool by the Labor Party. Clearly, something is out of whack; there is an anomaly.

The matter of the form and funding of data management systems for electorate offices should be taken out of the control of the Premier, who heads the Labor Party in this Parliament, and out of the control of the Department of the Premier and Cabinet and placed within the responsibility of the Parliament so that every member of Parliament is treated equally. I do not care about the history.

**Mr A.J. Carpenter** interjected.

**Mr C.J. BARNETT:** The Premier may well laugh. He is the Premier now and he is essentially administering a system that is corrupt, regardless of how it was established. We now have two rules: one rule for Labor members of Parliament and another rule for everyone else. That is inappropriate. Imprest accounts and everything to do with parliamentary offices and our positions as members of Parliament should be administered through the Parliament because the Labor Party cheats. It is as simple as that. It cheated on air travel and it cheats on allowances. It cheats. This needs to be taken -

**Ms A.J.G. MacTiernan** interjected.

**Mr C.J. BARNETT:** The Minister for Planning and Infrastructure should dry up.

The management of this funding must be taken out of the Department of the Premier and Cabinet and placed within the management of the Parliament. Criteria should be set down and electorate offices should be funded

**Extract from Hansard**

[ASSEMBLY - Tuesday, 26 September 2006]

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Dr Janet Woollard; Speaker; Mr Colin Barnett; Mr John Kobelke; Mr Alan Carpenter; Deputy Speaker; Mr Paul Omodei; Ms Katie Hodson-Thomas; Acting Speaker; Dr Elizabeth Constable; Mr Tony Simpson; Mr Mark McGowan

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equally. I do not object if members are given a choice of system; however, funding for all members of Parliament for their electorate offices must be equal. It is not equal now. Labor members receive twice the amount that Liberal and other members receive. That is clearly inappropriate. The Premier does not know anything about the history of the system and I do not know anything about it. The member for Willagee is the Premier, so he should fix it.

**Mr A.J. Carpenter:** You made the decision.

**Mr C.J. BARNETT:** I did not make the decision at all. I did not administer the Department of the Premier and Cabinet. I had no role at all in that. However, even if I had, I would be making exactly the same argument. This issue must be placed under the control of Parliament. I do not receive Feedback information, although the Liberal Party tells me I should. I tell members that I will not take Feedback information. I will not have a system which I think can in any way be misused or from which data can be sent from my electorate office to anyone else's system. I suspect that Electrac does exactly that; namely, it transfers information about people from federal offices to state offices and vice versa and is used by the Labor Party for election campaigning. The ALP is cheating once again. It needs to fix the system.

Question put and a division taken with the following result -

Ayes (19)

Mr C.J. Barnett  
Mr D.F. Barron-Sullivan  
Mr M.J. Birney  
Mr T.R. Buswell  
Mr G.M. Castrilli

Mr J.H.D. Day  
Mr B.J. Grylls  
Dr K.D. Hames  
Ms K. Hodson-Thomas  
Dr G.G. Jacobs

Mr J.E. McGrath  
Mr P.D. Omodei  
Mr A.J. Simpson  
Mr G. Snook  
Dr S.C. Thomas

Mr T.K. Waldron  
Mr G.A. Woodhams  
Dr J.M. Woollard  
Mr T.R. Sprigg (*Teller*)

Noes (29)

Mr P.W. Andrews  
Mr J.J.M. Bowler  
Mr A.J. Carpenter  
Dr E. Constable  
Mr J.B. D'Orazio  
Dr J.M. Edwards  
Mrs D.J. Guise  
Mr J.N. Hyde

Mr J.C. Kobelke  
Mr R.C. Kucera  
Mr F.M. Logan  
Ms A.J.G. MacTiernan  
Mr J.A. McGinty  
Mr M. McGowan  
Ms S.M. McHale  
Mr A.D. McRae

Mr N.R. Marlborough  
Mrs C.A. Martin  
Mr M.P. Murray  
Ms M.M. Quirk  
Ms J.A. Radisich  
Mr E.S. Ripper  
Mrs M.H. Roberts  
Mr T.G. Stephens

Mr D.A. Templeman  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr S.R. Hill (*Teller*)

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Pairs

Ms S.E. Walker  
Mr R.F. Johnson

Mrs J. Hughes  
Mr J.R. Quigley

Question thus negatived.